H.J. Res. 864. March 16, 1976. Post Office and Civil Service. Authorizes the President to designate the second full calendar week in March of 1976 as "National Employ the Older Worker Week".

H.J. Res. 865. March 16, 1976. Post Office and Civil Service. Authorizes the President to designate the second full calendar week in March of 1976 as "National Employ the Older Worker Week".

H.J. Res. 866. March 16, 1976. House Administration. Designates and adopts the American marigold as the national floral emblem of the United States.

H.J. Res. 867. March 16, 1976. Post Office and Civil Service. Designates the Eastern Red Cedar as the national tree of the United States.

H.J. Res. 868. March 16, 1976. Judiciary. Proposes a constitutional amendment limiting the number of years Representatives, Senators, and Federal judges may serve.

H.J. Res. 869. March 16, 1976. Rules. Establishes a Joint Committee on Aging to plan and conduct a Congressional conference on aging.

H.J. Res. 870. March 17, 1976. Post Office and Civil Service. Authorizes and requests the President to issue annually a proclamation designating the last full calendar week in April in each year as "National Secretaries Week".

HOUSE RESOLUTIONS

H. Res. 1082—March 9, 1976. Set forth, in response to certain subpoenas duces tecum, the Rules of the House of Representatives with respect to judicial process regarding personnel, Members, and documents of the House. Authorizes the subpoenaed employees to respond to such subpoenas.

H. Res. 1083.—March 9, 1976. Sets forth the rule for the consideration of H.R. 3981.

H. Res. 1084.—March 9, 1976. Sets forth the rule for the consideration of H.R. 11481.

H. Res. 1085.—March 9, 1976. Sets forth the rule for the consideration of H.J. Res. 606.

H. Res. 1086.—March 11, 1976. Sets forth the rule for the consideration of H. Con. Res. 580.

H. Res. 1087.—March 15, 1976. House Administration. Authorizes the appropriation of funds to the Committee on House Administration to enable House Information Systems to provide for maintenance and improvement of ongoing computer services for the House of Representatives, for the investigation of additional computer services for the House of Representatives, and to provide computer support to the committees of the House of Representatives.

H. Res. 1088.—March 15, 1976. Sets forth the rule for the consideration of H.R. 11598.

H. Res. 1089.—March 15, 1976. Sets forth the rule for the consideration of H.R. 12046.

H. Res. 1090.—March 15, 1976. Sets forth the rule for the consideration of H.R. 12226.

H. Res. 1091.—March 17, 1976. Rules. Requires the report of the Select Committee on Intelligence filed on January 29, 1976, be referred to the Committee on House Administration, and such Committee shall follow the procedures agreed to between the Select Committee and the President with respect to the disclosure of classified information transmitted to such select committee. States that after such procedures have been complied with, such report, as it may be altered in accordance with such procedures, shall be printed as a House document.

H. Res. 1092. March 17, 1976. Sets forth the rule for the consideration of H.R. 9803.

H. Res. 1093. March 17, 1976. Sets forth the rule for the consideration of H.R. 10799.

H. Res. 1094. March 17, 1976. Sets forth the rule for the consideration of H.R. 12453.

H. Res. 1095. March 18, 1976. Rules. Establishes the House Committee on Intelligence which shall be responsible for investigating foreign and domestic intelligence activities of the United States.

Establishes a Special Leadership Committee which shall consider requests to make classified materials available to the public.

Provides for the expulsion of Members who release any classified material within the possession or control of any committee.

H. Res. 1096. March 18, 1976. House Administration. Creates a senior citizen intern program in the House of Representatives. Authorizes each Member of the House of Representatives to hire two additional employees for such program.

H. Res. 1097. March 18, 1976. House Administration. Authorizes expenditures by the House Judiciary Committee for investigations and studies and general oversight responsibilities.

H. Res. 1098. March 18, 1976. Rules. Establishes the House Committee on Health which shall have the responsibility for investigating health measures generally, health facilities, health care programs, national health insurance, public health and quarantine, and biomedical research and development.

H. Res. 1099. March 22, 1976. Banking, Currency and Housing. Directs the Secretary of the Treasury and other Federal officials to initiate negotiations within the framework of the Organization for Economic Cooperation and Development and the International Monetary Fund with the intent of developing an appropriate code of conduct and specific trading obligations among governments, together with suitable procedures for the settlement of disputes.

EXTENSIONS OF REMARKS

COMMUNIST MEDDLING IN AFRICA

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Monday, April 5, 1976

Mr. GRIFFIN. Mr. President, to be sure, some fundamental political and social changes are needed in Rhodesia, and I believe our Government should continue to support and encourage such changes. But neither justice nor peace is likely to be furthered by Soviet or Cuban meddling in this sensitive region.

Recently, the Wall Street Journal published a very perceptive editorial entitled "Getting Together on Africa." I ask that it be printed in the RECORD.

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

GETTING TOGETHER ON AFRICA

Both U.S. Secretary of State Kissinger and British Foreign Secretary James Callaghan issued timely warnings to Russia and Cuba against further interference in southern Africa. It is encouraging to see that in this crucial area, U.S. and British policy are in concert.

Mr. Callaghan, a leading candidate to succeed Harold Wilson as Prime Minister, directly confronted Soviet Foreign Minister Andrei A. Gromyko Tuesday on the question of Rhodesia. He told Mr. Gromyko, who was visiting England, that Rhodesia still is legally British territory and that even indirect intervention there by Russia or Cuba would be construed as an attack on Britain itself.

That forthright warning gives strong moral and legal support to Secretary Kissinger, who refused in Dallas on the same day to rule out a U.S. invasion of Cuba if that country persists in its African adventures. He, too, clearly had Rhodesia in mind. The U.S. and British warnings coincided with threats from Mozambique by black revolutionary Bishop Abel Muzorawa that Cuban forces may be called in to help blacks attempt to topple the white Rhodesian government.

Mr. Gromyko did not flinch. Before departing Heathrow Airport yesterday he made it genially clear to reporters that Russia now expects to be negotiated with on any issues involving Angola's neighbors. The U.S. and Britain had better keep their positions firm, which means that the electorates of both countries need a clear understanding of the situation.

The positions taken by Mr. Callaghan and Mr. Kissinger do not represent a defense of white racism, although their political opponents around the world will no doubt attempt to apply that construction. We would urge any American or English politician who is tempted to adopt that line to consider it very carefully, because it is not only untrue but a dangerous encouragement of Soviet and Cuban adventurism.

Both the United States and England have attempted for years to ameliorate the policies the white regimes of Rhodesia and South Africa have adopted towards blacks. The pressures applied by Britain have been painful and politically divisive in England itself because a good many English citizens have been cut off from friends and relatives in Rhodesia by Britain's efforts to isolate the rebellious government of Ian Smith. The U.S. and British pressures have not been fruitless; neither have they been strikingly successful.

But both countries have stopped short, and wisely so, of encouraging armed insurrections of black Africans. (Sadly, some private groups, including some with church affiliations, have not been so reticent.) A blood bath in either nation would be traumatic for racial relations throughout the world and another tragic failure of international diplomacy; it would be most unlikely to lead to multiracial democracy in southern Africa.

Anyone who would argue that the Soviet Union and Cuba have something constructive to offer in this sensitive corner of the globe can only be regarded as naive. Cuba and Russia are pushing into the politics of the region because they are in the business of exporting revolution. And they are exporting revolution because they have imperialist designs on any part of the world where it might be possible to gain a foothold. Having gained a position in Angola they are emboldened to press for further African conquests.

The Callaghan-Kissinger warnings are an attempt to block exploitation by two neo-imperialist nations of existing political tensions. They are based on a clear-eyed view of what is afoot and are on a solid moral base. Anyone who has examined prevailing political attitudes in either Cuba or the Soviet Union will know that the people and governments of the United States and Britain have infinitely more sympathy for the constructive aspirations of black Africans than have either of those two nations.

It is important that politicians and the public in both the U.S. and Europe not misjudge this issue. It is equally important that the moderate leaders of Africa not fall prey

to beguiling revolutionary slogans. Zambia, Botswana, Tanzania and Kenya all have shown some signs of that influence in recent days. But they and their present leaders would be among those who would suffer most if racial war should ever be ignited in Africa. Their important ties with both Europe and the U.S. would almost certainly be ruptured, leaving them at the mercy of the neo-imperialists.

Both Mr. Kissinger and Mr. Callaghan were fully justified in using strong language to try to head off such a disaster. And both deserve strong support from the diverse elements in their divided governments on this important and easily confused issue.

A BIG PUSH FOR DISCIPLINE IN SCHOOL

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. DERWINSKI. Mr. Speaker, any parent, school administrator, or teacher is aware of the problem of discipline in the schools. I direct the attention of the Members to a very factual column by Casey Banas in the Chicago Tribune on March 24, in which he reports on the steps being advocated by Rev. Jesse Jackson to bring discipline into the schools of Chicago. Since the date of the column, Reverend Jackson has been even more specific in these suggestions, and I commend him for this responsible approach to a major problem in education, and I commend the article to the Members' attention:

A BIG PUSH BY JACKSON FOR DISCIPLINE IN SCHOOL

(By Casey Banas)

Here's a statistic to startle one:

In 10 years, the Board of Education's annual budget has skyrocketed from $388 million to $1.163 billion.

Granted that inflation caused a large part of the increase. But not all. Yet we are not exactly deluged with testimonials that more money has resulted in a better product being turned out.

So what's needed to elevate student achievement?

It is not more money. It is not higher salaries for teachers. It is not snazzy new instructional materials. It is not fancy schools.

It is, I submit, a new spirit—a spirit in which an entire city believes that its children, of all races, can learn effectively, and focuses its efforts in a united front to achieve that goal.

Guess who's going from neighborhood to neighborhood preaching that message?

The Rev. Jesse Jackson.

He is saying, first and foremost, that parents must do their jobs and assume more responsibility for their children.

I have the impression that a lot of black students go to school believing it's cool to be baaaaaad. And they act accordingly.

The Rev. Mr. Jackson makes the point that a white person who dares to suggest black parents are failing in their responsibilities for their sons and daughters would be labeled a racist—like me, for example, for the preceding paragraph.

But the Rev. Mr. Jackson can go—and is going—into school after school to call with fervor for a revival of discipline.

In his flamboyant oratorical style, the Rev. Mr. Jackson spellbinds his youthful audiences with catchy slogans such as "We must have hope in our brains, not dope in our veins," and "Girls, you must pay more attention to books than to your bosoms."

He wants students and parents alike to cast aside the "anti-study, anti-intellectual" atmosphere permeating the inner city. He urges blacks not to consider themselves any longer victims of a white-dominated society, but to accept responsibilities for their own destinies.

The Rev. Mr. Jackson is crusading for a "push for excellence" program in Chicago, Los Angeles, and Washington high schools so parents and teachers can join forces in motivating the children.

These are elements in his program:

A city-wide council of students would provide leadership to support discipline and academic excellence, and fight against drugs, violence, and racism.

Educators, politicians, the press, and disc jockeys should join forces to institute a "citywide study hour" from 7 to 9 p.m. for all students.

All schools should have dress codes reflecting modesty and dignity.

Schools should hold convocations at least three times a year to emphasize and recognize academic excellence just as enthusiastically as athletics.

The mass media should give students awards for artistic, cultural, and academic excellence just as they have created all-city and all-state athletic teams.

The Rev. Mr. Jackson, I believe, is addressing himself to the real problems of urban education and is offering what might become pragmatic solutions, if his crusade catches fire.

But yet there is something disquieting about his efforts. Several people have whispered in my ear that the Rev. Mr. Jackson has seized upon the school issue in an effort to revive his sagging personal image and to gain a new infusion of financial support for his Operation PUSH.

He scoffs at this type of talk. He argues that his calling is to be a social activist and he is following in the footsteps of the late Dr. Martin Luther King Jr. by going where the issues are.

You can make your own judgment.

I hope my observers are dead wrong about his motives.

If only the Rev. Mr. Jackson, with his flair as a charismatic leader, can ignite the force to get all parents to motivate discipline, and encourage their children to the value of education, he will make a supreme contribution to this city.

UNFORESEEN CONSEQUENCES OF LEGISLATION

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. SYMMS. Mr. Speaker, the unforeseen consequences of legislation enacted by this Congress should be of concern to us all.

It was called to my attention recently that the businessmen in my congressional district are distressed about the consequences of the Federal Fair Credit Billing Practices Act and the Federal Equal Opportunity Credit Act. Along with a justifiably sarcastic note to me from one of Idaho's most prominent and respected agribusiness leaders was enclosed a copy of the letter he had received from the Boise Building Supply Co. I would like to insert the text of that letter at this point in the RECORD:

DEAR CUSTOMER: This fall the Federal Fair Credit Billing Practices Act and the Federal Equal Opportunity Credit Act became law. Various regulations implementing these Acts become effective on different dates over the next two years.

These Acts and regulations require most retail businesses to make extensive and expensive changes in their retail, consumer credit procedures. For most retail businesses, the cost of these changes is prohibitive.

After considerable thought, Boise Building Supply has decided that it is not fair to pass along any additional cost to you, the consumer, nor change the effective and personal service we have always provided. Therefore, Boise Building Supply has decided to close all retail, consumer credit charge accounts, effective November 18, 1975.

This closure is in no way a reflection upon your past credit performance, which has been entirely satisfactory, nor is it an indication of our unwillingness to continue to do business with you. All retail consumer sales will now be on a cash basis, that is, cash money, personal checks, and bank charge cards.

It is very discouraging to us at Boise Building Supply, that the Federal Government is making it increasingly difficult to provide retail consumer credit services to our customers and friends.

If you have any questions about your account or this letter, please feel free to contact me by telephone or stop in and see me in person.

Sincerely yours,

BRIAN BEAUTROW,
Credit Manager.

The Congress does not—or should not—operate in a vacuum. The finest minds in business economics are available for consultation. The consequences of that legislation passed last fall were predictable and should not have been forced upon the business community by this Congress. On both sides of the aisle, lip service is being paid to the evils of over-regulation in the private sector. It is time we quit talking about deregulating business and get down to the business of repealing these onerous laws.

AWARENESS DAY

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. RUSSO. Mr. Speaker, today I want to comment on a significant event that will take place in my district on Saturday, April 10. The South Metropolitan Association of Harvey, Ill., will be sponsoring Awareness Day—and this will surely be a most special day for some very special young people.

There are approximately 80 physically handicapped children currently enrolled in special orthopedic classes with the South Metropolitan Association for Low-Incidence Handicapped. These children attend special classes throughout the area at different elementary schools.

As part of the total educational growth and development of S.M.A.'s orthopedically handicapped children, the S.M.A. staff and the orthopedic parent

group are collectively planning a giant two-fold project—Awareness Day and a trip to Kings Island Amendment Park near Cincinnati, Ohio.

On Awareness Day, the children will be earning their trip by "traveling" in the village auditorium in Homewood, Ill. The orthopedically handicapped children will be going around a track in the auditorium gym, earning money previously pledged in their name for each lap they complete. That money will mean a 2-day overnight trip to Kings Island for the children and their chaperones.

While the day itself may be fun, we cannot overlook the value of this awareness project in terms of the children's own satisfaction, borne of earning their own trip rather than having it given to them. Certainly the sponsors at SMA are sensitive to this and I will quote briefly Chuck Novey, supervisor, orthopedic program at SMA:

You just can't realize how important it is for our special children to be involved in a project like this. It is especially helpful to them in that it actually gives them a chance to "earn" their way to Kings Island . . . this helps to foster a positive self-image . . . It also allows them to mingle in society with strangers—an important step in achieving independence.

I commend the sponsors of Awareness Day for their commitment and their hard work. I know how many hours many people throughout the area must have worked to get the entire project organized. They want to be 100 percent successful getting all 80 of those kids to Kings Island. I know my colleagues join me in wishing them that success.

SOUTHERN COMFORT

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. HARRINGTON. Mr. Speaker, over the course of the past 70 years, the Canal Zone has become widely regarded as a North American colonial enclave, indeed, some would say, a tropical paradise for the North American Zonians residing there. At the same time, most Panamanian nationals who have remained in the zone are confined to ghetto communities and are barely earning enough to survive. Clearly the stark contrast between the two lifestyles has become one of the contributing factors to widespread resentment to the U.S. presence in Panama. As one observer suggested:

The panamanian situation . . . possesses all the true imperial elements: a distant and tremendous dominant power, and anxious settler community, a subject people united only in resentment, dubious historical origins, a sleazy tropical setting, and, above all, a specific raison de'etre.

In principle, the United States and Panama have agreed to replace the 1903 treaty with another of fixed duration in an effort to ameliorate the mounting frustrations felt by the entire Panamanian political spectrum. But while the negotiators are attempting to assure their respective peoples that theri vital interests will not be sold out, the American Zonians, a group that should be somewhat sensitized to Panamanian discontent, are unfortunately among those sectors that remain largely unconvinced as to the advantages of a new treaty.

Considering the idyllic setting and the serene lifestyle enjoyed in the zone, it is not difficult to understand why so many Zonians resist changes in the status quo. It has been reported, for example, that in the 553 square miles which comprise the zone, there are 7 golf courses, 6 riding clubs, 4 beaches, 14 swimming pools, 11 movie theaters, 4 yacht clubs, 5 bowling alleys, 9 craft shops, 2 roller-skating rinks, 6 gymnasiums and countless tennis courts.

A recent press account described the zone's main residential and commercial area as a "slice of smalltown America transplanted to foreign soil but to a great degree insulated from the culture, customs, and laws of the host country."

The contrast between the Panamanian and zonian lifestyles is hardly restricted to the unmarked frontier between the Republic of Panama and the Canal Zone, for within the American-run zone itself exists a caste system with distinct racial overtones. Many of the blacks who were brought from the West Indies to assist in the construction of the canal remained in the zone and still live in the dwellings built 70 years ago to provide temporary housing for canal workers. Thus, despite recent and long-overdue steps by the American administrators to integrate housing and schooling in the zone, the black ghetto communities remain a district cultural minority in zonian society.

Hence, I would like to alert my colleagues to the relatively unacknowledged overtones of ugly Americanism persisting in the Canal Zone by calling to their attention the following editorial which appeared in the March 25, 1976, issue of the Washington Post:

AMERICAN IRRESPONSIBILITY IN PANAMA

The recent wildcat strike or "sickout" of 700 American employees of the Panama Canal provided, unintentionally, a major boost to the lagging effort to negotiate a new United States-Panama canal treaty. This job action showed the irresponsibility of the American "Zonians" who insist that they and they alone can run the canal right. This widely trumpeted claim has had wide acceptance until now among the Zonians, the 15,000 privileged Americans who profit personally from maintenance of the status quo. It has also been accepted by those other Americans who equate the 73-year American presence in Panama with the natural order of the universe and who accept, uncritically, Zonian propaganda to the effect that Panamanians are a lesser breed unfit to tend to the canal.

Yet here were 700 of the zone's elite, acting in apparent violation of American laws prohibiting strikes by U.S. government personnel and thereby creating what the secretary of the Army (the responsible official) called "a serious disruption of international trade." Some 170 ships in transit were tied up at one point—the most massive backlog in the history of the waterway. Moreover, almost all of the 700 were holders of "security positions." Key canal jobs are open only to American citizens, the theory being that Panamanians can't be relied on to keep the canal operating.

The 700 seem to have been protesting, among other things, a proposal to eliminate the 15 per cent "tropical differential" paid to American civilians in the well air-conditioned zone. In currently difficult world economic conditions, the unbusiness-like manner in which the U.S. Corps of Engineers has administered the canal has aggravated its financial problems to the point where even some of the privileged Zonians are complaining. In this little pocket of social backwardness, there was also opposition to a fresh legal demand for racial integration of housing and schools. Some of the 700 also appeared intent on resisting the attempt by American diplomats to draft a modern treaty.

If the striking Zonians did not understand how they were undermining the case for continued American control of the canal, the U.S. government did. The secretary of the Army ordered 35 military people to perform harbor, transit and tug pilot tasks. This evidently helped persuade the strikers to return to work, and it let the U.S. government assert that it is indeed "committed to maintaining the efficient operation of the waterway for the benefit of world shipping." But the point of Zonian irresponsibility had already been made. This is not to say that Panamanians, if they controlled the canal, would always be more responsible; but it is to say that the pretense of greater American reliability can no longer be maintained. During the strike we note, Panamanian leader Gen. Omar Torrijos publicly urged Panamanian employees of the canal to stay on the job. They did.

Perhaps this episode will give a much needed jog to the negotiations for a new treaty to replace the patently one-sided one that Teddy Roosevelt imposed upon a supine Panama in 1903. That old arrangement has since become an embarrassment to U.S. hemispheric diplomacy and, in its offensive provocation to Panama, a real threat to the great American interest in a smooth-running canal. The negotiations were proceeding fairly well last year until American politics intervened. Ronald Reagan, happening to discover the emotional grip which the canal still has on many older and conservative Americans, began attacking the talks as a "sell-out." President Ford unfortunately responded in a way that undermined his own diplomats.

Meanwhile, Gen. Torrijos has again disappointed those Americans who hope that, by demonstrating radicalism, he will thereby discredit the Panamanian case for control of the canal. The general visited Havana last January and returned with Fidel Castro's ringing endorsements of his own policy of patient negotiations. He has used the Castro imprimatur to face down Panamanian leftists who contend that violent struggle is the only way Panama can win the canal. Statesmanship and good politics alike now dictate that Mr. Ford make the adjustments in the American bargaining position that will allow a new treaty with Panama to be completed in a reasonable time.

A COMMENT ON CONGRESS IN UNITED BUSINESS INVESTMENT REPORT

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. BRADEMAS. Mr. Speaker, I believe that all Members of Congress will be interested in the following commentary about Congress, "The Back Yard," by David Sargent, from the March 29,

1976, issue of United Business Investment Report, published in Boston, Mass.

The commentary follows:

THE BACK YARD

(By David Sargent)

I don't know why it is, but we Americans seem to deify our Presidents—or at least the Oval Office—and villify our Congress. We called them the "rubber stamp" Congress in FDR's day. Harry Truman won an election running against the "do-nothing" 80th Congress.

We accuse them of talking too much, spending too much money, pandering to pressure groups, and voting always with their own reelection in mind. There is, of course, some truth in all of this criticism, but only some. I've only known three members of the House, one from St. Louis, one from Texarkana, Texas, and, of course, my "own." They were all serious, thoughtful, and hard working members of the Congress.

Although they often held opinions different from mine—good grief, so does my wife—they arrived at their conclusions the same way the rest of us do, by honestly working their way through the possible solutions for the very complex problems which face us these days. And they worked harder than the average businessman. They rarely were allowed the luxury of a 9-to-5 day; their constituents simply wouldn't let them.

But perhaps more important than the human qualities of our representatives on Capitol Hill is the very fact that they are there and that they are us. They are our only protection against big government, or worse. The White House and such big departments as Health Education and Welfare, Defense, and State could do as they pleased with scant regard for the rest of us, if it weren't for the Congress.

So never mind if the House and Senate sometimes seem noisy and disorganized, or if some of their legislative efforts don't line up exactly with your "druthers." Just be glad that they're there, that they're you, and that they have kept us free.

ARMY LOSES CREDIBILITY OVER BASE CLOSINGS

HON. EDWARD MEZVINSKY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. MEZVINSKY. Mr. Speaker, yesterday, the Secretary of the Army announced a so-called study for base realinements that was purported to "improve Army combat capability by reducing nonessential overhead and support personnel and associated costs."

That sounds good and we are all for that, in principle. But, it is the Army's tactics that are so galling. Ever since I first came to Congress, a vast amount of my time has been spent in trying to predict when the next reorganization will be announced, where the realinement will come, and how much time we will have to scrutinize their decision and make our views known. The Army has consistently employed a style of gamesmanship designed to reduce the time between congressional discovery and implementation to the maximum extent possible. This latest move is no exception. We are told we have 30 days to comment on a plan that is so imprecise that it is not even down on paper.

I am personally acquainted firsthand with the case of the Rock Island Arsenal. On every occasion decisionmakers have proudly predicted that the "future looks rosy for the Rock Island Arsenal" and cited budget and staff recommendations to prove their forecast. At the same time, our community has thirsted for these words in the face of the latest sortie of Army job cutting. Now, when the economy is so uncertain and unemployment so devastating, the Army has fostered reassurances that jobs would be secure—until yesterday, when 320 more Quad City jobs were put in jeopardy.

This kind of manipulation of employee lives and hopes is unconscionable. The Army has refused to permit the community and the Congress to have any real voice in the decisionmaking. And, their continued misdirection destroys credibility. How can they expect Congress to meet their insistent demands for more and more tax dollars if the military systematically misleads countless Members about the installations in their home district? How can they expect the public to heed their claim to bigger and bigger shares of the Federal budget when they so callously treat people as pawns in their endless reorganizations?

Unfortunately, the Army never seems to learn.

THE NATIONAL DIFFUSION NETWORK—LETTING EDUCATORS LEARN ABOUT PROGRAMS THAT WORK

HON. TIM L. HALL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. HALL. Mr. Speaker, the National Diffusion Network within the Education Division of the Department of Health, Education, and Welfare offers educators across the country the opportunity of learning and benefiting from fellow educators' research and ideas.

Currently, there are some 150 programs available through this information dissemination system. Each of the programs has been developed and evaluated in an actual school situation.

One of the programs, early prevention of school failure, is directed by a constituent of mine, Mrs. Luceille Werner. This very worthwhile program helps to identify and deal with young children who have developmental learning deficiencies.

Mr. Speaker, American Education, published by the U.S. Office of Education, carried an excellent article on the National Diffusion Network, explaining its history and reporting on its fine work. The National Diffusion Network's efforts at keeping educators informed of new and successful developments merit our full support and I commend the article to the attention of our colleagues:

EDUCATION'S NEW PIPELINE

(By Story Moorefield)

Suppose a school system needs a K–3 reading program that has demonstrated it can significantly raise the achievement scores of students. Or perhaps it wants a program that regular classroom teachers can use effectively with mentally retarded children. Or one that sends high school students into the community to conduct voter registration drives as part of their education in the fundamentals of our political process. Where does the school system look? What, if any, resource is available?

Programs like those mentioned and many more—144 at last count and the number is constantly building—are available through a nationwide dissemination system. Its official name is the National Diffusion Network (NDN), and it was established by the U.S. Office of Education in July of 1974 to spread the word about new ideas in education that work and have the documentation to prove it.

Each individual NDN program has been developed and evaluated in a real school situation. Through its developmental stage each program has had the support of either the Office of Education, chiefly under Titles I and III of the Elementary and Secondary Education Act, or the National Institute of Education. Finally, each program has survived a rigorous validation process that found it worthy of adoption by such other school systems as may need and want it.

A major segment of pipeline through which a program enters the National Diffusion Network is the Joint Dissemination Review Panel, made up of research and evaluation specialists from the Office of Education and the National Institute of Education. The panel was established within the Education Division of the Department of Health, Education, and Welfare (which includes OE and NIE) to assure the quality control of educational products and projects that are recommended for replication. Prior to the panel's inception, it was pretty much up to individual OE or NIE program managers to develop their own evaluation strategies for determining which programs were "exemplary" and thus suitable for use by other school systems. Each program had its own selection criteria and procedures, some more demanding than others. Yet a project judged exemplary by a single OE or NIE program was often seen by the education community as having the official endorsement of the U.S. Commissioner of Education or the Director of the NIE. Clearly, there was need for a centralized evaluation board that would use the same criteria for evaluating all projects, with authority to sanction those which, in its judgment, merit national diffusion.

In evaluating a program for dissemination, the panel looks for objective evidence that the program has done what it set out to do, whether the goal is a significant increase in student achievement scores, improved student motivation and self-image, or a more effective way to train teachers and apportion their time in the classroom. If increased student achievement is the objective, for example, the panel would probably ask for a comparison of test scores of participating children with national norms, or with their own performance before the program was installed, or with similar children not in the program. If the program objective is improved student motivation and confidence, the panel might ask for data on student attendance, dropout rates, and the like.

The panel also asks the kinds of questions that school systems interested in installing a program would need to know. Is the program replicable? That is, can different teachers with different groups of children achieve similar results? What are the start-up and recurring costs per pupil? Is the program available for replication or tied down by copyright and other restrictions?

Says John Evans, OE's Deputy Commissioner for Planning and Evaluation and chairman of the panel, "The central notion is that if the Federal Government is going to recommend to the country's educators that particular educational practices are worth

their consideration and adoption, then the Federal Government is obliged to determine that those practices do indeed have persuasive evidence of effectiveness behind them."

Dr. Evans points out that the Joint Dissemination Review Panel does not solicit validation applications from the field. Each project must be presented to the panel by an OE or NIE sponsor. Most OE submissions are made by program officers administering projects under Titles I and III of the Elementary and Secondary Education Act. By the time a program officer is ready to sponsor a validation review before the panel, he or she is fairly certain—from site visits and close association with project staff as well as from a review of past effectiveness—that the application is worthy of panel consideration.

Project directors who have assisted OE program staff in presenting a project to the panel say the validation process is a searing but necessary trial-by-fire. One of these is Bill Gibbons, director of HOSTS (Help One Student to Succeed) in Vancouver, Washington. HOSTS, a K–12 and adult reading program developed with Title III ESEA support, is a Vancouver school system response to State and community concern about the poor reading ability of many of the city's school children and out-of-school adults. Working through school, church, civic, and fraternal organizations, HOSTS trained 1,200 volunteers, from high school students to senior citizens, to tutor slow readers on an individual basis.

The program started in five schools, but by the fourth year had spread to 27, including parochial institutions and even a community college. As the volunteers provided 20 hours of free instruction for every hour of paid instruction by classroom teachers and reading specialists, reading scores rose dramatically. Mr. Gibbons and his associates knew they had developed something that other schools should know about. Getting the program into the National Diffusion Network was the most feasible way to reach large numbers of educators, especially in other States. But getting into NDN meant going through the Joint Dissemination Review Panel.

Mr. Gibbons recalls, "We had already spent 150 man-hours collecting and organizing data relating to student achievement, costs, training, and other aspects of our program so that an outside evaluation team could properly assess it. When I saw that the panel wanted this massive collection boiled down to a few pages, I wasn't sure it was worth it. But we did it, and the effort was well rewarded. The panel gave us a perfect score and used our application as a model for others to follow."

Asked whether he felt the panel is necessary, Mr. Gibbons replies, "In retrospect, I say yes. Emphatically yes. Working with youngsters and adults day by day, seeing their rapid improvement, we may know intuitively that our approach is the answer. But it takes statistical proof—in our case increasingly good reading scores over two to four years—to provide credibility. The panel demands such proof so that school systems will know exactly what to expect if they use our method. And that's educational accountability."

Once a project is approved by the panel for circulation through the National Diffusion Network, a number of things happen quickly: Copies of the instructional package—teacher manuals, organization and staff training suggestions, curriculum materials, and data on initial and continuation costs—become part of the master NDN file maintained by the Office of Education in Washington; copies also go to one or more professional educators in each of 36 States.

As facilitators of the diffusion process, these educators are key people in the network. All of them work for local school systems but may be housed in various parts of the State, including the State education agency. Facilitators are already familiar with local school needs in their State. Through site visits and regular interaction with project directors, they become thoroughly familiar with instruction programs in the network. Thus, they are in a position to bring together school systems that have problems and programs designed to solve problems. Title III of the Elementary and Secondary Education Act has provided support for the facilitation work.

Dave Crandall, Massachusetts Facilitator, spreads the word about NDN programs by mailing brief summaries to State education agency officials, local superintendents, curriculum coordinators, and principals of all schools in the State, including parochial and private institutions. One of his most important jobs is helping schools identify weaknesses in their instructional programs that may be strengthened by means available through the network, whether it be introduction of a new teaching approach or use of new materials. Dr. Crandall holds introductory workshops for administrators, teachers, and other professionals who express interest in a program described in the mailings. If this first exposure ripens into genuine interest in program installation, he serves as intermediary between the interested educators and the people who developed the program—people who may be doing creative things in places like Ocilla, Georgia, or Peotone, Illinois, and whose work may well help to meet student learning needs in Massachusetts.

The linking action triggers NDN's second function—providing staff training, technical assistance, and moral support to school systems that decide to adopt one or more of its programs. Toward that end, almost half of all projects approved for network diffusion by the Joint Dissemination Review Panel—some 65 to date—have received Title III funding as Developer-Demonstrators. Only funding limitations have prevented all approved projects from being thus supported.

Once school and program have been linked, Dr. Crandall and his counterparts in other States rely on the Developer-Demonstrators and other validated projects to provide the detailed instruction that will enable an interested school system to install the project or projects it has selected.

Dr. Crandall reports that 14 programs from other States have been picked up by 40 school systems or individual schools in Massachusetts. "I'm delighted that about half our adopters are private institutions," he says. "Part of the Title III mandate from Congress was to assist nonpublic school children. Our adopters include a number of Catholic, Jewish, and independent schools as well as public school systems."

How the Developer-Demonstrator and adopting school system work together is illustrated by a partnership in the South. The Missouri Facility or recommended that the Rolla school system take a look at a program called Talents Unlimited developed in Mobile, Alabama. Rolla was attracted to Talents Unlimited because the program works on the theory that educationally disadvantaged children can succeed in school if teachers recognize that the talents of children, like those of adults, can vary widely. For example, Susan may get good grades under the traditional academic approach because she can memorize facts and figures, but she isn't a creative thinker. In contrast, Daniel may hate book-learning but shine when asked to develop his own ideas. Joan, representing still a third variation, gets low scores on both academic and creative scales, but she demonstrates an ability to make sound judgments and decisions. Talents Unlimited gives youngsters opportunity to succeed on a six-talent scale: 1) traditional academic, 2) creativity, 3) evaluation and decision making, 4) planning, 5) forecasting, and 6) communications. Remarkably, nearly all disadvantaged students who were enrolled in the Mobile program scored average or above in at least one talent area. These talents were selected because they are important in enabling children eventually to function effectively as adults in a complex society.

Rolla school officials went to Mobile for a firsthand evaluation of Talents Unlimited and participated in one of many week-long training workshops the program conducts each year for personnel of school systems that decide to adopt the approach. And they went home to install the program, knowing that its director, Sara Waldrop, and her Talents Unlimited staff were as close as the telephone if they needed follow-up technical assistance.

"More than 40 school systems in many sections of the country have now installed our program," Mrs. Waldrop says. "It's satisfying to realize that thousands of children will experience success because their teachers have learned how to bring to the surface the hidden talents of those they teach."

Totaling the number of training workshops held nationwide in NDN's first year alone produces some startling figures. State Facilitators like Dave Crandall and Developer-Demonstrator personnel like Bill Gibbons and Sara Waldrop conducted workshops for 1,800 school systems. That means that more than ten percent of the Nation's 16,000 school districts were actively interested in installing NDN programs. And 19,000 workshop participants—mostly teachers—learned how to do it.

OE's Office of Planning and Evaluation has developed detailed instructional packages for six of the programs approved for dissemination, each one relatively easy to install in interested school districts. Known as Project Information Packages or PIPs, these self-contained units provide basic information a school system needs to set up and operate the program, including management, staff training, budget estimation, and instructional philosophy. The packages also include references to curriculum materials for teachers and students which the developers have found effective.

The first six PIPs—focusing on reading and mathematics projects mostly for elementary grades—will be available this spring for use by the six Developer-Demonstrators and State Facilitators. The projects were selected because they were found to be effective education projects which lend themselves to packaging and which reflect subject areas viewed as critical to schools. As back-up, an Analysis and Selection Kit (ASK) has also been prepared to acquaint local decision makers with the six PIP projects.

Under an OE contract, an educational diffusion project at the Far West Laboratory for Educational Research and Development in San Francisco provides technical assistance to State Facilitators and Developer-Demonstrators in the National Diffusion Network, as well as to other projects that have been validated by the Joint Dissemination Review Panel. The Far West project helps OE and the network-affiliated programs in development, presentation, packaging, and publicity. The group also has produced for NDN a variety of catalogs, flyers, filmstrips, tipsheets, and other diffusion materials. It maintains an extensive library service and publishes a monthly newsletter to keep those in the network abreast of latest developments. In addition, the group has supported activities related to the PIPs projects.

Last fall, the Laboratory published *Educational Programs That Work*, a directory of programs that have passed the Review Panel. Already many educators have found the 200-page paperback a quick, concise index to NDN offerings. A two-page précis of each

program includes learning objectives, target audience, materials needed, financial requirements, evaluation results, adoption criteria, and information contacts.

