

*To be lieutenant general*

Maj. Gen. Elvind Herbert Johansen, **xxx-xx-x**, Army of the United States (brigadier general, U.S. Army).

The following-named officer under the provisions of Title 10, United States Code, Section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of Section 3066, in grade as follows:

*To be lieutenant general*

Maj. Gen. Robert Jacob Baer, **xxx-xx-xxxx**, U.S. Army.

The following-named officer to be placed on the retired list in grade indicated under the provisions of Title 10, United States Code, Section 3962:

*To be lieutenant general*

Lt. Gen. Jack Carter Fuson, (Age 56), **xxx-xx-xxxx**, Army of the United States (major general, U.S. Army).

The following-named officer to be placed on the retired list in grade indicated under the provisions of Title 10, United States Code, Section 3962:

*To be lieutenant general*

Lt. Gen. George Sammet, Jr., (Age 57), **xxx-xx-xx**, Army of the United States (major general, U.S. Army).

The following officer for appointment in the Adjutant General's Corps, Army National Guard of the United States under the provisions of Title 10, United States Code, Sections 593(a) and 3392:

*To be brigadier general*

Col. Edward Clarence Binder, **xxx-xx-xxxx**.

## EXTENSIONS OF REMARKS

## A TRIBUTE TO GWENDOLYN R. MAY

## HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 1977

Mr. PANETTA. Mr. Speaker, I take this opportunity to pay tribute to Mrs. Gwendolyn R. May, a woman who has dedicated her life to the care and protection of animals. The selfless devotion which has characterized Mrs. May's life could serve as an example to us all.

Gwendolyn May was born in 1918 to a third generation missionary family on the island of Oahu, Hawaii. Her work in providing humane treatment for animals began at an early age.

When only 4 years old, Gwen May rescued four large sea turtles which were dying in a marketplace, and arranged for them to be safely transported back to sea. She spent her early years working with the Hawaiian Humane Society, helping to improve conditions and learning the skills which she has employed throughout her life.

On September 10, 1941, she was married to James L. May, an officer in the U.S. Navy. During the years 1953-57 the Mays were stationed in Malta and on the island of Kyushu, Japan. Here she continued her efforts, working to break up dogfight rings and developing new methods for dealing with surplus dogs and cats. The measures employed in these areas to control animal populations were often extremely cruel. Gwen May was instrumental in instituting more humane euthanasia methods.

Commander May and his family settled permanently on the Monterey Peninsula in 1957, where he was stationed at the Naval Postgraduate School until his retirement in 1961. During this period she worked closely with Dr. Frank Miller, whose "Wonderful World of Animals," was to become a daily feature in newspapers across the country.

In 1962, Gwen May became a member of the board of directors of the Monterey County SPCA and was designated a California State Human Officer. In this capacity, she was able to direct the successful prosecution of a cat poisoner and a neglect case involving Arabian horses. Prior to her efforts, meaningful enforcement of these laws had been rare, and her success gave hope and strength to the entire humane community.

Mrs. May was selected as executive

director of the Monterey County SPCA in 1968, and she established the area's first low-cost spay and neuter clinic at the SPCA shelter. In addition, she worked to improve the conditions at the county pound and laid the groundwork for the subsequent decision to award the county pound contract to the SPCA.

The May family has always provided a dependable refuge for unwanted animals. Aided by her son, Rod James May, and her daughters, Sherrill Ann and Susan Gwendolyn, Gwen May has taken in hundreds of injured, sick, and stray animals. She maintains an emergency vehicle which is available day or night.

In 1975, Mrs. May established an animal welfare information service. This service is pioneering new concepts in animal welfare which are cooperative rather than punitive, with an emphasis on assistance and education. In addition, she continues her involvement in community humane projects and is currently initiating animal protective legislation for the State of California.

It is rare that we find an individual who has given so unselfishly of her energies and abilities. Gwendolyn May's efforts have made a significant contribution toward improving treatment of animals all over the world. I believe that she has truly earned our recognition and praise.

## H.R. 6970—MARINE MAMMAL PROTECTION ACT AMENDMENTS

## HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. GILMAN. Mr. Speaker, I was pleased to support and vote for that version of H.R. 6970, the Marine Mammal Protection Act amendments, passed by the House on June 1, 1977. I wish to commend those of my colleagues who also supported and voted for this version of H.R. 6970, thus clearly demonstrating their insight into the need to stem any further unnecessary and senseless killing of porpoises.

I believe that H.R. 6970 as passed last week, while taking a firm stand on reversing a formerly increasing number of porpoises killed, also provides equitable provisions that will not impose undue hardships on a responsible tuna industry that would strive to implement this legislation's requirements.

In reducing the 1977 quota of 78,900 porpoises to be killed in the nets of tuna fishermen to 68,910, we were able to secure an initial victory for these highly intelligent, affable ocean mammals. As my colleague from California (Mr. McCloskey) stated in a brief note to supporters of several amendments he introduced enhancing that protection afforded porpoises:

Your help yesterday may well have made the difference in saving some 10,000 porpoises.

While I supported and voted for an amendment requiring a successive reduction in the porpoises quota by 50 percent for 1980, with further reductions every 2 years thereafter, language of a subsequent amendment struck this provision, and instead required quotas to be set at the discretion of the Secretary of Commerce. While in effect, we did adopt language that would save 10,000 porpoises from death by suffocation, we should marshal our energies to save thousands more from a similar fate. We must also continue to assure that certain species of marine mammals, because of their depleted stock, receive special consideration. I was therefore pleased to support and vote for just this type of protection for the eastern stock of spinner dolphin.

On balance, I believe that H.R. 6970, is vital first step in a continuing battle to spare as many porpoises as possible from a death unbefitting their natural amiability, their graceful majesty, and their high level of intelligence. The action we have taken also represents our concern for not leaving our American tuna fleet in port while porpoises are subjected to those foreign vessels which are indiscriminately harvesting porpoises along with their tuna catch. Furthermore, a host of workers in related industries, for example, tuna and fish food products canneries, and processing plants, have been spared provisions that it has been claimed "would face them with undue hardships."

Mr. Speaker, in conclusion I would like to share with my colleagues what I believe to be a salient assessment of the related problems of porpoises and the tuna industry. Writing in the February 1977 issue of Smithsonian magazine, Kenneth S. Norris, a marine scientist long involved with the study of the habits of porpoises, conveys his observations while aboard a modern tuna seiner in the Pacific. Praising the professional fishing acumen of the crew and the modern equipment employed by the Elizabeth C.J., Norris asserts that—

The *Elizabeth C.J.* operates with a carefully modified net designed to remove any fold that might trap a porpoise and to provide a channel for their escape. She also is equipped with fine-mesh net that, more than any other innovation, prevents porpoises from tangling. She operates with a savvy team of fishermen who know precisely how to handle their gear. But, for me, our results show what the fishery can do if properly trained, equipped and motivated. If all our boats modify their nets and learn to handle them with skill and if a crew member is trained to substitute for Jim ["a gear specialist, dedicated to solving both the porpoises' and fishermen's problems"] much can be hoped for.

#### INCREASE IN FUNDING FOR THE ENERGY PROGRAM

##### HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. McCORMACK. Mr. Speaker, Congressman GEORGE E. BROWN, JR. and I intend to introduce an amendment to the appropriations bill for the Department of the Interior and Related Agencies (H.R. 7636) which will increase the appropriation by \$39.78 million. We believe that this is in the spirit of responsible compromise between the recommendation of the Committee on Science and Technology and that of the Appropriations Committee.

The House Appropriations Committee has marked up its bill for fiscal year 1978 for the Department of the Interior and Related Agencies including the Energy Research and Development Administration (H.R. 7636). This letter addresses the funding of the ERDA conservation research and development program.

The Science and Technology Committee, authorizing funds for energy conservation for fiscal year 1978, increased the funding level recommended by the Office of Management and Budget for end-use energy conservation research and development by \$86.8 million to a total of \$321.7 million.

The President said in his "national energy plan" that—

The cornerstone of the Plan is conservation, the cleanest and cheapest source of new energy supply. Wasted energy—in cars, homes, commercial buildings and factories—is greater than the total amount of oil imports. By reducing the need for additional oil imports, conservation and improved efficiency in the use of energy can contribute to national security and international stability.

The Science and Technology Committee has affirmed that this is no exaggeration. The Nation must reduce its energy growth rate from recent historical levels. The goal of the ERDA end-use energy conservation program is to achieve this improvement through development of technology for more efficient use of all energy consumed.

Unfortunately, the Appropriations Committee for the Interior failed to fully recognize the national priority attributed to this program by the President and his budget. Instead the committee voted

out \$219.6 million which is \$15.3 million less than the administration April budget.

We feel that this is a matter of considerable importance. We have been talking a great deal about energy conservation and have begun programs to help carry out this critically important objective. However, it should be obvious that these programs cannot function without adequate funding. The Appropriations Subcommittee recommendation is simply not high enough to provide for the extensive programs required.

We feel that the authorization level supported overwhelmingly by the Committee on Science and Technology is fully justified and the principle of top national priority for energy conservation is supported by the Congress.

We, therefore, intend to offer an amendment to the appropriations bill for the Department of the Interior and Related Agencies when it comes to the floor on June 9, 1977. We shall move to amend the bill by adding \$39.78 million.

We would appreciate your support of this amendment.

#### ENVIRONMENTAL GUARANTEES

##### HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. RUPPE. Mr. Speaker, I have voted in support of the Department of Energy bill. In the course of debate I also supported an amendment to an annual reporting requirement for the new Secretary that was designed to provide sufficient information upon which the Congress could base its assessments of the activities of the new Department and to better provide for protection of the environment.

The annual report will thus include a description of a comprehensive plan relating to a range of activities "to guarantee that technological programs, funded by the Department, are undertaken in a manner consistent with and capable of maintaining or improving the quality of the environment and of mitigating any undesirable environmental and safety impacts."

This action uses foresight rather than hindsight to insure that environmental considerations are addressed concurrently with any demonstration or development project of the new Department of Energy. I have had experiences in areas such as the Great Lakes winter navigation program, with water level control plans and even in planning associated with the Coastal Zone Management Act where environmental and especially mitigating action associated with adverse impacts has lagged behind program development.

This amendment insures that environmental considerations will be addressed at the initiation of any project, that regional problems are identified and incorporated with national plans, and that Congress has a basis for addressing envi-

ronmental deficiencies in the DOE's planning and reports to this body.

One prime example of how conflicts arise and early misunderstanding becomes high insurmountable is found in a proposed nuclear waste disposal site near Alpena, Mich., where planning developed at the Federal-State level without disclosure to or consultation with the concerned citizenry. Adequately developed and publicly discussed environmental studies as a prelude to more detailed planning would have avoided much trauma for all concerned.

I might also point to what could be a burgeoning issue for the Midwest where coal is looked upon as the most important source of future energy. But its use could have significant adverse impacts without incorporating environmental considerations into advance development plans of the DOE that take account of the possibility of strip mining, powerplant conversion, transportation methods, and alternatives to such proposals.

This most positive action to include consideration of mitigating the adverse impacts of any program set into motion by the Department of Energy augurs well for the future and hopefully is precedent setting for other Federal programs.

#### BILL TO DELAY MINIMUM TAX PROVISIONS OF 1976 TAX REFORM ACT

##### HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. O'BRIEN. Mr. Speaker, I have joined my colleague, Mr. BOWEN of Mississippi, in supporting a bill which would delay for 1 year the effective date of the minimum tax procedures of the Tax Reform Act of 1976, Public Law 94-455. Section 301(g) of the law made the effective date retroactive to January 1, 1976, for an increase in the minimum tax rate and a decrease in the tax exemption. As you will recall, the bill became law on October 4, 1976.

Earlier in this Congress we corrected the retroactive feature of the repeal of the sick pay exclusion. We needed to remedy a situation which imposed a large and unexpected tax liability on persons collecting disability compensation. We determined in that instance, that it was unfair and poor public policy to impose an unexpected tax burden retroactively on individuals who had not planned for the tax liability throughout the year. Many of the individuals affected by the repeal of the sick pay exclusion would have had to take out loans to pay their 1976 taxes.

We are faced with a similar situation regarding the increase in the minimum tax. An increase in the tax rate from 10 to 14 percent, and a decrease in the tax exemption from \$30,000 to \$20,000 was intended to improve the equity of the individual income tax, and to assure that higher income persons pay their fair share of income taxes. I would like to point out how this well-inten-



tioned change in tax law is affecting families of modest means, especially small family farmers.

An attorney from Iroquois County, Mr. James R. Blunk, writes that many farmers are confronted with an unexpected tax liability because they sold their farms early in 1976, relying on the tax laws in effect, only to find the tax law had changed when they filed their 1976 income taxes. Mr. Blunk writes of several cases:

... where the buyer was buying the farm for an agreed price with the understanding that the buyer would pay all capital gains as a result of the sale. As you know, the only way legally we can work out such a transaction is to first figure out what the taxes are and add them to the net price to the seller. This was done by a CPA as well as by myself to ascertain what the total tax bill would be. The sale was consummated in March of 1976 in reliance on the minimum tax law which was in effect at that time. However, my clients are shocked that in September the United States Government made the law retroactive to January 1, 1976 increasing the tax and reducing the exemption from \$30,000 to \$10,000. In the four cases in which I am involved, none of the people have ever been in a position to avoid any taxes. These people were all selling their farms to convert them to cash for retirement purposes.

I believe there may be a rebellion and a Boston Tea Party of sorts in Iroquois County against the United States Government unless something is done to stop the kind of legislation that is embodied in the Tax Reform Act.

I would urge my colleagues to give serious consideration to legislation which would delay the effective date of the minimum tax to January 1, 1977. It is improper for the Congress to impose significant tax liabilities retroactively, and we should be sensitive to how those changes affect individuals already paying their fair share of income taxes.

RABBI HAROLD H. GORDON

**HON. ELIZABETH HOLTZMAN**  
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Ms. HOLTZMAN. Mr. Speaker, it was saddening to learn of the death of Rabbi Harold H. Gordon, the executive vice president of the New York Board of Rabbis. Rabbi Gordon devoted his boundless energy to every facet of Jewish life through his work on the board of rabbis, as an Army chaplain, as a member of many national interfaith organizations, and as cofounder of the International Synagogue at Kennedy Airport. It was at the International Synagogue that I saw him for the last time, just a few days before his death.

His dedication and unselfish service to the community will be a source of guidance and comfort to Rabbi Gordon's family and many friends, who will sorely miss him.

## COMMEMORATION OF ARMENIAN INDEPENDENCE DAY

**HON. JAMES J. DELANEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. DELANEY. Mr. Speaker, the state and culture of Armenia date back more than 25 centuries. It is a beautiful, rugged land of sweeping plains and mountain fastnesses.

For literally a few thousand years the Armenians pursued an autonomous existence while developing an intricate, fascinating society. Despite it being a hard land in many places for agriculture, the Armenian people nonetheless made their country the breadbasket of eastern Asia Minor.

Early in the 16th century, tragedy befell Armenia in the form and deeds of the Ottoman Turks. Bringing death and cruel subjugation, the "unspeakable Turk," as Carlyle described him, maintained a cruel oppression of Armenia for the next four centuries. Literally hundreds of thousands of Armenian men, women, and children were slaughtered or starved during periodic orgies of death by their Turkish conquerors. These intermittent massacres culminated in 1915 when the heads of the Turkish state masterminded a "permanent" solution to their Armenian problem.

Under pressure from the Western powers, including their ally Germany, to redress the grievances of the Armenians, the "Young Turk" leaders responded by attempting to exterminate as many of the Armenian people as possible, thus perpetrating the first deliberate genocide in modern times.

The few survivors of the massacres of 1915 congregated in the northeastern corner of their homeland. Here they awaited the final defeat of the Turks by the democratic allies. Before that occurred in 1918, the course of the war and that of international events appeared to usher in a new day for peoples who had long suffered under alien regimes in their homelands. Freedom and national self-determination, as advocated by President Wilson, became symbols of destiny for these people. The Armenians naturally reflected these feelings and took the opportunity to assert their freedom by proclaiming Armenia's independence on May 28, 1918.

Tragically, this freedom bought at such a high cost in human suffering was to last only a short time. During that period the Armenian people took great strides in establishing a democratic government, a school system, social institutions, and a national defense force out of a populace of mostly refugees and orphans. But without outside aid they were in no position to combat the two powerful foreign forces threatening them—Russian Communists and Turkish Nationalists. Such outside aid was not forthcoming in the isolationist days following World War I and by the fall of 1920 independent Armenia's days were numbered.

In mid-November 1920 the Turks attacked. Despite their heroic efforts, Armenia's heavily outnumbered forces were overpowered. Forced to fall back to less defensible positions, they now found Red army units behind them—poised for action. Faced with imminent destruction, the Armenian leaders were forced to accept the conditions of the Soviet dictated cease-fire which left part of Armenia in Turkish hands while Sovietizing the larger part. Thus, another "captive nation" was brought within the imperialistic Soviet Empire under the guise of the Armenian Soviet Socialist Republic.

Yet, spirit is eternal and so lives on in these talented and energetic people. They tackled their new tasks with energy and zeal. Concentration was initially on educational and industrialization programs. A university was established, then a network of public schools which virtually wiped out illiteracy in the course of a few years. Eventually technical and scientific schools, and research institutes, were established and for more than a decade now more scientists and technicians have been trained in Armenian institutions of higher learning than the Armenian "republic" can effectively employ. These men are in demand all over the Soviet Union due to the exemplary quality of their training and abilities.

It is this determination and fortitude which the Armenian people possess in such abundant quantities that all Americans admire, and which we commemorate each year on May 28.