Stanford Research Institute in Menlo Park, California, has the OE contract to evaluate the effectiveness of the National Diffusion Network itself. SRI will base its evaluation in part on mail surveys of all State Facilitators, all Developer-Demonstrators, and a sample of adopting school systems. The evaluators intend to visit some 50 sites in order to add personal observations and impressions to the data obtained by mail. OE requested the SRI study for the purpose of building an evaluation component into the diffusion system while it is still new. Concurrent evaluation stands a far better chance of being more realistic and probably more reliable than retrospective evaluation, taken after the system is several years old and with increased odds that many of the people involved during the formative years are no longer around.

The need is evident for a scientific pulse-taking of the National Diffusion Network and the programs it seeks "to spread freely" across the land. This kind of evaluation is essential for responsible management of Federal tax dollars. Still, the personal reactions of people cannot be ignored. However unscientific, they say much about the programs the Network deals with that does not show up in the charts and data tables. No number or graph could express the feelings of Robert Gilroy, a high school junior in Camden, New Jersey, who served as an official price-watcher for his township's consumer affairs office while taking an action-oriented political science course developed by the Institute for Political/Legal Education. "I felt for the first time in my life," he says, "that I was an important part of my community."

ANTIDEFENSE LOBBY'S UNBALANCED VIEW OF THE SOVIET THREAT

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. McDONALD of Georgia. Mr. Speaker, I would like to express my thanks to my colleague, the Honorable RONALD DELLUMS of California, for placing a document distributed by the Coalition for a New Foreign Policy—CNFP—into the CONGRESSIONAL RECORD Extensions on April 1, 1976. I join with him in urging our colleagues to closely consider the content of that statement, which is one of the most comprehensive apologies for Soviet military superiority I have seen.

The old "antiwar" movement which worked to support the cause of the Communist aggressors in Indochina has resurfaced as an antidefense spending lobby. The document placed in the CONGRESSIONAL RECORD by my colleague is being used by this antidefense lobby as the basis for letters and telegrams urging us to vote against production funds for the B–1 bomber and other weapons included in the military procurement authorization bill (H.R. 12438).

Arguments recently publicized from that CNFP document include the allegation that Soviet troop strengths have been deliberately misrepresented by including Soviet border guards in the figures. The fact is that the Soviet border troops are the equivalent of the Nazi SS. They are the elite crack troops under the command of the KGB, the best the Russians have.

The CNFP under its former name, the Coalition to Stop Funding the War, lobbied to hasten the victory of the Soviet equipped and indoctrinated aggressors in Indochina. With the Communist takeover completed, the coalition has shifted its activities to piecemeal disarmament. The CNFP and its "mass organizing" branch, the Campaign for a Democratic Foreign Policy, supported by highly biased and selective "research" from groups such as the Institute for Policy Studies and the Center for Defense Information, are adamantly opposed to American development of new weapons to counter the growing Soviet arsenal of sophisticated weapons. At the present time the particular targets are the B–1 bomber, the Trident submarine, and the cruise missile.

The CNFP bulletin stated that the antidefense lobby will try to flood our offices with anti-B–1 and antidefense spending messages:

> While a series of floor amendments to the bill are planned, an effort to stop or delay production funds for the B–1 bomber has the greatest chance to succeed. We can influence the outcome of the vote, though, only by flooding congressional offices with thousands of telegrams and telephone calls before this Tuesday.

We in Congress who make decisions that affect both our own district constituents and the Nation as a whole owe it to the American people to be aware of the aims and origins of the many pressure groups and lobbies that are trying to influence our votes. We must also be aware of who the ultimate beneficiaries of these policies actually are.

It is unquestionable that the antidefense drive, as embodied by the National Campaign to Stop the B–1 Bomber, the Campaign for a Democratic Foreign Policy, and the Coalition for a New Foreign Policy, is of direct benefit to the Soviet Union.

Soviet leaders have called for western arms cutbacks as the principal method of achieving "materialization of détente." The Soviet détente strategy will be irreversible when the non-Communist nations no longer have the ability to withstand a military confrontation with the U.S.S.R.

Soviet calls for Western disarmament have been taken up on a worldwide basis by one of the U.S.S.R.'s chief propaganda organs, the World Peace Council. In this country, the so-called antiwar groups who worked to end American support of the non-Communist governments in Indochina in conjunction with the World Peace Council have redirected their forces against the defense budget and the development of new weapons. In addition to the change of direction of the Indochina groups, the U.S. branch of the World Peace Council, staffed and operated by the Communist Party, U.S.A., has actively and energetically involved itself in the anti-B–1 lobby through its National Center to Slash Military Spending.

The basic arguments of the antidefense lobby are that the economic recession requires the Government to create make-work programs at top wages for all Americans and to take over failed businesses and keep them operating with tax dollars, et cetera. The antidefense lobbyists claim that the Government must build public housing, provide free health programs, babysitting centers, and other free programs and that the money for this must come from the defense budget.

The antidefense lobby argues that it is the very strength of America which is the real threat to peace, because our strength threatens the Russians. Other arguments are that the lesson of Vietnam is that America cannot successfully assist corrupt dictatorships—by which they mean any non-Communist government operating on principles other than absolute democracy—in resisting the inevitable development of new economic and social orders—by which they mean Communist regimes.

In February, the Labor Research Association, a Communist Party auxiliary, pointed out the necessity of convincing the trade union leadership and members of the Democratic Party that the Federal welfare programs must be expanded, not trimmed, and that the Russian military threat was a mere fabrication of the Defense Department and the intelligence agencies. These organizations they said, must disavow "undocumented" reports that the Soviet military apparatus is "actually much larger than ours and rapidly rising." They continued:

> To win a shift in priorities, public opinion must be convinced that this [is a] crude Administration invention * * * [and] a big lie.

The Communist Party/Labor Research Association statement was distributed in Washington at the mid-March anti-B–1 bomber conference, along with other CP literature from the National Center to Slash Military Spending.

At the same conference, the Coalition for a New Foreign Policy distributed an apologia for the Soviet military misleadingly entitled "A Balanced View of the Soviet Threat." The "Balanced View" downgrades the Soviet threat with a selection of misleading "statistics," highly selected "facts," and the assertion that after all the Russians really need a superior military force because they need troops to occupy Eastern Europe—as if the Soviet divisions in Czechoslovakia, East Germany, and Hungary somehow were less of a threat to the West—because the U.S. overseas bases threaten the Soviets and force them to defend their own security and the security of their allies—who are busily subverting our allies—and because the Soviets are threatened by attacks from NATO, China, and Iran.

The CNFP's "Balanced View" argues that cost comparisons between the United States and the U.S.S.R. are "misleading." However, the fact that the Russians are spending 10 to 15 percent of the gross national product on their armed forces is discounted on the rather peculiar ground that the Russian armed

forces are so large because its role is to serve as a "center for political and technical training."

The CNFP argues that the numbers of Soviet weapons are higher because their technology is inferior. The numbers of sophisticated Russian weapons basically match America's, and the "unsophisticated" weapons, tanks, and planes are high enough in number to swamp, for example, the NATO forces in Europe in a conventional war.

The coalition's "Balanced View," attributed to Alice Bledsoe and Jeff Malachowsky, is based on material previously prepared by the Institute for Policy Studies, the Washington-based radical "think-tank" which has "dedicated itself to ushering in the new society by inquiry and experimentation but is also doing what it can to hasten the demise of the present one." A considerable amount of the CNFP material originated with IPS antidefense "experts" Earl Ravenal and Michael Klare. Klare is a fellow of the IPS Transnational Institute; he has been lecturing on U.S. arms sales in Havana recently, and for many years has been a member of the North American Congress on Latin America—NACLA—characterized by SDS leaders as the "intelligence-gathering arm of the movement." NACLA members have had a close association with the Cuban Government since the organization was founded, and NACLA staffers were credited by CIA defector Philip Agee as, along with the Cuban Government, having provided him with needed information for his book.

Antidefense spokesmen have used CNFP arguments in statements which have received publicity in recent weeks. When considering the merits of the defense and budget bills, we should also be able to recognize false arguments and their origins. With regard to the CNFP and the other antidefense lobbyists we might ask, who ultimately would benefit from their proposals.

ON THE 58TH ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. BIAGGI. Mr. Speaker, on Friday an important anniversary in the annals of world history was noted by the Byelorussian people for on this day they celebrated the 58th anniversary of the proclamation of the Byelorussian Democratic Republic. In this year when this Nation celebrates its own 200th anniversary as a free people it is fitting that we take the time to salute the brave Byelorussian people who to this day continue their struggle to be free from the yoke of the Soviet Union.

In reality, most of the past 58 years in Byelorussia have been spent trying to fulfill the high hopes for freedom which were embodied in the proclamation of March 25, 1918. The Byelorussian nation was overrun on several occasions by the Soviet Union which assumed full control in 1944.

Yet, despite the adverse conditions the spirit of freedom lives today in Byelorussia. They still look to the day when all basic freedoms can be theirs.

The people of Byelorussia as most of the people of the captive nations of Eastern Europe have been bitterly disappointed by détente. They viewed the establishment of détente as their first real hope to be freed from Communist domination. Their hopes were dashed as the United States consistently failed to make the self determination of Eastern Europe a prerequisite for agreements between our two nations.

The signing of the Helsinki agreement by the U.S. Government was perhaps the hardest pill for the people of Byelorussia to swallow. In this document the United States placed itself in the position of accepting the present Soviet control over Eastern Europe including Byelorussia. This was an unnecessary and damaging action by the administration which was viewed as a betrayal of the freedom-loving peoples of all captive nations.

It appears as though détente is being phased out of our foreign policy—a decision which I consider to be a sound one. Our new dealings with the Soviet Union should be based on firmness and strength and not concession. We must reaffirm our support of the Byelorussian freedom struggle. If we do this, it may help to restore some of the freedoms which today remain elusive to the Byelorussian community.

"ENOUGH OF PESSIMISM", A STATEMENT BY PHILIP H. ABELSON

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. BRADEMAS. Mr. Speaker, I insert in the RECORD an editorial, "Enough of Pessimism," by Dr. Philip H. Abelson, published in the January 9, 1976 issue of the magazine, Science, the publication of the American Association for the Advancement of Science.

The editorial follows:

ENOUGH OF PESSIMISM

The Bicentennial year is an appropriate time for comparisons between earlier times and now. In terms of knowledge, education, affluence, and health the contrast is great; there has been substantial progress. However, in terms of leadership and morale, the opposite is true. The people of those times were rich but we are poor. They had leaders of stature, breadth, and vision, who in keeping with the spirit of the times, faced the future with faith and optimism. In comparison to a Franklin or a Jefferson, our leaders and would-be leaders seem only ordinary. Caught up in the excitement of the present, they rarely look beyond the next election.

Who among the present-day politicians can come close to matching Franklin's enthusiasm, foresight, and knowledge of the world around him? These qualities were exemplified when he wrote in 1780: "It is impossible to imagine the height to which may be carried, in a thousand years, the power of man over matter. We may perhaps learn to deprive large masses of their gravity, and give them absolute levity, for the sake of easy transport. Agriculture may diminish its labour and double its produce; all diseases may by sure means be prevented or cured. . . ."

And who among our politicians comes close to the breadth of a Jefferson who, though a successful lawyer, was an avid student of nature, a talented botanist and paleontologist with a deep interest in all other sciences. What politician today would have either the imagination or the convinced insight to make a statement matching Jefferson's, "knowledge is power, knowledge is safety, knowledge is happiness."

Our poverty goes beyond a lack of leadership. It extends to a malaise of the spirit of our people. Indeed such is the pathology that, even if the Messiah should appear, he or she would either go unrecognized or, if recognized, would soon be chopped down to size. At the same time this country has turned its back on optimism and is becoming a nation of pessimists.

During most of the country's history, perhaps its greatest assets were its faith in progress, its can-do spirit. Sometimes exuberance was overdone but better that than the opposite, as any experienced scientist can testify. The research worker who is convinced ahead of time that experiments will be fruitless seldom is proved wrong in that judgment. It is the optimists who achieve.

In this country optimism was at its peak early during times of great poverty, hardship, and amid unmerciful ravages of disease. But Franklin's optimism was justified by events. Great increases in knowledge and enormous improvements in agriculture, medicine, and technology liberated many humans from much of the drudgery and pain that had previously been their lot. But the behavior of humans is weird and wonderful. Far from feeling gratitude toward benefactors or admiring the great edifice of knowledge that makes their comforts possible, they have now turned sour and their attitudes are reflected by their chosen representatives.

Part of their feeling toward science may be due to another factor. Shortly after World War II, public opinion accorded science a high place in the scheme of things. For nearly 20 years science was exalted in the press, by the public, and by politicians. Expectations were aroused that could not be fulfilled. A swing of the pendulum was inevitable and it has been going on for about 10 years. The public has the impression that scientists, engineers, and physicians are not delivering the perfect performance that should be expected of them. At the same time relatively small side effects of new technology and medicine have appeared. In view of the insatiable need of the mass media for stories, the seriousness of these effects has been greatly exaggerated. The backward swing of the pendulum has also been abetted by some scientists who have been leaders in creating more problems and more pessimism than the facts justified.

Pessimism is a kind of sickness that debilitates the individual and the country. One would not advocate that we become a nation of Panglosses. However, enough of pessimism. It leads nowhere but to paralysis and decay.

U.S. ARMY CONTRACT AWARDS

HON. DAVID F. EMERY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. EMERY. Mr. Speaker, in a move which we in the Maine congressional

delegation consider to be unfair and not in the best interests of U.S. security, an ugly precedent of exporting American jobs and strategic defense technology to a foreign country, and probably illegal, the U.S. Army has awarded a contract to build tank-mounted 7.62-millimeter machineguns for U.S. tanks to the Belgian firm, Fabrique Nationale. The selection of the Belgian gun is even more inappropriate until the question of whether or not a "deal" was struck between the United States and Belgian officials for the United States to purchase the Belgian-made MAG machinegun in exchange for Belgium and other NATO countries to buy the American-made F-16 fighter plane is cleared up beyond any doubt.

This doubt now hanging over the appropriateness of the U.S. Army contract award is substantial, and is the basis for the following joint resolution passed March 31, 1976, by the house of representatives and the senate of the State of Maine. I include that joint resolution herewith:

STATE OF MAINE JOINT RESOLUTION CONCERNING THE DECISION OF THE U.S. DEPARTMENT OF DEFENSE TO AWARD THE CONTRACT FOR THE MANUFACTURE OF THE M-60 MACHINE GUN TO A BELGIAN FIRM INSTEAD OF TO THE MAREMONT CORPORATION OF SACO, MAINE

Whereas, the largest single employer in York County is the Maremont Corporation of Saco, Maine; and

Whereas, the continued employment of the workers of Maremont is a grave concern to the State of Maine at a time when the state unemployment rate is 10%; and

Whereas, the Department of Defense has now officially declared that a contract to manufacture the M-60 machine gun will not be awarded to the Saco firm but instead will be awarded to a Belgian firm; and

Whereas, the taxpayers of the United States will pay $14,700,000 more to the Belgians for this contract than they would have paid to the Maremont Corporation; and

Whereas, 18,000 Maine citizens have signed petitions protesting the possible loss of the Maremont contract, which protests have been personally delivered to President Gerald Ford; now, therefore, be it

Resolved, That we, the Members of the 107th Legislature in Special Session assembled, do hereby express our consternation and dismay at the decision of the Department of Defense to award the M-60 machine gun contract to a Belgian firm instead of to the Maremont Corporation; and be it further

Resolved, That we urge and request the members of the Maine Congressional Delegation to convey our sentiments to the President and to the Department of Defense and to use every possible means to bring the Department of Defense to a reconsideration of its ill-advised action; and be it further

Resolved, That duly attested copies of this Resolution be immediately transmitted to those Congressional Delegates with our thanks for their prompt attention to this important matter.

THE POSITION OF THE CHURCHES IN URUGUAY

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. KOCH. Mr. Speaker, as the repression in Uruguay has intensified, many people there have turned to the Catholic and Protestant churches to voice their abhorrence of the torture and outrages which have become commonplace since the military took power in 1973. A report on the churches and the repression they are experiencing, prepared by Amnesty International, is appended for the information of my colleagues:

THE POSITION OF THE CHURCHES

The Uruguayan Bishops' Conference in 1969 condemned the use of violence and torture by the police and maintained that stand after the *autogolpe*, reaffirming that "it is not possible to hide death, physical punishment and torture" by the Government. With the growing restrictions in political life, and less participation on the part of political parties, a traditionally established institution such as the Church could become more a vehicle for the expression of opposition views. When important prelates, such as the Archbishop of Montevideo, Monsenor Carlos Partelli, showed an unwillingness to legitimize and cooperate, the military regime attempted to pressure the Church into adopting a docile attitude. General Forteza included the Church in Uruguay as one of the centers that had been subverted by international communism, "whose ruinous, villainous and treasonous actions must be once and forever expurgated. . . . Communism has reached the Church itself, violating in this institution the rights and obligations that the State has granted to the different religion." (La Opinion (Buenos Aires) 9/29/75).

The Protestant Church—which is even weaker than the Catholic Church in Uruguay—has also been a target of Government accusations. The Evangelist publication Mensajero Valdense was closed in December '74.

A similar fate met the Catholic publication Vispera, closed by the Government on April 30, 1975, shortly after its editor, Hector Borrat, had been detained without charge for several days prior to his scheduled attendance of a world assembly of Catholic intellectuals, organized by Pax Romana.

As trade union and student movements became systematically persecuted and more and more bans were placed on political activities, the Church became the sole voice against violations of human rights.

Conscious of their unique role, the Catholic Church prelates have tried to use the Church as a means of mass communication to stress the public condemnation of the flagrant violations of human rights in Uruguay. A recent example was the pastoral letter, signed by the 15 bishops of the Uruguayan Episcopal Conference, which was to be read in all churches on October 12, 1975. The text included an appeal for "the widest possible amnesty" and a "withdrawal from the philosophy of hatred and violence." At the last moment, the Government banned its publication and the Church withdrew the letter from circulation to parishes and media.

The former Auxiliary Bishop of Montevideo, Andres Rubio, summed up the situation as follows: "The Uruguayan police tentatively watches the Catholic Church, controls the material circulated; several parishes and houses of clergymen have been subjected to searches and some priests have been arrested." (Excelsior, Mexico, 6/21/75).

Arrested priests have not been spared the treatment reserved for political prisoners. In 1970, Father Pier Luigi Mugioni, a Jesuit priest, was arrested and severely tortured. He later testified: "They gave me so much picana (electric prod) that when I was transferred to Punta Carretas (the Montevideo prison), I still had the marks." * The report of the World Council of Churches' mission in 1972 mentioned among the prisoners held incommunicado and without trial "three Methodist pastors and many Roman Catholic priests." Many of the thousands of political prisoners currently held in the Uruguayan prisons belong to organizations that have strong Christian traditions, such as Christian Democrats Ruben Laxalde, Victor Cayota, Daniel Sosa Diaz, Miguel Vasello, the representative of the World Student Christian Federation Juan Artola; a former Dominican nun, Maria Teresa Alessandro (accused of having links with the guerrilla movement); members of MAPU (Christian University student movement); Christian trade unionists; and Christian members of the banned Grupos de Accion Unificadora (GAU). Among the imprisoned, there are also a number of young Jews, such as Miguel Volinsky Schwarz and Jorge Mazzarovich.

CONSPIRACY ECONOMICS

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. SYMMS. Mr. Speaker, we all have a tendency to blame the other guy for problems which fall into our laps. It is especially acceptable to stick the pin in businessmen for the fact that virtually no one's paycheck stretches far enough these days. I ran across some interesting and thoughtful comments the other day in the Freeman of Irvington, N.Y.—an article by Joe Cobb on "Conspiracy Economics"—which I would like to share with my colleagues at this point in the CONGRESSIONAL RECORD:

CONSPIRACY ECONOMICS

(By Joe Cobb†)

One of the most popular theories in economics is the belief in conspiracy: if you are not getting "your fair share," it must be because somebody is plotting to take it away from you. Since the vast majority of the population almost daily feels the frustration of a budget constraint—not enough cash to spread among food, clothing, recreation, toys, taxes, and so forth—the superficial empirical evidence would seem more than plentiful to "prove" that the fat cats are ripping you off.

Does this seem childish and silly? Unfortunately, any sample of pubic opinion will confirm that most people subscribe to this theory of economics. Consider the powerful groups in our society which trade every day on this theory: (1) consumer groups who blame supermarkets for inflation; (2) labor unions who blame the boss for low wages; (3) students who blame the corporations for making profits; (4) Congressmen and Senators who demand price controls and price rollbacks. Ask any citizen whether or not he believes that the

* Former Senator Juan Pablo Terra, Secretary General of the Christian Democratic Party, denounced in Parliament this and many other cases of ill-treatment. He has recently been arrested in Montevideo (November 1975) for interrogation about work he is presently doing with the United Nations. He was released five days after the arrest, but his travel documents were retained, thereby preventing him from attending a world conference of the Christian Democratic Party.

† Joe Cobb of Chicago is Secretary of the Economic Civil Liberties Association.

American economy is "competitive" and you will discover the conspiracy theory.

The scientific study of economics has become a highly technical field, replete with mathematical models, esoteric theorems, and statistical regressions. Popular economics, however, is still in the stone age. Most popular thinking in the field is of the "bricks and mortar" variety. For example, take a walk downtown in any major city. Observe the tall buildings emblazoned with the names of the *Fortune* 500 corporations. The average person will get the impression that tall buildings and giant corporations are the essence of the economic system; and who, indeed, would not feel very small and impotent in the canyons of Manhattan, Chicago, or Los Angeles?

AGGRAVATED BY INFLATION

The feeling of powerlessness which this "bricks and mortar" impression produces is compounded during a time of inflation, when the unit of account is depreciating. Any consumer who goes to the store two days in a row and finds that the price has been changed, that his money is worth less, wants to blame the first human being he sees marking prices. Is it not true that the power to set prices is the power to increase profits? How helpless the poor consumer must feel. How often he must become to arguments based on the conspiracy theory.

Samples of public opinion regarding the level of profits in the American economy reveal the common belief that businessmen make something like 30 to 40 per cent profit. The fact that the actual rate of return on capital is more like 3 to 4 per cent (and this measurement does not include business failures, which Frank Knight once suggested might make the society-wide rate of return *negative*) is almost unknown to the mass of voters. Those who have heard the correct numbers probably don't believe them. After all, conspirators will systematically lie, won't they?

The problem of shallow thinking about economic processes, however, runs much deeper than simple errors in information. The study of economics is the investigation of the indirect consequences of activity. Popular theories almost always rely upon direct action, without giving thought to the indirect effects. Do you see a problem? Solve it! Make the trouble go away! Wave your magic wand. Pass a law. Never mind the fact that the problem is possibly a mirage, and that the law you pass will probably create a real problem in its place. Consider one sophisticated version of the conspiracy theory.

Economic theory tells us that a monopolist may set his price above the "natural market rate" and collect monopoly profits. The theory relies upon an absence of substitutes and alternatives for the buyer. If you accept the conspiracy theory, you can broaden this notion of monopoly to include "concentrated industries"—that is, those industries where the biggest three or four companies sell over 60 per cent of the products. Take a guess about profits in those industries: will they be above average? If you find some that are above average, will they persist above average over a long period of time? Is it true that the Big Three are exploiting a monopoly position, and the poor little consumer is getting robbed?

LOOK AT THE RECORD

Based on a small sample of concentrated industries, Professor Joe S. Bain published an article in 1951 which seemed to support the "market concentration doctrine" that we described above. This article touched off some investigations which, also based on small samples, seemed to confirm the report. And so it became part of the conventional wisdom that Big Business rips you off. What are the facts? In 1971, Professor Yale Brozen published a series of articles in the *Journal of Law and Economics;* his conclusion:

Persistently high returns do not appear to be characteristic of highstable concentration industries. "High" returns occur in small, specially selected samples of high-stable industries, but not in larger samples. Above average rates of return for both sets of samples, even when insignificantly above the average in the earlier of the comparison periods, converge on the average of all manufacturing industries as time passes.[1]

Of course, there is a movement in Congress to amend the antitrust laws in order to "break up" the concentrated industries.

Consider the public policy implications of a more vigorous and expanded enforcement of the antitrust laws. In the first place, it will probably be entertaining to the public for the government to prosecute a series of "economic conspiracies." The voters will be pleased, because they believe in the conspiracy theory of economics and it might take their minds off the problem of runaway inflation (caused by Congress and the Fed). Yet, consider the longer-run, indirect consequences of more government control. As F. A. Hayek has pointed out, the belief in incorrect economic theories has produced the bulk of "bad" law in the past 100 years. The growth of the administrative State, economic regulations and bureaucracy with wide-ranging authority to collect information and issue commandments, and the belief that we need economic planning by some central agency, are all based on a peculiar theory of economics. Unlike the self-regulating system described by Adam Smith in 1776, which moves towards an equitable distribution of goods and services by indirect effects of trade and profit-seeking, the conspiracy theory of economics assumes that the society is populated by evil spirits which must be consciously fought and regulated in order to stave off disaster and misery.

It will be interesting to see if the careful, empirical research of economists in the tradition of Adams Smith will be able to gather enough information to disprove the conspiracy theories of the populace, or whether the economic magicians who cater to the popular mood will ultimately be awarded control of the economy "to save us from disaster." It will be interesting to see the real causes of disaster.

Economic Civil Liberties Assn., Post Office Box 1776, Chicago, Ill. 60690

The ECLA is a political action committee for the defense of the right to make contracts and to trade freely without price and wage controls, commodity allocations and police-state restrictions on individual economic initiative. We believe the preservation of economic rights is necessary for the preservation of every civil right, including freedom of speech, freedom of religion, and freedom of choice.

If you would like to help with this work please write to us for more information.

CHICAGO HIGH SCHOOL BASKETBALL CHAMPS

HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. MURPHY of Illinois. Mr. Speaker, I would like to bring to the attention of my colleagues the recent victory of the girls basketball team of Fenger High School in my district. On March 26 the girls brought home the City Basketball Championship Title, winning over Taft High School 45 to 34 in the final competition.

My congratulations go to Sue Franklin, the head coach and Gretchen Koeneman, the assistant coach of the Fenger High School Girls Basketball Team. As a result of their outstanding direction and leadership the team captured the championship.

The members of this "all-star" team are Kim Yates, captain, Debbie Towsel, cocaptain, Arnetta Payne, Veda Sertent, Sandra Towsel, Denise Jones, Juanita Vancy, Kathy Edwards, Marilyn Donley, Coleen McKinney, Pat Jordan, and Phyllis Clark, the manager of the team.

I especially want to congratulate the department chairperson of the physical education department of Fenger High School, Karen Russo, the wife of MARTY RUSSO, my distinguished colleague from Illinois.

Congratulations to all of you for a victory well won. Your community is proud of you.

FEDERAL EMPLOYEES POLITICAL ACTIVITIES ACT

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. FORSYTHE. Mr. Speaker, quite frankly, in October when I voted in favor of changing the Hatch Act, I had strong reservations concerning the advisability of removing the legal protections which have served to so effectively insulate Federal employees from being subjected to political pressure. In spite of these reservations, however, I felt that the Hatch Act might well benefit from some revision of the present restrictions on political activity. Accordingly when this measure passed the House, I reluctantly voted in favor of the bill, but only after first trying to tighten up the provisions of the legislation through the amending process.

Let me point out that Government employees presently covered by the Hatch Act are not disenfranchised. Such employees can and do register in the party of their choice and vote. They can express their opinions on all subjects and on candidates either privately or publicly, may use political buttons or bumper stickers to express those opinions, and may make political campaign contributions if they so choose. They can even run in elections, so long as those elections are nonpartisan. But they cannot be subjected to partisan politics, partisan fund solicitations, and partisan pressures of any kind. Such a protection seems especially necessary in view of the all-too-recent revelations of Watergate.

In the case of the present conference report, I do not feel that the changes made in the Hatch Act have actually been made in the right direction.

The final form of the legislation generally exposes Federal employees to pres-

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[1] Yale Brozen, "The Persistence of 'High Rates of Return' in High-Stable Concentration Industries," *J. Law & Econ.*, XIV (Oct. 1971), p. 504. See also Brozen's article, "The Antitrust Task Force Deconcentration Recommendation," *J. Law & Econ.*, XIII (Oct. 1970), pp. 279–92, (available as a reprint from the American Enterprise Institute).

sures to campaign in behalf of partisan political candidates or to otherwise offer support. The changes thus introduced in the Hatch Act would seriously undermine the public's confidence in the neutrality and impartiality of civil servants. Such confidence is necessary for the efficient functioning of the Government.

Specifically, the conference report makes some unfortunate changes in the versions of the bills passed by the House and Senate which further compound the overall effect of the legislation. The exemptions provided in the conference report for employees in the CIA, the IRS, and the Justice Department in sensitive positions do not really provide protection from political pressure since such exemptions can be reversed. Additionally, the deletion of the House provision requiring civil servants running for political office to take a 90-day leave of absence before election will result in politicalization of the civil service. Political campaigns will be conducted from Government offices.

The mail I have received from residents in my district has been overwhelmingly in opposition to H.R. 8617 and, during the debate on the conference report, several of my colleagues representing districts having a high proportion of Federal employees cited polls which indicate the majority of those employees do not actually want the dubious freedom to be subjected to partisan political pressures. These polls reveal the hesitation of Government employees to give up the protection from possible pressure by supervisory or politically motivated people within the Government in exchange for some additional political participation. Such increased participation might be clearly paid for through increased pressure.

In summary, although I felt that the present Hatch Act could beneficially be reexamined, I voted against the conference report. In spite of assurances to the contrary, I felt that the final form of the legislation went too far in removing restrictions on partisan political activity without providing strong enough safeguards to insure that impartiality, the goal of the civil service, is clearly separate from such partisan activity.

FOOD DAY "DIAL-OGUE"

HON. WILLIAM C. WAMPLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. WAMPLER. Mr. Speaker, this is to request that the Congress take note of a most worthwhile endeavor being undertaken in conjunction with National Food Day, April 8.

On that day and the day prior, the Council for Agricultural Science and Technology will conduct a national Food Day "Dial-ogue." This is a communication event through which consumers and students across the Nation will discuss various aspects of food safety and production with university and Government scientists who are experts in these matters.

Some 28 scientists will convene here in Washington, D.C., on April 7 and 8 to accept these consumer and student calls on toll-free telephone lines.

I know that my colleagues in the House of Representatives and the Senate will join me in commending CAST and the scientists who will participate in this event. The discussion of so vital a matter by scientific experts, devoid of the emotionalism and sensationalism which unfortunately has too often characterized the "food issue," will undoubtedly benefit all who participate in it and will benefit the Nation as a whole.

INTRODUCTION OF THE COMPREHENSIVE YOUTH EMPLOYMENT ACT OF 1976

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mrs. CHISHOLM. Mr. Speaker, last week the Department of Labor reported that the Nation's unemployment rate had dropped from 7.6 percent during the month of February to 7.5 percent for the month of March. These figures supposedly represent the fifth consecutive monthly decline in the number of jobless. Those who are aware of the statistical game designed to arrive at such good news realize that a truer unemployment figure would be closer to 10 percent including those Americans who have been classified as part-time and discouraged workers. These persons have been reclassified out of the official count of the jobless. Yet, they remain without jobs.

There is a group of Americans that have suffered even more with proportionately less attention than any of the unemployed being discussed during a general dialog on the job market—young Americans between the ages of 16 and 21. In the 16- to 19-year-old group, approximately 1.7 million young adults are jobless. In the 20- to 24-year-old group, an estimated 1.8 million young adults are jobless.

It is a known fact that the national commitment to finding meaningful employment for youth has been limited to the summer youth employment program. Other efforts have been essentially in the area of education and job training, but have not significantly combined job experience with a meaningful approach to economic assistance.

With fewer heads of households able to assist our youth during this current economic crisis, the need to combine learning with earning is even greater than ever before. It is with an awareness of the devastating impact of being unable to help oneself as well as others that I introduce the Comprehensive Youth Employment Act of 1976.

The purpose of this legislation is to provide employment for our youth through programs designed to assure the availability of meaningful work through part-time projects during the school year and full-time employment in the summer months. Under the school year employment program provided in the bill, work experiences are matched with courses of instruction geared toward completing the student's—or youth's—basic education, where necessary. Beyond the basics, this approach extends to providing institutional training by a public secondary school, vocational school, community college, or community-based organizations with demonstrated effectiveness.

While the primary emphasis of this approach will be geared toward meeting the severe needs of the economically disadvantaged youth between the ages of 14 and 21, this legislation is intended to service all of our Nation's youth.

Designed to be operated by the Secretary of Labor under the Comprehensive Employment and Training Act—CETA—prime sponsorship concept, this legislation requires the submission of a separately identifiable plan from prime sponsors spelling out their school year employment program. With a 50-percent limitation on funds available for prime sponsors projects, there is a built-in assurance that other eligible applicants will have an opportunity to develop programs intended to provide needed community services while creating for youth participatory roles as meaningful members of the community. The bill provides for such services in the area of health care, education, welfare, public safety, crime prevention and control, transportation, recreation, neighborhood improvement, environmental quality, conservation, and rural development.

Under the formula for the allocation of funds for this measure, 50 percent of those funds intended for the school-year program are reserved to reach those youth between the ages of 14 and 18 who leave school prior to the completion of high school. But in order to benefit from these funds, their work experiences would have to be matched with learning as previously stated.

The summer program will come under many of the assurances built into the school year program, where possible. For those not living in urban areas, title III of this bill creates youth conservation programs on a year-round basis for young adults between the ages of 19 and 24. This effort extends the already successful Youth Conservation Corps which presently operates during the summer months providing jobs for young men and women between the ages of 15 and 18. They earn summer wages through performing needed outdoor work on public lands, including soil erosion projects, building trails, bridges and campgrounds to name but a few.

In an effort to reach the most severe economically disadvantaged under this provision, employment preferences are given to youth residing in counties having a rate of unemployment equal to or in excess of 6 percent for 3 consecutive months. While the Secretary of Labor makes such determinations, the programs will be administered by the Secretaries of the Interior and Agriculture as provided for with the existing summer programs.

For several years, the Congress has acknowledged the significance of the need for recreation opportunities and contributed a limited number of dollars for the summer months. It is an established fact that a lack of personal finances hinder many youth in experiencing healthful developmental recreation and that such a lack of opportunity often translates into negative activities. This legislation also creates a year-round recreation support program designed to assist the in-school and summer youth employment programs through implementation grants where possible.

The measure which I propose today does not create additional levels of bureaucracy to absorb dollars needed by youth; it does make use of existing mechanisms with a view toward quick delivery.

I would urge Members of the Congress to take every opportunity to support this much needed legislative effort.

STREATOR DAILY TIMES-PRESS ENDORSES REVENUE SHARING

HON. TIM L. HALL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. HALL. Mr. Speaker, as a strong advocate of the continuation of revenue sharing, I wish to bring an editorial appearing in the Streator Daily Times-Press endorsing revenue sharing to the attention of our colleagues.

This editorial is especially convincing since the Times-Press, as the editorial states, was a critic of revenue sharing when first introduced. The excellent achievements of revenue sharing have convinced the Times-Press of the soundness of the program. They cite the new city hall and La Salle County jail complex as examples of what revenue sharing has been able to provide in the Streator area.

Mr. Speaker, I commend the Streator Daily Times-Press for this excellent editorial and urge its reading by our colleagues. The editorial follows:

REVENUE SHARING

President Ford has announced a plan whereby it is possible to continue revenue sharing by the federal government with states, counties, townships and cities for another five-year period. Some grumbling will be heard in Congress, but members will not likely dare to veto the White House proposal, for the program has proved of value.

The Times-Press was one of the critics of revenue sharing when the subject was first introduced, contending the federal government could not spare the proposed $5 billion for distribution.

For five years, the program has been in force, with a tremendous acceptance by public officials and the local citizenry, with a tremendous number of essential improvements and needed development made possible through the largesse of the authority at Washington.

Locally, the new city hall is an example of a needed improvement which would not have been possible; for years in the future the old dilapidated building would have had to house local governmental agencies. Final payment of the new structure is depending upon continuation of revenue sharing.

Another improvement, made possible in La Salle County is the new jail complex, and in the offing is a much-needed new court house, dependent upon continuation of receipt of funds from the federal treasury. Without it such a structure is not possible in the foreseeable future.

These are just two of the many, many improvements throughout the country that would not have been possible without the sharing program. Many have been started and will depend upon federal money to be completed.

Though President Ford has been a stickler for a tight budget, he had been impressed that the experience with revenue sharing has proven exceptionally valuable, not only in the improvement achieved, but also for the favorable impact the plan has had on bettering the economy, at a time when it proved beneficial.

When the issue appears on the legislative agenda at Washington, it behooves the public to let Congress know of its attitude.

Revenue sharing has made possible this development, which if dependent on approval of local taxes would not often have been contemplated.

The people have had a taste of revenue sharing. They like it.

THE MISSING LOBBY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. RANGEL. Mr. Speaker, writing as editor-at-large in the April 19 issue of Encore magazine, our distinguished colleague from Michigan, JOHN CONYERS, Jr., has written an excellent article dealing with the subject of gun control.

Representative CONYERS make a very strong case for more effective gun control. I believe some of the more shocking statistics he uses are those comparing the United States to other countries and cities, and those dealing with the alarming number of handgun-related deaths that are "accidents," or occurred only because a handgun was readily available. This and other points made by Mr. CONYERS effectively answer the arguments of those who are against effective gun control measures.

I would like to include Mr. CONYERS excellent article in the RECORD at this time for the benefit of my colleagues. I am hopeful that upon reading this article my colleagues will better understand the situation so that we can get the needed gun control legislation passed. The text of the article follows:

THE MISSING LOBBY

(By JOHN CONYERS, Jr.)

The boy was 12. His mother found him face down in the back yard. She thought he had tripped, that something sharp had pierced his eye. A few feet away, in a pile of leaves, was a handgun (one of 40 to 50 million loose in the land . . . a new one sold every 13 seconds).

The revolver, a .38 calibre, was in the house for protection, hidden out of sight, but within easy reach. The boy had no difficulty getting his hands on it. A single bullet ripped through his eye and lodged in his brain. He died on the operating table.

Every year, hundreds of children under 14 suffer the same intolerable fate. Intolerable, because it's so predictable. And this coming year will be no different—unless it's worse. But that isn't all. More than 120 children were murdered during the same period. And in all such cases, a handgun was involved.

And knowing this, to label such misfortunes "tragic accidents" is to understate the value of life and obscure a blatant, brutal, avoidable casualty—the wanton prevalence of handguns in America.

But as enraging as are the statistics linking children and handguns, those involving adults and handguns are 100 times worse. The handgun is the weapon of overwhelming choice when it comes to crimes. It figures in more than 200,000 a year. One out of every 100 deaths in the United States is caused by a firearm. Forty percent of the victims are 19 years old or less. And in most of these deaths, handguns are used.

What this means is that on the average, each day of the year, 33 people die as a result of handgun inflicted wounds. An additional 540 are injured by handgun fire during a 24 hour period—many suffering paralysis, dismemberment, blindness, deafness, crippling for life. That amounts to over 197,000 a year.

But that isn't all. When one takes into account the number of handgun murders, accidents and suicides, it becomes chillingly apparent that the majority of the 20,000 people who die each year from handgun inflicted wounds, die mainly because in a moment of rage, or in the depth of despair, a handgun was within easy reach. They die not at the hands of criminals, or because there is no death penalty for murder, or because the police are inefficient or the courts too lenient. And not because they deserve to die.

The majority of them die because a friend, or spouse, or lover, or relative picked up a handgun and pulled the trigger. It's always the same—swift, cruel, irreversible.

All over America, law-abiding people are turning to handguns as a means of getting through the day. They are convinced that when they arm themselves, they're buying protection. Unfortunately, facts don't support such cherished fantasies. The facts are plain and grim. The family handgun, the one brought home for protection or for sport, is six times more likely to be used to kill a member of the family than against an intruder.

According to FBI reports, most such killings would have ended as nothing more serious than a shouting match or fist fight, except for the presence of a gun. And it is a fact that the majority of such guns are handguns.

What makes this horrendous death rate so unacceptable is that, to a large degree, it's unavoidable. I don't think Americans are more violent than other human beings, it's just that they are more lethal simply because they have such easy access to murderous weapons. Tokyo, a city of 10 million, had 3 handgun murders in 1973. England and Wales, with a combined population of about 50 million, had 35 firearm murders. (There are no figures for handguns alone.) During that same period, the United States had 13,072 gun murders, of which 10,340 were committed with handguns. New York City alone had more than 800 handgun murders in 1973. That is 23 times the gun murders for all of England and Wales, 266 times more than Tokyo's. Our gun homicide is five times that of Canada's, 20 times that of Denmark's, 90 times that of the Netherlands.

Of course, knives can and do kill, as can hammers, shoes, stones, sticks, and stockings—but not with the ease of handguns, and not with such proven certitude. (The chances of surviving a stabbing are five times greater than surviving a shooting.)

Pulling a trigger is easy. There is no need to get close. Nor is a violent nature or a special skill a necessity. In one macabre case a 2-year-old playfully shot his father dead and seriously wounded his mother. He just reached into a drawer, got hold of the handgun (kept for protection) and fired it without even aiming.

Guns are just too easily used. During recent hearings before the House Judiciary Subcommittee on Crime, Dr. Stefan A. Pasternack of Georgetown University School of Medicine, an expert in this field, said: "You can't protect yourself. Even if you hire a bodyguard, someone can get at you. A gun allows someone who lacks the strength himself, to kill. There is also a dehumanizing factor here, because one needn't observe the victim's pain; there is no contact. There is no time for mercy.

"Why do people buy guns, what is in it for them? Different types of men buy different guns. The hunter uses a long gun. He is a different type of man than the man who buys a handgun for the hell of it. I'm not quarreling with the long guns and hunters. Those are legitimate human pursuits. But I am quarreling with people who buy guns to have them around, who rationalize their purposes with utilitarian explanations.

"One of the most unfortunate instances in which people buy guns is an illusion of household defense. The facts exposed the fallacy of such thinking. Studies for the National Commission of Violence again show that far more homeowners are killed in gun accidents than are killed by burglars. Further, experiences of armed citizens reveal that they are usually taken by surprise and are unable to get to their weapons. He who draws a gun on a man already holding one is likely to die. The street term is 'bucking'."

The bill, H.R. 7980, was drafted to curb the senseless human destruction for which the handgun is so often used. I introduced it before the House Judiciary Subcommittee on Crime last year. Our hearings lasted eight months, and included the testimony of hundreds of witnesses, experts on firearms, law-enforcement, crime, psychiatry, violence. We had all the necessary data, all the significant facts. One expert pointed out, "the finger pulls the trigger . . . but the trigger may also pull the finger."

I think he erred on the side of caution. "May" is too mild a word in this context. I think in moments of rage, the trigger takes on the power of an irresistible magnet, and pulls the finger. To indict the person and absolve the weapon of choice is to miss an obvious opportunity to remedy what all reasonable people abhor.

In the past 10 years, handgun homicides in the United States have more than quadrupled. If the present rate continues, more Americans will be shot dead with handguns here at home during the next four years, than were lost to the Vietnam war during the 12 years from 1961–1973.

Until 1967, the Detroit homicide rate, for example, was less than 100. Then came the riots and the tension in my home town. What followed was a rush of people arming themselves against each other, an example of the domestic arms race which has beset us like some medieval plague. Handgun sales tripled, and the result is as obvious as it is devastating. The Detroit homicide rate increased sevenfold in seven years.

It was unlikely that the human nature of Detroiters changed so drastically in those short years. There was no sudden influx of criminals. Those who killed and were killed remained basically the same people who were always involved in homicides—the vast majority were law-abiding until they pulled the trigger. They just exploded during the course of arguments, the way people often do. But now there was an added element. Because more handguns were around, there were more corpses as well.

H.R. 7980 won't save everyone. But it was worded to save many. The bill justified itself by the inescapable fact that handguns are proliferating, and that handgun homicides are increasing apace, criminally and accidentally. The only way to curb such violence is to curb the access to handguns.

To be sure, it is what is called a "ban" bill. Anything else, to my mind, is off target. But it was full of justified exemptions. It's aim was to limit handguns only for the general public. It exempted all agencies and departments of the government, all state, municipal and other political subdivisions. It even exempted private security guards who worked for licensed organizations. Exempt, too, were licensed pistol clubs and all handguns manufactured prior to the year 1890.

In short, it didn't interfere with bonafide sportsmen, antique gun collectors, etc. Valid needs were protected; invalid ones banned. But not without insuring that all property would be compensated for by just and proper compensation so as not to violate the Constitution. Also, it provided penalties which ran as high as $5,000 and/or five years imprisonment for violations.

As far as I was concerned, the 1968 Firearms Act was so full of loopholes as to be useless. The years since its passage had proven that.

Writing H.R. 7980 was easy. But presenting it for consideration took some doing. The arguments against even bringing the bill to a vote in the subcommittee were long, forceful and almost overwhelming. When it did come up for a vote in the subcommittee, the vote in the end was one aye and six noes—one of them by proxy. What was missing was Americans voting "aye" by proxy. Being for gun control just isn't enough. Conviction without action leaves a vacuum. That vacuum is now being occupied by the gun lobby. The sad fact is that those opposed to gun control are in the minority, but their proxy is as potent as it is firm. It was voted in that committee room without even being mentioned or recorded.

When the bill which eventually left that subcommittee was considered in the full House Judiciary Committee, an amendment (to strengthen it) was passed to ban all handguns, except for those used by law enforcement authorities and certified pistol clubs. But the gun lobby again marshalled its forces and eventually succeeded in reversing the vote, 17–16, with the majority recommitting the bill back to committee. It was clear that no ban bill was going to suit them, whatever weakening amendments were added or however the language was worded.

On this issue, as on so many others, those with progressive ideas are the least organized. Meaningful gun control is not unthinkable. And the impact of such legislation on gun crimes will be a significant beginning on the path of deescalating the domestic arms race. The manufacture, sale and possession of handguns for civilians can be outlawed, can be controlled.

Such legislation can be passed and efficiently policed. It exists in other lands and is enforced. But to expect meaningful action from the White House or from Congress without a broadly based organization to lobby and struggle in its behalf is to be out of touch with reality.

Until public outrage transforms itself into an organized movement and begins to pressure for what it wants, until those who favor gun control make it a serious priority at the polls, the race between violence and gun control will be a race between a bullet and a snail. Those in power have to be prodded and pushed in the proper direction or they don't move at all. And for many there's no reason to move, considering the risks involved, considering the proven strength of the organized opposition to gun control. Elected officials who take strong anti-gun stands are often vilified, undermined viciously, campaigned against and frequently defeated by the gun lobby.

What is crucial to realize is that halfway measuers are not enough, that virtually the complete elimination of access to handguns by civilians will have to occur before a substantial change occurs. Nothing but a drastic reduction of such weapons will keep handguns out of the hands of criminals and children, and out of the hands of honest citizens who use them against those closest to them.

In this area as in many others, we are obligated to redress the imbalance between what is profitable for some, and harmful for the rest of us. The gun business is a billion dollar business, powerful enough to perpetuate itself against our will. It won't be an easy struggle. But that doesn't make it hopeless, or less pressing.

Perhaps when we no longer fear one another we will get down to tackling the more complex issues—poverty, racism, sexism. I see signs of change. Less of us are willing to tolerate either violence at home or abroad. Sooner than the opposition believes, that chorus of ayes will be forthcoming, and I think the National Rifle Association does, too. But in the meantime, if you don't own a handgun, don't buy one. If you own one, get rid of it before it gets rid of someone you love.

You don't have to wait for legislation to do that.

TIMBER MISMANAGEMENT NEED NOT BE THE NORM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. BROWN of California. Mr. Speaker, I am sure that most of my distinguished colleagues are now aware of the growing debate within both bodies of Congress regarding national forest management. The major point of conflict seems to be whether there is a need for legislating stronger, more specific guidelines which will curb the abuses brought on by careless timber harvesting, undefined or unclear rules to protect our streams and rivers from pollution, et cetera. Though I can very well understand the concern on the part of the Forest Service that Congress will go too far in restricting the necessary freedom to judge particular situations without too many hampering limitations in the law, I deeply feel that something must be done, and done quickly, to prevent the widespread misinterpretation or misapplication of present guidelines. Our public forests can produce timber, and produce it effectively, without the increasing erosion, destruction of wildlife, and pollution of our waters. Present guidelines set down in the Multiple Use and Sustained Yield Act of 1960 were supposed to accomplish this, but they have, obviously, not been enough.

The following two articles, published in the Los Angeles Times on August 24, 1975, point out, first, what types of forest abuse are a constant sight in California, and, more importantly, how easily such erosion and pollution problems can be eliminated and are being eliminated by good forest management practices by certain logging companies.

I earnestly ask my fellow colleagues to read these two articles for they contain

a good deal of insight and information on our forests and their treatment:

OFFICIALS QUESTION VALUE OF 1973 REFORM PROGRAM

(By Robert A. Jones)

Two years after this state's attempt to tighten its controls ever the timber industry, damaging logging practices continue to ravage California's forests. Watersheds have been severely polluted, fish have been driven from wildernes streams, and hillsides throughout North California have been stripped of their nutritive soils.

The damage, which has been termed by several enforcement officials as "severe" and "widespread," has hit hardest in the state's north coastal region, which contains most of California's remaining old growth timber.

Along the North Coast, timber operators are currently logging some of the state's last and most inaccessible stands of virgin redwood and Douglas fir. Often located on extremely steep slopes and growing from easily eroded soils, thousands of acres of the old trees have been brought down but not without great cost to the land that held them for so long.

Two years ago the state's new Forest Practices Act was widely believed to have put an end to the worst abuses of such logging operations. Praised as a victory for environmentalists, the new law represented California's first attempt since World War II to revise its logging standards on the state's 8 million acres of private timberlands.

The act established a nine-member state board to oversee regulation of the state's $1 billion-a-year inquiry and directed the board to develop new environmental safeguards.

Some enforcement officials, chiefly those connected with the state's water quality and fish and game agencies, now believe the program has failed to fulfill its promise. Rather than control the timber industry, they say, the program thus far has served as a virtual license for loggers to continue past abuses.

They stress that not every timber operator nor each logging operation has harmed the land as it was harvested. But, according to interviews with field inspectors from regional water quality control boards and the State Fish and Game Department, and from reports by Division of Forestry officials, environmental damage has continued unabated since the program began.

In some cases, stream beds next to logging operations have been mutilated by heavy equipment, and streams themselves polluted with debris, heavy sedimentation and toxic materials seeping from logging waste.

In other cases, trout, steelhead and salmon streams have been stripped of their tree canopies, causing water temperatures to rise beyond levels tolerable to most game fish. The use of herbicides and poisonous seed stock has, according to state fish and game officials, depleted the variety of wildlife on commercial timberlands.

And large-scale clear-cutting, sometimes leveling hundreds of acres in a single operation, has led to severe soil erosion in some areas and, according to several federal studies, encouraged slope failures or landslides of steep hillsides.

Though most of these problems exist throughout the North Coast region, the most intensive scrutiny in the last several years has been given to the 180,000 acres of the Redwood Creek drainage surrounding the southern end of Redwood National Park.

Because of their proximity to the park, logging operations there have been examined by a series of federally sponsored studies since 1969 to determine their influence on the park itself.

The region today roughly resembles a man's head tonsured into a Mohawk haircut, with the green strip of the park's southern end, known locally as the "worm," running through a vast area of denuded hills.

One report by National Park Service surveyors David Rogers and Ted Hatzimolis described the effect of the logging thus:

"Redwood Creek is (no longer) suitable as a trout stream. Steelhead production is severely limited, and salmon production is reduced. The upper 10 miles is choked with logging debris, collapsed bridges and sediment. In the remainder of the stream alluvial deposits up to 30 feet deep were observed. All but 5% of the original stream bank is buried (by eroded sediment). About 60% of the adjacent slopes are unstable or sliding. Approximately 80% of the immediate watershed has been logged in a manner detrimental to the stream."

Like much of the north coast region, the hillsides of Redwood Creek and its tributaries are very steep, some so precipitous that a man cannot walk up them. Their high erosion potential—which in many cases is rated "extreme" by the California Division of Forestry—is increased by the predominance in the region of soils particularly prone to landslides.

On such rugged terrain lies some of the most valuable timber in the world. The North Coast of California is one of the few remaining regions in the nation with untouched stands of virgin timber, and it is the only region which grows the coastal redwood.

While stands of old-growth Douglas fir in the North Coast are also valuable, the old redwood is nearly precious. It produces lumber that is almost perfect in its uniformity, unflawed by knots or streaks of white, as is often the case with younger trees.

As such old-growth stands have become increasingly rare, their value has risen proportionally. Today, just one old tree, eight feet in diameter and 300 feet tall, can produce as much as $25,000 in lumber. A grove of such trees can be worth millions.

Economically, the pressure to harvest such trees has become nearly irresistible for timber companies. Not only are profits high, the harvest of old-growth can also reduce a company's taxes substantially. In most California counties, the value of commercial timber is added to property tax rolls as an "ad valorem" tax. Only when the timber is harvested are the taxes reduced.

Throughout Redwood Creek basin and along most of the North Coast, timber companies in recent years have almost exclusively adopted the harvest method called "clear-cutting," a self-descriptive term meaning that all trees are cut from a block of land.

Representatives of the three companies that dominate logging near the park—Simpson Timber Co., Arcata National Corp. and Louisiana-Pacific Corp.—maintain that clear-cutting has not harmed the land or waterways of the region.

The removal of all trees allows increased sunlight to speed the growth of seedlings, industry foresters say, and the high degree of "disturbance" of soil encourages germination of seeds.

"If you cut down only half the trees," says Simpson's manager Henry K. Trobitz, "it means you tear up the soil once and then come back in five years to tear it up again when you get the other half. With clear-cutting you get it all at once, and leave it alone for 50 years."

Shortly after an area has been clear-cut, Trobitz says, it looks "something like a garden."

While Trobitz and others concede that the hills of Redwood Creek Basin have eroded badly over the last few years, they maintain that natural forces, not clear-cutting, has been the cause.

"If you do it right a clear-cut doesn't cause erosion any more than harvesting carrots or tomatoes from a farm," says John Callaghan, executive vice president of the California Forest Protective Assn.

The great weight of evidence from government and university-sponsored studies suggests, however, that clear-cutting has not been done right in the Redwood Creek Basin.

Both in terms of the size of clear-cuts themselves and techniques used to harvest timber, logging operators in the basin have consistently violated standards established by the U.S. Forest Service.

A year ago, the Forest Service recommended to the California Division of Forestry that clear-cuts in areas with high erosion hazard be limited to 25 acres in size. In areas of extreme erosion hazard—a category that covers large segments of the basin and other parts of the North Coast—the size recommended was 15 acres.

To underscore the erosion potential of steep hillsides, the Forest Service wrote "A twofold increase in slope will double the flow of velocity which, in turn, will increase the down-cutting power of the flowing water by four times. It is important to remember these facts." Nonetheless, clear-cuts in the Redwood Creek Basin have continued to exceed the Forest Service standards, occasionally reaching sizes five or six times those recommended. Occasionally many such cuts have been joined together without buffers to form denuded areas covering thousands of acres.

Similarly, logging operators have continued to use bulldozers to drag fallen trees off steep hillsides in spite of overwhelming evidence that such practices later cause the hills to wash away.

One study by the U.S. Environmental Protection Agency has shown that such use of bulldozers, called "tractor yarding," causes twice the soil erosion of the faster but more expensive cable yarding systems in which logs are pulled up hillsides with cranelike machines.

According to the EPA study, the crude trails left by the bulldozers gouge and loosen the soil, and, since they usually converge at one loading point, the "skid trails" tend to funnel runoff onto one section of the slope, dramatically increasing the erosive power.

The end result of such logging can now be seen on the hillsides over Bridge Creek, whose lower end flows into the national park.

The winter rains have left some logging roads and torn through others, taking tons of topsoil with them. Along the clear-cut, dozens of landslides can be seen washing into streams or leaving huge gouges in the once-smooth slopes.

From above, the creek bed itself is so clogged with debris as to be rendered invisible and at its mouth a huge logjam now blocks the passage to the upstream side.

Dr. David Joseph, executive officer of the North Coast Regional Water Quality Control Board, has described the Bridge Creek watershed as "looking like something out of World War I."

Preliminary findings of a survey in the Redwood Creek drainage by the U.S. Geological Survey showed that at peak runoff, creeks beneath clear-cut areas carry a sediment load four to five times greater than those in undisturbed areas.

"The basic fact is that present harvesting techniques—clear-cutting with tractor yarding—produce a greater amount of ground surface disturbance and destruction of vegetative cover than any other combination of practices heretofore employed or envisioned," concluded one study of the region by the National Park Service.

While noting that some landslides and hillside erosion are natural to the region, the study, by the National Park Service's Richard C. Curry, called man-induced disturbances "the greatest threat to the park."

It warned that two major elements of the park—stream systems and the redwoods

themselves—are "presently endangered" by logging practices.

Located downstream of the commercial timber areas, the park eventually collects much of the sediment washed from the hills. As Redwood Creek flattens, the material is deposited in the stream bed and forces the creek to "deflect" or wash against long-established banks.

"The deflection of the current causes undercutting of banks. This can cause streamside redwoods to topple and erode the toes of stabilized slides thereby reactivating them and triggering feedback mechanisms that perpetuate the destruction downstream," the Curry report noted.

The Tall Trees Grove, containing the tallest tree in the world, is located on one such streamside bank. "It is possible that the creek could cut into that bank. Outside of artificial reinforcement, not much could be done to save the grove if that happened," said George Von der Lippe, superintendent of the park.

Already, the Curry report noted, thick deposits of gravel, some seven feet deep, have accumulated around healthy trees, a development that could cripple them in coming years.

Last month, in a suit brought by the Sierra Club, a federal district court in San Francisco held that the National Park Service had "failed, refused and neglected to fulfill its legal obligation to protect the park from the effects of logging."

Although a year ago the park service did persuade the three timber companies to temper their activities voluntarily in the immediate vicinity of the park, U.S. Dist. Judge William T. Sweigert ordered the government to take more binding action by Dec. 15, 1975.

In one sense the ruling was ironic, for though the federal government has some powers to control logging in the basin, the primary responsibility has always belonged to California.

And though the state was not named in the Sierra Club suit, the case of Redwood Creek Basin is an almost textbook example of California's continuing difficulty in controlling the effects of logging operations.

Throughout the North Coast region a pattern of parallel situations can be found. Over the last two years, investigators at Santa Rosa's Regional Water Quality Control Board have compiled case histories of logging operations similar to those of the basin.

In some instance, the case histories show, bulldozers have used streams as "skid trails," dragging trees through the stream bed to loading sites.

In other waterways used for drinking water have been so filled with sediments as to render them unusable.

Regularly, perennial streams have been clogged with slash and debris, the streamsides denuded of vegetive cover and fish populations driven out.

Dr. David Joseph, executive officer of the water quality board, calls the record "gruesome, horrible."

Over the last two years, the Santa Rosa staff has brought administrative actions against about 100 logging operations along the North Coast, with 15 additional actions being brought by the board itself.

One of the most recent such actions was taken against Simpson Timber Co. for its logging operations on three watersheds in Humboldt County. Harvesting virgin redwood from the extremely steep slopes of Metlah, Tarup and Ah Pah creeks, the company, according to inspection reports, allowed the creeks to fill with logs, slash and debris.

In an internal memorandum, one forestry inspector remarked of Mettah Creek, "I have been trying to get Simpson to improve their protection of this creek (for a month). They are unwilling to make any significant change in their operation."

Pictures of the logging operation show a tangle of logs filling the creek bed, the banks stripped of all vegetation, and piles of sediment either half-washed into the creek itself or poised on the bare hillside, waiting for the first rain.

Shortly after Simpson refused to cooperate in a voluntary program, the Water Quality Board ordered the company to abate its practices and begin a cleanup period. This month, the Division of Forestry followed with a civil action against Simpson.

Still, Joseph said the protection of streams remains inadequate. The water quality staff can do little, he says, but force cleanups of streams after they have been mutilated or polluted.

"There's no way to repair most of the damage, and we have little or no power to stop a company from ruining a stream beforehand, even though we know what is about to happen," Joseph said.

In Sacramento, officials of the Brown Administration maintain that the timber industry is slowly but surely coming under control. If so, it is coming after a year of confusion and indirection over logging regulation that has yet to end.

In January, the industry was thrown into a furore when a Mendocino County superior court ruled that the conservation provisions of the Forest Practices Act did not exempt logging operators from separate requirements of the California Environmental Quality Act. Conformance with the act would have required loggers to file environmental impact reports (EIRs) for each of the about 2,500 timber harvest plans submitted each year.

The Brown Administration first tried a streamlined "equivalent" to the EIR and then, after its authority to do so was questioned by industry and the Legislature, agreed to legislation exempting logging operators from EIRs until Jan. 1, 1976.

Meanwhile, under prodding from Resources Agency Secretary Claire Dedrick, the state Board of Forestry has strengthened somewhat the original regulations established under the Forest Practices Act.

Clear-cutting which previously had no size limitations in the North Coast region, will soon be restricted to 80 acres with further reductions to 40 acres in areas of extreme erosion-hazard.

While the board established more stringent stream protection for other regions in the state, however, the North Coast rules went unchanged, largely because of resistance by industry representatives on the board.

Under present rules, loggers must leave all broadleaf hardwoods within 50 feet of perennial streams, a provision usually rendered worthless since in oldgrove forests there are often no hardwoods growing along stream banks.

The deficiencies in rules established by the board have been blamed, in fact, for much of the system's dismal environmental record since its passage in 1973.

"In the past the state foresters have had damned little discretion to practice good forestry," says Mrs. Dedrick.

The section on stream protection, for example, forbids "unreasonable" gouging or cutting of stream banks and directs that streams themselves be kept "substantially" free of slash, debris and other material. If "accidental" deposition of debris occurs, it must be removed "as soon as possible."

"What do those words means? How much is 'unreasonable?' How can it be determined if slash was dumped 'accidentally?' asked Lawrence Richey, the state's acting forester.

Nonetheless, in past months the Division of Forestry has found itself involved in a growing rift with two other state agencies over enforcement of existing regulations.

Inspectors from the other agencies—the Regional Water Quality Control Board for the North Coast and the state Fish and Game Department—say they have consistently been forced to take the initiative in prosecuting even the grossest abuses of existing regulations.

Since the first of this year, representatives of the two agencies have filed 12 official objections to logging permits issued by the Forestry Division's Santa Rosa office.

In each case, the agencies' inspectors say, the objections were filed because logging plans indicated the operations would have harmful effects on stream quality or wildlife habitat.

While the number of forestry inspectors has increased from four to 26 over the last two years, the total of inspectors from the other two agencies only recently was raised to five.

Nevertheless, according to records from the three offices, the Forestry Division in the North Coast has rarely prosecuted operations not already acted upon by one of the other two agencies.

Fish and game inspectors have also been critical of the Forestry Division's reluctance to press for control over new industry practices, primarily the use of herbicides that may threaten the variety of wildlife.

Over the last several years large sections of commercial timberland have been sprayed with chemical defoliants, chiefly the herbicides known as 2, 4,5-T and 2, 4-D in an effort to reduce the competition to commercial species by other forest vegetation.

The herbicides kill or retard the growth of hardwood and brush, industry foresters say, but have little effect on commercial softwoods, thus assuring their dominance in the forest.

The use of endrin-coated seed stock has also come into practice throughout the North Coast region. Endrin, an extremely poisonous pesticide, is used by industry foresters to reduce rodent populations.

Although the Fish and Game Department has not publicly criticized these practices, department inspectors privately have expressed the belief that wildlife population has been adversely affected because of them.

One such area is the Wildcat Creek watershed in Mendocino County, where about 2,300 acres of forest was treated with a mixture of 2, 4, 5-T and 2, 4-D by Georgia-Pacific Corp.

On a recent tour of the area, two fish and game inspectors found what they regarded as a severe decline in evidence of wildlife in the area.

Though the tour was not a scientific survey, they say, the apparent decline in the wildlife population closely followed the herbicide treatment, which killed vegetation upon which many wildlife species depend for food.

Industry representatives defend the large-scale use of pesticides on economic grounds in forests managed for timber growth, not wildlife preservation.

"We simply do not feel that timber owners have the obligation to provide room and board for wildlife," said John Callaghan, executive vice president of the California Forest Protective Assn.

Forestry Division officials say they have not pushed for control of chemical poisons used by the timber industries in large part because such use is already regulated through the State Department of Agriculture.

"It's fine for Fish and Game or Water Quality to say stop the loggers here, stop the loggers there," said Richey, the state acting forester. "But it's this department that will ultimately take the heat. We're caught between the conservationists and the timber industries and getting it from both sides. There's no way to make everyone happy."

Meanwhile, ultimate regulation of the industry remains in doubt. With five months to go before the industry's temporary exemp-

tion from the California Environmental Quality Act expires, the Legislature has begun consideration of two measures that would extend the exemption for varying lengths of time.

A two-year extension, sponsored by Sen. John Nejedly, (R-Contra Costa), would eliminate Environmental Impact Reports but it would put strong environmental safeguards into the logging permit system.

Assemblyman Edwin Z'berg (D-Sacramento) has proposed a permanent exemption, far weaker in its environmental safeguards, that would also limit state foresters to enforcing only regulations passed by the Board of Forestry.

At present, according to a ruling by the attorney general, the Division of Forestry is obligated to enforce the intent of the Forest Practices Act as well as board regulations, a ruling which gives the office far broader powers.

Both the Brown Administration and conservation organizations have opposed the Z'berg bill and its progress, for the moment, appears to have been stalled in the Legislature.

The Nejedly measure has passed the Senate but now stands a far tougher test in the Assembly. The industry has opposed the bill, arguing that it would allow endless bickering over individual plans and create much the same problems as Environmental Impact Reports.

"The truth, and all loggers know it, is that you can't cut down timber without adverse effects on the environment," said Callaghan of the California Forest Protective Assn. "That's not the question. The question, the one that has not been answered, is how much damage will be allowed by whom, and for how long."

SOME COMPANIES PRESERVE THE HILLSIDES

Big Creek Lumber Co. more or less hugs the shoreline a few miles north of Santa Cruz, its presence from the highway noted only by a large wooden sign.

Like the giant timber firms along the North Coast, Big Creek Lumber is in the business of logging redwcod and Douglas fir. But the resemblance ends there.

In the forests of Santa Cruz County, blocks of land logged by Big Creek in the past year now seem almost garden-like compared to those of many operations in the north. There are no washed-out roads, the hillsides are not sliding into creek beds and streams themselves still run clear.

For 28 years Frank and H. T. (Bud) McCrary have owned and operated Big Creek Lumber Co. here, processing about 15 million board feet per year. A small but profitable firm, Big Creek's operations demonstrate almost daily that logging need not destroy the land.

Circling above one recently harvested stand in a light airplane, Bud McCrary motioned to the pattern of felled trees as they lay on the ground. A canopy of trees had been left standing along larger streams and none of the logged redwoods had been felled into creeks themselves, few of the fallen trees, in fact, had even brushed against the trees left standing.

"Any logger can do that if he makes the effort," said McCrary. "To claim otherwise is nonsense."

McCrary's concern for protection of the land is not entirely self-inspired. Since 1971 Santa Cruz County, along with San Mateo, Santa Clara and Marin have imposed logging regulations far tougher than those of the state Board of Forestry. The standards here, widely regarded as the strongest in the nation, would have prevented many of the abuses that have become practice along the North Coast.

Previously, logging had become a nearly all-consuming environmental issue before the Santa Cruz Board of Supervisors; individual plans were fought over for months. But now, according to one supervisor, the issue has been "defused," and is rarely heard before county agencies.

One prominent conservationist, in fact, recently raised the issue of whether various agencies were now wasting taxpayers' money through overregulation.

During the logging of one stand in recent months by Big Creek, for example, the operation was watched by two inspectors from the California Division of Forestry, one from the county's watershed management program, one from the regional Water Quality Control Board, one from the state Fish and Game Department, and another from the county forester's office. "The inspection traffic got a bit thick at times," McCrary said.

Northern logging firms usually scoff at the experience of the more southerly counties, maintaining that many of the regulations, such as a prohibition on clear-cutting, may be feasible in second-growth stands but not in the old growth of the north.

The experience of one of the largest of the northern firms suggests, however, that many such techniques could be used profitably. Pacific Lumber Co. of Scotia has never adopted clear-cutting, preferring instead a selective cut in which about half the trees are left standing.

With 170,000 acres of redwood and Douglas fir, the 103-year-old firm owns some of the largest stands of old-growth timber.

By thinning some stands each year, company foresters say they accelerate the growth of remaining trees by giving them more space and sunlight. At the same time the remaining trees hold the soil, reducing erosion.

"Clear-cutting is the cheapest method, by far, in the beginning," says Jim Greig, a consulting forester in Santa Cruz. "But if you are taking the long view, selective cutting will eventually return the highest yields. Unfortunately, most of the large companies are not taking the long view."

One usually overlooked advantage of preserving old-growth redwood, Greig says, is its future value. "It produces a clear, beautiful wood that you can't get from younger trees," Greig says. "And its value is going to accelerate incredibly as it becomes more scarce. The man who saves a little of his stand now may find he can name his price a decade from now."

DAVID CLAY: "DARED TO BECOME INVOLVED"

HON. PHILIP H. HAYES

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. HAYES of Indiana. Mr. Speaker, David Clay of Gary, Ind., would be alive today if he had not attempted to break up a recent armed robbery.

Mr. Clay, the brother of Indiana State Senator Rudolph Clay, was killed as he tried to defend a business owner from the threats of several gunmen.

Just 3 weeks before his death, Mr. Clay had acted as a Good Samaritan by apprehending two young men who had snatched a woman's purse.

For his courageous effort to stop the armed robbery, he has been given posthumously an "Outstanding Gary Citizen" award by People's Action Coalition and Trust—PACT—a Gary community service organization.

The organization commended him for "daring to become involved, to stand up in the face of wrongdoing—despite the threat of danger."

The Gary community and those of us who personally know Senator Clay were deeply saddened by this loss.

SOLZHENITSYN'S WARNING

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. LAGOMARSINO. Mr. Speaker, last summer, Alexandr Solzhenitsyn in a speech to the AFL–CIO in Washington sounded a passionate warning: He said freedom was in retreat all over the world; détente was turning out to be a policy of surrender; the West must make a firm stand against Communist tolitarianism.

Solzhenitsyn, now living in Switzerland, has delivered the same kind of warning to Britain in a televised interview and radio lecture.

Mr. Solzhenitsyn makes a telling point in describing the double standard attitude of the West toward tyranny:

SOLZHENITSYN'S WARNING

It is with a strange feeling that those of us who come from the Soviet Union look upon the West of today. It is as though we were neither neighbors on the same planet nor contemporaries—and yet we contemplate the West from what will be *your* future, or look back 70 years to see our past suddenly repeating itself. And what we see is always the same: adults deferring to the opinion of their children; the younger generation carried away by shallow, worthless ideas; professors scared of being unfashionable; journalists refusing to take responsibility for the words they squander so profusely; universal sympathy for revolutionary extremists; people with serious objections unable or unwilling to voice them; the majority passively obsessed by a feeling of doom; feeble governments; societies whose defensive reactions have become paralyzed; spiritual confusion leading to political upheaval. What will happen as a result of all this lies ahead of us. But the time is near, and from bitter memory we can easily predict what these events will be.

Twice we helped save the freedom of Western Europe. And twice you repaid us by abandoning us to our slavery. It is clear what you wanted. Once again you wanted to extricate yourself as quickly as possible from this terrible war, you wanted to rest, you wanted to prosper.

But there was a price to pay. And the noble philosophy of pragmatism laid down that once again you should close your eyes to a great many things: to the deportation of whole nations to Siberia; to Katyn; to Warsaw—in that same country for whose sake the war had started; you should forget Estonia, Latvia and Lithuania; you should hand over six more of your European sisters into slavery and allow a seventh to be cut in two; at Nuremberg you should sit amicably side by side with judges who were every bit as much murderers as those on trial and never let this disturb your British sense of justice.

Whenever a new tyranny came into existence, however far away—in China, say, or Laos—Britain was always the first to recognize it, eagerly pushing aside all competitors for the honor.

All this required great moral fortitude—and your society was not found lacking. All one had to do was to repeat again and again the magic formula: "The dawn of a new era." You whispered it. You shouted it. And when you grew sick of it and decided to reaffirm your valor in the eyes of the world and recover your self-respect, then your country manifested incomparable daring—against Iceland, Spain, countries which could not even answer you back.

Tank columns in East Berlin, Budapest and Prague declared that they were there "by the will of the people," but not once did the British government recall its ambassadors in protest from any of these places. In Southeast Asia unknown numbers of prisoners have been killed and are still being killed in secret; yet the British ambassadors have not been recalled. Every day in the Soviet Union psychiatrists murder people with their hypodermic syringes merely because they do not think along accepted lines or because they believe in God—and again the British ambassador is never recalled.