Mr. Speaker, I am sure my colleagues join me in saluting all the Armenian people, those in the homeland, the more than 200,000 here in the United States, and their other countrymen scattered around the world; and in honoring May 28 as a symbol of freedom which will always shine brightly. The dream of an independent Armenia, once so real and beautiful, will, I am sure, again be a reality.

PLIGHT OF VIETNAM VETERANS

**HON. LESTER L. WOLFF**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. WOLFF. Mr. Speaker, one of the great tragedies of Vietnam is the plight of the Vietnam veteran. As I have already indicated to my colleagues, the Vietnam-era GI bill is riddled with inequities that deny many of our most needy and deserving Vietnam veterans the opportunities to receive the education so necessary for them to find productive and meaningful employment. Coupled with these inequities is the fact that federally directed employment programs for veterans, notably CETA and the Veterans' Employment Service, have been simply ineffective in providing these Vietnam veterans with employment opportunities. These veterans, who so honorably gave of themselves during one of the most difficult periods in recent American history, deserve better than this. Only we

in the Congress have the power to amend this state of affairs.

I now submit for the RECORD, excerpts of an article which recently appeared in *The Stars and Stripes* which clearly demonstrates the need for coordination and concentrated action on behalf of the Federal Government to correct the deficiencies of Federal veterans' employment programs.

The excerpts follow:

#### VIETNAM ERA VETS JOBS PROGRAMS

(By Forrest L. "Rusty" Lindley)

Unlike the World War II effort there has never been a comprehensive program to deal with the readjustment and employment needs of Vietnam era veterans. Vietnam veterans separating from the service over a protracted period of time (95% of the veterans with service in Indochina were separated between 1964 and 1974); competing fiscal priorities; the adverse political implications of veterans encountering serious readjustment problems from an unpopular war; and the lack of effective advocates for the Vietnam veteran precluded the development and implementation of necessary and effective readjustment programs.

Significant GI Bill increases and programs as Outreach, Veterans Cost-of-Instruction Program, Vet Reps on Campus, and self-help projects did not go into effect until 1973, after many of the most needy veterans requiring the greatest readjustment assistance had separated from the service (83% of Indochina service separations occurred prior to 1973).

Thus for veterans' employment programs to succeed total comprehensive readjustment, education, training, counseling and supportive services must be an integral element of a National veterans' employment commitment. Department of Labor with Veterans' Administration programs and CETA funds should be directed to providing effective readjustment and supportive services to veterans as a first priority and Public Service Employment (unrelated to readjustment or career objectives) as a secondary alternative.

#### PROFILE OF THE VIETNAM VETERAN

The average Vietnam veteran is 30.3 years old, has a wife, 1.4 children and a high school education or the equivalency (20% of Vietnam veterans had less than 12 years of education at the time of their separation from the service). However, the high school education in most instances was not college preparatory.

Vietnam veterans are largely from lower middle working class backgrounds. With the exception of benefits earned from military service, they tend to view federal programs (including CETA) as welfare (degrading, demeaning, and alien to their self-sufficient work-ethic values and beneath what they feel their sacrifices and service in the military should entitle them to.)

Vietnam veterans' programs must not be developed, presented or implemented in a "welfare" context or in a context that further compounds the veterans already negative self- and public-image. Emphasis must be placed upon the veterans' potentials rather than his problems.

Employment and readjustment programs must accord Vietnam veterans rightfully earned career opportunities equal to or paralleling the careers enjoyed by their non-veteran peers; and not demeaning entry-level slots offered the "ex-offender, the disadvantaged youth, the hard-core unemployed" and other prime CETA target groups.

There are 80,000 unemployed (and probably 500,000 underemployed) Vietnam-era veterans ages 25-34 (226,000—age 25 to 29; the highest levels for that age group in his-

tory). These veterans must be the prime target of a veterans' employment program. They should be targeted to the trade, technical, vocational, and professional careers opening up in the private sector. Their entitlement to readjustment benefits (currently averaging a total of \$17,820, up \$11,700 from the \$6,120 which the average veteran separated before 1974 was entitled to at the time of separation) is subject to a 10-year delimiting date and is rapidly expiring. Seventy percent of all veterans with service in Vietnam will lose all entitlement to GI Bill benefits over the next 4 years. The structure of the current GI Bill has deliberately denied many of the most needy and deserving Vietnam veterans access to the trade, technical, vocational and professional training which they need for productive careers in the private sector.

In developing any veterans' employment program it must be considered, that having been denied effective access to GI Bill readjustment benefits, many veterans lack the training and skills for meaningful careers even though they have the ability and the desire for such careers if accorded the opportunity.

Eighty-two percent of all separating servicemen used unemployment compensation in FY 76. They received an average of \$1,727 in total benefits averaging \$77.13 a week for 4½ months. Forty-four percent exhausted their benefits. Total cost to the government for the 82% of separating servicemen who used unemployment compensation was \$518,456,000.

This averages out to more than one-half of unemployed veterans age 20-24 collecting unemployment compensation for ex-servicemen.

Once the unemployment compensation runs out the young single veterans have 45 months of \$13,000 in GI Bill benefits to live off of at \$292 a month.

In stark contrast to the Vietnam veteran (with a wife and family to support and a career to secure), there is often little incentive or necessity for the post-Vietnam veteran (age 20-24) to actively seek employment. Given the job prospects in today's labor market unemployment compensation and GI Bill benefits are a far more attractive incentive than many of the available jobs. The significant minority of young veterans with families to support do need special assistance.

The psychological effects of military service during the Vietnam era, compounded by the indifferent and often hostile reception the Vietnam veteran experienced, has left many veterans bitter and cynical about their role in society and the value of work. For most veterans military service and Vietnam was their first work experience. The outcome and consequences of this first work experience has caused many veterans to feel that they have been exploited and/or that they have no place in the "American dream".

The psychological, emotional and motivational problems of the Vietnam experience, compounded by additional psychological and motivational problems of unemployment and underemployment, must be overcome if any meaningful employment effort is to succeed. Veterans floundering from the effects of motivational or personal adjustment problems not only fail in employment situations but adversely affect employer attitudes toward hiring other veterans.

Most veterans having been subjected to extreme psychological and physical stress, as well as the emotionally demanding and strengthening aspects of military service (responsibility, leadership, maturity, discipline, and functioning in alien environments under demanding conditions) have far greater potential for emotional strength than their non-veteran peers. If a veteran perceives that he is being exploited in an employment sit-

uation or program (as many feel they were by Vietnam and military service), he will often rebel or fail; however, if he feels that he is involved in a productive and meaningful endeavor, he will often excel, succeed and advance better than a non-veteran.

#### EMPLOYER IMPRESSIONS OF VIETNAM VETERANS AND PREVIOUS VETERANS' EMPLOYMENT PROGRAMS

Many employers have a negative image of the Vietnam veteran. Veterans have been portrayed irresponsibly as "drug addicted, violence prone, psychologically disturbed, and unemployable". Many personnel officers today are former anti-war students of the 60's who often harbor a subconscious bias against the Vietnam veteran. Employers in the private sector resent the Federal government's efforts to "force special groups" upon them especially if that group has been stigmatized the way the Vietnam veteran often has been. Employers must see employing veterans as a business asset and not as a social obligation or a government requirement.

Previous veterans' employment programs have been little more than elaborate public relations schemes designed to overcome political liabilities associated with high veterans' unemployment and not to overcome the unemployment problems themselves.

Affirmative action, special consideration, mandatory job listings and other programs and provisions were so full of loopholes as to not only readily facilitate non-compliance but to also clearly demonstrate to employers that there was little or no serious intent behind the programs.

The Carter Administration must overcome the legacy of the previous administrations' veterans' employment programs if they are to gain the support and cooperation of the private sector and most importantly the Vietnam veteran.

#### DISABLED VETERANS

Seventy percent of the disabled Vietnam era veterans are rated at 30% disability or less. Their lack of skills and motivational problems in many cases are far greater impediments to productive careers than their physical disabilities. VA vocational rehabilitational programs and counseling have often been inadequate and ineffective. Many disabled veterans are receiving compensation for psychiatric or psychological disabilities rather than physical disabilities. Often the psychological implications and effects of a physical disability are a greater impediment to productive employment than the actual physical effects of the disability.

#### EXISTING PROGRAMS AFFECTING VETERANS' EMPLOYMENT

##### Veterans' Employment Service

The DOL-contracted Kirschner Associates, Inc. Report "National Evaluation of Manpower Services for Veterans" October 1972 reported:

"... that nearly all of the sample ES [employment service] offices have, on balance, negative images among employers, particularly private sector employers.

"The effectiveness of the efforts of the ES in providing preferential treatment to veterans is inhibited not only by the social and economic environment, but in some cases by its internal procedures for providing veterans' preference and its somewhat unfavorable image among employers, clients and potential clients." The local veterans' employment representatives are subordinate to the local employment service office. Thus they are often unable to devote full priority to veterans' employment needs—counseling, screening, job development and placement in employment, training or CETA programs. Often veterans' employment representatives are patrons of veterans' service organizations and sometimes fail to relate to the unique



problems and attitudes of Vietnam era veterans.