But when five terrorists—who had actually committed murder—were executed in Madrid, then the British ambassador *was* recalled and the din reverberated throughout the world. What a hurricane burst forth from the British Isles! You have to know how to protest. It's got to be done with a great deal of anger—but only so long as it does not run counter to the spirit of the age and presents no danger to the authorities of those protesting. If only you could make use of your British skepticism for a moment—it can't have deserted you entirely—and put yourselves in the position of the oppressed peoples of Eastern Europe—then you can view your unseemly behavior through our eyes! The prime minister of Spain was murdered and all cultured Europe was delighted. Some Spanish policemen, even some Spanish hairdressers, were murdered—and the countries of Europe went wild with joy, as if their own police were insured against the Terrorist International.

Meanwhile the crevasse grows ever wider, spread across the globe, shifts into other continents. The most populous country in the world has plunged headlong into it. So, too, have a dozen others. So, too, have numerous defenseless tribes—Kurds, Northern Abyssinians, Somalis, Angolans—without the British with their great tradition of freedom showing the slightest anxiety over such petty matters. Even today you are lulled into thinking that these fine islands of yours will never be split in two by that crevasse, will never be blown sky-high. And yet the abyss is already there, beneath your very feet.

Every year several more countries are seized and taken over as bridgeheads for the coming world war, and the whole world stands by and does nothing.

Even the oceans are being taken over—and need one tell you British what that means or what the seas will be used for? And what of Europe today? It is nothing more than a collection of cardboard stage sets, all bargaining with each other to see how little can be spent on defense so as to leave more for the comforts of life. The continent of Europe, with its centuries-long preparation for the task of leading mankind, has of its own accord abandoned its strength and its influence on world affairs—and not just its physical influence but its intellectual influence as well.

Modern society is hypnotized by socialism. It is prevented by socialism from seeing the mortal dangers it is in. And one of the greatest dangers of all is that you have lost all sense of danger, you cannot even see where it's coming from as it moves swiftly towards you.

You imagine you see danger in other parts of the globe and hurl the arrows from your depleted quiver there. But the greatest danger of all is that you have lost the will to defend yourselves.

We, the oppressed people of Russia, the oppressed peoples of Eastern Europe, watch with anguish the tragic enfeeblement of Europe. We offer you the experience of our suffering; we would like you to accept it without having to pay the monstrous price of death and slavery that we have paid.

But your society refuses to heed our warning voices. I suppose we must admit, sad though it is, that experience cannot be transmitted: everyone must experience everything for himself.

Of course, it's not just a question of Britain; it's not just a question of the West—it concerns all of us, in the East as as well as in the West. We are all, each in his own way, bound together by a common fate, by the same bands of iron. And all of us are standing on the brink of a great historical cataclysm, a flood that swallows up civilization and changes whole epochs. The present world situation is complicated still more by the fact that several hours have struck simultaneously on the clock of history. We have all got to face up to a crisis—not just a social crisis, not just a political crisis, not just a military crisis. And we must not only face up to this crisis but we must stand firm in this great upheaval—an upheaval similar to that which marked the transition from the Middle Ages to the Renaissance. Just as mankind once became aware of the intolerable and mistaken deviation of the late Middle Ages and recoiled in horror from it, so too must we take account of the disastrous deviation of the late Enlightenment. We have become hopelessly enmeshed in our slavish worship of all that is pleasant, all that is comfortable, all that is material—we worship things, we worship products.

Will we ever succeed in shaking off this burden, in giving free rein to the spirit that was breathed into us at birth, that spirit that distinguishes us from the animal world?

EDWIN KOUPAL—LOBBYIST FOR THE PEOPLE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. ANDERSON of California. Mr. Speaker, in the State of California, issues are often decided during elections by a direct vote of the people. This initiative process, as it is called, can be used by the public at large to address problems through an at-large referendum. Sometimes, these issues become even hotter campaign issues than the political office races taking place at the same time.

No person ever used the initiative as effectively as Edwin Koupal, founder of the Peoples' Lobby. It is my sad duty to report that Mr. Koupal passed away on Monday, March 29, at the age of 48.

In an age when public apathy seems to be the prevailing mood, Edwin Koupal was an anomaly. He was an activist in every sense of the word, and he chose to take his causes directly to the people. Largely as a result of his efforts, a political reform initiative qualified for the ballot in 1974 and was passed by the people of our State.

A native Oregonian, Edwin Koupal first came to California in 1964. Twelve years later, at the time of his passing, he and his organization were already political powers to be reckoned with in our State.

Edwin Koupal will be missed by all of us who have come to respect him for his honesty and dedication to open government. I am very hopeful that the People's Lobby will continue in its efforts toward opening up the political process to all people in our State. My wife, Lee, joins me in extending our sincere condolences to his lovely wife Joyce, an activist in her own right, and their three children, Cecil, Christine, and Diane.

The following article from the March 30, Los Angeles Times, gives an eloquent account of Edwin Koupal's personality and many accomplishments, and at this point I would like to insert it into the RECORD:

EDWIN KOUPAL, PEOPLE'S LOBBY FOUNDER, "ONE OF GOD'S ANGRY MEN," DIES AT 48

(By Al Martinez)

Edwin Koupal, whose People's Lobby gave voice to the voiceless through the initiative process, died Monday. He was 48.

Death came quietly in a hospital bed to the big and determined political activist, who had been described as "one of God's angry men."

Koupal had been suffering from cancer, and on Sunday night decided he wanted no further oxygen or intravenous treatment.

With him at the time was his wife of 27 years, Joyce, and a People's Lobby worker, Faith Keating.

"He told us not to cry," Ms. Keating said. "He said he was satisfied with what he had done and what he had stood for. We played Benny Goodman tapes and drank wine.

"He didn't even die like anyone else."

Koupal—ex-bartender, ex-used car salesman and ex-chicken rancher—founded People's Lobby in 1968 with his wife, and together they turned the initiative process into a grassroots force that California had never seen before.

They sent an army of mostly young volunteers into the field in 1972 to gather 339,000 signatures and qualify the Clean Environment Act for the ballot.

Koupal hailed it as "the first successful grass-roots initiative campaign in history"—a campaign devoid of special interest money.

The issue, Proposition 9, went down to defeat, but it clearly established the lobby as a force to be reckoned with.

Two years later—and now boasting 20,000 members—the Koupal organization joined with Common Cause to qualify a political reform initiative for the ballot, and it won.

In the months before his death, Koupal was pursuing yet another goal—establishment of a national safe energy initiative campaign.

He and his wife had hammered out the platform of an organization called Western Bloc and had already qualified the proposition in California, Oregon and Colorado.

Koupal was a determined and effective campaigner whose passion for causes often led him against the mainstream.

Gov. Brown said Monday Koupal "was a rare spirit who followed his vision with a joy and relentless energy that this practical world finds hard to understand."

Koupal had worked closely with then-Secretary of State Brown on the political reform initiative, a campaign that more than any other brought Koupal and People's Lobby into strident visibility.

He was a man of abundant drive, and those in his way found themselves in the path of a hurricane.

"I never met anyone quite like Ed," said Thomas Quinn, chairman of the state Air

Resources Board and former assistant secretary of state under Brown.

"He was a strong human being, a dynamo, and he made gathering signatures an art. To him, the petition was the highest form of democracy, the way people could control government."

Quinn said that when the political reform initiative campaign began, he wanted Common Cause involved in order "to keep those crazy Koupals in line. But over the months I learned that it was the Koupals who kept the campaign in line.

"Without Ed, victory could not have happened."

Quinn and others thought Koupal brought the techniques of a salesman to politics and used them with conscience and wit.

"He became angry," Quinn said, "when that process was perverted and told his petition-gatherers to always be honest. But he would also show me what he had learned as a used car salesman.

"When you handed someone a clipboard to sign a petition, you handed it to him at an angle so that a pen rolled into his hand Once they had the pen, they almost always signed."

During the course of the initiative campaign, People's Lobby and Common Cause were often at each other's throats.

Common Cause was slow and deliberate in its efforts, and People's Lobby—led by the hard-charging Koupals—was an earthquake.

Koupal would angrily storm out of meetings between the two organizations during the drafting of the initiative.

A third party said at the time: "Ed is a horse trader. When he threatens to walk out he's just bargaining. It is irritating but effective . . ."

Koupal was born in Eugene, Ore. in 1964, he moved his family to Sacramento and to his first confrontation with the Establishment.

"We found," he told the press, "that we were paying for sewers, sidewalks and streets that we didn't have. On looking further, we also found that seven houses which did have these things didn't have to pay for them."

The Koupals went to court to fight an oil company's threatened takeover of their sewer district, won, and were on their way.

A short time later, they tried to recall then-Gov. Ronald Reagan and failed.

But then People's Lobby was born, and the Koupals' energies ever since were concentrated on that.

What the lobby became, by one definition, was "not an organization, but two people—Ed and Joyce—with a lot of true believers who follow an honest passion for political reform . . ."

Koupal, among his last words to his wife, said it differently. He said, "We've got it made."

He also leaves three children, Cecil, Christine and Diane. Funeral services were pending Monday.

His requiem is encompassed in an observation by Tom Quinn.

"What we have here," he said, "is the death of a salesman . . . in the best sense of the word."

KATHRYN KUHLMAN

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. ROYBAL. Mr. Speaker, on February 20, 1976, evangelist and spiritual writer Kathryn Kuhlman passed away in Tulsa, Okla. Among her accomplishments was the establishment of the Kuhlman Foundation which carries on such programs as drug rehabilitation, education of the handicapped, and foreign missions. Miss Kuhlman has authored several books, among them "I Believe in Miracles," and "Nothing Is Impossible With God." At the request of her followers, I would like to insert the following words in the RECORD which they have composed as a memorial tribute to Miss Kuhlman:

Kathryn Kuhlman firmly believed that the richest quality of love was sacrifice; that the noblest credential of any work was the spirit on the part of its members who counted all things lost for Christ. As she believed, she lived—and so will she be remembered and revered by millions all over the world.

WAIVER OF PAY CEILING

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. CARTER. Mr. Speaker, today I am introducing legislation which allows for waiver of the pay ceiling currently in effect for the 150 professional scientific, and executive positions statutorily allocated to the Public Health Service, of which the National Institutes of Health have been designated 115 positions. Existing law prevents these salaries from rising above $37,800.

As a result, NIH is at a distinct monetary disadvantage in recruiting high quality personnel as compared with medical schools, private practice, the Veterans' Administration, and to a lesser extent, the military. The Director of one Institute, for example, whose salary is now limited to $37,800, earns the same amount as most of his top level personnel and much less than many of the members of the commissioned corps of the Public Health Service Corps who work for him. Due to the unique mission in NIH, the Institute is continually in the market for highly educated individuals with medical and scientific expertise. Although NIH has been fortunate to have highly qualified individuals remain with the Institute, often at great financial sacrifice, we cannot expect this kind of dedication to continue indefinitely.

I realize that Government has not been competitive with private industry in the salaries which it pays, and there is no thought on my part that it should attempt to be competitive. However, I believe we must try to reach a reasonable balance between these extremes which more legitimately recognizes the very valuable contributions these individuals are making. In this important area of scientific research and development, we cannot afford to lose our best people.

This legislation would permit the Secretary of HEW to raise the salary ceiling up to $48,654—the current GS-18 level, were it not for the existing ceiling. Lifting the pay limitation for this group of persons restores the general schedule's system of different pay for different levels of responsibility and allows the system to operate as originally intended. With this flexibility, NIH would be able to attract and retain executives and scientists of superior quality.

As my colleagues are aware, a similar noncompetitive remuneration problem existed within the Veterans' Administration. Wisely, Congress has recently enacted legislation to remedy that situation.

I trust that the Congress will also see fit to enact this legislation to permit increases in the salaries of these outstanding researchers and top science administrators. It would be a small investment for very worthwhile gains in the Nation's biomedical research endeavors.

FEDERAL TRADE COMMISSION BUYERS' GUIDE FOR INDIVIDUAL RETIREMENT ACCOUNTS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. PICKLE. Mr. Speaker, the U.S. Treasury estimates last year Americans invested over $1.5 billion dollars in a new retirement system created by the Employee Retirement Income Security Act.

That system is the individual retirement account—IRA, aimed at providing a retirement program for the 35 to 40 million Americans not now covered under any pension plan other than social security. Obviously, many, many people have enthusiastically set up these accounts for themselves—and the guess is this enthusiasm will continue.

Unfortunately, many people who have invested their savings in these programs are now running into troubles. Rules and restrictions concerning these accounts have not been fully understood. Some administrative costs, taken off the top before savings can begin, have left countless people with accounts worth less today than they were when the investment was made.

The Internal Revenue Service dallied for months on end before issuing temporary financial disclosure regulations toward the end of the 1975 year. And those regulations did not address the problems of puff advertising in this field. The IRS finished its work on proposed final regulations early in March, but now the Department of Treasury has not released them.

The Oversight Subcommittee of Ways and Means has conducted extensive research into this field and asked the Federal Trade Commission to make a formal study of promotional literature of IRA's. That study should be ready about the beginning of 1977 and will give us an industrywide view of this important new retirement program.

In the meantime, consumers are still buying IRA's with no means of being sure they are making a wise investment and buying an IRA that is suited to their personal needs.

Subcommittee Chairman CHARLES VANIK and I met with several FTC staff members March 9. We asked them to do what they could to provide some guid-

ance immediately to consumers buying IRA's.

I am most pleased to report that the FTC has issued a buyers' guide for individual retirement accounts. This guide is easily readable. It discusses the advantages and disadvantages of an IRA and lists several questions a person should know the answer to or should ask the person he or she is buying an IRA from before making this type of investment.

My colleague Mr. VANIK and I commend this guide to the Members and hope that you will make it available to any of your constituents who are interested in the IRA program. I would add to the portion on guarantees the fact that the U.S. Government retirement bond carries a guaranteed return of 6 percent, probably the highest guaranteed rate in the entire IRA field. These bonds are available from the Office of the Public Debt, U.S. Department of Treasury. At least it should be aware that these Government retirement bonds are available in spite of the fact that the Treasury is making little effort publishing that fact.

FEDERAL TRADE COMMISSION,
Washington, D.C., April 2, 1976.

FTC'S BUREAU OF CONSUMER PROTECTION SUGGESTS ISSUES FOR CONSUMERS TO CONSIDER BEFORE OPENING AN INDIVIDUAL RETIREMENT ACCOUNT/ANNUITY (IRA)

The Bureau of Consumer Protection of the Federal Trade Commission has suggested some important facts which consumers should consider before opening an Individual Retirement Account/Annuity (IRA). The Pension Reform Act of 1974 allows consumers who are not in a qualified pension plan to open IRAs. By allowing certain tax benefits in the Act, Congress encouraged consumers to build up retirement savings over a long period of time. The Commission's staff is investigating the advertising and marketing of IRAs to see whether advertising and marketing claims properly reflect the law's requirements and do not mislead consumers.

Because the investigation is still in progress, it would be improper for the Commission or the Bureau of Consumer Protection to say whether or not any laws have been violated. Nor is the staff of the Commission permitted to advise any individual regarding whether or not to open an IRA account, or which type to select. Nevertheless, the Bureau of Consumer Protection urges consumers to consider the following facts before deciding whether to open an IRA, or which type to open:

IRAs are not for everyone.

IRAs are traditional investments with a new tax advantage.

All IRAs are not alike. Know the differences.

IRAs aren't tax-free. Know what tax breaks you'll get.

There are restrictions on the use of your IRA. Know how flexible your account is.

Guarantees and risks vary. Know how risky your investment is and what guarantee, if any, you'll get.

ARE IRAS FOR YOU?

The law does not allow everyone to establish an IRA. Check with your employer and the nearest IRS regional office to make sure you are eligible.

The first thing to keep in mind is that "IRA" is not a term which refers to any one type of account. Rather, it describes different types of accounts which share one feature—a new tax advantage. IRAs may be opened with banks, savings and loan institutions, mutual funds, insurance companies, real estate investment trusts, credit unions, and government retirement bonds, among others. If you are not eligible to enroll in a qualified pension plan and you would otherwise want a savings account, an annuity, shares in a mutual fund or real estate investment trust or government retirement bonds, you may well want to take advantage of the tax benefits. But if any of these investments does not suit your own needs, a tax benefit may not be enough to make them do so.

You should look at IRAs as an investment for your retirement. As with most investments with tax benefits, you must bear certain costs, risks, and restrictions to get the benefits. These may include a certain degree of inflexibility, commissions, fees or charges, and tax penalties if you change your mind and want to close your account prematurely or remove some of your savings from it. Of course, this does not mean that IRAs are undesirable, since all investments have some risks and costs. What it *does* mean is that IRAs are not for everyone and that you should consider whether they are good investments for you.

WHAT FACTORS SHOULD YOU CONSIDER?

All IRAs are not the same. In deciding which type of IRA, if any, you should open, here are some facts which you should bear in mind. By listing certain costs and risks, we do not mean to suggest that one form of IRA is automatically better than any other kind. Rather, different types of investments carry different risks and costs and you should evaluate each type to see if it suits YOUR needs.

Know what tax breaks you're going to get

Since one of the main reasons to open an IRA is to take advantage of the tax benefits, you should know what benefits you actually can and cannot get.

You should never accept a claim that your investment is "tax free". IT ISN'T. The money you put in an IRA and the growth in your account will be taxed later (tax deferred). The benefit is that, for most people, the rate and amount of tax you will pay when you retire and start to use your money will be less than it is now when you are investing in the account.

You *can* take part or all of your IRA funds out before retirement. But if you do so before you reach age 59½, you will lose tax benefits and pay a tax penalty on any funds you remove.

Your total payments for an IRA in any year cannot exceed $1,500 or 15% of your income for that year, whichever is less. That includes the amount for commissions, other sales charges or insurance premiums.

You may open and maintain more than one IRA, but the total amount you can invest in any one year is $1,500. If you invest more, not only do you not get a tax break but you will have to pay a penalty.

Finally, if you die before age 59½, the money in your account will still be subject to *both* income tax and estate tax. As we noted above, the tax is deferred, but never avoided altogether.

Know how flexible your account is

IRAs help you plan for your retirement. But retirement may be a long way off and you should know what may happen to your investment—and what you should do—if you change your mind or need the money before you reach 59½ years old.

Until April 15, 1976, anyone who opened an IRA before January 1, 1976 has the right to cancel his or her account before April 15, 1976 and pay no tax penalties. But there is no requirement that the money you paid for any sales commission, insurance premiums or management fees be refunded to you, so you may not get *all* of your money back. Also, a bank or savings and loan association may be able to charge you an early withdrawal penalty for taking out your IRA funds before the April 15 deadline. So if you are thinking of cancelling or changing your IRA to another type, know what it's going to cost.

If you are thinking of opening a new IRA, you should know that anyone selling you an IRA is required to give you certain information prescribed by the Internal Revenue Service. Read it. Some may give you the information 7 days *before* you sign a contract. Others may give you the information at the *same time* that you open your account. If you don't get the information 7 days before you open the account, you are allowed to change your mind within 7 days and cancel your contract without paying any tax penalty. And you will get *all* your money back, including sales commissions or administrative fees. But remember, you will not have a right to cancel if you receive the information 7 days *before* you open your account.

You can switch from one type of IRA to another only once every three years without suffering a tax penalty. Of course, you can put off switching your account for *more* than three years, but you will suffer a tax penalty if you switch to another account within three years after opening your account or within three years after your last switch.

Know the fees, commissions or other charges that you must pay to open and maintain an IRA

Just as you pay a broker's fee when you invest in stocks or real estate, or a sales commission when you buy insurance, not all of the money that you pay to open or maintain an IRA always becomes part of your savings for retirement. You should know how much of your investment is actually for your retirement account and how much will go to a salesperson or other agent. With some IRAs, these fees may be deducted over the years you invest in your account; in others, they may come out of the money you invest in the first year or first few years. It is important to know, because this is the portion that may not always be refunded if you later cancel or transfer your account.

In addition, although you can switch from one type of IRA to another without a *tax penalty* every three years, you will probably not get back these fees and charges and may incur early withdrawal charges. Thus, the amount of money you will actually be able to transfer from one type of IRA to another (the technical word is "roll over") may be much less in some accounts than others.

Some sellers may not charge any fees when you first open your account, but they keep the right to charge them later. Make sure you know whether you may have to pay fees in the future and how much.

Know what is "guaranteed" and what isn't

A prediction is not a "guarantee". Nor is a statement about how well people have done in the past. Know if there are any risks that would affect the value or safety of the funds you place in your account. Know what interest rate is actually *guaranteed* and not just hoped for.

Some guarantees may be for a limited time, such as the first few years. Others are for the entire time you have the account. You should know what kind of "guarantee" you have.

Not all IRAs have guarantees. Sellers of IRAs without guarantees sometimes use your money to buy securities (for example, stocks) or real estate, where both the rate of return and the value of the original funds invested go up and down. As the value of these investments change, so will the amount in your IRA. Of course, that does not necessarily make these IRAs undesirable. But in deciding what kind of IRA is right for you, ask yourself (as you would for any other investment) how much of a chance you can afford to take. If you are willing to take risks, you may end up with more retirement savings than you would with an IRA which has a guaranteed rate. But if you do not like to take chances, or if you might retire or have to use the money in the account before age 59½, you may want to forget the chance to make a "killing" and have the certainty that the money you're saving will earn a definite rate of interest and will be there when you retire.

Finally, if there is a difference between what a seller "predicts" and what he "guarantees," make sure you know what his prediction is based upon. We've all heard "predictions" that didn't turn out as we hoped.

CONCLUSION

Remember that IRAs are not for everyone and that, if you want one, you should pick one that is right for you. Ask questions. Look at the advertising and other materials carefully. You may wish to get a copy of Publication 590, "Tax Information on Individual Retirement Savings Programs", from your nearest Internal Revenue Service Office. If you still have questions, ask an attorney, accountant, any other qualified financial advisor, your local IRS office, or the state or federal agency in your area which regulates the financial institution from which you are purchasing your IRA. Use the same care you'd use in making any other long term investment.

DEVELOPMENT OF WATER RESOURCES IN AMERICA

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. JONES of Alabama. Mr. Speaker, I think every Member of the House will be interested in the statement which our colleague, JIM WRIGHT, made last week before the Subcommittee on Public Works of the House Committee on Appropriations.

JIM WRIGHT is ranking majority member on the Committee on Public Works and Transportation and is chairman of the Subcommittee on Investigations and Review. He is also a member of the House Budget Committee. In all of these roles JIM WRIGHT has developed a firm grasp on the issue of water resources development in America.

In his statement before the Public Works Subcommittee, JIM WRIGHT points out the urgent need to address the problems of navigation, flood control, energy production, and water conservation and supply. The statement makes clear the need to keep our Corps of Engineers water resources development program actively moving to address these problems.

The remarks follow:

STATEMENT BY REPRESENTATIVE JIM WRIGHT

Mr. Chairman and members of the Subcommittee, it is a pleasure for me to appear before you today on the Corps of Engineers' civil works budget for fiscal year 1977.

The budget request submitted by the Administration is, to put it bluntly, one designed to put the Corps of Engineers out of business and end the traditional role of the Federal Government in the development and conservation of the water resources of this Nation. The budget includes no new construction starts. Only three projects are included for initiation of preconstruction planning. A mere five survey starts are included. And funding of projects under construction is held down, which will result in longer construction times and increased costs. In addition, sufficient funds are not included to alleviate the backlog of critical operation and maintenance which needs to be done.

If this approach to the program is allowed to stand, it will have disastrous consequences. The Corps of Engineers now has 235 projects under construction. With no new starts in the next five years, and funding continued at the proposed level, only 68 projects would be under construction in 1982. With full funding of these projects, that number would drop to 51. If we are to meet our Nation's water resources needs, the importance of new construction starts becomes very evident. But construction starts alone are not the answer—there must be initiation of preconstruction planning on authorized projects, and there must be commencement of planning on authorized survey studies. These actions are not needed just so that we can spend Federal dollars building projects. There are serious water resources needs that require attention. And the studying and planning of more projects will enable us to better identify these needs and to intelligently assign priorities for the expenditure of the limited funds which will be available. There is no way we can satisfy all the needs—water resources programs will be competing with many other needed programs. It is, therefore, imperative that we identify the most serious needs and spend our money where it counts the most.

Water resources development has been and will continue to be vital to this country. Our waterways and harbors are an essential part of our national transportation system, providing clean, efficient, and economical transport of fuels for energy, agricultural produce, and materials needed for industry. Flood protection projects protect our communities from the devastation of floods, open up vast areas for essential agricultural production, and make possible residential and industrial development to provide homes and jobs for our people. Reservoir projects harness our rivers and streams for hydroelectric power, provide downstream flood protection, make available recreational opportunities for our urban and rural people alike, and store that precious commodity—water—which is essential not only to industry, agriculture, and the standard of living to which we are accustomed, but to life itself.

In the area of water supply especially, this country faces serious water shortages in the near and the distant future unless steps are taken soon to ensure that water is where it is needed, in the amounts it is needed, and of good quality. We must plan now for future water shortages. If we wait until they are upon us, it will be too late. This is not the sort of thing we can leave to the States, the local Governments, or the private sector, as the Administration seems to think. Of course, they all have a role to play, and an important one. But problems of navigation, of widespread flood control, of energy production, and of water conservation and supply transcend State boundaries. There is truly a national interest in these matters that cannot be overlooked—that cannot be simply abandoned. To do so would be the height of shortsightedness and irresponsibility. We have a national duty to carry out here—a trust—and if we fail it is our children and our children's children who will pay the heavy price.

I therefore, ask this Committee, and this Congress, to take the first necessary steps to restore the vitality of the Federal water resources program. The Corps of Engineers has 35 projects on which it could start construction in fiscal year 1977, 63 projects on which it could start preconstruction planning, and 134 survey studies which could be initiated. The total Corps capability for these new starts for fiscal year 1977 is only $54,000,000. Moreover, with the existing program level declining, and projects under construction nearing completion, these new starts can easily be handled by the Corps in the coming years. I realize, of course, that all of these new starts cannot realistically be expected to be funded in fiscal year 1977. There are other priorities in the Corps' program which must be taken care of. But certainly a substantial number of them can be easily accommodated.

Our Committee on Public Works and Transportation, under the provisions of the Congressional Budget Act, has recommended to the Budget Committee an increase in the Corps' budget for fiscal year 1977 of some $480,000,000. Of this amount, the Budget Committee has allowed $400,000,000, which is sufficient to permit funding of the new starts I mentioned, allow an increase in the funding of projects under construction, and enable the Corps to perform a substantial portion of its operation and maintenance backlog. It will also provide for full funding of the small projects program—those projects which can be undertaken by the Corps of Engineers without the specific authorization of the Congress. This is a particularly important program and one which the Administration has not funded in its budget request. These small projects can be implemented relatively quickly in response to local needs, and I trust that the Committee will see fit to include adequate funding.

In addition, Mr. Chairman, I should also like to point out the substantial employment benefits associated with the recommended increases we have recommended in construction and operation and maintenance would create 29,000 new jobs, many of which would be in the construction industry in which unemployment is now running so very high.

Mr. Chairman, I have appreciated this opportunity to express my views on the Corps of Engineers' program and budget for fiscal year 1977. I am sure that you share my concern for the future of the program and my feeling of its importance to our Nation's future.

VOTING RECORD OF CONGRESSMAN JONATHAN B. BINGHAM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. BINGHAM. Mr. Speaker, on Friday, April 2, 1976, I was unavoidably absent during rollcall vote No. 160 on final pasage of H.R. 12572, amending the United States Grain Standards Act. Had I been present, I would have voted "aye."

LOCKING UP THE WATERWAYS CASE

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. GAYDOS. Mr. Speaker, over the past 20 years, a variety of proposals for waterways user charges have been advanced in Congress. These tend to attract some support because, at first glance, they seem to be a source of additional Federal revenues. But an in-depth analysis of the economic impact of any waterways user tax indicates that the devastating and expensive, long-range effects clearly outweigh the advantages of some additional revenues.

This issue is once again before Congress. H.R. 8590, "the Waterway User Tax Act of 1975," would not benefit the Nation, but would instead adversely affect industry, agriculture, the economy, energy conservation, and community life.

Supporters of the waterways user tax believe this legislation is necessary in order to recover some of the cost of federally improved and maintained waterways and harbors. This, they contend, would put surface transportation—primarily railroad and trucking—on a more competitive basis with waterway carriers.

But the fact is that the Federal and State Governments spend vastly more on highway financing than they do on waterway financing, and have provided huge land grants and other assistance to railroads. In fiscal year 1974, a total of $348 million in Federal funds went to new construction, operations, and maintenance of shallow draft segments of waterways. For that same year, the highways received a total of $5.6 billion—$1.2 billion from Federal taxes and $4.4 billion from State and local governments.

The railroad industry has been very vocal in supporting the waterway-user charge. I believe this is not because they hope to capture waterborne freight accounts so much as they yearn to raise their charges. Eliminating the restraining influence of competitive, low-cost waterway transportation is certainly to their distinct advantage.

The problem, however, is that the U.S. economy is still lagging and it desperately needs the expansion of both railroad and waterway transportation.

The stakes are very high in this issue. Toll-free inland waterways hold down the cost of living because their efficiency and low cost are essential to many basic industries that serve as the country's economic backbone. In the opinion of many experts, waterborne transportation is a relatively superior mode of bulk commodity transportation because it is relatively less energy intensive, safer for employees and the public, less of a pollution risk, and cost efficient.

The imposition of a waterways user tax would mean that agricultural shipments to the Midwest and feed grains to the Southeast for poultry businesses would suffer. The cost of farming would skyrocket since fertilizer and insecticides are primarily waterborne cargoes.

Presently, the petroleum industry is a substantial user of waterways for transportation of its products because of its low cost. The imposition of a waterways user tax could well increase the cost so that the petroleum industry would divert most if not all shipments to pipeline transmission, which is now more expensive than waterborne transport. This would result in increased cost for the high-consumption users, such as farmers, as well as consumers in general.

The coal and steel industries would be most adversely affected. River barges now transport approximately 82 million tons of coal per year, one-fifth of the Nation's total cost output. It is bizarre to think that a user charge might be imposed at a time when coal is fast becoming an increasingly important domestic energy resource.

The steel industry, which already faces serious difficulties, would experience further adversity. Iron and steel plants now receive 22 million tons of materials and fuels by barge and 80 million tons via the Great Lakes. Economists estimate that 5 to 6 million tons of finished steel products move from mill to customer by barge each year. This steel has a value exceeding $600 million. A waterways user tax could well mean a substantial loss of sales to foreign competition.

Furthermore, waterways user tax would impair the position of American industries, as a whole, against foreign competition by reducing exports, encouraging imports and upsetting the U.S. balance of payments.

The historically-free waterways serve as a vital link in the Nation's industrial structure. Industries and communities have sprouted and thrived near these inland waterways in the assumption that they would always be "common highways and forever free, without any tax, impost, or duty therefor."

In an era when national leaders profess to be dedicated to spurring economic growth, strengthening the position of the United States as an industrial leader, and promoting energy self-reliance, the waterways user tax is in sharp contradiction and an unforgivable injustice to the producers and consumers we represent.

EXPANSION OF FLU IMMUNIZATION PROGRAM RECOMMENDED

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mrs. SCHROEDER. Mr. Speaker, statistics indicate that 30 percent of American children are either unimmunized or insufficiently immunized at this time.

Dr. C. Henry Kempe, professor of pediatrics and microbiology of the University of Colorado School of Medicine, has suggested that the present effort to immunize against swine influenza could be expanded to immunize against other childhood diseases as well. This could include such diseases as polio, measles, diphtheria, tetanus, whooping cough, and rubella.

I submit to the RECORD Dr. Kempe's letter to the editor of the Denver Post:

DENVER, COLO.,
March 29, 1976.

To the Editor:

The President has asked the Congress to appropriate 135 million dollars for the production of a vaccine to protect against a possible swine influenza epidemic in the fall of this year. His request is based on the recommendation of a most distinguished panel of experts in the field of influenza, and this recommendation deserves the wholehearted support of the health professions and of the public. I foresee a very effective, media supported educational program similar to Polio Sundays with wholehearted cooperation from American physicians, other health professionals and state health departments.

It would be a great opportunity to utilize this occasion when there will be a unique access to millions of American families to encourage them to bring their children at the same time to receive lifelong protection against polio and measles. There is no medical contraindication for such an effort. Approximately 30% of America's 80 million children are either unimmunized or insufficiently immunized at this time. The previous support for immunization programs in our 50 states from the U.S. Department of Health, Education and Welfare, which was at the 12 million dollars per year level three years ago, has been slashed to 4.9 million dollars per year. In Colorado alone this will result in a drop from 120,000 dollars to 66,000 dollars per year for immunization for children.

Immunizations for diphtheria, tetanus, whooping cough, measles, polio and rubella, which are readily available to children who receive private care by pediatricians and family practitioners, is much less likely to reach children living in poverty. In many parts of the country the level of immunization is 50% or even less. Money aside, children may not be brought for immunization because their families may not regard immunization as a high priority item. With the chance of utilizing the influenza vaccination national program this fall, it would be tragic if we failed to use that opportunity to provide basic immunization for the unprotected child who may never be as accessible again.

The opportunity of combining childhood immunization, where needed, with this fall's influenza vaccination program plan has been declined by the Department of Health, Education, and Welfare for a number of economic and tactical reasons even though there are no significant medical or scientific reasons why the two programs should not be carried out at the same time.

Regrettably there is not currently in the Department of Health, Education, and Welfare a strong voice for children such as existed in former years when the Children's Bureau was a strong agency to speak on behalf of all American children. Programs for children are scattered throughout innumerable departments and the slashing of basic immunization support to the states indicates that whatever their good will, those who speak for children in the Department of Health, Education and Welfare, have not had sufficient influence to be effective.

Happily, the Congress could change all this by adding to the request for 135 million dollars for influenza vaccination a specific, and quite modest, amount to direct the Department of Health, Education, and Welfare to immunize inadequately protected children

against at least polio and measles when families come to receive influenza vaccination.

There are no adverse reactions to polio vaccine and reactions to measles vaccine are minimal. Furthermore, children have good antibody responses when several immunizing agents are given at the same time, and so there would be no interference when several agents are given simultaneously.

I believe that the Congress can effectively help to order our national immunization priorities by seeing to it that children's needs are not forgotten. Regrettably, in a democracy children have committed the ultimate sin: they do not vote. It is therefore incumbent on the Congress to speak for those who cannot speak for themselves.

C. HENRY KEMP, M.D.

"HAWKEYE" PIERCE IS A DEDICATED FEMINIST IN REAL LIFE

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mrs. HECKLER of Massachusetts. Mr. Speaker, there is no more dedicated feminist than a man who supports the rights of women. One of the strongest feminists I know is my colleague on the International Women's Year Commission, Actor Alan Alda.

I have come to know and admire Alan during our service on the IWY Commission. He is a witty person, warm and very supportive of the rights of all people—far different than the sexist he plays in the television series "M*A*S*H."

He is a devoted husband and father whose support for the rights of women grows from his excellent relationship with his wife and daughters. Alan's fine example is one which should be emulated by those men whose thinking is not clear on the subject of equal rights for women.

When the Equal Rights Amendment came before the Congress, the votes of many Members were changed by daughters who alerted their fathers to the importance of the amendment to their futures. Strong support for congressional approval of the ERA also came from men such as Alan Alda who were able to convince Members that voting for the ERA was the right thing to do.

Recently, the Taunton Daily Gazette, a newspaper published in my district, printed a wire service story about Alan Alda.

I include it here in my remarks and commend it to the attention of my colleagues:

"HAWKEYE" PIERCE IS A DEDICATED FEMINIST IN REAL LIFE

(By Joan Hanauer)

NEW YORK.—On camera, Hawkeye Pierce is as manipulative of the "M-A-S-H" nurses as his homemade martinis will allow. In private life he sings a different tune.

Alan Alda is a dedicated feminist, and has written the introduction to "A Guide to Non-Sexist Children's Books," compiled by Judith Adell and Hilary Dole Klein (Academy Press Limited, Chicago, $3.95 paper, $7.95 hardcover).

The Guide recommends books that reinforce a non-sexist attitude among young people and might counter the male chauvinist bias of many otherwise admirable standards from Cinderella to Dr. Seuss.

How does a television sex symbol find himself introducing a book such as this?

"I guess partly because I'm a very active feminist," Alda said in an interview.

Some men come around to a feminist viewpoint after fathering daughters—there's nothing like being told your budding brain surgeon daughter would do better as a nurse to bring out the feminist in a man. Alda insists, however, that his feminism precedes his three daughters, who are 14, 15 and 17 years old. It isn't even the fact that his wife is a teacher and clarinetist. For him, women's lib means male liberation as well.

"Until men begin to realize they have a stake in what happens to women, they aren't going to get too enthusiastic, which is one reason I talk so much," he said. "It's important for men to hear it from other men—that way they're more likely to listen."

The ways in which men are shortchanged by male chauvinism include men married to underpaid working wives, men who are not allowed to show a soft side, to cry or to take six months off to write a book or study theology.