Often veterans' employment service representatives fail to effectively screen veterans for appropriate job openings. Employers resent the referral of unqualified veterans and often refuse to list "meaningful career" opportunities with the VES. In some instances veterans use the VES referral knowing they will be unable to obtain employment but that their refusal by three employers will qualify them for continued unemployment compensation.

The Veterans' Employment Service has often been denied sufficient staff, communication, travel allowances, and financial resources to effectively fulfill its mission. There is often a lack of coordination among VES personnel and other programs working to assist veterans.

The Senate Veterans Affairs Committee reports that:

"During the first 9 months of FY 76 one third of the veterans who applied for assistance at the VES had their file inactivated with no action taken, only 5.4% were counseled, less than 15% of the disabled veterans were counseled. Less than 16% of the veterans who applied to the veterans' employment service were placed in jobs of three days or longer, and there is no guarantee of the quality of the jobs the veterans were placed in."

Mandatory Job Listings, Job Counseling, Special Consideration, Veterans' Preference, and Outreach

Many of the special veterans' employment programs established by Congress have been subordinated by more politically expedient priorities (i.e., affirmative action programs for minorities and women). Employers resent mandatory job listing requirements and private employment agencies worked to circumvent effective implementation of the program. The Department of Labor has administered veterans' employment programs only after strong Congressional prodding and only then in a half-hearted fashion.

There is a serious question as to when the private sector will fully participate in a federal program offering meaningful career opportunities to veterans unless they are given strong assurances that veteran applicants are qualified and motivated for the employment opportunities.

Comprehensive Employment And Training Act [CETA]

CETA is not targeted or structured to effectively serve the Vietnam veteran. Only 12.8% of the CETA placements in FY 76 were veterans. Most of the Public Service Employment positions offered by CETA only serve to stagnate a veteran's career development. In Fiscal Year 1976 only one third of the veterans terminating CETA programs entered employment. Most of the CETA programs and opportunities are targeted to social-economic-educational employment groups that often lack the potential, assets, work-experience, and education and training readjustment benefits available to veterans by virtue of their military service. CETA can best serve veterans by providing supportive services and supplementing the structurally inequitable GI Bill under Titles I and III. Most CETA prime sponsors do not know how to handle veterans' special needs and assets. Veterans lacking political clout and effective advocacy often lose out on the opportunities that should potentially be available to them under CETA. Many prime sponsors will oppose "goals" for hiring veterans under CETA.

Job-related Programs, Veterans' Service Organizations, Job Assistance Programs, Programs for Disabled Veterans, and Education Programs

There are numerous programs and organizations intended to assist veterans with readjustment, employment, education and

training and other services. Many have far greater potential than they are currently realizing. There is a serious lack of proper targeting, coordination and interrelation of services. The NAB (National Alliance of Businessmen) Jobs For Veterans program turns over pledges from private sector employers to hire veterans to the VES where they are often lost or unqualified veterans referred.

#### NATIONAL COUNCIL OF SENIOR CITIZENS SUPPORTS CONSUMER PROTECTION AGENCY

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. WAXMAN. Mr. Speaker, the National Council of Senior Citizens is holding its biennial legislative conference in Washington this week. I would like at this time to welcome their delegates. I applaud their efforts to improve the quality of life for senior citizens and for all Americans.

The NCSC has made support for the Agency for Consumer Protection one of its highest legislative priorities during the current session of the 95th Congress. A member of the NCSC, a constituent of mine commented during his visit that the kind of consumer protection he needs would simplify Government regulations, reduce their inflationary aspects, and make Government more responsive and therefore easier to live with. He stressed that the legislation currently pending before the House creating an independent Agency for Consumer Protection would answer his needs.

Mr. Speaker, the need to protect the elderly consumer from fraud, misleading advertising, unscrupulous business practices, and other abuses is evident from the figures on poverty and age provided by the Department of Labor for the first quarter, 1977. I insert the table to be printed in the RECORD at this point:

TABLE 1.—NUMBER AND PERCENT OF MALES IN POVERTY, BY AGE, 1ST QUARTER, 1977

[In thousands]

Age	Non-poverty	Poverty	Total	Percent poverty
35 to 44.....	9,172	1,821	10,993	16.6
45 to 54.....	9,279	1,941	11,220	17.3
55 to 64.....	7,618	1,844	9,462	19.5
55 to 59.....	4,202	950	5,152	18.4
60 to 64.....	3,416	894	4,310	20.7
65 plus.....	6,926	2,196	9,122	24.1

Source: U.S. Department of Labor, Bureau of Labor Statistics.

These figures spell out the relationship between increasing age and poverty, thus underscoring the need for Government to take an aggressive stance in actively protecting the interests of these citizens whose limited income make them terribly vulnerable to the loss of even the smallest amount of money.

I commend the National Council of Senior Citizens for their support of the Agency for Consumer Protection and urge my colleagues to act swiftly to pass this much needed legislation.

#### JAMES SCHLESINGER ON THE CLINCH RIVER BREEDER REACTOR

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BINGHAM. Mr. Speaker, sometime in the next few weeks, the House will be considering the merits of the President's decision to stop the Clinch River breeder reactor program.

Presidential energy adviser James Schlesinger discussed this subject in testimony before the House Science and Technology Committee yesterday. Dr. Schlesinger's testimony is of particular interest not only because of his position in the administration but because he was at one time an advocate of full funding of the Clinch River breeder reactor.

Dr. Schlesinger's testimony follows:

TESTIMONY OF JAMES R. SCHLESINGER

Mr. Chairman and members of the committee: this morning I shall discuss the basis for the President's proposal for the Clinch River breeder reactor demonstration project.

The Clinch River project is not primarily an R&D program. It is an essential part of a program to produce a commercial breeder. To examine whether to proceed with this project, it is necessary to consider the need for a commercial breeder. The most critical factors affecting when a commercial breeder is needed are the projected nuclear power capacity and the amount of uranium resources available to provide fuel for light water reactors.

The forecast nuclear power growth has been declining. When the Congress approved the Clinch River breeder project in 1972, the AEC estimated that by the year 2000 the United States would have 1200 gigawatts of nuclear power generating capacity. In 1975 the estimate had dropped to 800 GW. The current estimate is that the United States will have between 300 and 400 GW of nuclear power in the year 2000. The chart illustrates the reduction in projected nuclear capacity. This reduction was not primarily a revised estimate of the attractiveness of nuclear power, but rather a result of a drop in the estimated total power demand. The next chart shows AEC or ERDA estimates for total energy, electrical capacity, and nuclear capacity. All 1977 estimates are substantially lower than earlier estimates.

The current estimate for nuclear capacity in the year 2000 is less than one-third of what the estimate was when the Clinch River breeder project was authorized.

The other major factor is the amount of uranium available. There is considerable debate over what amount of uranium can be produced at a given cost. However, there is considerable confidence that 1.8 million tons of uranium oxide can be mined in the United States. The ERDA resource estimate includes an additional 1.8 million tons of potential uranium resources.

The substantial reduction in projected need for uranium, coupled with the uranium resource estimates, permits a pause in the commercialization program. The long range ERDA program had concentrated on the LMFBR as the next major source of electrical energy. The analyses justifying this program were based on assumptions that led to requiring an early decision date for the breeder. However, there are alternate assumptions that lead to later dates.

In the recent review of the breeder program, a case was examined using 3.7 million

tons of uranium, 400 gw. of nuclear capacity in 2000, and a 3.3% growth rate in electrical power in the years past 2000. This led to the first breeder being required in 2000, 7 years later than in the current program.

Another illustrative set of assumptions is that:

Nuclear capacity will be 380 gw. in 2000;

The total energy nuclear growth rate will decline after 2000 to 10 gw. per year.

Future enrichment facilities could enable operations at 0.1% tails assay and that existing tails will be recycled;

Plants will last an average of 40 years, with a 56% lifetime capacity factor;

Replacement plants will use the cores of decommissioned plants.

These more optimistic assumptions lead to a substantially later date for the breeder decision. As shown in the chart, the breeder program in this scenario need not begin until after 2000, with the first commercial breeder coming in around 2020.

With a large number of breeders operating at a high breeding ratio, the plutonium being produced becomes a very low cost fuel. In previous cost-benefit analyses, utilities were assumed to make early commitments based on knowing that large amounts of low cost plutonium would become available in later years. These favorable cost benefit calculations were based on much larger nuclear capacity in 2000, no other alternatives available, and the production of large amounts of plutonium.

The President has proposed to change many facets of national energy planning. He has stressed conservation, the increased use of coal, and the development of alternative energy sources. He has also expressed his deep concern over the proliferation of nuclear devices.