"Men must conform to stereotyped working habits, which deprive them of their children," he said. "The stereotype says that men should be out all day long developing a coronary and taking no part in nurturing their children or running a house. If homemaking and motherhood and rearing children are so wonderful, why aren't men doing it?

"If some of it is no more wonderful that scraping dirt off your shoe, why should one person in a marriage by stuck with it?"

Television in general, and "M-A-S-H" in particular (where the men are doctors and the women nurses are fair game), provide an embarrassment for the liberated actor.

"On television, comedy shows tend to represent a more progressive point of view, a more realistic view of women," he said. "Dramatic shows tend to promote rather strong stereotypes of dependent, befuddled women—women as victims. In a lot of movies made for television, the main entertainment value consists of: a woman being terrorized and brutalized—and usually she makes matters worse through panic."

THE INTELLIGENCE COMMUNITY AND THE HOLE IN THE DOUGHNUT

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Ms. ABZUG. Mr. Speaker, as I have pointed out a number of times during our discussions about the intelligence agencies, the Pike report, and the "leak" of the report, we should be concentrating our efforts and our attention not on how the publication of the report—which we almost all now realize contains no information whose publication would endanger the "national security"—came about, but upon the activities that it addresses. To focus upon how the report came to be released, instead of upon the massive abuses that it discusses, is to look at the hole instead of the doughnut.

A recent issue of the New Yorker magazine contained an excellent item on this point, and I insert its text into the RECORD following my remarks:

THE INTELLIGENCE COMMUNITY AND THE HOLE IN THE DOUGHNUT

A little over a year ago, the Senate and the House of Representatives each set up a Select Committee on Intelligence to examine and report on the various secret operations conducted by the executive branch against America's enemies at home and abroad. The basic issue involved in both investigations has been the same as the basic issue involved in Watergate—whether the government has placed itself above its own laws. In some ways, though, the problem presented by the activities of the intelligence "community" is greater, and perhaps even more threatening to the Republic, than the problem uncovered in the Watergate affair. For one thing, press reports and congressional revelations suggest that the illegal acts committed by intelligence officials under several Administations may have been far graver and more numerous than those committed by President Nixon and his associates. For another, it is extremely difficult to do anything about intelligence officials' crimes, because the intelligence apparatus is not merely a bureaucracy whose members, like all bureaucrats, close ranks to meet outside threats but a bureaucracy that is dedicated to absolute secrecy. The most effective way to break through to its hidden truths, in order to reform and control it, would be to force some of its members to talk under threat of prosecution if they didn't, as was done with government officials in the Watergate case. But the one government department with the authority to do this, the Department of Justice, has expressed no intention—publicly, at least—of prosecuting anyone, even though the various agencies involved have admitted the commission of many thousands of crimes over the past twenty years or so. About the best suggestion that Attorney General Edward Levi could come up with during his testimony before Congress on crimes committed by agents and high officials of the Federal Bureau of Investigation, for instance, was that a law be passed making such illegal acts legal in the future. Another problem in dealing with the intelligence issue is that it is nearly impossible to expose and punish appointed government officials unless their elected superiors want them exposed and punished, and in this case President Ford has done his utmost to protect them. (In Watergate, of course, the same kind of dilemma was resolved by the appointment of the Special Prosecutor, whose independence from the executive branch was assured by the public fury that the so-called Saturday Night Massacre generated.) And, finally, little is usually done about official misdeeds until a large number of indignant and persistent citizens demand that something be done.

When the public learned that President Nixon had broken the law in significant ways, he was driven from office. But the same public has shown little interest in lawbreaking by members of such agencies as the F.B.I. and the Central Intelligence Agency. In fact, the bulk of the mail from voters to the two Select Committees has been "hate mail," accusing their members of treasonous conduct. This disparity in the public response to the two cases may seem curious, since Nixon and the intelligence officials relied on the same excuse: national security. On the one hand, however, the public saw that Nixon's justification was false because his true purpose was clearly both personal and pernicious. On the other hand, the public has accepted the intelligence community's justification—as it has been stated again and again by President Ford—because the public believes that the purpose of that community is to protect the nation's security by fighting Communism wherever and however it appears. In all likelihood, that has been the true purpose, and to almost all

Americans it would seem to be a valid one. In effect, the public's reaction to stories about the mayhem and murder authorized by high intelligence officials to carry out this purpose has been to say, "Do what you must do to protect us, but don't tell us about it." This attitude has persisted despite documented accounts of certain agencies' repeated failures to protect us—for example, the C.I.A.'s failure to give sufficient advance warning of forthcoming events like the Tet offensive, the Soviet invasion of Czechoslovakia, the 1973 Middle East war, the test of a nuclear bomb by the Indian government, and the coups in Cyprus and Portugal. Nor has there been a much stronger public response to other shocking revelations, including the cost of our overall intelligence effort, which comes to some ten billion dollars a year rather than three billion dollars a year, as the agencies have claimed; the agencies' frequent attempts to shore up repressive and sometimes murderous regimes abroad, and to destroy by illegal means legal and democratic political movements at home; and, above all, the intelligence community's implicit endorsement of the philosophical basis for totalitarianism—that the end justifies the means.

Thanks to the lack of public pressure on the Administration to reveal what its intelligence people have been doing, it was able to resist, and often thwart, congressional attempts to dig out the truth. But even the scraps of the story that congressional investigators succeeded in piecing together alarmed the Administration, and, drawing on its immense power, it set out to keep that story from the public. Late in January, when the House Select Committee prepared its report, the Administration began frantically lobbying to suppress it. "The pressure from the White House, the C.I.A., and the State Department has been astounding," one House member said at the time. "I've never seen anything like it." Administration lobbyists repeatedly invoked the name of Richard Welch, the head of the C.I.A. station in Athens, who was murdered there last December. They charged that members of Congress who had earlier revealed C.I.A. secrets were responsible for his murder, and that members of the House who voted to make the report public would be responsible for similar murders in the future. The implication of such charges was clear: members who voted to release the report would be vulnerable at election time this fall to accusations that they had jeopardized the Nation's security. Since the members of the Select Committee, who are presumably as patriotic as the members of the Administration, voted by better than two to one to release the report, it seemed unlikely that it contained anything significant that had not already been reported by the press. (Indeed, publication of parts of the report, or an early draft of it, in the *Village Voice* not long afterward revealed little that wasn't already known.) Still, an official, and complete, report would carry far greater weight than sporadic accounts in the press, and its impact on the public might finally be great enough to jeopardize the C.I.A.'s present policies and the job security of those who devise them and carry them out. But once it was clear that there was little in the way of public support for disclosing the seamier side of intelligence operations, a majority of the House members were unwilling to go along with the committee, and they performed some bewildering gyrations to extricate themselves from their political dilemma.

Before the House voted on whether or not the report should be released, the Rules Committee sent to the floor a fuzzily worded resolution that seemed designed to suppress the report. Some members apparently voted for the resolution in the belief that it would keep the report from the public; other members apparently voted for it in the belief that it would keep the report not only from the public but from members of Congress, so they wouldn't have to face the issues it presented; and still other members apparently weren't sure what they were voting on. In the end, the vote was nearly two to one in favor of the resolution, whatever it meant. Confusion was so rampant afterward that the resolution finally had to be interpreted by by the House Parliamentarian, who ruled that it left the decision on what was to be done with the report up to the Speaker, or up to the House itself if it chose to vote on the question again. Until one or the other acted, all copies of the report were to be locked up and guarded by the Clerk of the House.

That was where the matter stood last week, when the President held a televised press conference at which he announced "plans for the first major reorganization of the intelligence community since 1947." The plans turned out to be a bureaucratic reshuffling of the community, which seemed designed to increase its power by uniting all its parts, and to decrease public control of it by concentrating final authority over its policies and activities not in the public's elected representatives in Congress but in the Office of the President. When a reporter observed at the press conference that "we know that Office has abused the C.I.A. in the past" and asked what would be done to control such abuses in the future, Mr. Ford replied, "It shouldn't happen, and I would hope that the American people will elect a President who will not abuse that responsibility. I certainly don't intend to." Poor Richard Nixon—out of office less than two years and forgotten already. President Ford said that he was going to issue "a comprehensive set of public guidelines" to "provide stringent protections for the rights of American citizens," and that he would recommend to Congress certain laws against "electronic surveillance and mail openings," together with "legislation that would prohibit attempts on the lives of foreign leaders in peacetime." (The following day, the White House released Mr. Ford's specific proposals for reform, including an executive order, which lacks the force of law, to limit or prohibit these activities. But his proposals said nothing about enforcing existing laws on such matters by prosecuting those who have already broken them.)

In praising "the dedicated men and women who gather vital information around the world and carry out missions that advance our interests in the world," he implied endorsement of the continuing use of such missions, which presumably include the "covert operations," such as the overthrow of the Allende government in Chile, that he has long defended. Most important of all, though, he said that he was sending to Congress legislation that "would make it a crime for a government employee who has access to certain highly classified information to reveal that information improperly." When another reporter asked if this proposal amounted to an Official Secrets Act, like the one in Great Britain, which makes the disclosure of state secrets a crime, the President retorted, "I categorically disagree with your assessment. It's a great deal different from the Official Secrets Act that prevails in Great Britain." The difference is well hidden, for the British act prohibits any unauthorized disclosure of official information by any Crown servant. If such a law had existed in this country in the past few years, the Pentagon Papers would not have been published, the Watergate affair would have remained a secret, and we would know nothing about official malfeasance on the part of the intelligence community. The only purpose of such a law would be to render coverups of official malfeasance unnecessary in the future. Essentially, the President seemed far more interested in making the act of telling the truth a crime than in punishing those who have committed crimes and have continued to conceal the truth about them. In short, he was more concerned about leaks than about crimes. To defend secrecy in foreign-intelligence gathering, Mr. Ford emphasized his responsibility for the conduct of foreign policy—a Constitutional power delegated to the President. But he didn't mention two Constitutional references to his other responsibilities—to "preserve, protect and defend the Constitution" and to "take care that the laws be faithfully executed."

Perhaps the most puzzling aspect of the President's announcement was his making it at all. Since the public wasn't interestd in the problems he discussed—or, rather, in the issues he avoided—any reference to them appeared politically unwise, for he thereby created concern where little had existed before. Yet one of his purposes may have been political; that is, he may have been trying once more to placate the right wing by defending and strengthening one of its most cherished institutions. To accomplish that fully, the President may also have been trying to make it appear that his proposals solved the intelligence problem altogether; by this means, he might head off any future release of the House Select Committee's report, as well as reduce the impact of, and maybe even establish a precedent for suppressing, the Senate Select Committee's report on the same subject. That document is supposed to be released in mid-March and is expected to be far more comprehensive, fully documented, and alarming than its House counterpart. Since the Senate investigation of this nation's intelligence operations is the most exhaustive ever conducted, it seems odd that Mr. Ford didn't choose to wait until it was published, in order to use its information as the basis for his proposals for reform and control—unless, of course, he feared that the Senate report might create, at last, the kind of public demand for true reform and control which would be politically irresistable.

155TH ANNIVERSARY OF GREEK INDEPENDENCE DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. BIAGGI. Mr. Speaker, on March 25, millions of Greeks from America and the homeland celebrated the 155th anniversary of Greek Independence Day. This day has special relevance to this Nation in this our Bicentennial Year, for as we celebrate our own successful experiment with democracy—we look back to ancient Greece for the origins of our democracy.

The history of Greece is a rich one. The ancient Greek nation distinguished itself through outstanding contributions to art, theater, academia, science, mathematics and architecture. The achievements of ancient Greece became legacies for succeeding ages. Perhaps their most enduring contribution has been with democracy for the ancient city-state of Athens became the first successful experiment with democracy and helped pave the way for other nations including our own to establish democracy as a prevailing political and social ideology.

Greece acquired its independence in 1821 after winning its war of independence of Turkey. There were many leaders in this era of Greek history but none more famous than the inspirational pa-

triots Alexander Ypsilanti and Archbishop Germanos who together unfurled the banner of freedom.

Post-World War I Greece has encountered some serious threats to its status as a democracy. Communist insurgents waged guerrilla warfare from 1947 to 1949 but were turned back thanks to this Nation's adherence to the Truman doctrine which proclaimed the right of self-determination for all nations.

For more than a decade spanning the 1960's and early 1970's, the Greek nation was under the tyrannical rule of a military junta. The young King of Greece was forced to flee into exile and all vestiges of democracy vanished. However, now as Greece advances through the 20th century the flames of freedom appear to again be burning brightly.

Of course the continuing tragedy of Cyprus somewhat dampens this celebration. It is hoped that meaningful progress can be made in negotiations between Greece and Turkey to resolve the Cyprus crisis. Meanwhile the amendment which I authored to the 1975 Foreign Assistance Act, which provided $25 million in emergency relief aid to Cyprus, was extended and expanded recently by the Congress. It is imperative that the suffering and agony of the 200,000 Greek Cypriot refugees on Cyprus be brought to an end.

This day is a special one in my congressional district for I am proud to represent one of the largest Greek constituencies outside of Greece. I am privileged to enjoy so many Greek friends and have known them to be hardworking and loyal Americans. The Greek American community has distinguished itself in this Nation through its many contributions to the betterment of life in America. From politics to the arts to the sciences to the theater their influence is felt. I wish to salute my Greek colleagues in the House Mr. BRADEMAS, Mr. SARBANES, Mr. TSONGAS, Mr. YATRON, Mr. BAFALIS, and Mr. LEVITAS.

Let us work in 1976 to restore the full viability of our relations with Greece. Many wounds were opened because of the Cyprus crisis—but through a dedicated effort to work for peace, these wounds can be healed. Let us recognize the Greek nation as one of our most steadfast and loyal allies whose friendship we value very dearly.

CONGRESSMAN ASPIN ON SOVIET MILITARY STRENGTH

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. REUSS. Mr. Speaker, the Sunday, April 4, 1976, Washington Star contained a thought-provoking article by my colleague, Congressman LES ASPIN, on the size and quality of Soviet military forces.

The article follows:

NUMBERS GAMES MAGNIFY "RED HORDE"

(By LES ASPIN)

When the cold war was raging in the late 1940s and 1950s, it was popular to speak of a "Red horde" that might descend on Western civilization.

The term has long since been consigned to the dustbin, but the thought has been resurrected recently as part of the bleak comparisons of Soviet and American forces that have become popular.

The public is being told that the Soviet military is growing ever larger and even more threatening. The first example frequently cited is the number of men the Soviet have under arms.

Defense Secretary Donald Rumsfeld said in a recent speech, "Soviet military manpower has grown . . . (and is) now more than double U.S. forces."

The Pentagon cites new figures revealing that the Soviet armed forces, *nee* Red horde, now outnumber the U.S. armed services 4.8 million to 2.1 million.

This all sounds like pretty frightening stuff, especially when we are told that the Soviet armed forces have 600,000 more men than we previously credited them with.

There are even some suggestions that the Soviets are going to a wartime footing. Gen. David C. Jones, the Air Force chief of staff, recently said, "Not since Germany's rearmament in the 1930s has the world witnessed such a single-minded emphasis on military expansion by a major power."

But before such hyperbole leads us to double our defense budget or lay down our arms and quit in despair, we ought to take a closer look at these numbers.

For example, when the Pentagon reported the 600,000-man increase last year, it neglected to mention an important detail when the intelligence community raised its estimate of military troops by 600,000, it simultaneously reduced its estimate of civilians employed by the military by an equal 600,000. The change was purely a revision of old numbers and did not represent any increase in manpower.

The reclassification of these 600,000 is symptomatic of the problem. Many Russians in uniform do jobs that are handled by civilians in the United States and others perform work that doesn't exist here.

The Soviet armed forces include about 70,000 political commissars who make sure, for example, that when a Red Navy vessel turns starboard, it does it the Marxist way. We lack such politics, but we have religion—2,000 chaplains.

About 250,000 men, apparently washouts from basic training, are kept in uniform to fulfill their conscription duty by working on construction projects. Except for about 900 U.S. Army officers with the Corps of Engineers, that work is done by civilian contractors in this country.

A large body of about 150,000 Soviet troops is assigned to the railroads and to labor on military farms to produce food for army mess halls.

Troops of the Ministry of Internal Affairs (MVD) maintain internal security while forces of the Committee of State Security (KGB) guard the borders to keep Russians in. That consumes about 430,000 troops in all. In the United States, the National Guard maintains security during riots and the border patrol tries to keep foreigners out. Neither body figures in our total of 2.1 million servicemen.

The Soviet military runs a large civil defense effort using 20,000 servicemen. Our civil defense agency is a civilian operation with only one serviceman assigned to it—an Air Force lieutenant colonel.

Military research in the United States is largely in the hands of civilian scientists, while storage dumps and supply channels are run principally by civil servants. The Soviets hold both operations tightly in military hands, soaking up 170,000 more uniformed servicemen than in the United States.

Scattered throughout their services are about 300,000 other men and women who wear uniforms but do chores which are reserved for civilians in this country. In recent years the Pentagon has been consciously civilianizing ever more jobs because the career costs of a civilian are less. Clearly, the trend is the reverse in the Soviet Union.

When we tote up numbers to show how the Soviet military outnumbers us, it is exceedingly misleading to add in these men and suggest they are the equal of American forces. We shouldn't fall into the one-American-can-whip-12-foreigners trap, but if the American carries a machine gun and trains with a military unit while the 12 Russians are bearing hoes on military farms, they are hardly equal.

There are still other anomalies in the numbers.

For example, the United States has 75,000 men to run its missile subs, long-range bombers and ICBMs. But the Defense Intelligence Agency calculates the Russians have 350,000 men assigned to roughly the same number of missiles, subs and bombers.

Possibly the Soviets are profligate with manpower. Possibly the DIA erred and counted men that do not really exist. Either way, these 350,000 men cannot be counted as threatening us more than our 75,000 men threaten them. So we can delete their excess 275,000 men from any calculations of threatening manpower.

In addition to offensive nuclear forces, both superpowers maintain forces to defend against a nuclear attack. However, the SALT I agreement in 1972 effectively banned ABMs and left both countries defenseless against all-out nuclear attack.

The Pentagon has reasoned that there isn't much sense spending large sums to defend against the handful of Russian bombers when nothing can be done about their missiles. So we assign a mere 25,000 men to air defense.

The Russians, however, have 500,000 men manning fighters and antiaircraft equipment in a massive allocation of resources to air defense.

Only a minority of these forces could be moved westward to threaten our fighter aircraft in the event of a European war. Most of their equipment is too old and too limited in capability to be used against anything but lumbering old bombers. Therefore, we can discount the bulk of this force as nonthreatening.

Adding all these forces together, we find that the Soviets have about 2.2 million troops who do work we assign to civilians or perform tasks that cannot be considered threatening to us. Subtracting them, we are left with a Soviet force of 2.6 million men—still more than our 2.1 million.

Even that overstates Soviet capabilities because the Russians have problems we don't have to face.

As Assistant Defense Secretary Terence McClary recently said, "The Russians do have a southern flank that is not quite as compatible as ours with Mexico."

About half a million Russians are deployed along the Sino-Soviet border. While they could be shifted to Europe in the event of trouble, that is unlikely; the Russians know the Chinese are most likely to attack when Moscow is engaged elsewhere.

To a certain extent, the Russian forces along the Chinese border are similar to the 115,000 American forces in the Pacific. While some of them might be moved to Europe in an emergency, concern that North Korea would use the occasion to move on Seoul would undoubtedly keep many of them pinned down. By way of analogy, we kept our 400,000 men in Europe all through the Vietnam war.

There is disagreement over how many men might be pinned down in the event of war. The best we can say is that some of these

men are not threatening to us, and then put this category into a gray area.

Finally, the Soviets have had 55,000 men stationed in Czechoslovakia ever since they suppressed Czech aspirations for independence in 1968. These men are quite simply occupation troops. In the event of war, some will fight, but many will undoubtedly be busy trying to keep irate Czechs from sabotaging supply routes. These 55,000 men must go into the gray area as well.

Thus, we end up with 550,000 men in the gray area. It is generally agreed that many of these men are not threatening to us and would not be used against us in a war, but no one can say exactly, or even approximately, how many.

We can, however, say that more than 2,045,000, but less than 2.6 million, men are threatening to our 2 million to 2.1 million men. If we split the differences, admittedly a crude calculation, we find that the Soviets outnumber us by 13 percent. That is substantially different from the Pentagon's crude figures showing us outnumbered by 130 percent.

All these nuances have been ignored as Pentagon officials travel around the country. The message has been a simple one—that we are outnumbered.

This fascination with numbers is disturbing. If numbers were the determining factor, Gen. Eisenhower would never have invaded Normandy. The numbers were overwhelmingly against our puny landing force. Clearly, many factors other than numbers must be considered in assessing strengths.

Take the quality of our military manpower. Virtually all the senior officers in our ground forces had combat experience in Vietnam. Many had it in Korea as well. The Russian army hasn't fought in 31 years. The difference in experience isn't measurable in quantitative terms but it's there.

The Soviet Union is a fusion of many nationalities, cultures and languages. By Moscow's own figures, 30 percent of her people are unable to speak Russian fluently, but by law all military training is given in Russian. When the Tadzhiks meet the Uzbeks at regimental headquarters, the communication must be a little difficult but that problem is not measurable.

The Soviet army is a conscript force. Every six months, one-quarter of the army turns over. Soldiers are routinely sent from training camp into fighting units before they have been fully trained. As a result, the fighting power of many units is degraded.

The Soviet navy keeps its conscripts longer and replaces only one-tenth of its total force each six months. But the training still leaves much to be desired. John Moore, a retired British navy captain who edits Jane's Fighting Ships, recently said, "The conscript is trained to look at one dial and twiddle one knob and that's about it. He can't be expected to do very much more."

Throughout the Soviet military, troops get far less operating experience than in the U.S. armed services.

In sum, their forces cannot be as well prepared as ours.

I don't suggest the comparison presented here is the end all and be all. The U.S. armed forces have a few thousand race relations officers and other men with no counterpart in Russia. And there are also reserve troops on both sides.

Most significantly, there are allied forces on both sides, and our NATO allies have more and better forces than the Eastern European states.

What I am suggesting is that while it is common for advocates of a higher defense budget to portray the Russian bear as a beast of vast proportions, a closer look shows that the comparison just doesn't wash. Even in terms of manpower, which is commonly thought to be the Russians' strong suit, the numbers and the qualitative considerations paint a different picture.

To be sure, the Soviet military is not like the skinny runt in the Charles Atlas ads. There is a threat. But let us not magnify that threat out of all proportion by trying to pretend that their military manpower is more than double ours. It just ain't so.

JOHN DE ROSEN, ARTIST: A MAN OF EXCEPTIONAL MERIT

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. NEDZI. Mr. Speaker, the older I get, the more sensitive I hope I become to "the immigrant experience," the more eager I am to recognize and preserve it.

In the broad sense, much of the story of America is the story of the greatest immigration in the history of nations.

Conscious of my own ethnic heritage, which is Polish, I am particularly interested in the story of Polish immigration. It was very substantial, it contained people of great self-discipline and genius, yet its men and women have remained virtually anonymous.

Today I would like to take note of one of those men of genius, John Henry de Rosen, 85, of Poland, an extraordinary artist who has specialized in religious themes. A resident of Arlington, Va., he still paints and his mind remains fresh and daring.

A member of my staff, Mrs. Mary Lubinski-Flanagan, herself an art historian and longtime student of Polonia, is tape-recording Mr. de Rosen's reminiscences of a rich and varied career. It is an inspired act on her part.

John de Rosen is the descendant of a great Polish family of artists. His father, Jan de Rosen was court painter to Czar Alexander III and Nicholas II. His sister was a sculptor, the other is the widow of a prominent Polish diplomat.

This great figure has been poet, war hero, diplomat, scholar, teacher, and liturgical artist.

Under leave to extend my remarks in the RECORD, a fine article on Mr. de Rosen from a recent issue of the Quarterly Review, official publication of the American Council of Polish Culture Clubs, is set forth below:

GENIUS WITH BLUE EYES

(By Olga Klug Iwanowska)

When I first met Jan Henryk de Rosen he was high up on the scaffold in St. Bernard's Church in Pittsburgh, Pa. That was in 1947.

The first thing I noticed about him were his intensely blue eyes, that only the words of the Polish poet Mickiewicz could describe "o niebieskim spojrzeniu, milszym od wiosny poranka". He was exceedingly charming and handsome, but good looks and talent are family traits. His great aunt was Angelica Kaufman, member of the Royal Academy, with whom the great German poet Goethe was in love! His grandmother was Mary Weaver, a relative of the well-known English painter Thomas Weaver; his father, Jan Rosen, was court painter to Czar Alexander III and Czar Nicholas II; his sister Sophia was a sculptress.

Just recently an interesting article was published in Poland in "Wydawnictwo Lodzkie" about Jan Rosen's painting "Rewia na Placu Saskim", which won the elder Rosen a silver medal at an exhibition in Paris. When Czar Alexander III saw the painting he ordered Grand Duke Vladimir to purchase it. What was unique about the giant work was the theme—the Polish Army in its splendor. After the purchase a question arose—where to put it? Since Poland at that time was under Russian domination, and it was considered a delicate matter to hang the painting in either Warsaw or Moscow, it was hung in the palace of Skierniewice. After the Treaty of Riga the painting was returned to Poland and placed in the Saski Palace in Warsaw. When that city was bombed in 1939, the painting perished in the flames. Due to the "Rewia na Placu Saskim" the Czar of Russia appointed Jan Rosen to become his court painter, and at that time it was a command.

Jan Henryk de Rosen was born in Warsaw in 1891, but at the age of 3 he was taken to France where he spent his young years. He attended Lycee Carnot, later the University of Lausanne, Switzerland. He returned to France and wrote poetry in French which was published in various magazines.

When World War I broke out in 1914 he volunteered into the French Army and served there until the Polish Army, organized in the United States by Colonel Teofil Starzynski, arrived in France and came under the command of General Jozef Haller. He saw action in the battles of Ypres, La Somme, Arras, and Vimy Ridge. Until the end of the war he was in the regular Polish Army and retired as a captain.

In 1919–1920 he accompanied Ignacy Jan Paderewski to Geneva when the League of Nations was being organized. He returned to Poland and for four years from 1921 to 1924 he served in a diplomatic capacity in the Ministry of Foreign Affairs but soon realized that painting was his true love.

His first major works were the beautiful murals in the Armenian Cathedral in Lwów, which many people still recall after many years. In Vienna he did the Sobieski chapel on Kahlenberg. Pope Pius XI commissioned him to paint his private chapel in Castelgandolfo, Italy.

In 1937 Count Jerzy Potocki, the Polish Ambassador in Washington, D.C., invited him to visit here, and when in 1939 World War II broke out his return to Poland was closed. He continued to serve Poland in the embassy here as a military aide.

In the United States he achieved greatness painting huge murals and creating mosaics of giant proportions. His originality of concept, the historical approach to each composition, the minute detail of the particular saint's life, the many facets of Christ's life, plus this delicate, poetic, and almost a lyrical yet vibrant quality made of his works great art. Take for instance the giant mosaic of Christ in the National Shrine of the Immaculate Conception in Washington, D.C. As one walks into the main church and looks at the wall of the north apse, one is awestruck by the great figure of the seated Christ, young, strong, regal, a superman—glorious in His humanity, majestic in His divinity. Christ was only 33 when He died. He must have been strong to survive the rigors of His travels, and He must have had a regal appearance to command the respect of the crowds and arouse fear in the high priests and Pharisees.

This mosaic is the largest in the world of a single-seated figure, measuring 3,610 square feet with 4,000 shades of color. It is regrettable that the full impact of the picture is lost, due to the obtrusion of the baldachin over the main altar.

De Rosen always pictures Christ as young with a strong personality, as opposed to the humble, meek and self-effacing older man. In the Bible there is no physical description of Christ, but by reading about His travels, His miracles, His adoring following, His courage in meeting His enemies, His stoical bear-

ing of the torture and crucifixion, de Rosen studied and created his image of Christ.

Go to the Washington Cathedral to the St. Joseph's chapel and see de Rosen's altar mural "The Entombment of Christ". You will see a young man in the prime of life, lying on a catafalque ready for burial. There is no look of exhaustion and agony on his face, but an expression of calm dignity saying "I have conquered."

In Prescott, Ariz., in the altar of St. Lukes Episcopal Church there is a painting of Christ performing the miracle of 5 loaves and 7 fishes. This picture was commissioned by a woman who lost her daughter and the daughter's family in a plane crash. This time de Rosen brought Christ to Arizona. In a Yavapai County background he stands in a white luminous gown, radiating this holy aura, truly a Son of God. With His followers there stand the family—mother, father, and the two small children who perished in the plane crash. How personal Christ has become, our own, here in the United States.

Arizona has a special place in Jan de Rosen's reminiscences. There, through the Save the Children Federation, he educated a Navajo boy who lived near Shiprock, Ariz., and two Tomas Apache boys, through grade and high schools. He received a citation of gratitude and is proud and happy to have contributed to the educational development of three boys, who might not have had the opportunity to receive any schooling. Today the plight of the Indian is seriously considered, but years ago there were individuals who remembered the forgotten people.

As a church painter his work took him to many cities, but his permanent residence was here in Washington, where he lived with his two sisters and a brother-in-law, Jan Wszelaki, who died a few years ago. Pittsburgh is the only city which he recalls with great sentiment. There he became a charter member of the Polish Arts League, taking an active part in its programs and meetings. He was vice-chairman of the exhibit in the main Carnegie Library in the cultural center of Pittsburgh, honoring Adam Mickiewicz, the great Polish poet. The Arts League honored him with an honorary membership in appreciation of his efforts. He also received an honorary membership from the Polish American Arts Association of Washington, D.C.

I still remember the small parties and dinners where in company with the late Dr. Anthony Malik, who had one of the finest collections of paintings by Polish masters, we had such delightful times. In the summer evening the company would move to our garden where conversation was interspersed by sighs from our poplars.

In addition to the great mosaic in Washington the following works grace the capital of the nation: a mural in the lobby of the National Welfare Conference, a mural in the Washington Cathedral's St. Joseph's Chapel, a mural in St. Agnes Episcopal Church, and mosaics of St. Matthew in the Catholic Cathedral of St. Matthew.

Throughout the nation his works adorn the cathedrals and churches. The mosaic in the dome of St. Louis Cathedral in St. Louis, Mo., measuring 14,000 square feet, is his greatest work and the largest mosaic in the world. Then there are Prescott, Ariz.; Pittsburgh, Pa.; Buffalo, N.Y.; Canonsburg, Pa.; Memphis, Tenn.; and in California—Hollywood, Pasadena, San Marino, Monterey Park, Eagle Rock, Anaheim, Sacramento, Vallejo, San Francisco, and La Jolla.

Mr. de Rosen has a doctorate in humane letters and for 5 years from 1939 to 1945 he was a professor of liturgical art at Catholic University in Washington. He has always underscored his Polishness, whenever the American press carried articles about his great art. In the art encyclopedias of the world he is recognized as the greatest living liturgical artist of our time.

Poland decorated him with the Cross Virtuti Militari, Cross of Valor, Cross of Independence, and Gold Laurel. France gave him the Legion of Honor, Croix de Guerre, Cross of the Combatant, and Great Britain, the Military Medal for Bravery in the Field.

Today at the age of 84 he is celebrating 50 years of his artistic career by pointing a triptich of St. Genevieve for a church in Canonsburg, Pennsylvania.

HARTLEY'S HEROINES

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. DEVINE. Mr. Speaker, I would like to insert into the CONGRESSIONAL RECORD a statement concerning the Bishop Hartley girls basketball team and their outstanding achievement this past weekend in winning the 1976 "class AA" Girls Ohio High School Basketball Championship.

In the first statewide girls basketball championship, this team from Bishop Hartley High School scored a dramatic 45 to 44 triumph over Bellbrook thanks to the last second shot by Julie Plank.

This statewide title is the school's first and is representative of the dedication and determination of its players, coach, student body, faculty, and supporters.

All of central Ohio is proud of this great achievement and the school.

The article follows:

HARTLEY SEIZES AA GIRLS CROWN

(By Bob Whitman)

There was seemingly always something happening, or about to happen, that could have changed the outcome of the final games Saturday at St. John Arena in the first ever state high school girls basketball tournament.

But the most penetrating of things, like Julie Plank's famous scoop shot and Amy Pallay's poised free throws brought one of those three gleaming state titles to Bishop Hartley with a 45–44 triumph over Bellbrook in Class AA.

Knowing there were but 13 seconds remaining, Julie cut down the line with intentions of passing or shooting. "The lane was open so I just dribbled in and shot. I felt pretty good about the shot when it left my hands," is how Julie remembers the winning basket.

Central Catholic League rival Watterson was on the other end of Toledo Woodward's final heroics, namely the clutch corner shot by Fran Washington with 20 seconds to go and two pressure free throws by Fran with four seconds left that sealed the 63–59 Woodward win over the Eagles for the Class AAA state championship.

Then, there was Ruth Ater's 22 points in picking up the slack for foul-idled 6–4 Cindy Noble that was plenty heroic, too, in writing a piece of history in Frankfurt's Adena's 37–35 Class A title win over Cleveland Lutheran West.

Just at the time Hartley Coach Beth Conway thought the Hawk gals "might be panicking," the poise, that has been a trademark for Hartley during this tournament, returned.

Freshman Julie Plank exemplified that poise, turning down the lane and netting a scoop shot to give Hartley the necessary points for the school's first-ever state championship. Actually the plan was to find Amy Pallay but when Amy couldn't get her shot Julie entered the picture.

Amy Pallay, leading scorer all year, was instrumental in keeping Hartley in this AA final game, hitting 19 points, with seven of eight from the foul line in tight, vital situations. Just typical of the poise Hartley had under pressure.

"It's been that way in the tournament. The games were all close. Julie and Nancy Williams have carried the bulk in the tournament," said Coach Conway about the two freshmen she moved to the varsity for postseason play. "But Amy was the scoring leader all year and she wanted to have a good game and she did."

All along Beth told her team the same thing, to "just play their own game, to play it between the black lines and forget about everything else."

She was right in those instructions—'their own game' turned out to be the best in state for Class AA schools.

Watterson never quit, was down by 12, cut it to three, down by seven, cut it two, and finally down by six and tied it, all in the last quarter but never once stopped trying to subdue swift Woodward.

"We played well when we played our own game in the fourth quarter but we never could keep it up long enough," told Coach Ginny Sawyer. "But I was proud of our team. My kids play with heart and never give up and that's the way they played this game."

Mary Ellen Seidel scored 18 points, but two Woodward girls—Fran Washington with 27 and Sherry Roberts with 20—topped her while the Polar Bears were shooting 34 per cent for the game. Watterson shot its lowest of the year, 26 per cent.

Adena picked up a third state girls title, adding this first basketball crown to last fall's volleyball championship and last spring's track title. Already a dynasty started on the Class A level.

NOT ALL IRISH CELEBRATED ST. PATRICK'S DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. BIAGGI. Mr. Speaker, for millions of Irish around the world the recently completed celebration of St. Patrick's Day was a happy event. Yet all Irish were reminded that for the political prisoners in England and Ireland St. Patrick's Day like every other day is filled with suffering and tragedy.

All civilized and freedom-loving people in the world continued to be horrified at the conditions under which Irish political prisoners are forced to live. The world recoiled in shock over the death by hunger of one political prisoner Frank Stagg, whose request to be transferred to a prison nearer his family was turned down by the British Government.

I wish to submit into the RECORD a very strong statement commenting on the deplorable conditions of the political prisoners as well as the blatant violations of basic human and civil rights by the Irish Free State Government. The statement's author is Dr. Fred Burns O'Brien, information director of the Irish National Caucus.

I call on my colleagues to read and consider this timely article. The recent visit of Irish Prime Minister Cosgrave did little to advance the cause of peace in Northern Ireland and in fact may be responsible for precipitating new polarization among the citizens of Ireland.

I maintain that this Nation must begin to play a more assertive and affirmative role in seeking a resolution of the problems which divide Northern Ireland. As we celebrate our own 200th anniversary of freedom from the tyrannical rule of England—let us hope the beleaguered people of Northern Ireland can themselves enjoy the principles of freedom and dignity which has made this Nation so strong.

INDICTMENT OF THE IRISH FREE STATE

(Submitted by Dr. Fred Burns O'Brien Information Director, Irish National Caucus, for Sean W. Walsh IV, Thomas W. Gleason, Hon. John Henning, Anthony McKeown, Esq., Rev. Sean McManus, Brindan McCusker, Hon. John Keane, Bishop Thomas Drury.)

The growing success of the Irish National Caucus is causing great concern to the British Embassy in Washington. What probably worries the British most is the recent success of the Caucus in persuading the Executive Council of the AFL-CIO, the United States' T.U.C., to support a call for the unity and independence of the Irish Nation.

While the above is true, the Irish Free State Government is even more concerned over the strength and power of the Caucus, but their anxiety remains subdued. Sinn Fein Vice President, Daithi O'Connail, informed me in May, 1975 that Dublin, not London, is the present obstacle to peace and unity in Ireland. He also detailed the oppression utilized by the Administration at Leinster House to quiet dissent and political activity. The policies of the Dublin Government are perverse in their flagrant denial of basic human and constitutional rights. Their motivation is only self-protection of their own institutionalized government.

Many of the current practices of the Irish Government not only fly in the face of what we consider to be justice but are in direct conflict with provisions of the Universal Declaration of Human Rights of the United Nations. The Free State has subjected its legal system to a tool of politics in a parallel fashion to that in the North of Ireland, heavily criticized for its indiscretions, since the imposition of internment without trial on August 9, 1971.

In the Free State there are "non-jury trials" resembling administrative rather than judicial practice, that infringe on due process as we know it in America. The Administrative tribunals sentence political Republicans to the Portlaoise Prison Facility where conditions are below acceptable standards. Prisoners engaged in a hunger strike in January and February, 1975 protesting conditions. "After prolonged negotiations between prisoners representatives, the prison staff and ourselves (the prisoners), the hunger strike was satisfactorily resolved on Sunday, February 16, when certain guarantees were given to the prisoners. Since that time, however, conditions have deteriorated again."

The Irish Free State is falling into the trap engulfing Northern Ireland—that is, the imposition of methods of maintaining power to preserve the government that are below the accepted standards of democracy. The police, the judiciary and prisoners of the Free State are becoming tools of politics, leading, quite tragically, to the deterioration of the State. The Offences Against the State Act, 1939, introduced two main new features into Irish Civil Liberties Law. The Act provided for:

(a) The provision for special courts, which would sit to hear political offences without a jury and the members of which court would be removable at will by the government;

(b) The introduction of imprisonment without trial, popularly known as "Internment", but referred to in the Act as "detention."

This Act is the basic instrument of Dublin's oppression. This deeply concerned Chairman Donald Fraser, during hearings held before his Subcommittee. Directing a question at Ruairi O'Bradaigh, Mr. Fraser stated: "I understand what you are saying, Mr. O'Bradaigh. In the protection of human rights, the Republic of Ireland falls short of internationally accepted standards."

QUESTIONABLE PRACTICES

Impartial observers have been denied permission by the Irish Free State Government to visit prison facilities in the Free State, leading to speculation on the conditions. On March 21, 1975, *Hibernia* published an editorial at page 3 expressing alarm over why the prisoners were inside. "Almost half of the Republican prisoners in Portlaoise have been convicted by the Special Court on suspicion of I.R.A. membership." Suspicion, not weight of evidence, is the determining fact for incarceration, which alarms civil libertarians. The editorial supports this allegation that "convictions have followed on nothing more substantial than the uncontested statements of Garda (police) Superintendents."

Article 9 of the Universal Declaration of Human Rights sets out clearly that, "no one shall be subjected to arbitrary arrest, detention or exile." The word of one senior police officer as prima facie evidence, defying the weight of factual evidence leading to conviction and detention must be considered arbitrary at a minimum and equally notorious would be the arrest leading to taking custody of the victim.

Selective application of the law, i.e., the Republican Movement, would constitute an inequitable situation. Article 11(1) of the Declaration holds: "everyone charged with a penal offense has the right to be presumed innocent until proven guilty according to law in a public trial at which he has had all the guarantees necessary for his defense." Is it possible for any amount of evidence to thwart the word of a police official, when that official might well be under the influence of the government?

The process of non-jury trial is in itself a questionable legal practice. But there is further concern about treatment and conditions in the prisons after an individual is sentenced. Rather than relying on allegations, U.S. Congressman Mario Biaggi sought to obtain first hand information about the prison conditions in Ireland. He asked the Irish Government to allow him into the Portlaoise facility for observation, as reported by Sean Cronin, New York Times, 4/28/75.

On April 29, 1975, the Congressman received his reply: "Permission cannot, repeat, not be granted for him to visit the top security Portlaoise Prison", according to State Department Document #758.

Congressman Biaggi addressed a press conference in Dublin concerning the refusal. Mr. Biaggi wrote. "I asked for a reason and none was given. The question I now pose is have they something to hide? Are prisoners being denied ordinary humane conditions? Are they being subjected to conditions which should not see the light of day?" From the Congressman's words he had reservations about the conditions and must conclude on the evidence available. Mr. Biaggi had the opportunity during his trip to converse with Joe Cahill, who until recently was a guest in Irish prisons.

Mr. Cahill condemned the conditions as shocking in a letter published in The Irish Press, May 1, 1975. Mr. Cahill pointed out that a hunger strike in January and February won concessions, but that they were not implemented. "Since that time, however, conditions have deteriorated again. As happened before, after the hunger strike of September, 1973, Mr. Cooney and the prison staff have been whittling away the rights of the prisoners." The men contend that "only a vigilant and informed public opinion can prevent brutalities being inflicted by a Minister of Justice who believes that prisoners have no rights."

Mr. Biaggi's visit and request to go inside Portlaoise was an embarrassment to Dublin. However, any embarrassment would have been avoided by merely providing a visitation as requested. Are conditions inside so deplorable and inhumane? Could they drive inmates to despair? The reader must judge. On May 16, 1975, John McCarthy, an 18-year old from Limerick, was found hanged in his cell in the youth wing of Mountjoy Jail. Several weeks ago another prisoner in the same institution had attempted to hang himself. On April 28, 1975, a 50-year old prisoner hanged himself in Mountjoy while on remand. One month prior to that another man was found hanged in Bidewell prison. These incidents are drastic and brought about through desperation over the conditions.

GOLDBERG INCIDENT

To protest conditions in the Free State is in itself hazardous. Protestors of one such incident were themselves charged.

"Last week in the first case arising from charges under Section 4 of the Offences Against the State (Amendment) Act, six people were sentenced to 12 months imprisonment following the placing of a picket on the Circuit Court earlier this month. The provisions of the Act were employed against two women and four men, the purpose of whose picket had been to draw attention to the plight of a particular prisoner whose background includes several periods in Dundrum Mental Hospital. As their conviction has been appealed, it is not possible to comment on the case now, but the record speaks for itself; a peaceful protest (albeit outside the Court); arrests on foot of the Offences Against the State Act; maximum sentence. Those who had sought to demonstrate on behalf of the prisoners were sentenced to join them instead. The attorney for the protestors dared protest and he himself was held in contempt of Court. This carried the case to an absurd degree of futility of justice.

A protest made on behalf of men held in custody, drew equally swift retribution when a conditional order of attachment to show why he should not be committed for contempt of court was granted against Mr. Gerald Goldberg, the Cork solicitor. His open letter to the Minister for Justice, published in The Irish Press, had complained of "beatings of the utmost severity" on the persons of his clients while in custody. A photograph of the bruised face and body of one client was published in the Limerick Leader together with a long account of the alleged beatings received in the Edward Street Garda Station. No Tribunal of Enquiry has been set up to examine these serious charges. No statement either has been issued by the Gardai or by the Department of Justice. Instead, the solicitor who has dared to make the charges has been rounded up by the Director of Public Prosecutions. There is one virtue in the contempt against Gerald Goldberg in that full details of his serious allegations will now be aired in court. The pity is that the authorities appear to be more concerned to suppress the reaction to abuse than to eliminate the abuse itself.

PRISON CONDITIONS

The Association for Legal Justice in Dublin has set out the conditions of Free State Prisons:

"For some time past we have been concerned with conditions in our prisons and have on innumerable occasions requested the Minister for Justice and his Department to

institute a sworn public inquiry into the prison system, with particular reference to Mountjoy, Saint Patrick's, Limerick and Portlaoise Prisons. Since we made our first representations to the Minister, three suicides, one attempted suicide by burning in St. Patrick's (previously cited) and the shooting down of one prisoner by prison Security Guards have occurred.

"We find it inexplicable that the Minister for Justice and his Department continue to arrogantly disregard the appeals of responsible people and organizations for a properly constituted and sworn public inquiry." Allowing Congressman Biaggi of the United States to inspect the facilities would have been a step in good faith toward serving the basic premise of justice.

The evidence available strongly suggests that the Irish Penal System in rooted in the 19th Century concept of punishment and revenge, rather than in the enlightened ideas by psychologists and educationalists which places the emphasis on rehabilitation and reform. The loss of liberty by those imprisoned is generally recognized as sufficient punishment. Proper educational facilities supported where necessary by a comprehensive medical and psychiatric service is essential. In support of this contention, we quote below Rules 57, 58, and 59 of the Standard Minimum Rules for the Treatment of Prisoners (United Nations Document):

Rule 57.—Imprisonment and other measures which result in cutting off an offender from the outside world are afflictive by the very fact of taking from the person the right of self-determination by depriving him of his liberty. Therefore, the prison system shall not, except as incidental to justifiable segregation or the maintenance of discipline, aggravate the suffering inherent in such a situation.

Rule 58.—The purpose and justification of a sentence of imprisonment or a similar measure deprivation of liberty is ultimately to protect society against crime. This end can only be achieved if the period of imprisonment is used to ensure, so far as possible, that upon his return to society the offender is not only willing, but able to lead a law-abiding and self-respecting life.

Rule 59.—To this end, the institution should utilize all the remedial, educational, moral, spiritual and other forces and forms of assistance which are appropriate and available, and should seek to apply them accordingly to the individual treatment needs of the prisoner.

A country's level of civilization must be judged by its treatment of the under-privileged, who are most often the victims of the panel system.

People who are in prison for differing politically from the establishment should not be singled out for especially brutal treatment. The brutal treatment by totalitarian regimes of their political opponents has led inevitably to the establishment of the police state, resulting in complete suppression of freedom of thought and expression.

Innumerable instances of unwarranted brutality by the Gardai have been reported to us and we have taken signed and witnessed statements detailing some of those incidents from the prisoners concerned. None of the prisoners quoted in the extracts below were convicted of violent crimes. All were tried before the Special Criminal Court in Green Street and were sentenced on the word of a Chief Superintendent of the Garda Siochana, no other evidence having been adduced against them. We have supplied the Minister for Justice and his Department with copies of these statements including photographic evidence. At the time of writing, no acknowledgment has been received.

The following are excerpts from released prisoners:

"A warder asked me to strip and I refused to do so. He knocked on the door and informed the Class Officer that I had refused to strip and further help was sent for. The Class Officer said "we will get them off of you." Three Gardai burst into the cell and locked the door. They grabbed me by the arms and legs. They tore the clothes off me—my shirt and sweater were badly torn. When I attempted to put my clothes on, I was kicked in the stomach and face. A garda stood on my chest while I was lying on the floor."

"On the 16th of April, 1975, I was in bed. A garda and a warder came to my cell and proceeded to search it. I got out of bed and dressed. The bed was taken from the cell. The warder asked me to take off my sweater, he then asked me to take off my vest. I then asked him what he was doing, and he said a 'body strip.' I refused to co-operate. He threatened to bring in more gardai. About four extra gardai entered the cell. They grabbed me by the arms. I struggled with them and then they got me on the ground. I was held by the arms and legs—a garda stood on the side of my head. Some of them kicked me in the sides, they got my clothes off me and threw them on the ground. My clothes were torn."

There is also information available in respect of another prisoner recently released from Portlaoise Prison. In a statement by this person, he alleges that he was beaten with batons by members of the Garda Riot Squad in his cell for refusing to allow himself to be strip searched. During the course of a search being carried out in his cell, this prisoner's clothes were forcibly removed from his person and torn beyond repair. He also alleges that the hair on the back of his head had been pulled out, thus leaving a bald spot. As a result of his being beaten by members of the gardai, he suffered cuts and bruising of his left eye and left side of his nose.

Photographic evidence of this treatment as alleged in the statement referred to have been forwarded to the Department of Justice accompanied by a copy of the said statement.

In relation to the above statements by the former prisoners detailing the excessive use of force by the gardai and prison officers, we point out that the Prison Authorities were also acting in these instances in contravention of Rule 67 of the Statutory Rules and Orders for the Government of Prisons, 1974. This rule states: "Before a report of misconduct against a prisoner is dealt with, he shall be informed of the precise nature of the offense for which he has been reported and shall not be punished until he has had an opportunity of hearing the evidence against him and of being heard in his defense."

We would point out that, in accordance with the principle of the Criminal Law by which prisoners in common with the rest of their fellow-citizens are protected, that the gardai and prison officers involved in the incidents as cited above obviously used excessive force.

The underlying philosophy in relation to all these incidents seems to be as expressed by the Minister for Justice, Mr. Cooney—prisoners have no rights.

FORMER POSTMASTER GENERAL SPEAKS ON POSTAL PROBLEMS

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. SIMON. Mr. Speaker, there are occasions when witnesses before a subcommittee make an unusually fine statement which we would like to share with more of our colleagues.

J. Edward Day, former Postmaster General of the United States and now general counsel of the Associated Third Class Mail Users Association appeared before the House Subcommittee on Postal Services chaired by our colleague JAMES HANLEY of New York.

I am taking the liberty of including a portion of his remarks, because I know many of my colleagues are interested in the Postal Service and where we go from here.

The references in the statement are to H.R. 10109 which I am sponsoring along with my colleague JAMES COLLINS.

The remarks follow:

Mr. Chairman and members of the Subcommittee:

If I were to give a title to my remarks today, it would be:

"What Has AMTRAK Got That We Haven't Got?"

The "We" I refer to is the Postal Service and all the numerous groups interested in and dependent upon the Postal Service.

Comparatively few people use intercity passenger trains. AMTRAK operates only 250 trains daily, and there are readily available substitutes for their service. Only 17½ million people rode AMTRAK trains in all of 1975—less than the year before.

Yet, AMTRAK gets hundreds of millions of dollars in subsidy from federal general revenues for both operating costs and capital improvements. The federal general revenue subsidy for AMTRAK is 58 percent of AMTRAK's total budget! The federal subsidy was 80 percent higher in Calendar 1975 than in Calendar 1974.

I appear here today representing Associated Third Class Mail Users, a trade association of about 600 users, large and small, of bulk third-class mail, both regular rate and nonprofit rate.

In testimony before this Subcommittee in September 1974, ATCMU advocated a cost of living ceiling on rate increases for each class of mail. We therefore strongly support H.R. 10109. We think it is an idea whose time has come.

At the time of my appearance before this Subcommittee in September of 1974, I quoted the following from a speech before the Western Postal Customer Conference on April 18, 1974, by then Assistant Postmaster General, now Senior Assistant Postmaster General, J. T. Ellington:

"In essence, the Postal Service holds the position that postal prices should not be allowed to run ahead of the economy any longer. Over the long run, it is critical that postal prices stay constant in relation to the costs of other goods and services. We have been going through a 'catch up' period for the past few years, but we are at a point now when we are beginning to be 'caught up.' The level of employee compensation and benefits, the preponderant portion of our total costs, is, generally speaking, quite competitive to the private sector. Our objective, therefore, is to hold total costs, and thereby our prices, to increases that are no greater than the consumer price index over the long run."

ATCMU does not base its support of H.R. 10109 upon a wish, as such, to get rid of the Postal Rate Commission. We have been critical about the qualifications, both political and professional, of some of the appointees. But I think the members of the Commission are trying to do a good job.

I have two observations on that general subject:

First, the Postal Service management is repeatedly blaming its financial bind in part upon a claim that the Postal Rate Commission has been too slow in winding up its rate cases. This is perhaps acceptable as a buck-

passing technique. But it ignores the fact that a forced speedup in adjudicatory hearings before a regulatory commission greatly increases the chance of denial of due process and reversible error in the decision.

There were a total of 1480 documents filed in the second Rate Commission postal rate case which ended last September. This is the particular case the Postal Service claims was much too slow.

A number of these 1480 documents were 50 and 100 pages long and contained extremely technical material. There were approximately 50 parties in the case, including the statutory ombudsman or "Officer of the Commission." The ombudsman's filings then, as is also true in the third or current rate case, were voluminous, frequent and often highly controversial.

The Postal Service complaint about the alleged slowness in handling the complex second rate case carries the implication that what the Postal Service believes the Rate Commission should do is merely to go through the motions of a hearing in jig time and then to rubber-stamp whatever the Postal Service wants.

My second observation, however, is that the proceedings before the Postal Rate Commission are, in fact, an exercise in futility. As soon as one rate case is over, the Postal Service stands ready in a mere 100 days to put into effect another round of so-called temporary rates. This means that, regardless of what the Rate Commission may try to do, in one of its cases involving permanent rates, to alter the rate increases proposed by the Postal Service, those alterations will remain in effect for only 100 days.

The Rate Commission is not really the problem. The real problem is the abomination called temporary rates. ATCMU has opposed temporary rates from the first time this unfair concept was proposed. Temporary rates are a blatant example of sentence first and trial later.

No hearings are permitted or available before temporary rates are decided on or imposed. In the event temporary rates are found to be excessive in amount—no matter how large the excess—no refund of such excess can be obtained.

As it is working out under the rate provisions of the Act, (a) the temporary rates are the ones people are paying most of the time, (b) permanent rates are in effect for only brief periods, and (c) because a new round of temporary rates is imposed just a few months after the Rate Commission finally issues its recommended decision on permanent rates, the Rate Commission cannot provide effective protection for the public on the level of postal rates.

H.R. 10109 would get rid of temporary rates. The sooner the better.

If anyone has the notion that the exact amount of postal rate increases can be computed and determined purely by scientific methods, he should disabuse himself of that idea. In the second rate case, the hearing examiner thought the rate for first class should be 8½ cents and the Rate Commission decided that rate should be 10 cents. That is a swing of nearly one billion dollars annually in revenue from first class postage. This huge discrepancy dramatizes the fact that while there may be a great deal of science in postal rate making, there are also a great many scientists of widely differing opinions.

There is no use belaboring the members of this Subcommittee because of the fact that the public service appropriation for the Postal Service is not increased. We know the facts of life about Mr. Ford and his advisors having confused the Postal Service and its finances with New York City and its finances. We also know about the new Congressional budget offices and the fact that appropriations committees in a field like this, which does not involve defense or welfare payments, are unlikely to vote an appropriation which exceeds the amount approved by the Office of Management and Budget request.

However, we also know that Congress will not permit the Postal Service to collapse or stagger or miss a payroll. The goal, therefore, should be to limit rate increase to amounts and frequency which at least approach being reasonable—and to have the difference picked up by general revenue public service appropriations as is true with AMTRAK.

A practical way to see that rate increases are reasonable is to limit them to the same percentages as increases in the consumer price index and to provide that postal rate increases may not occur oftener than once a year. Even once a year is much too frequent.

The basic minimum per-piece rate for commercial bulk third-class mail has gone up 690 percent since the early 1950s! In addition, we had mandatory sorting by ZIP Code forced upon us with no related reduction in the postage rate. We aren't given a chance to use alternative means of delivery for addressed advertising circulars because of the unreasonable insistence of the Postal Service that we are subject to the Private Express Statutes and because of the unreasonable delay of the Rate Commission in deciding whether it has jurisdiction over the arbitrary regulations under the Private Express Statutes.

We should give up the talk about collapse and bankruptcy of the Postal Service. It is one of the few federal responsibilities mentioned in the Constitution. It is not going to collapse.

But we should go back to treating it as an integral part of the federal government dedicated to public service. We should give up the gimmicks and the Chamber of Commerce slogans. We should limit rate increases both in amount and frequency and insure public service appropriations adequate to make up the difference in justified costs.

H.R. 10109 would be a long step in reaching those goals.

AMERICA NEEDS OLYMPIC CLOUT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. DERWINSKI. Mr. Speaker, there is no doubt that the Olympics have become a charade. We find that the United States and only a few other countries are sending their amateur athletes to compete against the professionals of other lands. Major abuses are perpetrated by the Soviet Union and other communist countries, where their athletes are well-paid employees of the state.

I call the attention of the Members to an article by Steve Pokin, an outstanding young reporter for the Suburban Life, serving suburban Cook County, Ill., which appeared on March 31. It is a penetrating commentary on the situation we will be facing in Montreal. The article follows:

AMERICA NEEDS OLYMPIC CLOUT

(By Steve Pokin)

Admittedly, my motives for giving $2 to the Olympic committee weren't entirely philanthropic. For the minimal $2 donation I'll be getting a red, white and blue tie tac, which might be useful this bicentennial year. But there are other reasons.

During the summer of 1972 I was working the 4 p.m. to midnight shift in a factory where I loaded boxes onto skids and put hair spray in other boxes. During a two week period I spent 20 minutes of my 45 minute dinner break driving from work to my home and back. I could watch bits and pieces of the 1972 summer Olympics on television at home.

I think I learned more about foreign affairs and America's status abroad by watching the Olympics than I learned in any of my political science courses at the University of Illinois.

Bob Seagren and Jan Johnson, America's two pole vaulters, had their poles banned and confiscated by officials at the games. The poles were returned to them and then retaken, leaving Seagren and Johnson confused as to what poles they could use in competition.

The Olympic committee decided to ban Cata-poles, the poles that Americans were using to dominate pole vault competition. Cata-poles were nothing new. They were available to all countries. Athletes from other countries had used them, but hadn't had the success that Americans had with them. So Catapoles were banned.

In one of the most frustrating sports events for American television, the United States, thanks to two clutch free throws by Illinois State University's Doug Collins, beat the Soviet Union in the basketball finals.

But the Americans were told to play another two seconds. Unfortunately they did. The Soviet Union scored on a court length lob pass to their seven foot center. The Americans had become losers.

Frank Gifford, working the games for ABC, was the only representative from this country involved in the brief discussion which ensued at the scorer's table. Nobody was there from the NCAA, AAU or U.S. Olympic Committee, the three agencies bickering for control of the U.S. Olympic team. Just a TV man.

Later the head timer, from a non-partisan country, said that time had expired and that he was told to reset the clock. But once the players had left the court the results couldn't be changed.

Eddie Hart, co-world record holder in 100 meters, and Ray Robinson, America's top sprinters, missed their heat of the preliminaries because a meet official misinformed them of the time schedule. The athletes and their coach were not entirely to blame.

Clear-cut American winners in boxing were somehow decisioned by Soviet opponents. West German spectators threw trash into the ring while objecting to the political scores given by judges.

And things hadn't changed that much in last summer's Pan-American track games in Mexico. American athletes were jeered on the victor's platform. American athletes not only had to win . . . they had to win by five yards or else a judge would rule that the American was out-leaned at the tape.

There's no escaping it. The Olympics are political. It's not just competing . . . it's winning. The abuses which American athletes suffered became trivial when 20 Israeli athletes were killed to draw attention to international politics.

The summer games start in two months in Montreal. Despite the unorganization and underfunding of our Olympic teams, American athletes will once again be among the best in the world.

It's saddening to think that our country is held in such little esteem overseas. But our governmental leaders, foreign policy makers and arrogant citizens are to blame for that . . . not athletes.

Although $2 isn't much, it made me feel better.

Next time somebody decides to reset the clock, I want somebody obstinate who has a little clout there. Frank Gifford can't do it by himself.

We need somebody like Howard Cosell.

TELEVISION VIOLENCE: "PERVERSION PROGRAMING" BY NETWORKS BREAKS 25 YEARS OF PROMISES

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. MURPHY of New York. Mr. Speaker, another scientific investigation into the depiction of violence on the home television screen has recently been brought to light, and it confirms our fears that unfettered murder and mayhem continue unabated. The overall rate of violent episodes per play on television is the highest on record, according to the annual index published by Dr. George Gerbner of the Annenberg School of Communications at the University of Pennsylvania, and shows no signs of slowing an upward trend.

The report shows what we in Congress have known for some time—that the family hour is a fraud perpetrated by the broadcasting networks on the people and the Congress of this Nation. After 25 years of broken promises to regulate themselves, the networks have simply intensified their schedules of televised savagery which began in 1951 and has plunged to new depths year after year.

The fraud called "family hour" begins at 9:01 p.m. eastern time with scenes of aberrant sex, violence, and brutality exploding on the TV screen with the absurd assumption that the 14.7 million children under the age of 11 who were watching just a minute before have all mysteriously gone to bed or stopped watching. The Neilsen rating service, which the networks seem to worship, tells them they are wrong: Neilsen defines the nationwide children's audience—age 2 to 11—

	Million
At 8 to 8:30 p.m.	14.7
At 8:30 to 9 p.m.	14.1
At 9 to 9:30 p.m.	11.0
At 9:30 to 10 p.m.	9.7

As well as millions more teenagers watching the violence each evening.

What makes the network position on the family hour even more ludicrous is the fact that when "family viewing" ends at 9 p.m. on the east coast, and the killings and beatings begin, the entire central time zone is just beginning its "family hour" at 8 p.m., with the network feeding the concentrated killings down the line as if the American citizens of the Midwest were never to be considered in the family hour fraud.

To take one random example, last Thursday's TV listings for Kansas City brought the gruesome movie "Slaughterhouse Five" into the leadoff position on the family hour. The alternative programs on the other two networks—the only shows available—were a double rape-murder episode of "The Streets of San Francisco," or "Helter Skelter," the dramatization of the vicious Charles Manson murder cult. This last, incidentally, was the subject of an excellent article by the noted television critic, Steven H. Scheuer, which I would like to insert in my remarks at this point:

AN OPEN LETTER TO WILLIAM S. PALEY, CHAIRMAN OF THE BOARD OF THE COLUMBIA BROADCASTING SYSTEM

(By Steven H. Scheuer)

DEAR CHAIRMAN PALEY: I have been a professional television critic for almost twenty-five years. I have previewed during the past two decades, prior to broadcast, thousands of TV programs of all kinds on commercial and public television. I do not remember ever being as deeply troubled about a TV program in that entire time as I am about a two-part program now scheduled to be telecast on your network on Thursday and Friday evenings, April first and second. I am, of course, referring to the two-part, four-hour production of "Helter Skelter," the "dramatization of actual facts" about the murder trial of Charles Manson and his demented followers in California. When I saw "Helter Skelter" at a recent preview screening, I kept asking myself why, aside from the possibility of achieving high ratings for those two time periods, was the CBS network devoting four hours of prime time to this loathsome, though undeniably involving chronicle of ghastly murders committed by a band of psychotic, paranoid men and women?

Let me note for the record that I have been, for the past twenty years, perhaps more than any other working television critic, greatly concerned with questions of censorship, civil liberties and First Amendment issues. I wrote at the time that CBS *should* have broadcast the controversial "Maude" episode about abortion. I was dismayed when CBS postponed the scheduled broadcast of the powerful anti-Vietnam war play "Sticks and Bones," and was relieved when it *was* finally telecast some months later. I detest censorship in any form, but I do not believe that censorship is the real issue when judging "Helter Skelter." The salient question is whether or not the book, written by prosecuting attorney Vincent Bugliosi, has been dramatized in an exploitative manner, appealing often to the basest instincts in the American character.

I am told that you personally have seen and approved of this made-for-TV CBS movie. Frankly, I find that hard to believe! How is the public interest being served by many millions of viewers watching an unrepentant killer, Susan Atkins, calmly describe the orgasmic thrill she got when she reportedly stabbed Sharon Tate and then tasted her victim's blood. (The TV outing says Atkins got a "high" from the killing; the book quotes her testimony that she had an orgasm during the ritual slaughter.) "Helter Skelter" deals at some length with the frequent sex orgies at the Manson ranch, and what high school lockerroom macho talk refers to as "gang bangs." The drama spells out a new commandment acted out by the Manson groupies—"Thou shalt love thy neighbor by killing thy neighbor." Manson's name is mentioned many times during the course of the four hours, and the young actor portraying Manson, Steve Railsback, does indeed transmit a kind of deranged, messianic charisma that Manson assuredly had. In the past fifteen years, there have been all too many examples of terrible crimes being committed by mentally unstable people after witnessing similar scenes on American commercial TV. Supposing, God forbid, some disturbed soul watches "Helter Skelter" and then goes out and commits some variation of the monstrous crimes committed by the Manson gang and shown so graphically on CBS. Will CBS then put out a formal company press release with company spokesmen deploring the new killings while denying any CBS guilt in the TV-inspired deaths? What socially responsible purpose is being served by noting in the closing moments of the show, in April of 1976, that Manson, Susan Atkins and others are eligible for parole in 1978? One of your top CBS executives, who had serious qualms about televising "Helter Skelter," told me that one of the reasons that CBS decided to proceed with "Helter Skelter" was that CBS believed that some commercial TV network would do a program based on the book, and that therefore CBS wanted to be the first to dramatize the Manson trial. I feel I am stultifying myself by even noting this incredibly lame excuse. CBS did, after all, decline showing the John Wayne movie "The Cowboys," featuring a band of marauding boys. ABC, not surprisingly, then bought the rights to it and aired "The Cowboys."

NBC's inexcusable decision to broadcast at 8 P.M., E.S.T., a made-for-TV movie, "Born Innocent," featuring a young teenaged girl being raped by a broom handle, contributed significantly to the ire of the FCC which led to the imposition of the family viewing hour. "Helter Skelter" makes "Born Innocent" seem like "The Sound of Music," by comparison, and will surely provoke new self-appointed vigilante groups calling for all of prime time television to be converted into "family viewing time."

I urge you to cancel immediately the scheduled showing of "Helter Skelter." Many millions of rational, concerned viewers will consider it reckless and profoundly irresponsible programming.

Cordially,

STEVEN H. SCHEUER.

The murders, brutality, and sadism continued, however, and millions of children, teenagers, parents, and the Congress have again been seduced by the networks.

In their public statements, the major networks continue to deplore the violence in programing, and they continue to promise to reduce it. And for 25 years, they have continued to break those promises.

Most of that violence is gratuitous—put there not out of dramatic necessity, but simply as a cheap way of boosting ratings and profits. The violence continues to be displayed to millions of American children, and to have its proven deleterious effects on them and those around them—witness the Surgeon General's report on TV violence, as well as some of the broadcasting industry's own studies which they would prefer never came to light.

Perhaps the most disturbing statistic in the latest Gerbner report is the increased violence in weekend programing for children. The number of violent incidents per hour is 16.2—about four times the level during the family hour and about double the level between 9 and 11 p.m. The weekend programing is geared mostly toward preschoolers through the primary grades, who are avid watchers—and imitators. Saturday morning program is a perversion of everything we once hoped American television would be. Yet when I, and others like me, criticize the networks for their hypocrisy, they solemnly raise the first amendment.

Some other brief statistics are frightening: The average American child will witness 18,000 murders on television by the time he graduates from high school. He will have spent only 12,000 hours in the classroom, compared to 15,000 in front of the television set—the most pervasive and influential medium of mass communications on Earth.

I am fully aware of the importance of the first amendment in our society, and

that it protects socially valueless material as much as it protects political speech and material of high cultural merit. But that freedom of speech carries with it the obligation to the American public to act responsibly. The networks are shirking that responsibility.

Behavioral scientists throughout the Nation have confirmed that violence on television is harmful to a child's mental health and stability. This is one reason the under-30 "television generation" has turned this Nation into a society where violence is commonplace. It is far past time for the Congress to act decisively on this issue. The networks have shown they cannot and will not, and the Federal Communications Commission has an equally depressing record. I hope I can convince the Congress, through extensive hearings, that 25 years of broken promises from the networks and the FCC can no longer be tolerated.

A NEW GADFLY KEEPS EYE ON HOUSE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. MICHEL. Mr. Speaker, I was delighted to read in this morning's New York Times an article about our colleague from Maryland, BOB BAUMAN, in which it is alleged that he has become "the new gadfly of the House, its most active nitpicker, its hairshirt, its leading baiter of its most powerful Members."

I think that is a fair description of BOB BAUMAN, and I would like to second the Times and writer Richard L. Madden in their judgment. Furthermore, I would like to wish BOB continued success at his work. The Times compares him to our former colleague H. R. Gross. Well, the gentleman from Iowa served 2½ decades in this Chamber. I hope his successor will be as durable, because few things give me more pleasure than imagining BOB BAUMAN still on his feet objecting to unanimous-consent motions in the 105th Congress in 1998:

A NEW GADFLY KEEPS EYE ON HOUSE

(By Richard L. Madden)

WASHINGTON, April 4.—Each day, just before the House of Representatives convenes at noon, a dark-haired man takes up position near the Republican leadership table on the House floor within grabbing distance of a microphone and begins his afternoon's vigil.

On any given day he can be seen jumping up, demanding an explanation of some bill that is being rushed through without debate, raising parliamentary obstacles to other legislation he deems to be a boondoggle, or forcing roll-call votes on measures that many Representatives would just as soon not be recorded as voting for.

It is Representative Robert E. Bauman, a conservative Republican from Maryland's Eastern Shore, engaging in what he calls "a sort of guerrilla warfare." In less than three years in Congress, the 38-year-old Mr. Bauman has become the new gadfly of the House, its most active nit-picker, its hairshirt, its leading baiter of its most powerful members.

"I do watch everything that happens on the floor," Mr. Bauman explained in an interview. "I listen to the unanimous consent requests. Now committee chairmen and others will come over and show me in advance what they are requesting. I just think the House has a right to know what we're doing. If they can slip something by, they will," he said. Following Gross's example.

Mr. Bauman is a younger and more intense version of former Representative H. R. Gross, a curmudgeonly Iowa Republican who retired in 1974 after 26 years of fighting on the floor against what he regard as waste of the taxpayers' money.

When Mr. Gross retired, Mr. Bauman said, several of his conservative Republican colleagues, who are badly outnumbered by the large Democratic majority, decided that "somebody had to watch the store the way H. R. did." He added:

"Anytime the House is in session the American people are probably in danger. I just sort of fell into the role, having spent several years on the Republican floor staff watching the procedure. Perhaps some of the others didn't really have the stomach for all the tedium that goes on."

Like Mr. Gross, Mr. Bauman has won some and lost some. Earlier last month, it was Mr. Bauman who raised the initial objections that led to the rejection by the House of a resolution sending a 25-member Congressional delegation to London to receive an original copy of Magna Carta for display during the Bicentennial celebration.

The speaker of the House, Carl Albert of Oklahoma, was furious over the action and got the bill resurrected and passed a few days later, but only after Mr. Bauman forced a final roll-call vote.

Last year he also raised enough parliamentary objections to force a roll-call vote on a bill giving members of Congress a 5-percent pay raise. "They desperately didn't want a roll-call," Mr. Bauman said. "As a result," he added, "a lot of members will be embarrassed when they go back and run for reelection."

Mr. Bauman's tactics have led to complaints from other representatives that he is being an obstructionist or is showboating. Representative Thomas P. O'Neill Jr. of Massachusetts, the Democratic majority leader, once denounced Mr. Bauman's tactics as a "cheap, sneaky, sly way to operate."

CONFLICTS WITH HAYS

Mr. Bauman has also tilted with Representative Wayne L. Hays, an Ohio Democrat and chairman of the House Administration Committee, who seldom mutes criticism of those with whom he disagrees.

The two had one exchange on the floor in which Mr. Hays suggested that Mr. Bauman was an idiot and Mr. Bauman responded that Mr. Hays was well qualified to judge idiots. Later, Mr. Bauman said, he sent Mr. Hays two pounds of Maryland crab meat to show there were no hard feelings. He said Mr. Hays sent back a note saying the crab meat was great but added: "I had someone taste it before I ate it."

Mr. Bauman was a Capitol page and a member of the Republican floor staff before winning a special election to the House in 1973. He was a founder and officer of both the Young Americans for Freedom and the American Conservative Union.

He described his relationship with other representatives as "generally as good as it can be under the circumstances," but acknowledged that some members "would just as soon not have me there." He added:

"I love the House. I spent most of my life here. I really feel uncomfortable not being on the floor every day."

FOOD STAMP REFORM

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. MARTIN. Mr. Speaker, it is my belief that the benefits of the food stamp program can be preserved while reforming some of the features that lead to abuse and unnecessary expense. Reform is overdue, in view of growing public dissatisfaction. If we are to retain a program to meet the nutritional needs of the genuinely needy, then it must be redesigned to do just that.

Most public hostility to food stamps results from two kinds of general impressions. There is, first, a widespread resentment over rumors and direct observations of steaks bought with food stamps being loaded into a new, expensive automobile. There is, second, a strong belief that Americans who are not poor and needy should not be allowed to benefit from food stamps either legally or illegally.

Legislative efforts, including the bill I helped write—Buckley-Michel—and the President's bill seek to remedy that second problem. Eligibility standards are to be stiffened so as to disqualify those who are voluntarily unemployed—that is, strikers, students from ineligible families, and higher income families who now can so adjust their patterns of income and expense as to be artifically eligible several months a year. To halt eligibility for such cases will not deprive the elderly poor or others who are truly needy. Part of the savings, in fact, would be applied to their increased benefit, under most proposals, with the rest of the savings being applied to cost reductions.