I believe commercialization of the LMFBR should be deferred and the construction of the clinch river breeder reactor should be cancelled. The clinch river breeder reactor cannot be justified solely as an R&D project. To proceed now requires being fairly confident this type of breeder is going to be used as the next large source of energy and that it will be needed in the early 1990's. There are now serious doubts that scenario is appropriate. The President proposes to seek alternatives to this breeder but also to maintain a base program for the LMFBR. The United States has the time to examine alternative methods to meet future energy needs and, in particular, to develop approaches that may reduce the dangers of proliferation. If we cannot find desirable alternatives, there will be time to return to the LMFBR.

#### Comparison of past forecasts energy-electrical capacity-nuclear capacity year 2000

Year forecast made	Total Electrical energy capacity (quads)	Nuclear capacity (GWe)	Nuclear capacity (GWe)
1972	150	2000	1200
1974	174	2030	1090
1975	174	1750	800
1976	144	1400	510
1977	120	1200	380

#### BREEDER DECISION DATES

##### Basis:

Base scenario: 380 GWe in 2000; add to GWe net per year after 2000.

0.10 percent tails assay.

40 year plant life.

Capacity factor: 70 percent maximum; 56 percent lifetime average.

Lifetime U<sub>3</sub>O<sub>8</sub> requirements (no reprocessing): New plants 5515 STU<sub>3</sub>O<sub>8</sub>; Replacements 5035 STU<sub>3</sub>O<sub>8</sub>.

#### POLITICIZATION OF THE WORLD HEALTH ORGANIZATION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. GILMAN. Mr. Speaker, in recent years there has been a concerted effort to politicize every aspect of international society, including such areas as freedom of the press, sporting events, industrial relations, the quality of life, housing, and health care.

As a result, the entire foundation of the international structure of mutual cooperation is endangered by the abuse of these organizations for political gain. Through a coalition of Communist bloc nations and various Third World alliances, the Arab States have succeeded in using these United Nations organizations as a platform for attacking and condemning the State of Israel.

Such was the case on May 16, 1977, when the 30th Assembly of the World Health Organization—WHO—once again adopted a resolution censuring the State of Israel and its alleged treatment of refugees in "occupied" Arab territories. After the General Assembly of WHO refused to consider a report by its own experts that "medical assistance has improved" and "steady progress achieved" in the "occupied" territories, they proceeded, by a vote of 74 to 66, to suspend Israel's voting rights and other membership privileges.

The main consequence of WHO's action was to divert the attention of the serious participants away from the more urgent medical problems afflicting the world's population.

Such politicization can only erode the support of the American public for all international organizations. The continued moral as well as financial support for these organizations will depend entirely on the perceived effectiveness of these organizations in responding to the demands and needs of the world as a whole. As long as international organizations continue to be used as forums for political recrimination and discriminatory attacks, it will become increasingly difficult to gain the necessary public support for our continued commitments to these organizations.

In the long run, the real losers will be the poor and needy countries of the world. The World Health Organization is an important international body through which global health problems can be addressed and our humanitarian goals attained. The diminished support for such activities, because of the introduction of political issues, can only harm those who most need the help of WHO.

In calling for the Assembly to reverse itself on this resolution condemning Israel, we should act in whatever manner possible to prevent the 30th Assembly meetings from being thwarted by irrelevant political issues. This organization's recent action, which diverts world attention from much more relevant, humani-

tarian problems, warrants the widest possible condemnation.

Accordingly, I urge my colleagues to join with me in signing the attached letter of protest to Dr. Halfdan Mahler, Director-General of the World Health Organization:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 8, 1977.

Dr. HALFDAN MAHLER,  
Director-General, World Health Organization,  
Geneva, Switzerland.

DEAR DR. MAHLER: We, the undersigned Members of Congress, voice our concern regarding the proceedings of the 30th World Health Assembly, currently in session in Geneva.

For more than a quarter of a century, the United States has been one of the principal participants in, and supporters of the United Nations and its various organizations, including the World Health Organization. The World Health Organization has long been considered essential to basic U.S. tenets of promoting peace and human welfare by increasing and maintaining the scope of world health assistance programs, unencumbered by irrelevant political issues.

Accordingly, it is with grave concern that we have learned that a blatantly political resolution, which falsely condemns Israel, rejects that nation's report on the health management programs of refugees in occupied territories on the West Bank and suspends its voting rights, has once again been adopted by the World Health Assembly, by a vote of 74-66.

We view this resolution against Israel as counterproductive to the goals of WHO and directly in opposition to the objectives of the United Nations of promoting international peace and human welfare, as well as mutual respect for human rights and justice between nations.

It is obvious that this resolution will only serve to thwart the important work of WHO; will politicize what is intended to be a non-political organization; and will further corrode the support for the World Health Organization in the Congress.

Sincerely,

#### DISABILITY INSURANCE FOR THE BLIND

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. GONZALEZ. Mr. Speaker, I am re-introducing a measure that I proposed in the last Congress to liberalize the conditions governing eligibility of blind persons for receiving disability insurance benefits.

My bill would allow a person who is blind to qualify for disability insurance payments after working six quarters under social security covered work and would allow them to continue to draw disability benefits so long as they are blind, regardless of any additional earnings they might be able to make.

The blind are considered handicapped, but many are able to want to be involved in some type of work. They, like any other person, want to feel productive and contribute what they can to the community. However, the current social



security discourages them from working since they cannot draw disability benefits if they have any outside earnings. Yet, they generally cannot find adequate employment to allow them to live solely on the income from this employment. Thus, the blind are forced to remain outside the mainstream of society even though many are anxious to work in some capacity and can if only given the chance.

I hope that the House Ways and Means Committee will give this matter serious consideration when it reviews the social security system and offer some measure of relief to the blind by giving them the opportunity to have a more fulfilling existence.

#### SELECTED READINGS ON ENERGY

### HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BROWN of Ohio. Mr. Speaker, on April 20, 1977, President Carter announced to Congress his administration's plans for dealing with our rapidly deteriorating energy situation. Since that time, much has been written about the Carter proposal and how that proposal fits into world realities. One of the best articles written on our energy predicament appeared on May 27 in the Wall Street Journal. That article which appears below includes statements from several energy experts which are very enlightening and I highly recommend to the attention of my colleagues:

#### SELECTED READINGS ON ENERGY

(NOTE.—The following is a selection of readings on the alleged energy crisis. An editorial on the subject appears today.)

Edward J. Mitchell, professor of business economics at the University of Michigan, in "U.S. Energy Policy: A Primer." The American Enterprise Institute, Washington, 1974:

America has had less than a dozen years' supply of oil left for a hundred years. In 1866 the United States Revenue Commission was concerned about having synthetics available when crude oil production ended; in 1891 the U.S. Geological Survey assured us there was little chance of oil in Texas; and in 1914 the Bureau of Mines estimated total future U.S. production at 6 billion barrels—we have produced that much oil every twenty months for years. Perhaps the most curious thing about these forecasts is a tendency for remaining resources to grow as we deplete existing resources. Thus, a geologist for the world's largest oil company estimated potential U.S. reserves at 110 billion to 165 billion barrels in 1948. In 1959, after we had consumed almost 30 billion of those barrels, he estimated 391 billion were left.

Vince Taylor, "The Myth of Uranium Scarcity." Pan Heuristics, Los Angeles, 1977:

In 1950, total U.S. reserves of uranium oxide were estimated at 3,000 tons. In the next 10 years, 79,000 tons of uranium oxide were produced. In the single year of 1960, six times the 1950 reserves were produced. But, rather than being exhausted by this production, reserves were then estimated to total 187,000 tons, or 60 times the 1950 figure.

Robert A. Hefner III, managing partner of the GHK Co. and Gasnadarko, Ltd., Okla-

homa City, and chairman of the Independent Gas Producers Committee, in a letter to this newspaper:

Your editorials, "1,001 Years of Natural Gas," April 27, and "ERDAgate," May 20, are absolutely accurate. Vast quantities of natural gas are available right here in onshore America, within the existing pipeline networks, but at great depths. The risks and costs of developing these reserves will require prices in excess of the proposed \$1.75 ceiling.

In addition, you touched on a subject that is so important when one begins to understand the problem of existing vested interests. You are right that Exxon must protect its enormous investment in SNG. Beyond that the President's proposal, as made by O'Leary, is a bail out for El Paso Natural Gas Company which is firmly committed to a billion dollars in LNG tankers. What use will an LNG tanker fleet be if the country were to deregulate onshore supplies of natural gas, and therefore there would be no necessity for imports of LNG until five, seven or maybe 10 years?

Additional vested interest might be exemplified by Mobil, which intends to spend four billion to six billion dollars in Indonesia developing natural gas within the next five years. Or Phillips Petroleum Company, whose major oil and gas income and cash flow will now come from the Ekofisk field of the North Sea and whose major discovery in the world is a natural gas field offshore Indonesia which will take multibillions of dollars to develop. At last report, Phillips had scheduled for the year 1977 one onshore U.S. domestic wildcat!

It seems obvious to us independent natural gas producers that it may now be in the vested interests of those companies to encourage the government to set the circumstances which will require the importation of both oil and gas into this country and best protect the multi-billion dollars of investments made by these companies over the past decade. Remember that natural gas does not provide cash flow to amortize the multi-billion dollar remaining investments that the multinational oil companies have within the United States in their oil refining, transportation and distribution systems, particularly billions invested in the distribution of gasoline.

It appears to me that if one were to analyze the cash flow of the U.S. based multinational energy companies, that for many the primary U.S. cash flow is now from the petrochemical industries, and when adding the consumption of natural gas for petrochemical feedstocks and fuel to run oil refineries one might find that many of the oil companies operating within the U.S. are "net purchasers" of natural gas. Therefore their interests might be best served by continued price controls which would (1) keep the remaining natural gas within this country at as low as possible for their U.S. consumption uses and (2) create the necessity for the importation of LNG and more foreign oil.

Additionally, we have vested interests in the growth of ERDA, the growth of the Department of Energy. To regulate domestic oil and gas to a position of limited supply is to necessitate the build-up of the nuclear industry as "the only realistic alternative." So, within government, as you know, there are vested interests and beyond that we now have energy policy also caught up in foreign policy—for example maintaining a U.S. position in Algeria or Indonesia. But this is no reason to spend billions in American investment in these countries, and bail them out of debt, and loan them money via the Export-Import Bank to develop LNG when federal regulation requires Oklahoma gas to be produced at less than replacement value. Price ceilings of \$1.75 will make the vast deep American reserve unprofitable, and thereby

withhold those reserves from the market while American consumers pay over twice that amount for foreign supplies of LNG.

E. H. Doremus, a Houston reader, in a letter to this newspaper:

The media is full of verbal hand wringing about the energy problem: the May 18 Journal, for example, had a comment in "Asides" on the editorial page about the world running out of oil and gas. Essentially, I'd like to add my opinion to the others, and my credentials for having an opinion are better than 99.9% of those that offer one. I've been involved with the exploration and production of oil and gas as a geologist, engineer and researcher for 25 years. I've located about 600 successful wells, and studied the subsurface in many different parts of the world.

My opinion: We are not going to run out of oil and gas in the foreseeable future, period. There is a catch: we're not going to run out as long as we're willing to pay the price. When oil is selling for \$20 a barrel, we'll spend \$19 to get it out of the ground; when it's \$50 a barrel, we'll spend \$49 to get it out of the ground. I would venture to say that if man set out to produce every drop of oil in the earth as fast as possible, and regardless of cost, he would evolve into something else before he accomplished his goal. No one seems to mention that about half of all the oil fields discovered are depletion type reservoirs, which means that about 75% of the oil is still there, we know exactly where it is, all we need is the right price to get it out.

#### ADMINISTRATION POSITION

James R. Schlesinger, assistant to the President and prospective head of the proposed Department of Energy, in a commencement address to the University of Virginia, May 22, 1977:

The President has proposed a set of price and tax incentives, making extensive use of the price mechanism, that will induce appropriate change by and large through the free choice of individuals and business enterprises. We need to have the price mechanism working for us, rather than against us. But while we use the price mechanism, we need not be governed by it, nor need we slavishly worship it. I mention the matter since that seems to be the gist of the policy recommended by ideologues of the market mechanism—who can discern the unfettered forces of competition where they do not exist. Who, in addition, believe in instantaneous adjustment that we can go skittering over the edge of a cliff, and that, given such demand, suppliers of parachutes will miraculously and suddenly appear.

Let me therefore mention a few disquieting realities regarding oil supply and prices. For the United States, the marginal fuel is imported oil. The price of imported oil influences and in some cases would determine domestic prices of all energy supplies. The price of imported oil is set by an international cartel. Typically the international companies receive a fee of 20 or 30 cents a barrel to lift the oil. Much of the difference between that fee and the world oil price of \$13.50 a barrel is made up by government receipts in the oil exporting countries.

One can question whether a market, which historically has had its supply determined by such anti-competitive devices as the Standard Oil trust or by the Texas Railroad Commission, ever behaved in the prescribed textbook fashion. But surely the present price in no way resembles a market price. It is simply one administered by an international cartel, bearing no relation to production costs.

I trust that in this period of national debate all of us will be able to discern the difference between self-interest and the national interest—and to distinguish between reality and ideology.

Some, obviously, including those with a stake in supply, would have us believe that energy markets are normal markets. They will profess to regard any facsimile however far-fetched as a true market price—even one administered by an international cartel. And they would urge that producers be the total beneficiary of escalated prices, even of critical commodities in short supply—when the same producers lack even slightly comparable returns in the exporting countries in which the price is set.

If we are effectively to grapple with this problem, if we are to achieve the moral equivalent of war—or anything else—we shall have to have equity, as the President has indicated. None should be the beneficiary of excessive gains.

I trust therefore that you will not be bemused in your consideration of the nation's energy problem by such beguiling beliefs that the solution can be attained simply because there are supply and demand curves or that there is some price somewhere that will clear any market.

I trust also that you will not be beguiled by false analogies between today's conditions—in which an enormous stock of capital equipment, fueled in the main by oil, has overwhelmingly replaced human and animal labor as the driving force behind production—and the ability of the 19th Century economy to cope with a shortage of whale oil in an entirely different social and economic context.

Robert E. Hall and Robert S. Pindyck, of the policy study group of the MIT Energy Study Laboratory, in "The Conflicting Goals of Energy Policy," The Public Interest, Spring, 1977:

[Present policy] has had the general effect of taxing production of crude oil, and then using the proceeds to subsidize imports, with no net effect on the federal budget. This ingenious policy was conceived and executed in a matter of months in 1974, operates today in somewhat strengthened form and is scheduled for demise in 1979. Under its provisions, the Federal Energy Administration sets an average price that domestic producers may receive for their oil (currently \$7.66 per barrel). In order to refine domestic crude oil, producers must purchase a ticket called an entitlement, at a cost of approximately \$2.00 per barrel. This is the tax on domestic production.

On the other hand, refiners who import their crude oil at the world price of about \$12.00 per barrel receive entitlements worth about \$3.00 a barrel. This is how imports are subsidized. Either way, the effective cost to refiners is the same \$9.50 per barrel.

If this system were eliminated today, domestic producers of crude oil would receive the world price (which would mean an increase of about \$5.00, or 65% above what they currently get)—which could, after two or three years, increase the domestic supply of oil by about 13%. The cost of oil to refiners would rise by about 32%, and these higher costs would be passed on to consumers. Price increases to consumers would depend on the particular petroleum product; retail gasoline prices, for example, would increase by about seven or eight cents per gallon.

It is ironic that the desire to limit the flow of income from consumers to producers has had the side effect of putting the United States government in the business of subsidizing oil imports, a large part of which come from the Organization of Petroleum Exporting Countries (OPEC)—the villain of the price increase in the first place.

But the government is incapable of dictating the selling price of oil produced outside the United States, and as long as the domestic price is controlled and imports fill the gap between domestic production

and demand, a subsidy for imports is a logical necessity. As imports continue to grow, greater and greater strains will be placed on the tax and subsidy program. As the total dollar volume of the subsidy increases and the domestic base for the tax shrinks, some revenue from the federal budget will ultimately be required to continue the program—unless the average domestic price for oil is allowed to rise.

Charles E. Phelps and Rodney T. Smith, "Petroleum Regulation: The False Dilemma of Decontrol," Rand Corp., Santa Monica, January 1977:

Existing analyses, with which we agree, conclude that the crude oil price ceilings must certainly reduce U.S. crude oil production, and hence increase U.S. dependence on foreign oil sources.

Prevailing analyses also conclude that decontrol would increase the price of refined products by as much as five cents to six cents per gallon. . . . It has been assumed that refiners price their product on the basis of average acquisition cost of inputs. The controls have reduced these costs and by this logic have therefore reduced refined product prices. . . . The average-cost pricing forecast is based on an erroneous view of the world. Product prices are based upon the cost of producing the most expensive unit, not average costs.

Since foreign oil is the most expensive, the price of refined products is based upon imported oil prices. Refiners of controlled oil receive a profit transfer from the producer of the oil, but those profits are retained by the refiner. The product price ceilings attempted to force refiners to pass on these profit transfers to consumers, but the price ceilings are not binding. Market forces in fact impose a greater discipline on refined product prices than do the EPA controls.

The structure of price controls provides evidence that the price ceilings are indeed nonbinding. The FEA regulations allow refiners to accumulate "banked costs" increases in average refining costs which are not taken in product price increases. . . . Any time banked costs are positive, product prices are not controlled, since prices could legally be increased. Data from the FEA show that substantial banked costs exist, averaging six cents to nine cents per gallon for the industry during 1975.

While the price controls on crude oil did not influence product prices, they did transfer profits within the petroleum industry. In 1975, the crude oil price controls and allocation program transferred about \$8 billion from crude oil producers to refiners. Since vertical integration is prevalent in the petroleum industry, much of this was a transfer between production and refining subsidiaries. However, at least \$3 billion to \$1 billion was transferred from crude oil producers to non-affiliated refiners. Decontrol would eliminate these transfers. . . .