In addition to other provisions tightening the accounting and control of the food stamps in circulation, a major objective is to halt the practice of trading or reselling food stamps. There is no philosophic justification for this illegal trade, and the best way to stop it is to establish a simple method of reliable identification, such as photo-identification cards or repeated signature. These modest impositions would be no more onerous than the identification provisions of driver's licenses and traveler's checks.

Many letters and church bulletins have urged elimination of the "purchase requirements" whereby eligible recipients must now purchase part of the value of stamps, paying perhaps $20 to $50 for $100 worth of food stamps. That would reduce administrative costs, but it would not decrease—as claimed—opportunities for fraud. The resale market probably would increase because this proposal would eliminate the only practical restraint against picking up unneeded stamps to which one is entitled. This approach would be more workable if coupled with a provision, such as verifiable identification, to counteract the resale opportunity.

One alternative would go the opposite direction and issue cash instead of the

stamp entitlements. While that would enhance the liberty of the recipient, and would eliminate the resale market, it would also frustrate the basic intent of the program to get food to the hungry. Therefore, we must deal instead with reforms which provide more food for the needy and less opportunity for abuse by others.

MEDICARE PROGRAM

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. MATHIS. Mr. Speaker, I am sure that every Member of Congress has at one time or another experienced a problem with the medicare program as it relates to claims for services. I have been involved in one since last May which I consider to be the worst one I have attempted to deal with since I have been in Congress. Needless to say, the final outcome was not positive, and I received a final letter from my constituent which pretty well outlines the inequities of this program and the frustration that it causes to many hospital administrators and doctors. I am inserting the body of the letter sent to me by Dr. Robert Morgan concerning this program and I hope every Member will take the opportunity to read it:

WORTH COUNTY HOSPITAL,
Sylvester, Ga., March 4, 1976.

Congressman DAWSON MATHIS,
Cannon House Office Building,
Washington, D.C.

DEAR DAWSON: This is the last time that I will address you regarding the case of Mrs. Bobbie C. Bruce. This particular case is really not the issue involved. The principle involved is that a patient is admitted to the hospital under a doctor's care; is treated and dismissed by the physician when in the opinion of the attending physician the patient is ready for dismissal. This opinion is based upon personal knowledge, personal observation, and personal care of any particular patient involved.

The serious principle here is that a Medicare patient has erroneously been led to believe by the "Fedicare System" that Medicare was intended to prevent catastrophic financial loss. Yet, they are allowed to stay in the hospital on a cookbook type formula, and some outside agency determines whether the patient should pay.

Now, Dawson this is absolute stupidity for anyone to imagine (especially legislators and the stupid bureaucrats who put out this kind of nonsense) that a patient can be told that he does not have to pay for services utilized in the hospital. These services are provided by people who must be paid. The cost of this care should be borne by the patient or the powers that promise to pay for these cares after the patient has paid their insurance premium or Medicare premium, but the "Fedicare System" provides after the fact that the patient's hospitalization was not justified and does not have to be paid. Who in effect is going to pay the hospital workers and for the services and supplies utilized? Now it would make sense if these people who determined that these patients should not be admitted would come to the hospital to see these patients and then dismiss them when they feel that they are able to be dismissed without the benefit of a physician. Then if the patient continued to stay in the hospital it would be necessary for the patient to pay. How in the world can any system operate with this principle?

Dawson, I hope you will stop for a moment and reconsider what I have said, that a cookbook formula cannot be followed with patients. The attending physician cannot continue to treat patients under this type of system.

Another thing which I am sure you must not be aware of, Dawson, in the practice of medicine is that each patient that is admitted to the hospital now must have that patient's chart reviewed shortly after admission by another physician to determine if the first physician's opinion was justified in admitting the patient. This requires that every patient must have in effect another physician review the case without really seeing the patient and make this decision as to whether the patient should be admitted to the hospital or not. Now, think about that Dawson. This is where the cost of medicine is being increased.

Let me address also the fact that there is a great deal of clamor in the news media and the medical communications about legislators contemplating the capitation tax at the medical schools where students will be assigned to a period of involuntary servitude in some rural community unless they can pay back a sum to the medical school involved to buy their way out of involuntary appointment to some specific area. Let me point out with fact that the rural physician is being limited in his practice by the regionalization programs, the maternal health programs, and I am going to enclose you a letter which I hope you will also read which I have written in the past concerning maternal health programs. We have had lip service appeasement since this previous letter.

Everywhere from Zell Miller on down, and on up, the people and legislators are talking about assigning physicians to rural areas and why can't doctors work in the smaller communities. The simple fact is we are not allowed to practice first class medicine and expect the same pay in Sylvester, Georgia, for services rendered identical to services in Albany or Valdosta, Georgia. The maternal health program, specifically, is trying to deny hospitals which do not deliver 300 babies per year payment for services rendered by a physician while in effect they will pay for services rendered by a midwife in a larger community.

Think about it Dawson. I don't know how to fight this system except under the legislative process in which I'm depending on you to process the needs of the people.

As I say again, I'm sure you cannot be aware of this capitation process which is fixing to go through, and the talk about assigning graduating physicians to areas which are understaffed in physicians. When in effect the reason for this is that the physician is not paid equal pay for equal care.

It should be realized that no federal squaring off of certain cookbook areas will be proper for referral of patients. Physicians have already regionalized their care. For instance, a patient in Sylvester, Georgia, needing neurosurgical care would be referred to Albany, whereas, a patient requiring open heart surgery would be referred to another center such as Atlanta, Augusta, or Gainesville, Florida, because we refer patients requiring specific needs to a specific physician whom we know is expert in that particular field. The people do not need a utilization review or a cookbook method of referring all patients to this area or that area because in many cases that particular area does not contain a physician that will meet the requirements of the referring physician.

The cost of medicare is being increased because of double work, double paperwork, and in many cases is creating a condition where physicians must fill in the formula for admission of the patient to where it will fit the criteria so that the hospital will be paid whether in fact this is the true case for this particular patient.

The patient knows when he is being abused or over hospitalized. The patients who are overutilizing hospitalization are neurotic patients suffering from emotional disease which by cookbook formula probably should be referred to the state institutions, but many times a short stay in the community hospital where they should be taken care of would more adequately serve the purpose.

Dawson, I hope you will take time to review some of the things that I have mentioned, and I am requesting that you consider it seriously, personally, and do what you can to correct the situation.

Respectfully and sincerely,

ROBERT T. MORGAN, M.D.

ON LIMITING COMMUNITY GROWTH

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. SYMMS. Mr. Speaker, last fall a gentleman well acquainted with most of my colleagues gave an enlightening interview in the Santa Ana Register about the role and ability of city officials in limiting the growth of a community. Bernard H. Siegan has been a frequent witness and consultant to this Congress in the Federal land use planning debates. I am sure my colleagues will find his comments on city growth helpful and enlightening. I would like to enter them in the RECORD at this point:

CAN CITY OFFICIALS LIMIT THE GROWTH OF A COMMUNITY?

(EDITOR'S NOTE.—Bernard H. Siegan, University of San Diego Law School professor, is a noted authority on land-use law. An author and lecturer, he writes a weekly column, "Land and Law," which appears each Sunday in The Register and other Freedom newspapers. In the following question-and-answer interview, Prof. Siegan relates for The Register the ramifications of the recent court decision allowing the city of Petaluma to control growth.

(This past week, the author was designated "Distinguished Professor of Law" at the University of San Diego Law School.)

Q. A panel of judges of the United States Court of Appeals for the ninth circuit voted unanimously several weeks ago to uphold Petaluma's growth controls. Before you comment on the decision, Professor Siegan, please explain the background of the case and the controls that were in force.

A. Petaluma is north of San Francisco and is considered part of the San Francisco Bay area metropolitan region. Until this case gave it national prominence, it had been known primarily for dairy and poultry production. It grew from about 10,000 in 1950 to over 30,000 in 1972. The city council in 1971 adopted a development policy to control growth and maintain what was left of its "small town character" and surrounding open space.

Projections made on the basis of its growth rate had indicated that by 1985, the city's population would be 77,000. In an effort to reduce that number to 55,000, the city adopted a series of regulations, one of which imposed a maximum ceiling of 2,500 developmental dwelling units for the five-year period 1973–77. Building permits were to be allotted at the rate of approximately 500 per

year during that period. Exempt from this limitation were permits for all projects of four units or less.

Because of this exemption, it is difficult to determine the precise impact of the permit controls. That the effect was substantial is indicated by the fact that 2,000 housing permits were issued in the two-year period 1970–71. The trial court found that the plan would prevent the construction of about one-half to two-thirds of the demand for housing units.

Q. That program sounds considerably different from zoning. How would you compare the two?

A. You might say that Petaluma's is the ultimate zoning ordinance. Petaluma made an effort to control residential development minutely, and few zoning ordinances have gone as far. Many suburbs have, through their zoning ordinances, sought indirectly to achieve similar results by low density and open space requirements and strict limitations on apartment construction. Through the device of the planned unit development, they have also been able to determine the kind of units that are built, and the amount of open space and recreational facilities that will be required within the complex.

Petaluma's plan was indeed detailed. Among other things, it provided for a specified allocation of building permits for east and west portions of the city and between single and multi-family dwellings, a 200-foot green belt extending around the city, the establishment of an 8 to 12 per cent quota for housing of low and moderate income persons, and policies for determining how building permit applications would be approved.

Q. How did the lawsuit arise and why did the lower court decide against Petaluma?

A. Two landowners, one of a tract located outside the city, and the other of one partially within it, and the Construction Industry Association of Sonoma County, sued the city, its officers and council members, claiming the Petaluma plan was unconstitutional.

Federal District Judge Lloyd H. Burke ruled that Petaluma's regulations violated the constitutional right to travel. While the Constitution contains no provision explicitly mentioning this right, the U.S. Supreme Court, in a long line of cases beginning in 1667, has protected the freedom of citizens to travel from one state to another.

The Supreme Court had gradually been extending this right to include migration and settlement, and has declared unconstitutional a number of laws that did not accord recent migrants to a state or county the same rights as those given existing residents. Judge Burke said that Petaluma's ordinances, by limiting the number of people who could live in the city, had interfered with the right of citizens to migrate and settle in places of their own choosing.

Q. Have other courts accepted this interpretation of the right to travel?

A. The issue was argued in a 1974 U.S. Supreme Court case concerning the Village of Belle Terre, N.Y., which had adopted an ordinance prohibiting more than two unmarried and unrelated adults from living together in one house. The court said that since the ordinance was not aimed at transients, there was no infringement on this right.

Burke said the Belle Terre case was not relevant to the Petaluma situation. He relied for his Petaluma opinion on decisions of the Pennsylvania Supreme Court which have ruled unconstitutional, ordinances that establish certain minimum lot sizes or do not provide for apartment zoning. The Pennsylvania court has ruled such restrictions as deliberately exclusionary and therefore unconstitutional. It did not refer to the right to travel, but Judge Burke concluded that the underlying rationale of those cases was predicated on this right.

Q. Did the federal circuit court then consider that Petaluma had not violated the right to travel?

A. The circuit court made no decision on the right to travel. It held that this issue could not be raised in this case since none of those suing were seeking housing in Petaluma. For this point, the court relied on a U.S. Supreme Court opinion concerning Penfield, N.Y., issued in June 1975, which limited suits by non-residents to those persons seeking to live in a housing development.

Q. On what grounds then did the circuit court make its decision?

A. Once it had disposed of the right-to-travel issue, the court treated the case as it would a typical zoning controversy. The question in such cases is whether there is a reasonable basis for the regulation, that is, whether the municipality is justified in denying an owner of property the opportunity to use it as he or she desires. Courts have been going through such a reasoning process ever since the U.S. Supreme Court decided in 1926 in the Euclid (Ohio) case that zoning was constitutional.

The standard of reasonableness is a very broad one and tends to favor the municipality, especially since the courts presume that the regulation in question is valid. The burden is on those who contest it to prove otherwise.

Q. Why did the circuit court hold that Petaluma's ordinance was valid?

A. It decided that it was reasonable for a city to adopt laws to preserve its small town character, its open spaces and low density of population, and to grow at an orderly and deliberate pace. It likened the case to two others in which zoning ordinances have been upheld. One of these was the Belle Terre decision to which I have previously referred, and the other was a case involving the Town of Los Altos Hills, Ca., in which the same circuit court upheld a minimum lot size requirement of one acre.

I think neither case supports this decision. The Village of Belle Terre consists of about 220 residences with a population of 700. That case involved a constitutional challenge premised on rights of unrelated tenants to live together in a single family residence contrary to the zoning ordinance. While it is true, as the circuit court said, that the zoning ordinance of the village prevented conversion of any residence to multifamily housing and thereby prevented future growth, the case presented only the question of multiple occupancy by the tenants.

Moreover, it is difficult to compare a very small built-up community without vacant land to a vastly greater one with considerable amounts of vacant land and subject to strong housing pressures. The Belle Terre case might take on some comparability if a 50- or 100-unit apartment building had been proposed, not merely the invalidation of zoning for the sake of communal living.

In the Los Altos Hills case, the one-acre minimum was likewise relatively minor, compared to the much more onerous restrictions of Petaluma. It surely does not follow that if one-acre zoning is valid, five-, ten-, twenty- or forty-acre zoning will likewise be legal. Petaluma's restrictions are much more comparable to a twenty- rather than a one-acre limitation.

The courts in zoning matters have continually said that each case stands on its own facts. While a fifteen-acre minimum lot size may be a reasonable requirement in a rural area, it would surely not be legal in downtown San Francisco.

Q. How did the court respond to the fact that housing was being curtailed?

A. The circuit court judges acknowledged that laws designed to further the interests of a municipality may be harmful to those living in the area or region in which it is located. Judge Burke's opinion had shown in great detail the adverse effects of the Petaluma plan on housing conditions elsewhere in the San Francisco metropolitan area. The circuit judges' reply was that these were problems for legislatures and not courts.

Let me quote from their opinion, since this is a very important statement in the case: "If the present system of delegated zoning power does not effectively serve the state interest, in furthering the general welfare of the region or entire state, it is the state legislature's and not the federal courts role to intervene and adjust the system . . . The federal court is not a super zoning board and should not be called upon to mark the point upon which legitimate local interests in promoting the welfare of the community are outweighed by legitimate regional interests."

On this basis, it is hard to envision any set of zoning rules that this court would throw out.

Q. But are not many zoning regulations overruled by the courts?

A. I am reasonably confident that many, possibly most, state courts would have thrown out the Petaluma type restrictions. Pennsylvania, Virginia, New Jersey and Illinois courts have taken a dim view of much less restrictive rules. When the U.S. Supreme Court validated zoning, it certainly did not say that a municipality could do anything it wanted in the name of zoning. That court has only considered six zoning cases in about 50 years, and has overruled two ordinances. In 1929, it nullified a zoning ordinance in Cambridge, Mass., which it held unreasonably restricted a landowner's right to use his property. The same court also overruled a zoning ordinance of Seattle, Wash.

The Euclid decision, in erecting the reasonableness test did not bar courts from considering regional impact in deciding whether that test had been met. There is language in the case that would indicate just the reverse. One of the most noted sentences of that opinion is the following: "It is not meant by this, however, to exclude the possibility of cases where the general public interest would so far outweigh the interest of the municipality that the municipality would not be allowed to stand in the way." This statement seems directly contrary to the position taken by the circuit court. Numerous zoning decisions have taken into account matters outside of the municipality.

Q. Considering only the city and not the region, do you think that the Petaluma rules are unreasonable?

A. Yes. In my opinion, Pataluma imposed unreasonable and improper restraints on the use of land within the city. Consider what occurs to land values upon the adoption of the Petaluma plan.

In the usual situation, value of land is largely dependent on zoning, and its availability and desirability for building purposes. Those parcels most in demand will have a relatively high value. Petaluma's quota system changes all of that, except for the smaller sites that could be developed with one to four units.

Builders would not want to pay more for any tract than its value for one to four units, unless they knew the land could be used for the erection of more units, and they would not know this until the annual selection process takes place.

This means that until the tract is earmarked for building under the quota, those who must sell, may have to do so at a very low price. Two adjoining similar properties each consisting of 20 or 30 acres would have vastly different values if only one of them chanced to be included in the building quota for that year. Although thousands of acres would be left in legal limbo and values kept at a minimum, the landowners would still have to continue making tax payments.

Q. Isn't that a risk of owning vacant property?

A. Unfortunately property ownership has taken that turn. But this should not be the case under our Constitution. The taking clause of the Fifth Amendment provides that private property shall not be taken for public use without just compensation. While there is loss of value frequently under zoning, the degree to which this occurs is a consideration in applying the reasonableness test. Allowing such serious losses in value as will occur in Petaluma would make meaningless constitutional protections against confiscation of property.

Q. What did the circuit court say about violations of the rights of landowners?

A. There is little reference in the Petaluma decision to the rights of property owners. This is understandable since plaintiffs premised their arguments largely on the right to travel and sociological impact. Interestingly enough, the same court earlier this year in a case brought by Union Oil Co. and others, against the Secretary of the Interior, displayed concern that the Secretary's regulations violated the taking clause of the Fifth Amendment. It stated that regulation of private property can become so onerous as to constitute a taking of it, and sent that case back for further findings on this issue to the lower court which had dismissed the suit.

Q. Do you feel the Petaluma case ignored other issues?

A. The court did not consider adequately the consequences of a quota system. A quota means that some persons who would otherwise have the opportunity will be denied it. The Petaluma authorities will have to make these selections and they will have to use standards that must necessarily be subjective and often arbitrary. Enormous differences of opinion can exist on what are the most pleasing structures, the excellence of design and environmental suitability.

There will be considerable opportunities for graft, moral corruption and political abuse. One likely result is that the city will require houses to have extras and frills consumers do not desire, nor wish to pay for—in effect an admission price into the city. Another consequence is that the competitive system under which our economy is supposed to operate will be effectively barred from Petaluma. The decisions on buildings will be made there primarily by local politicians and officials, and not by businessmen and consumers. Were this practice to spread across the country it would further compromise our private enterprise system.

Q. I assume that these would be some of the effects on people outside the city. Are there other public policy considerations pertinent to this case?

A. There are three possibilities as to what will result from Petaluma's exclusionary policies. First, more housing will be built in other nearby communities. Second, housing will be built in areas not presently used for urban purposes. Third, some of the demand for housing will remain unsatisfied.

It is likely that other cities will either retaliate or find the Petaluma Plan attractive and if they adopt similar policies, the total number excluded from existing communities in the area will increase. This means that either less housing will be built or the excluded housing will be located in rural areas. Probably a certain amount of both will occur. The rural areas are not likely to yield nearly as much housing. Demand is less there and these areas have fewer utilities and facilities to accommodate construction.

Q. Will this be harmful to our housing needs?

A. Yes. More housing is obviously needed. Housing starts are off substantially in 1974–75. Billions of dollars are being spent by the federal government to create better housing conditions. It would be absurd that the nation's goals of stimulating more and better housing should be frustrated by local goals of limiting housing. It is equally inexcusable that federal policies to encourage business and development and competition should be impeded by local policies that operate to discourage them.

Serious problems will also be created if exclusionary housing policies cause more rural and farm land to be urbanized. A recent government report pointed with alarm to the increased urbanization of rural lands. The report indicated that 2,000 acres per day were changing from rural to urban property. Petaluma-type policies will considerably augment that amount at a time when a maximum amount of land should be available for farming, grazing, and mining. Thousands of acres will be wasted for unnecessary urban development.

Q. Returning to Petaluma, who would be the ones fortunate enough to live in that city during its 500 per year quota?

A. If the demand is for 1,000 to 1,500 permits as Judge Burke assumed, and only 500 are issued, the supply will be much less than the demand and the price of new housing will significantly appreciate. The wealthiest one-third or one-half of the families who want to settle there will best be able to do so. Should other new communities follow suit, the economic discrepancies between older and newer areas will widen substantially. The exclusionary communities will become richer as the others become poorer. Since wealthier people can better afford to pay property taxes and live in more luxurious accommodations, it would be almost foolhardy for a locality not to pursue the Petaluma plan. Thereby, these communities will shift the urban burdens of the nation to the bigger cities where poorer portions of the population will remain locked in.

Q. Doesn't the Petaluma plan require housing for low and moderate income families?

A. Yes. As I have indicated, 8 to 12 per cent of Petaluma's quota must be for this group, which roughly approximates 50 units of the 500. I really don't feel that the provision of 50 units of one kind of housing justifies the exclusion of possibly 500 units of another. Nor is it fair to give special preferential treatment to a few fortunate members of one class.

The 500 excluded units would be occupied by wealthier people, but the construction of them would more than compensate poorer people for the loss of 50 new units. The University of Michigan's survey Research Center, in a very extensive study, found that an average of 3.5 relocations occurred for every new unit constructed and occupied. One of these moves is to the new dwelling; the others are to existing housing. This is the filtration process, with each move being into what can usually be regarded as a better unit for the people involved.

The study found that one-third of the 3.5 moves was by poor and moderate income families. This means that each new unit that is erected will result in an additional housing opportunity for low and moderate income families. While it is conceivable that those units excluded by Petaluma would be built elsewhere, it is most unlikely that this would occur, as I have previously suggested. Accordingly, poor people are hurt much more by the exclusionary nature of Petaluma's plan than helped by its lone inclusionary provision.

Q. What will be the result if more cities adopt the Petaluma plan?

A. According to undisputed expert testimony at the trial of the case, duly reported in the circuit court's option, if the Petaluma plan were to be adopted by municipalities throughout the region, the short-fall in needed housing in the region for the decade 1970 to 1980 would be 105,000 units or 25 per cent of the units it was said are required. The experts also said there would be a resultant decline in regional housing stock quality, a loss of housing mobility and a deterioration especially in the housing available to those with real incomes of $14,000 per year or less.

Petaluma-type barriers appear contrary to the nature of the union as one country. Localities should not feather their own nests at the expense of all others.

Los Angeles, Chicago and New York might still be rural enclaves if their original settlers had the power to keep them that way. The first thousand or million could have prevented millions of followers from locating there. Immensely greater portions of land would have been urbanized. Great artificial restraints would have been placed on mobility and movement in this country. There would have been less housing and it would have cost more.

Q. Will the Petaluma case be appealed to the U.S. Supreme Court?

A. I believe so.

ESTATE TAX PROTESTED BY FARMERS

HON. ROBERT W. KASTEN, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. KASTEN. Mr. Speaker, the House Committee on Ways and Means just concluded hearings on the need to reform the Federal estate tax laws. In view of the devastating effect the Federal estate tax laws are having on our Nation's small family farms and businesses, the hearings were long overdue.

The interest in this issue has reached an all time high. For example, last Wednesday, the Milwaukee Journal carried a front page story written by Steve Hannah entitled "Estate Tax Protested by Farmers." The story not only details the need for reform, but also contains the story of Mrs. Eleanor Harrison, a 64-year-old widow from Elk Mound, Wis. Unfortunately, the hardships endured by Mrs. Harrison are all too typical. I would like to place the article in the RECORD at this point for the benefit of my colleagues and I would like to urge the Committee on Ways and Means to act expeditiously on this matter:

ESTATE TAX PROTESTED BY FARMERS

(By Steve Hannah)

Eleanor Harrison of Elk Mound is painfully familiar with the high cost of dying in America. Since her husband's sudden death two years ago, she has paid dearly emotionally.

She also paid $54,020 to the state and federal governments in inheritance taxes.

Mrs. Harrison, 64, is a farm widow. After 38 years of milking cows twice a day and working shoulder to shoulder with her husband in the field, Stephen Harrison's legacy left her "paper rich."

The 80 acre plot in Dunn County that cost them $4,800 in 1936 grew gradually over the years. By May of 1974, just two months after her husband was buried, appraisers assessed the 955 acre Harrison farm at $436,055.

LITTLE CASH IN BANK

Mrs. Harrison was staggered.

"I had no idea our farm was worth that kind of money," she repeated over and over again. "And with very little cash in the bank, I had no idea where I was going to get $37,020 for the IRS and $17,000 to pay the state inheritance taxes.

"Practically every penny we made farming was reinvested in a new tractor or piece of land," she said. "With land and equipment prices always going up, what farm family has $50,000 in the bank to pay taxes?"

In many ways, Eleanor Harrison's dilemma is typical of what besets the farmer's heirs when he dies. It is a problem that prompted farm organizations like the conservative American Farm Bureau Federation and the liberal National Farmers Union, among others, to dispense with political differences and join forces. They aim to change the law.

ADOPTED IN 1942

The federal estate tax laws, with few modifications, were adopted by Congress in 1942. They have not been changed substantially in 34 years.

In brief, the law deems the first $60,000 of the decedent's estate exempt from taxes. The balance is taxed on a graduating scale at anywhere from 3% to 77%. There also is a "widow's clause" in the law, added in 1948, granting the surviving spouse an additional deduction of "up to 50%" of the adjusted value of the estate. The law says federal estate taxes are due nine months from the date of death.

The complaint coming from the farm today is threefold:

The 1942 law doesn't take inflation into account. Farmers say that $60,000 exemption might have been adequate in 1942, when most farms were worth about 25% of their current value, but spiraling land and equipment prices have diminished the exemption every year.

The law fails to give the average farm wife credit for making a working contribution to the family business. Milking cows in a barn and driving tractors in the field won't satisfy the IRS without pay stubs and receipts. Unfortunately, perhaps, most family farms haven't operated that way.

(Estate taxes treat other heirs even more harshly, farmers say. The sons and daughters of the deceased man are entitled to nothing like the "widow's clause"—just the $60,000 exemption.)

Farm spokesmen say the IRS uses "fair market" formula in assessing the value of a farm. That practice, they say, prices farmland not for its agricultural use but for recreational and commercial purposes that have no bearing on the income which a farm produces.

Farm leaders claim the net result of the law's inequities is that the dead farmer's heirs are forced to sell their property to pay inheritance taxes. As a result, an alarming number of family farms, are disappearing.

The House Ways and Means Committee recently concluded a hearing on estate tax laws. Much of the testimony from the farm focused on the inflation-exemption question. And much of what was said can be condensed in the statements of three men:

W. Fred Woods, a US Department of Agriculture economist, calculated that the average farm was valued at $51,440 in 1960 and by 1974, that figure had jumped to $169,774.

Allan Grant, president of the American Farm Bureau Federation and the leadoff witness, testified that the consumer price index was 48.8 in 1942 (when the estate tax laws were adopted) and 161.2 in 1975. He said the purchasing power of the dollar last year equaled the purchasing power of 30 cents in 1942.

And Gilbert C. Rohde of Greenwood, Wis., president of the Wisconsin Farmers Union, estimated that a farmer who earns $10,000 to $12,000 a year today leaves an estate worth $320,000. Rohde said the IRS tax takes $20,200 of that in federal inheritance taxes, and the state gets an additional sum.

RAISE TO $200,000?

There are at least 55 bills in Congress today dealing with federal estate taxes. Ten of those pending in the Senate aim to raise the $60,000 exemption to $200,000 to catch up with inflation.

A bill in the House written by Rep. Omar Burleson (D-Tex.) and one in the Senate by Sen. Carl Curtis (R-Neb.) have been endorsed by several farm organizations. Basically, the Burleson-Curtis proposal would lift the exemption to $200,000 and raise the widow's deduction to $100,000, plus 50% of the adjusted value of the estate.

The Ford administration has introduced legislation. The president's proposal would gradually raise the exemption to $150,000 over the next five years. The Ford plan also allows a five year moratorium on paying inheritance taxes and would stretch payments over 20 years.

Assistant Treasury Secretary Charles Walker testified at the House hearings that putting the $150,000 plan into effect immediately would cost the government $1.1 billion in revenue in the fiscal year starting Oct. 1. Walker said Ford's phase-in program would substantialy cut the revenue loss.

BORROWED $14,000

Most farmers could count Eleanor Harrison and her family among the fortunate. She did not have to abandon the farm she and her husband built for four decades.

Mrs. Harrison settled her debt with the IRS in the alloted nine months by selling 80 acres for $23,000 and borrowing $14,000 from a local bank.

Making good on the $17,000 state inheritance tax took a little more finagling. She applied for a $25,000 loan from the U.S. Farmers Home Administration, but it didn't come through on time. So she borrowed from the bank again, paid the state, then repaid the bank loan plus interest when FHA money arrived.

By her own admission, Mrs. Harrison is not the "worrying or bitter" type. But calmness and kindness aside, she has little use for the estate tax laws.

LAUNCHING OF THE U.S.S. "MEMPHIS"

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. WHITEHURST. Mr. Speaker, last Saturday, April 3, 1976, the nuclear attack submarine U.S.S. *Memphis* was launched at the Newport News shipbuilding and drydock yards in Newport News, Va. I had the honor of being present for the launching of this fine vessel, which was christened by the wife of my good friend and colleague, Congressman ROBIN L. BEARD, JR., of Tennessee. The Beards made it a family affair. Prior to Mrs. Beard's breaking the traditional bottle of champagne over the bow of the *Memphis*, Congressman BEARD spoke to the thousands of people who had gathered for this event.

All of us were moved by Congressman BEARD's words calling attention to what could be the eclipse of American naval supremacy unless we take immediate steps to correct the growing imbalance between the United States and Soviet navies. Mr. Speaker, with the imminent consideration of the defense authorization bill, H.R. 12483, this week, I believe it is in order to insert Congressman BEARD's remarks in the RECORD, and I call my colleagues' attention to them:

STATEMENT OF REPRESENTATIVE ROBIN L. BEARD, JR.

It is indeed an honor and a privilege for me to be here at the launching of the sixth U.S.S. Memphis. It is an honor for our great City of Memphis and for the entire State of Tennessee which earned its nickname—the Volunteer State—from its citizen's readiness to respond to the call of our country's armed services in time of national emergency.

The launching of today's U.S.S. Memphis is significant in that it marks a crossroads in the history of the United States Navy. Because for the first time in the modern history of our Navy, we can no longer claim the prestige of being the world's number one Naval power.

At the end of World War II, the United States boasted the world's largest and most modern Navy. It had been virtually totally reconstructed after Pearl Harbor, and its major warships—carriers, cruisers, destroyers and submarines—were still coming out of the shipyards in sizable numbers through 1947.

The U.S. Navy dominated the seas and with a force level of about 1000 ships—briefly reduced and then built up in the early 1950's—made a major contribution in both the Korean and Vietnam Wars—primarily by means of projecting air power from its carriers. It also served as a base for the projection of ground forces in such varied areas as Korea in 1950, Lebanon in 1958, and the Dominican Republic in 1965.

But the picture has changed radically in the last seven years. As recently as 1970, the U.S. Navy had over 950 ships. Today, we have just slightly more than half that figure—well behind the number possessed by the Soviet Union and well behind the number which the Navy itself considers necessary to ensure a minimal risk against any threat.

The Soviet fleet presently numbers over 550 major combat vessels. By comparison, the United States numbers 250 major warships. For the first time in over two decades, the Soviet Navy has undertaken a program of aircraft carrier construction. The Russians have steadily replaced their diesel submarines with nuclear-powered vessels, and they continue to produce impressively large, fast, and heavily armed major surface vessels.

In addition, the Soviet Union has maintained an increasingly visible naval presence in the Mediterranean and Caribbean Seas and in the Atlantic, Indian and Western Pacific Oceans. It has benefitted from base facilities in Somalia and Cuba, and, no doubt, it will soon begin benefitting from base facilities in Angola.

The U.S.S.R. has now constructed a canal linking the White and Baltic Seas, which would allow the Soviet Baltic fleet access to the Atlantic Ocean. Finally, and probably in conjunction with its presence in more distant waters, the Soviet Union has sought to improve the effectiveness of its naval infantry—the equivalent to our marines. The Soviet Naval Infantry presently numbers some 10,000 men. While it cannot be compared to the U.S. Marine Corps, it is apparently being reoriented toward amphibious missions of a type traditionally associated with U.S. amphibious operations.

All of these developments point to the emergence of new Soviet naval missions, obviously geared toward a new Soviet objective of sea control.

The sum total of these developments is that the Soviet Union is now at its height of naval expansion while we, the United

States, have chosen to follow a path in the opposite direction.

It is interesting to note that these radical changes have taken place during our period of so-called detente.

It must be remembered during this period of detente that the Soviet Union's predominant philosophy still prevails. As it was succinctly expressed in an editorial in the Soviet Union's own newspaper, Izvestia:

"Detente does not mean and cannot mean a freezing of the social status quo. Support of national liberation movements is one of the most important principles of Soviet foreign policy."

It is clear that the United States has been lulled into a false sense of security by the word detente. We were far and away the most powerful country in the world, but in the last decade, the United States defense budget has been drastically cut because it was the politically popular thing to do.

The real tragedy in this policy we have chosen to pursue is that the day we become a second-rate power is the day the word detente will go out of our vocabulary.

The people of this country have now reached the point where they consider national security an inherent right. The great fallacy in this is that the American people fail to recognize we've had national security only because of actions we've taken in the past. It's time we stop considering only ourselves in the context of how the world is today. We must also consider the future and the conditions we will create for our children. The "right" to national security that we have inherited from our fathers must be preserved and protected through a strong national defense system.

The question now is where do we, the United States, go from here? We can continue our atonement for our past sins in Vietnam. We can continue to bury our heads in the sand and pretend that if we do not see what is going on in the rest of the world, it does not exist. It will go away and leave us alone. We can continue to widen the gap between the Soviet presence in strategic areas of the world and our own strength in these areas.

Or we can start now—this year—to let the world know detente will be a two-way street and that the defense of this great country will be one of our most important priorities.

In my opinion, there is no choice. We can no longer live with the ghost of our past mistakes in Vietnam. We must live up to our responsibilities as a world power to preserve freedom. We have to accept the fact that we are a world leader, and there is no way we can close our doors, pull down our shades, and pretend all our problems will fade away.

In this, our Bicentennial Year, it is appropriate not only to celebrate our nation's achievements of the past 200 years but also to set our sights on the future.

In dedicating this great ship, the U.S.S. Memphis, a symbol of our commitment to preserving our military strength, I would like to leave you with a quotation from our former Secretary of Defense, the Honorable James Schlesinger, one of the most dedicated and professional men I have ever known in the service of our government. And I quote:

"The Bicentennial Year should not coincide with the further weakening of our acceptance of our responsibility to the external world and to ourselves. If we seek to preserve a satisfactory condition for the United States in the world, if we seek the survival of freedom elsewhere than in North America, if indeed we value what our civilization represents, American strength remains indispensable. Without enduring American strength, western civilization will not survive."

RETIREMENT OF HON. F. EDWARD HÉBERT

HON. W. HENSON MOORE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 30, 1976

Mr. MOORE. Mr. Speaker, it is with a great sense of personal disappointment and sadness that I add my words of tribute to those of my colleagues upon the announcement that Congressman F. EDWARD HÉBERT will retire at the conclusion of this session.

Congressman HÉBERT has given 36 years of distinguished service to the Nation and the State of Louisiana. During those years his very presence in this Chamber has become synonomous with America's commitment to protect its freedom through a strong national defense.

Unlike many of my friends and colleagues who have the honor of speaking of many years of service at the side of F. EDWARD HÉBERT, I have been able to call him colleague but little more than a year. In that short time, though, I have developed a respect and affection for this great man as if I had served with him my entire lifetime.

No one from Louisiana, however, can speak of Congressman HÉBERT from anything other than a deep and long standing friendship because regardless of where you live within our great State, no matter who your other able Representatives might be, you always take comfort in the knowledge that whatever the issue, F. EDWARD HÉBERT would be there to fight for what was best and right for the people of Louisiana.

Like any man of great principal and ability, his path was not always smooth. I can remember the pride with which we Louisianians watched Congressman HÉBERT's rise in position and influence on the House Armed Services Committee and the bitter feeling of personal loss when the chairmanship of that committee was taken from him.

I have no doubt that that act will be remembered as a dark day in the annals of this Chamber, but it may well have been Congressman HÉBERT's finest hour.

In this year of America's 200th birthday, we find ourselves a nation with few living patriots to whom we can turn, but what finer honor than the title of "patriot" can we give a man who willingly gives up power and position rather than compromise his Nation's defense.

Congressman HÉBERT is a true patriot at a time when few stand among us and many are needed.

While his accomplishments have earned him a record of national stature, as dean of the Louisiana delegation he has worked just as tirelessly in the interest of his State.

It has been through the strength and wisdom of his leadership that our delegation has consistently put aside the interests of partisan affiliation and have faced those issues of importance to Louisiana shoulder to shoulder.

Since the First Continental Congress, many fine and able men have served in this body, but few have marked the period of their service with the measure of accomplishment that Congressman HÉBERT has to his credit.