Selective removal of refinery price ceilings eliminates nonbinding controls and hence would have no effect either on product prices or dependence on foreign oil. Total decontrol of oil production, allocation, refinery price ceilings and entitlements would also have no effect on product prices, but would reduce dependence on foreign oil.

#### WHO WILL GET THE SWEET SUGAR PAYMENTS?

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. FINDLEY. Mr. Speaker, under the administration program, a quarter bil-

lion dollars in Government payments can be made each year to sugar processors. The processors in turn will pass on either 67 or 90 percent of the payments to growers.

According to the Department of Agriculture, up-to-date information does not exist which would allow a precise determination of how large these payments can be. However, the Department was able to provide production figures for the largest nonprocessor growers in 1974. Based on these figures and assuming the maximum 2 cents-per-pound subsidy, here are estimates of how much these firms, all in Florida, will pocket if the program is actually carried out:

Sugar grower	Option A <sup>1</sup>	Option B <sup>2</sup>
New Hope Sugar Co. ....	\$1,164,000	\$1,570,000
A. Duda & Sons, Inc. ....	776,000	1,050,000
S. M. Knight & Sons, Inc. ....	669,000	902,000
Closter Farms .....	461,000	622,000
Seminole Sugar Corp. ....	431,000	582,000
Double D Ranch, Inc. ....	408,000	551,000
715 Farms, Ltd. ....	408,000	550,000
Trucane Sugar Corp. ....	340,000	459,000
United Cane Coop. Assoc. ....	269,000	363,000

<sup>1</sup> 67 percent pass-through.

<sup>2</sup> 90 percent pass-through.

These bonanza payments to giants of the sugar industry are in neither the President's nor the congressional budget and have not even been the subject of congressional hearings. Clearly, it is a scheme which would enrich the giants of the sugar industry.

You will have a chance to stop this raid on the Treasury during the week of June 16, when H.R. 7558, the agricultural appropriations bill for fiscal year 1978, is considered on the House floor.

#### PATRIOTISM VERSUS MARXISM IN THE MOUNTAINS OF ETHIOPIA

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. McDONALD. Mr. Speaker, while the Carter administration is busy meddling in the affairs of Rhodesia and South Africa, the Horn of Africa area presents a rapidly deteriorating situation. The Communists are riding high in the area with the Soviets ensconced in Aden, a Somalia dependent on them for arms and Djibouti waiting to fall to them like a ripe plum.

Ethiopia has always been friendly to the United States, up until the Derg government of Ethiopia installed a Marxist military dictatorship. Now the American presence is diminishing there daily, seemingly replaced by arriving Cubans. The only country that seems to be concerned is the Sudan, for our Department of State is too busy heroically closing down the Rhodesian Information Office in Washington, D.C., to notice.

A succinct summary of this tragic situation recently appeared in the Daily Telegraph of London on June 3, 1977, and I commend it to the attention of my colleagues for a true appreciation of that unfortunate country.

Ethiopia is another piece of the mosaic



known as the 20th century—a century whose earmark is the betrayal of Western civilization by the leaders of the West.

The article follows:

**PATRIOTISM VERSUS MARXISM IN THE MOUNTAINS OF ETHIOPIA**

(By Neil McLean)

In 1941 I spent nearly a year in the Ethiopian mountains with the patriot forces, under Gen. Wingate, fighting against the Italian Fascists. I have just returned from what was a particularly nostalgic visit, 35 years later, to the same mountains, again with an Ethiopian patriot army—but this time an army fighting against a Marxist military dictatorship.

The present so-called Government of Ethiopia—the Derg—under Col. Mengistu Hailemariam, has been guilty during its three years in power of atrocities equal to those of Amin in Uganda. Surprisingly, it was supported until March by the Americans. When the Americans cut off supplies the Derg turned openly to the Russians, who now give Col. Mengistu arms and other aid. And the Cubans, too, seem to be joining in.

But the régime faces so much resistance that it cannot even control the frontiers, and the people and tribes of the border regions cross at will. To the north, practically all the country districts of Eritrea have long been overrun by the ELF—the Eritrean Liberation Front.

My hosts, however, were the main resistance movement: the EDU—the Ethiopian Democratic Union.

The journey into the interior of Ethiopia was rough and very uncomfortable, but not difficult or particularly dangerous, for the Derg is now so weak that its writ does not run much beyond the main towns.

The EDU soldiers, like the patriots of old of the Emperor Haile Selassie, are fighting for the freedom of Ethiopia—they could well have been the sons and grandsons of those who had fought with us in 1941. They certainly looked much the same, in their torn and motley rags, with a wide assortment of rifles, machine guns, mortars and bazookas.

There was the same shortage of money and ammunition and a complete lack of medical supplies. Some of the units I saw were well equipped and disciplined, but others were only training units with wooden make-believe rifles, and some very young boys and even girls in the ranks. But there is no doubt about their morale and keenness to fight: the Derg has now alienated almost every region, race and class in Ethiopia.

Most of the EDU patriot soldiers were local peasants and farmers, but some had fled from the tyranny of the Derg in the towns—determined to overthrow the Marxist dictatorship with its hated militia and armed Communist vigilantes. They want autonomy for the provinces, and guarantee of the rule of law and the rights of the private individual and of private property.

They are very anti-Communist and both the Christians (the majority) and Moslems believe in the unity of Ethiopia.

They had invented a new salute to stress the slogan "Ethiopia is one"—the closed fist of the right hand raised with one finger pointing upwards to heaven like someone making a half Churchillian V sign. But their leaders are men who were often in disagreement with the old régime too. As well as being anti-Communist they are supporters of parliamentary democracy.

The four main personalities are Gen. Yasu Mengasha, a former Chief of Staff of the Ethiopian Army and later Ambassador in London; Ras Mangasha Seyum, Governor General of the province of Tigre; Gen. Naga Tagagne, Governor General of Begemder; and the Moslem Sultan Ali Mirah of Aussa—who is head of the Free Danakil (Afar) movement of the Danakil tribes near the Ethiopian port of Assab and along the frontiers of Djibuti.

The morale of the EDU leaders seemed high but they were all desperately short of money and supplies. If they had more supplies they could start taking the main towns as well as the countryside. Both the EDU in Begemder and the ELF in Eritrea have had a number of successes recently in taking more towns.

The EDU have a technique which has worked well. First the town and fortified positions of the enemy are surrounded and cut off by several thousand armed patriots. Then they make a surprise attack, led by smaller well trained commando units, on part of the enemy positions. Negotiations follow, leading to the surrender of the garrison. The main problem is not the capture of the town or the surrender of the garrison but the lack of money and material to keep the unit in being afterwards.

Although politically and morally bankrupt, the Derg still has a comparatively well equipped Army of four divisions. But morale is very low, and morale of the air force even lower since the shooting of Major Sisye, himself a leading member of the Derg, and many other officers and NCOs.

Russian arms and the arrival of Cuban advisers may do something to restore the morale of the Army, but it seems the Derg relies more and more on the People's Militia and other Marxist vigilante groups. It is now raising a peasant army of 200,000 men to send north to fight the EDU and ELF. This may increase the amount of bloodshed but is unlikely to save the Derg for long.

The growing anarchy inside Ethiopia and the increase in Russian intervention there in supplying arms has not unnaturally caused great anxiety in the Sudan and other States in the area. The Sudan has more than a thousand miles of common frontier with Ethiopia. There are already nearly 100,000 Eritrean and Ethiopian refugees living in camps in the Sudan after fleeing in terror from the atrocities of the Derg. The Sudanese have welcomed these poor people like brothers but more medicine and doctors as well as other supplies are badly needed for them. The Sudan has its own problems, especially in the south, and badly needs to have a friendly Government in Ethiopia. The Derg in alliance with Libya has already proved to be an aggressive and dangerous neighbour to the Sudan. This danger would increase if the Russians and their Cuban henchmen move into Ethiopia in strength.

In the years since they established themselves in Somalia the Russians have made surprisingly large investments in arms and technical advice, and the Somalis now look to Russia also for support in their aims of a "Greater Somalia." Their Marxist Government is unlikely to risk its position by switching policies away from Russia, especially when the future in the Horn of Africa is politically uncertain, and the policies of the West in Africa equivocal.

And now the Russians have put their hands on Ethiopia. They were already established in Aden and probably also have their eyes on Djibuti after it becomes independent from the French.

No doubt the chaos in Ethiopia and the conflicting interests of Ethiopia and Somalia and of the various other groups in the Horn of Africa and Red Sea may prove a very tricky hand for the Russians to play. But no more difficult than Turkey and Greece are for NATO. It is high time the free countries of the area—especially Saudi Arabia and Egypt as well as the Sudan—and of the free world in general, woke up to the dangers.

For the continuation of the present anarchy in Ethiopia under a Marxist pro-Russian régime gives the Russians their main opportunity to intervene further there and thus to gain the initiative in the Horn of Africa. Therefore support for the EDU—the only real alternative Government to the Derg—seems at present the only way to end the chaos and bring to power a reasonable and friendly Government in Addis Ababa. At

the same time it would put a stop to any further deterioration in the situation in the Horn of Africa and the mouth of the Red Sea.