The achievements of F. EDWARD HÉBERT have become not only a part of the record of this House, but his work has been inscribed on the pages of the history of this country.

The retirement of F. EDWARD HÉBERT will be a great loss to the State of Louisiana and a greater loss to the Nation. It will be a long time before another man walks onto the floor of this Chamber with the same strength, courage, and love of country that have marked his career in the House of Representatives.

NOTRE DAME PRESIDENT CALLS FOR OUTWARD LOOK

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. SIMON. Mr. Speaker, last week Father Theodore Hesburgh, president of Notre Dame University, spoke to a breakfast meeting of some of us in the House and Senate about the need for a fresh look at our ideals in the Bicentennial Year, and what those ideals should mean in practical terms in our relationships with other countries, particularly the developing nations.

Father Hesburgh spoke to us in his role as chairman of the board of directors of the Overseas Development Council, an organization which is doing outstanding work.

They have just issued a book, "Agenda for Action, 1976." I have not had a chance to read it yet, though I have read its predecessors, which have been solid, thoughtful contributions.

They have published a summary of the new book, and our colleague, Representative JOHN BRADEMAS of Indiana, has suggested to me that a portion of the summary be inserted in the RECORD. I am pleased to do that at this point, with appreciation for the work and leadership provided by the Overseas Development Council and particularly by Father Hesburgh, James Grant, and Martin McLaughlin:

THE MAJOR ISSUES FOR NEGOTIATION IN 1976

DEVELOPING-COUNTRY EXPORT EARNINGS

Export earnings play a major role in the flow of foreign exchange to developing countries. Programs to stabilize developing-country export earnings are a high priority for 1976 negotiations. But developing and developed countries have conflicting approaches. The developing countries—as typified by the proposals of the U.N. Conference on Trade and Development—favor stabilization of export prices, while the new U.S. proposals for the creation within the International Monetary Fund of a "development security facility" would stabilize overall export

earnings of developing countries by compensating countries when earnings decline. Unlike commodity price stabilization schemes, the U.S. proposal would cover shortfalls in the export earnings of manufactured products as well as raw materials . . . but it would not in any way guarantee the purchasing power of those earnings vis-a-vis the manufactured goods produced by the industrial countries.

To a large degree, the U.S. proposal is an expansion of the compensatory financing scheme which has existed within the IMF for over a decade. But the proposed changes are significant: easier access to such loans; expanded volume of funds available; and provision for the poorest countries to convert their loans into grants under prescribed conditions.

The negotiations on this issue will take place at the Paris meetings of the Conference on International Economic Co-Operation and at the meeting in Nairobi this May of the United Nations Conference on Trade and Development. The crucial question facing negotiators is whether or not the two approaches can be reconciled. The United States has not ruled out examination of specific commodity agreements, and many developing countries appear to be questioning the wisdom of the total UNCTAD integrated commodity concept; compromise, therefore, may be possible. The fundamental issue is: Should compensatory financing arrangements and international commodity agreements serve to stabilize earnings and reduce price fluctuations (as argued by most developed-country governments and most economists), or should they also attempt to serve as mechanisms to transfer income from developed to developing countries (as generally proposed by the latter)?

INTERNATIONAL TRADE REFORMS

The apparent willingness of the United States to discuss a broad set of trade reform issues is directly responsive to long-standing developing-country complaints about major aspects of the present international trade regime—and the latter's interest in developing a set of trade reforms to increase their capacity to earn scarce foreign exchange and accelerate economic growth.

The United States has proposed a fivefold approach in the present round of negotiations now underway at Geneva within the General Agreement on Tariffs and Trade. It includes: special treatment for products of the "least developed" countries; implementation of tariff preferences for the manufactured goods of the developing countries; adaptation of general rules regarding trade policies to reflect the special needs of the development process; dismantling of that part of the present developed-country tariff system which is particularly harmful to potential exports of the developing countries; and early agreement on tariff cuts for tropical products.

Although there does seem to be substantial basis for negotiation, the developing countries will not find the United States willing to accept the concept of "indexing," whereby the prices of developing-country exports would be automatically tied to the costs of their imports from the industrial world. The crucial question is whether the United States and other developed countries have offered enough by way of an initial negotiating position to engage the developing countries in a serious discussion of trade reforms that will increase market access for developing-country products—particularly processed and manufactured goods—in the North. And equally importantly, can developed-country governments make the results of negotiations in this area acceptable to their legislatures where that process is necessary?

Trade reform issues will be on the agendas not only of GATT (in Geneva) and UNCTAD IV (in Nairobi), but also of the new Conference on International Economic Co-Operation (in Paris).

GLOBAL FOOD PROGRAMS

The world food situation still remains insecure despite much improved harvests in 1975. Population continues to grow, as does consumption in the rich countries. Reserves carried over into 1976, though about 10% higher than last year, still represent only about a 30-day supply; with consumption slightly outrunning production, world food security continues at risk.

The agricultural arena, however, appears to be one in which some major bargains could be struck, because it is one in which producers and consumers in both developed and developing countries stand to gain from well-conceived reforms. And all parties to the negotiations seem to have achieved a high degree of agreement on the following propositions:

The solution to world food problems lies primarily in rapidly increasing food production in the developing countries;

The volume of assistance to developing countries for agriculture and food production should be substantially increased;

The Consultative Group Food Production and Investment in the Developing Countries should identify the developing countries with potential for most rapid and efficient increase in food production and mobilize the resources needed to capitalize on that potential;

At least $1 billion should be provided for the International Fund for Agricultural Development so that it may begin the process of investing in projects to increase agricultural production in developing countries;

A minimum international food-aid target for 1975–76 should be ten million tons of food grains;

Assistance in the food area should be granted on the most concessional terms possible to those countries most seriously affected by the economic difficulties of the past two years;

A global system of food-grain reserves should be established promptly.

Although all parties have attained agreement on these principles, agreement remains uncertain on the specifics of implementation, and on related issues such as long-term management of international grain sales, increased access to developed-country markets for developing-country exports of temperate-zone food products, etc. The major negotiations on these issues are expected to take place in the new U.N. World Food Council, the International Wheat Council, the Consultative Group on Food Production and Investment, and special pledging conferences, as well as through the regular processes of international agencies such as the World Bank's International Development Association and the Food and Agriculture Organization of the U.N.

RESOURCE TRANSFERS

A great deal of discussion undoubtedly will focus on resource transfer between developed and developing countries. Several developing country requests—such as asking the developing countries to meet the commitment that most of them made earlier to transfer 0.7% of their Gross National Product annually in the form of development assistance and calling for a conference to consider various forms of debt relief—are not likely to be implemented. The United States has been particularly unresponsive to the developing-country needs for official development assistance. In 1974 Sweden became the first industrialized country to reach the U.N. target of 0.7%, and six other countries exceeded 0.5%. The United States contributed only half that percentage—0.25%—of our total income.

New agreements in the resource transfer area, if they can be achieved at all, will have to come from some of the suggestions to introduce new and automatic sources of income. Among these are a greater share of newly created international monetary assets for developing countries; royalties from the commercial exploitation of international commons like the oceans and space; and new forms of international taxes, such as a tax on consumption of nonrenewable resources, with proceeds going to developing countries.

One new source now accepted and in the process of being constituted is the Special Trust Fund of the International Monetary Fund. The $2–$3 billion Trust Fund, which will be financed from proceeds of gold sales and contributions from IMF members, will provide loans at concessional interest rates to the least developed countries facing serious balance-of-payments difficulties.

Other than that, however, there is little reason to be sanguine about the responsiveness of the United States and many other developed countries to developing-country requests in the general area of resource transfers. Another disappointment has been the role of OPEC in resource transfers. Although OPEC countries transfer a larger proportion of their GNP than the industrialized countries in development assistance (1.7% in 1974), most of this has gone to a few Middle Eastern countries; OPEC funds are as yet of marginal assistance to most developing countries.

ENERGY

Nations should see the energy problem for what it is: a global problem that will best be solved through global approaches. A global approach has many ingredients, including helping energy-poor developing countries with the immediate problem of paying for essential energy imports; helping them develop petroleum resources in underexplored areas; working cooperatively to evolve a safe global nuclear energy policy; developing a world network of research and development efforts that gives attention to the small scale renewable sources of energy needed in developing as well as developed countries; and nurturing the intellectual and institutional capacities in poor as well as rich countries and at the international level to think about and plan *globally* for the human use of energy on this planet. Such an approach would not only support the needs of developing countries but would increase U.S. energy security by helping to make the international energy trading system more dependable at very low cost to this country.

OTHER PROGRAMS TO ACCELERATE DEVELOPMENT

Three other major categories of programs are being suggested to expand growth rates and industrial expansion in the developing countries. They are: the upgrading of scientific and technological skills available to the developing countries; increasing developing-country access to international capital markets in order to borrow for development programs; and expanding the role of the multinational corporations in developing countries.

THE POOREST COUNTRIES AND THE POOREST PEOPLE: THE CROSS-CUTTING PROBLEMS

The final major issue on the 1976 agenda is the question of the world's poorest countries and the world's poorest people, regardless of where they happen to reside. U.S. development policy in recent years has begun to focus on questions of absolute poverty, due mainly to a growing Congressional concern over these issues. And indeed, all the major parties to the present negotiations have declared themselves in favor of special forms of assistance to the least developed countries.

But this issue raises a dilemma of potentially larger proportions. The multiplying levels of global interdependence will necessi-

tate the expansion of multilateral diplomacy to cope with such complex issues as the oceans, environmental degradation, nuclear proliferation, and many others. But if the United States, with its eye on the global agenda, decides that intergovernmental amity is more important than the economic and social development of the poorest countries and people, what are the long-run implications for the so-called "forgotten 40%" of humanity?

There are, of course, ways in which this issue can be addressed in the context of the multiple negotiations now underway. Ideally the nations of the world should be able to take account of the imperatives both of equity between states and equity within states. But there are steps short of this ideal. For instance, there is a growing trend—in Europe as well as in the United States—to channel bilateral aid programs to the poorest nations and to countries whose domestic policies are directed to improving the living standards of their poorest people. Similarly, bargains can be driven, as in the case of resolutions of the World Food Conference and in the creation of the IMF's Special Trust Fund, to make sure the major beneficiaries of new programs are the poorest countries. Finally, there is a need to begin discussions of how both the richest and the poorest countries can work together to meet the minimum needs of the world's poorest people.

PROSPECTS BLEAK

World Bank estimates indicate that the prospects for increasing the income of the world's poorest people during the present decade are bleak: over the ten-year period 1970–1980, the per capita income of the billion people living in the poorest nations is expected to increase by only $3, from $105 to $108. During this same period, the per capita income of the 725 million people living in middle-income developing countries (excluding the OPEC countries) will have increased by $130 (from $410 to $540), and per capita income in the developed countries will have increased by some $900, from $3100 to $4000.

In 1975, world grain reserves (measured in terms of daily world consumption requirements at present population and consumption levels) amounted to a food supply of 35 days for the entire world. The preliminary estimate for 1976 is that reserves will decline to 31 days' supply. These recent reserve levels contrast sharply with those of the past; in 1961, for example, world grain reserves amounted to 105 days' supply.

While U.S. earnings from its agricultural exports rose from $6.1 billion in 1965 to $21.3 billion in 1974, the proportion of food assistance under Public Law 480 (the Food for Peace Program) as a percentage of total agricultural exports increased to 5 per cent.

Because average per capita consumption of foods, energy, and raw materials is higher in developed than in developing countries, the costs in 1970 of fulfilling the natural resource requirements of the 7.7 million population increase in developed market economies were equal to those of fulfilling the requirements of the more than five times greater population increase (43.2 million) in developing countries.

AMENDMENT TO TITLE XIX OF THE SOCIAL SECURITY ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. WAXMAN. Mr. Speaker, on March 18, 1976, I introduced legislation which would amend title XIX of the Social Security Act. Specifically, this legislation is designed to provide changes in the current medicaid practices with respect to reimbursement for clincial laboratory tests and X-ray services.

The spiraling costs of medicaid have forced many States to reduce services provided to the poor or to further restrict eligibility under the program. Consequently, the presumed beneficiaries—that is, the poor—of medicaid have once again become the scapegoats of fiscal restraint measures. More appropriately, we should seek to close those loopholes in the current medicaid law which allow provider individuals and provider institutions to profiteer at the taxpayers' expense. Rather than reduce services or restrict access to needed medical care, I propose that we allow the States greater flexibility in making special cost-effective arrangements, including the process of competitive bidding, for the purchase of laboratory or X-ray services for medicaid recipients.

Under existing law, the "freedom of choice" provision in title XIX has prevented States from instituting practices such as competitive bidding. The patient as consumer of health services has little, if any, "freedom of choice" in determining where specimens are sent for clinical tests. Rather, the choice undercurrent practices lies exclusively with the attending physician and in some instances, the referring laboratory. The proposed amendment would void the "freedom of choice" provisions, as it has been interpreted by the Department of Health, Education, and Welfare. Concurrently, this amendment vests responsibility with the State and political subdivisions for making appropriate arrangements for the provision of clinical laboratory and X-ray services.

Patients and taxpayers are best served by having laboratory tests performed by licensed, high-quality, reasonably priced laboratories. To insure the above, H.R. 12643 requires that State negotiated arrangements be reviewed by the Secretary of HEW, and approved plans must satisfy the following conditions:

First, adequate services will be available under such arrangements; second, laboratory services will be provided only through laboratories licensed under subpart 2 of part F of title III of the Public Health Service Act; and third, charges for services provided under such arrangements are made at the lowest rate charged by the provider of such services.

This bill also mandates that laboratory charges billed for by a physician but performed by an independent clinical laboratory must accurately reflect the actual cost of the laboratory test. H.R. 12643 requires that the physician's charge for tests performed by an entity not in the employ of the physician shall not exceed the amount which the physician was charged for the service by the independent clinical laboratory, plus a nominal physician service charge which is determined by the State to be reasonable.

It is appropriate that fee schedules for services relate to actual costs of performing the tests. In addition, this bill introduces the concept of lowest rate charged to individuals other than medicaid. This is essentially a nondiscriminatory provision to protect the State in the purchase of laboratory and X-ray services. The provision relating to the nominal service charge for which a physician may be reimbursed represents an attempt to insure that the so-called practice of double billing for such clinical laboratory and X-ray services is eliminated.

Mr. Speaker, the primary purposes of these amendments to the Social Security Act are threefold: First, to permit the State to engage in cost-effective practices by entering into arrangements with providers of clinical laboratory and X-ray services; second, to provide for the necessary quality control standards as delineated in the Clinical Laboratories Improvement Act of 1976—H.R. 11431; and third, to provide much needed reforms for a medical service system fraught with abuses. The provisions of my bill will not only allow States to implement cost-saving measures but will require that the participating providers meet the necessary quality control standards.

I am hopeful that this bill will be considered simultaneously with the Clinical Laboratories Improvement Act of 1976, which is before the Subcommittee on Health and the Environment.

THE SILENT PARTNER OF HOWARD HUGHES—PART XV

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. HARRINGTON. Mr. Speaker, I am inserting today the 15th installment of the Philadelphia Inquirer's exposé regarding Howard Hughes' privileged relationship with sectors of the U.S. Government. In this segment, reporters Donald L. Barlett and James B. Steele conclude their examination of the Marina Del Rey development project:

THE SILENT PARTNER OF HOWARD HUGHES—XV

EMPIRE: THE LEGAL CONNECTION

Businessmen associated with the development who were interviewed by The Inquirer with the understanding that their identity would not be disclosed, for fear of economic reprisals by the Hughes organization, say the actual losses on the Marina City project are running into the "millions" of dollars.

These businessmen also maintain that Hughes Aircraft Co. itself has invested and lost substantial sums of money in Marina City.

If true, this would mean that the assets of a tax-exempt charity were pumped into what so far has been a financially unsuccessful venture started for the personal benefit of Hughes executives.

Whatever the tax consequences may be for—the Marina City partnerships, records on file in the Los Angeles County recorder's office offer some indication of the investment intentions of individual Hughes executives.

The original 1969 partnership agreement for Executive Investors Ltd., for example, shows that:

John D. Couturie, then treasurer of Hughes

Aircraft, agreed to lend the partnership $315,132. His agreed cash contribution was $35,016.

Allen E. Puckett, executive vice president and assistant general manager of the aircraft company, agreed to lend the partnership $157,566. His agreed cash contribution was $17,508.

John H. Richardson, senior vice president of the aircraft company, agreed to lend the partnership $157,566. His agreed cash contribution was $17,508.

W. H. Christoffers, a vice president and group executive of the aircraft company, agreed to lend the partnership $131,305. His agreed cash contribution was $14,590.

SEVENTEEN PERCENT INTEREST

By virtue of their agreed cash contributions, these four Hughes executives alone—and there were more than a dozen other Hughes executives involved with Executive Investors—received a combined interest of 17 percent in the partnership.

The story of the Management Investors partnership is much the same.

Couturie agreed to lend that partnership $27,961; his agreed cash contribution was $3,107. Puckett agreed to lend the partnership $139,805; his agreed cash contribution was $15,535. Richardson and Christoffers agreed to loans of $83,883 each and cash contribtuions of $9,321 each.

In just these two partnerships then Executive Investors Ltd. and Management Investors, four Hughes Aircraft executives alone initially agreed to make cash contributions and loans totaling some $1.2 million to the two investment groups.

That does not mean the money was ever actually put up. Indeed, the whole concept of his type of tax shelter rests largely on the use of borrowed money. It works like this:

An investor agrees to put $100,000 into a limited partnership. He invests $10,000 of his own money and borrows the remaining $90,000.

This way, his personal cash outlay is only 10 percent of his total investment. Yet he is able to claim deductions on his federal income tax return for his share of the partnership's expenses based on an investment of $100,000.

Hughes Aircraft executives have declined to discuss either the company's investments or their own personal financial dealings in Marina City and other assorted ventures.

NO DIVIDENDS

But a little-noticed lawsuit filed in Los Angeles County Superior Court earlier this year charges a variety of fraudulent transactions in connection with the Marina City development.

Brought by two early investors in the project, who were not Hughes Aircraft executives, the civil legal action names as defendant nine companies, partnerships and individuals. They are:

Hughes Aircraft Co.; Marina City Properties, Inc.; Marina City Co.; Horizons West; DeRay Investors; Marina City Club Ltd.; NRG Inc.; Don L. Benscoter, former chief executive officer of NRG who has engaged in a broad assortment of business dealings with Hughes executives; and John Black, president of Marina City Properties, Inc.

As The Inquirer disclosed earlier this week, NRG Inc. is one of several companies in which Hughes Aircraft has invested millions of dollars, companies that in turn have lost millions of dollars and have paid no dividends.

The legal action was initiated by:

Ronald P. Baldwin, a former Philadelphia businessman who first was an executive of Systems Capital Corp., the predecessor to NRG Inc., and now is president of a California company called Geothermal Resources International Inc. Geothermal has had other business dealings with Hughes Aircraft.

Travis E. Reed, who was executive vice president of Systems Capital Corp. and later became an official of Geothermal. Reed recently was appointed an assistant secretary in the U.S. Department of Commerce.

In their lawsuit, the two former Marina City investors accuse Hughes Aircraft, NRG Inc., the Marina City partnerships and other defendants of engaging in a series of fraudulent transactions:

They have "created and utilized transactions which are not bona fide business transactions . . . designed to maximize the tax and other benefits to defendants, and particularly to defendant Hughes Aircraft Co. and its officers."

They entered into a "sham transaction" in which the Horizons West partnership paid $911,000 to NRG Inc., when, in fact, "if such a fee were to be paid it should have been paid to Marina City Co."

Marina City Properties Inc. (MCPI), a company "controlled and dominated" by Hughes Aircraft, has "advanced other funds to other of the defendants, particularly to Horizons West and Del Ray Investors, and entered into unfavorable lease agreements with them." (Hughes Aircraft executives are partners in Horizons West and Del Ray Investors.)

"MCPI leased club facilities, which cost millions of dollars to construct to defendant Marina City Club Ltd., its wholly owned subsidiary, for a nominal consideration of $1,200 per year, and thus diverted a valuable partnership asset to itself."

"Defendant MCPI made no effort to recover any of the aforesaid funds or assert any of its claims based on the above facts because of its domination by defendant Hughes Aircraft Co. and the relationship between Hughes Aircraft Co. and the parties (Hughes executives) owing money to the partnership."

Some of the financial arrangements spelled out in the Baldwin-Reed lawsuit are the same kind of self-dealing business transactions disclosed earlier this week by The Inquirer, involving Hughes executives and the assets of the tax-exempt medical institute.

For their part, Hughes Aircraft, the Marina City partnerships and other defendants all have maintained that the allegations in the Los Angeles legal action are without legal merit.

SELF-DEALING

Whatever the final outcome of that particular case, The Inquirer investigation turned up a series of self-dealing financial transactions involving Marina City; Hughes Aircraft Co.; Hughes executives; NRG Inc., a company in which Hughes Aircraft holds 48 percent of the stock, and a variety of other businesses.

Here is a sampling of those transactions, gathered from records filed with the U.S. Securities and Exchange Commission in Washington and an assortment of other documents, including a confidential audit report on Marina City prepared for investors and obtained by The Inquirer:

Hughes Aircraft Co. paid $1.2 million to NRG Inc. in 1973 in connection with a real estate leasing transaction in which NRG leased property from Hughes Aircraft, erected a plant with the proceeds of a loan guaranteed by Hughes Aircraft, and then leased the facilities back to Hughes Aircraft.

NRG Inc., received $61,000 in lease administration fees in 1973 from Del Rey Investors and Horizons West, the two Marina City partnerships in which Hughes executives have a substantial interest.

In 1974, NRG Inc. negotiated debt financing for the acquisition of $3.9 million worth of cable television equipment. But according to an SEC report, "the company was unable to obtain necessary third-party systems. As a result, the equity investment . . . was acquired by subsidiaries of Hughes Aircraft Co."

NRG Inc., according to an SEC report, "has engaged in domestic real estate leasing . . . as a participant or consultant in the financing of real estate owned or used by others . . . A substantial portion of this activity represents leasing of real estate to Hughes Aircraft Co."

"According to the terms of a letter dated Oct. 12, 1971, from Systems Capital Corp. (which subsequently changed its name to NRG Inc.) to Horizons West," a Marina City audit report states, Systems Capital is to receive $36,000 a year from Horizons West over the life of a long-term lease in connection with the Marina City venture.

"On Dec. 27, 1971, a check in the amount of $911,000 was issued by Marina City Co. payable to Frank DeMarco Jr.," the audit report states. The money represented the payment of yet another fee by Horizons West to Systems Capital.

This is the same $911,000 transaction that figures in the Baldwin-Reed lawsuit filed in Los Angeles in connection with the Marina City project, in which they contend that no services were performed for the $911,000 payment.

In this series of interwoven transactions, along with a broad assortment of other interrelated business dealings turned up by The Inquirer in its eight-month investigation of Hughes, there is one important consideration:

That is, the money that flowed from Hughes Aircraft to NRG Inc. in the form of cash advances, loans and loan guarantees represented the assets of the Howard Hughes Medical Institute, a tax-exempt organization.

LOSSES IN MILLIONS

The potential losses from the NRG transactions and other Hughes investments are running into the millions of dollars, with some estimates ranging upward of $50 million.

Whatever the actual figure may be, the losses represent a substantial diversion of funds from the medical institute, an organization that the IRS calls a charity.

Howard Hughes, of course, is the sole trustee of the medical institute and president of the aircraft company and thus is responsible for both organizations.

As The Inquirer noted earlier this week, attempts by the newspaper to contact Hughes or a representative of the billionaire recluse, in order to discuss the aircraft company's business dealings and the medical institute's operations, were unsuccessful.

But a former executive involved in both the Marina City development and the Hughes Aircraft and NRG Inc. transactions, who insisted on anonymity, attributed the extracurricular financial dealings of Hughes executives to Howard Hughes' personal business practices.

Hughes traditionally has refused to offer a stock interest in his companies to executives who work for him, a common practice in other businesses. Instead, he has insisted on retaining 100 percent stock ownership for himself.

Noah Dietrich, who for years was one of the top executives in the Hughes empire until a falling out with Hughes in the late 1950s, expressed his resentment in a December 1973 Fortune magazine article over Hughes' refusal to allow him to buy stock.

The magazine quoted Dietrich as saying, "I never got a piece of the action. I should have come out of there with $25 to $50 million—minimum. That eccentric nut. I ought to be worth $50 million today. That's what makes me mad."

At the same time Hughes has refused to offer stock benefits to his executives, he clearly has allowed those executives to use

the power and the leverage and the actual assets of his companies to improve their personal financial positions.

In the case of Hughes Aircraft, the practice personally costs Howard Hughes, billionaire, little or nothing. The company's stock is owned by his personal charity, which makes no demands for a fair return on its investment. And the company exists largely on government contracts, and thus the money is provided by the American taxpayer.

PAYOLA TO FOREIGN OFFICIALS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. DERWINSKI. Mr. Speaker, as usual we are heading in the direction of an overcorrection. With the voluminous allegations and partial acknowledgment of payment by U.S. companies to foreign officials, I believe the column by Eliot Janeway which appeared in the Chicago Tribune on March 29 is a sober commentary on the international trade and business world. His conclusion, I believe, is logical and his message timely.

STOPPING THE PAYOLA WON'T PAY FOR U.S.

(By Eliot Janeway)

NEW YORK.—"Anytime a competitor speaks well of me, I fire my sales manager first and check our order book afterwards." The late Ernie Weir, the self-made steel tycoon who won his MBA by meeting a payroll, explained this first principle of competitive survival during the Depression when he was taking on the old-line steel establishment.

Weir's rule is relevant to the present hue and cry over the payola American corporations have been handing out abroad. America's foreign competitors are speaking well of her government for cracking down on successful American exporters.

The lineup of confessed corruptors of foreign innocence in high places reads like the social register of American business.

Corporations that don't earn a reprimand from the Securities and Exchange Commission for admitting to having sinned abroad are as conspicuous as dropouts from the Fortune 500. The original instinct to cover up payola for export business is now working in reverse.

The SEC has stretched the limits of absurdity by proposing a procedure for disclosing future improprieties. The entire business establishment has taken to bragging about paying off while promising not to do it again.

The pleas being copped echo the old Cole Porter tune: "Birds do it, bees do it, even educated fleas do it."

America's unlamanted noble experiment with Prohibition in the 1920s made more sense than this new crackdown. Back then, the do-good arguments for banning booze worked out as a bonanza for crime, corruption, and conspiracy.

Now, the SEC's new experiment in righteousness is about to backfire too. It will register more laughter abroad than sales.

Washington's cleanup code for corporations under pressure to pay off abroad is reducing America to the role of "a pitiful, helpless giant"—not in world affairs, as Nixon threatened, but in world markets. There's no way to compete for foreign business without being prepared to pay off to get it.

Mainland China is the only exception to the traditional custom of payola. But Russia is as conspicuously corrupt as China is not.

Everyone who has ever closed a sale with the affluent generation of Russian buyers in the world's mercantile and industrial capitals reckons on heavy price padding to cover the cost of "entertainment." Even Romania has turned up on the payoff list.

An American government which requires America's exporting corporations to practice abroad what America preaches at home is whistling in the wind. It is assuming responsibility for a retreat into a new economic isolationism.

But America is not ready to retreat into a new economic model of Fortress America. Nor are her customer countries ready to adopt her model of morality.

The Italian market focuses on the dilemma for American export business. One American corporation with lots of money-good debt, and even more bad publicity for foreign payola, has just, shipped a cargo of perishables into an Italian port.

It ran into a payoff demand for $35,000 from the local Communist-controlled union. But this company boasts a respectable new management, moreover, the SEC is breathing down the throats of its members.

How does a company handle this routine shakedown opportunity being handed it?

How does a company handle this routine shakedown in a foreign port? It can pay off and not report it, risking a crackdown by the SEC. It can pay off and report it, guaranteeing censure for indiscretion by the State Department or the Central Intelligence Agency. Or it can write off the cargo, inviting the wrath of its creditors and stockholders, and forfeiting the market to foreign producers. This is the lesser evil that it chose.

Examples abound. Foreign airlines are all government owned. All of them pay rebates to their customers. These same governments that are commending Washington's Boy Scouts for cracking down on America's culprits are busily handing out kickbacks themselves.

The British government needs export business too desperately to extend its exchange control to ban payola; "custom of the country" is the only explanation a British exporter need furnish to get permission to send a necessary payoff with the desired payoff.

For the duration of his high-toned farce, the only hope America can have of not sermonizing herself out of the export business is that her competitors will be too busy laughing at Washington to take advantage of the opportunity being handed them.

ECONOMIC SIDE OF DÉTENTE WORKS FOR REDS AGAINST U.S. TAXPAYERS

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1976

Mr. SYMMS. Mr. Speaker, this has been an important week in the Congress in the determination of our Nation's foreign policy. The House voted wisely yesterday to reject an Atlantic Union resolution which would have subverted the sovereign interests of the American people to those broader interests of the Atlantic community.

Within this same context, we must reconsider the social and economic implications of the policy of détente. As I have pointed out to my colleagues before, an excellent study of our involvement in the Kissinger foreign policy was published recently by the prestigious Heritage Foundation. That study was the topic of a recent syndicated column by journalist Allan C. Brownfeld. I would like to enter this excellent commentary in the RECORD at this point:

[From the Phoenix Gazette, Mar. 20, 1976]

ECONOMIC SIDE OF DÉTENTE WORKS FOR REDS AGAINST U.S. TAXPAYER

(By Allan C. Brownfeld)

Although it is rarely spelled out in precise terms, and many Americans remain unaware of its meaning, the "detente" policy into which the U.S. has entered has an important economic component.

As set forth by President Nixon, Secretary of State Kissinger and now President Ford, the goal of East-West trade is to tie the Soviet Union and the U.S. closer together, making it unprofitable for the Soviet Union to endanger the relationship and, along with it, the stability of world markets.

In testimony before the Senate Foreign Relations Comimttee, Dr. Kissinger declared that "By acquiring a stake in this network of relationships with the West, the Soviet Union may become more conscious of what it would lose by a return to confrontation . . . over time, trade and investment leaven the autarkic tendencies of the Soviet system, invite gradual association of the Soviet economy with the world economy, and foster a degree of interdependence that adds an element of stability . . ."

How has all this worked thus far? In an important new study, "The Economics of Detente" (Heritage Foundation, 513 C Street, N.E., Washington, D.C. 20002), Miles Costick, who has served as a special consultant on East-West trade to former Rep. Ben Blackburn, R-Ga., and Sen. Jesse Helms, R-N.C., provides us with some of the answers.

The first important point Costick makes is that what the United States means by "detente" and what the Soviet Union means by it are two different things. In 1973, for example, Leonid Brezhnev, general secretary of the Soviet Communist Party, explained his meaning: "We Communists have got to string along with the capitalists for a while. We need their credits, their agriculture, and their technology. But we are going to continue massive military programs and by the middle of the 80s we will be in a position to return to a much more aggressive foreign policy designed to gain the upper hand in our relationship with the West."

According to Costick, "Every U.S.-Soviet deal—and especially the transfer of pure technology and sophisticated capital equipment—is an act of international politics . . . The underlying reason for expanding trade with the West from the Soviet perspective seems to be the wish to import agricultural products, manufacturing facilities, technology, scientific discoveries and technological processes of military value."

Consider for example, the fact that in 1972 the Commerce and State departments gave approval to the Bryant Chucking Grinding Company of Springfield, Vt. to export to the Soviet Union Centalign B precision grinding machines of the latest generation so sophisticated as to be able to manfacture miniature ball bearings to tolerances of a twenty-fifth millionth of an inch. Costick writes that "This means that the Soviet war industry gained 164 of these machines; while the United States reportedly has never owned

more than 77 of them. The precision miniature ball bearings are an intricate part of a guidance mechanism for the MIRV's. Consequently, until the Soviets were able to obtain Centalign B machines, they were unable to produce the guidance mechanism essential for MIRVing of their missile force."

Many Western firms that have provided the Soviet Union with entire manufacturing plants have lived to regret it. The Russians, to cite one such case, are now selling Soviet-made Fiats in Europe 40 percent cheaper than the Italian model. Costick notes that "Since the Soviet Union is a nonmarket economy, with wages and prices set by government order, it can easily undercut the world price in order to obtain critically needed foreign exchange."

What the Russians want from the West is not consumer goods, but advanced technological know-how. The author points out that, "A prime interest of Soviet planners is building economic relations which would bring a massive transfer of knowledge. This need is also an expression of inherent weaknesses in the system, because a centrally planned economy provides very inadequate incentives for research and development . . . Thus far, trade relations have acted primarily to strengthen the military-industrial complex of the Soviet Union."

Another example of how economic détente" has harmed the U.S. is that of the Soviet grain deal of 1972–73. Costick reports that this massive sale of grain raised domestic prices of wheat from about $1.63 per bushel in July, 1972 to $2.49 a bushel in September, 1972. The direct subsidy for the Soviet grain deal, at the expense of the American taxpayer, exceeded $300 million. The subsidy for the transportation of grain amounted to more than $400 million. The grain deal was financed with a credit of $750 million by the Commodity Credit Corporation at 6½ percent interest, repayable in three years. The interest rate was lower than what it cost the U.S. Treasury to borrow in the marketplace. By contrast, the Treasury was paying 6½ percent and 6⅝ percent on market borrowings during the same period.

Costick concludes that "If we sum up the quantifiable costs of the Soviet 1972–73 grain deal to the American public, we reach a sum which for the nine-month period exceeded $3.3 billion."

According to this study, there is little doubt that "economic detente" has been a one-sided policy, with almost all the benefits going to the Soviet Union, and almost all the costs borne by American taxpayers. If recent polls are accurate, the majority of Americans agree with Miles Costick that it is time for a change.

HOUSE OF REPRESENTATIVES—*Tuesday, April 6, 1976*

The House met at 12 o'clock noon.

Rev. Vasil Kendysh, St. Cyril of Turau Cathedral, Brooklyn. N.Y., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Spirit.

Almighty Father, Thou art our Creator, Teacher, and Judge. We beseech Thee, free us of all human weakness and guide us in every step of our life on the rightful path.

Eternal God, bless our President and Congress, strengthen their minds with wisdom, fortify their hearts with love, and their deeds with courage and justice.

Merciful God, we pray Thee in this commemorative Bicentennial Year and on the 58th anniversary of the proclamation of Independence of Byelorussia, bless the United States of America. Bless Byelorussia and her oppressed people in their sufferings and their struggle against godless communism. Lead them, O Lord, from their enslavement and endow them with the freedom befitting all Thy children. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 670. Joint resolution to designate April 13, 1976, as "Thomas Jefferson Day."

The message also announced that the Senate agrees to the amendment of the House to a concurrent resolution of the Senate of the following title:

S. Con. Res. 98. Concurrent resolution to provide for a delegation of Members of Congress to go to the United Kingdom for purposes of accepting a loan of an original copy of the Magna Carta, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 217) entitled "An act to repeal the Act of May 10, 1926 (44 Stat. 498), relating to the condemnation of certain lands of the Pueblo Indians in the State of New Mexico," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. METCALF, Mr. ABOUREZK, Mr. MCCLURE, and Mr. BARTLETT to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3065) entitled "An act to amend the Federal Election Campaign Act of 1971 to provide for its administration by a Federal Election Commission appointed in accordance with the requirements of the Constitution, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CANNON, Mr. PELL, Mr. ROBERT C. BYRD, Mr. HATFIELD, and Mr. HUGH SCOTT to be the conferees on the part of the Senate.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

FIDEL GROSSO-PADILLA

The Clerk called the bill (H.R. 6817) for the relief of Fidel Grosso-Padilla.

Mr. WYLIE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ALINOR ANVARI ADAMS

The Clerk called the bill (H.R. 2411) for the relief of Alinor Anvari Adams.

There being no objection, the Clerk read the bill, as follows:

H.R. 2411

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Alinor Anvari Adams may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Manasseh L. Adams and Shakar Adams, citizens of the United States, pursuant to section 204 of the Act, and the provisions of section 245(e) of the Act shall be inapplicable in this case: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendment:

On page 1, lines 8 and 9, strike out the following language: ", and the provisions of section 245(c) of the Act shall be inapplicable in this case".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JEANETTE FLORES BYRNE

The Clerk called the bill (H.R. 7832) for the relief of Mrs. Jeanette Flores Byrne.

There being no objection, the Clerk read the bill as follows:

H.R. 7832

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mrs. Jeanette Flores Byrne, the widow of a citizen of the United States, shall be held and considered to be within the purview of section 201(b) of that Act and the provisions of section 204 of such Act shall not be applicable in this case.

With the following committee amendment:

On page 1, line 7, after "section 204" insert *"and section 245(c)".*

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.