**URBAN OPEN SPACES**

**HON. JONATHAN B. BINGHAM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BINGHAM. Mr. Speaker, August Heckscher, who was New York City's commissioner of parks from 1967 to 1972, has produced an exciting book about America's cities. In "Open Spaces: The Life of American Cities," Heckscher contends that the quality of urban life is, to a large extent, determined by what happens in a city's open spaces—in parks, squares, plazas, and greens.

This is idea is hardly revolutionary. In the colonial period city founders—and planners—like William Penn made sure that valuable urban space was devoted to parks. Franklin and Jefferson—and of course Frederick Law Olmsted—impressed their countrymen with the importance of urban open space.

Heckscher, however, gives his reader a new perspective on just how important these spaces are. It goes without saying that New York would not be New York without Central Park but Heckscher does not stop at New York or with major parks. He takes his reader to virtually every large American city and shows how wise planning and concern for the human environment has made a city livable and enjoyable—often through the intelligent use of small pockets of green. He also shows how lack of planning or poor planning have often squandered what could have been great opportunities. The best thing about Heckscher's book is that it opens a reader's eyes. After reading Heckscher no intelligent person will be able to walk through an urban setting without noticing just what is—or is not—going on in the city's open spaces. After reading this book one would think twice about the value of building a superhighway along a river front or cutting a park's budget to put the money into "more critical" areas.

August Heckscher is well qualified to write this book. His years as parks commissioner were the "golden years" of the department. All over New York City there are islands of unique pleasantness that are only there because August Heckscher was there.

Once again the Twentieth Century Fund has commissioned a fine and unique work, which I recommend to everyone interested in our cities—what they are and what they can be.

I insert herewith an excellent review of the book by a distinguished author and critic, Wolf Von Eckhardt, in the New Republic of May 21, 1977:

OPEN SPACES: THE LIFE OF AMERICAN CITIES BY AUGUST HECKSCHER WITH PHYLLIS ROBINSON

(Review by Wolf Von Eckhardt)

Experts, idiots, and sociologists keep telling us that the American city is dead, although they never tell us what to do with the remains. Watch Nero fiddle? Watch Moynihan neglect?

August Heckscher, an essayist, who was

President Kennedy's art adviser and Mayor Lindsay's park commissioner, tells us that the American city is alive and greening. It is also more interesting, varied and individual than is supposed in the gloomy echo chambers of urbanistic institutes. Heckscher's view is more convincing because he has actually looked at the cities he reviews.

"Without disregarding the cities' troubles," Heckscher asks, "can we not consider their amenities?" Urban life and urban amenities, he asserts, are brought about by happens in the buildings, but what happens in the spaces in between—the parks and urban open space. It is not so much what parklets, the squares and small plazas, the avenues and streets—that determines the quality of a city. The open spaces bring forth pleasure, recreation, human encounters, communal celebration—in short the essence of city life.

Heckscher's keen-eyed meanderings through urban open space all across America lead to the perhaps surprising conclusion that "the 1960s and early 1970s witnessed striking achievements by both the private and public sector in shaping a more hospitable urban environment. . . . A new understanding of urban amenities is in the making."

The 150th anniversary, in 1972, of the birth of Frederick Law Olmsted was celebrated not only with general recognition of this remarkable American genius, but also with a new awareness of the importance to the whole urban system of what Olmsted called "the lungs of the city." Citizens and government are taking a fresh look at parks, greenways and waterfronts and are creating more squares and plazas everywhere. The historic preservation movement progressed from mere embalming of old buildings to reincarnating them with new users, such as Ghirardelli Square in San Francisco. Entire neighborhoods and historic districts are being preserved and enhanced. A mushrooming of downtown cultural centers has provided opportunities (sadly missed by Washington's Kennedy Center) for true urban renewal, with new plazas and fountains, parks, bandshells, playgrounds, and ponds for flotillas of toy ships.

Urban design, an ancient art which had been threatened by the egocentricity of Modern architecture, has been rediscovered. Urban design is more than orchestrating immobile buildings with the movement of people. It is the art of creating livability—a setting for the casualness and variety that crystallizes community feeling. It means letting thousands of opportunities bloom—opportunities for street vendors and musicians; for artists, sidewalk and serious; for lovers on lawns and admirers of flower beds; for bicyclists who need safe paths; for youngsters who need accessible baseball fields; for boatmen who deserve clean waters.

Modern architects and city planners have forgotten or neglected these things because they do not fit in their stark abstractions. The clients, equipped with jet planes, long-distance phones and expense accounts, do not need them. But most of humanity does. Thus Modern elitist design leaves the majority uncared for. Affluence and social work do not suffice. We also need—and are beginning to evolve—a new architecture and urban design which is at once richer and more social minded than surrealist cubes and towers. We need an architecture and urban design that reconnects us with our past, that reestablishes the continuity of civilization.

Heckscher begins his book with a quick review of changing concepts of urban open space from Vasari to Venturi. Robert Venturi, the post-Modern urbanist, holds up the visual cacophony of the Las Vegas strip as the inevitable and "almost all right" expression of the American soul. Heckscher replies that the strip may indeed represent something valid in the American experience, as

pornography and graffiti may represent something valid in art. But the strip is almost as wrong and as far out of all human scale as New York's World Trade Center or Chicago's new super-skyscrapers.

"Human scale" and other fashionable phrases are, however, relatively rare in Heckscher's lucid, well organized survey. He doesn't deal in theories, but shows us how spatial organization—the solids and voids, waterfronts, railroads, freeways, pavement and greenery—affect people. He is always specific. He is always vivid. He includes virtually every notable city in this country. Along this tour he gives us insights that will intrigue not only professionals but also people who have been intimidated by the professional jargon. This is a book anyone interested in his surroundings will enjoy and learn from.

It is also an important book, I believe—as important as Jane Jacobs's famous *Death and Life of Great American Cities*, published more than 15 years ago. Jacobs, in one well aimed blow, shattered the delusion that purely esthetic concerns could save the city. And even Le Corbusier's seemingly functional "Radiant City," it turned out, was as much of an artists' conception as Burnham's "City Beautiful." Jacobs established the other extreme—of seeing the city only as a big human huddle. Heckscher's perspective on the interrelationship of urban form and urban function should help establish a common sensical balance. This is a splendid and heartening book.

#### TASK FORCE ON SUPPLIES AND PRODUCTION

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. ROUSSELOT. Mr. Speaker, the Washington Post included an interesting account of the task force on supplies and production which ERDA commissioned to report on the costs and supply of natural gas now and into the 21st century.

I urged my colleagues to review this newspaper report:

ENERGY AIDE'S CONTROVERSIAL FINDINGS LEAD TO DOWNFALL IN BUREAUCRACY

(By Morton Mintz)

Early this year, the Energy Research and Development Administration assigned an official named Christian W. Knudsen to head a task force looking into supplies and production costs of natural gas into the 21st century.

Dr. Knudsen, a chemical engineer who came to the government from the Exxon Corp. three years ago, completed some preliminary calculations in early March.

He made no big claims. Instead, he emphasized that the results rested, as they had to, on a series of assumptions, best-guesses and projections.

Still, those projections conveyed a message that jarred the conventional wisdom: the cost of producing 1,000 cubic feet of gas at wellheads in the continental United States—including all taxes and a return of 15 percent—would average no more than \$1 until the end of the 1990s.

In addition, his figures showed supplies up to the year 2000 to be far more abundant than the public has been led to believe.

More importantly, Knudsen's numbers ran smack into the ominous supply/price picture painted by the oil and gas industry and by President Carter in his then-upcoming National Energy plan. Carter has proposed a

price of \$1.75 per 1,000 cubic feet for new gas.

In the ensuing behind-the-scenes brouhaha, ERDA officials summarily threw out Knudsen's estimates.

And Knudsen was abruptly fired as chairman of the ad hoc Intermediate Energy Working Supply Committee, the task force of about 30 persons he had been assigned to run in addition to his normal duties as assistant director for review and analysis under fossil-fuels chief Phillip C. White.

Although Knudsen declined to discuss the affair with a reporter, an account of it was pieced together in interviews with ERDA officials and other sources, including congressional investigators.

The central issue emerging from the interviews was not the eternally arguable validity of Knudsen's curves, but the existence of slippery slopes awaiting those in the energy bureaucracy who may somehow become tainted by heresy.

It began in January with a commandment from ERDA's acting administrator, Robert W. Fri, to Dr. White to do a study to help determine what the agency's research and development priorities ought to be, and to do it fast—by April 7.

A critical component of the study had to be estimates of future natural gas supplies. If gas will be relatively abundant, the case for research and development on alternative energy sources obviously becomes less pressing than if gas will be in relatively short supply.

White, who went to ERDA in 1975 from the Amoco Oil Co., where he was vice president for research and development, initially picked J. Frederick Weinhold to head the task force, but replaced him with Knudsen after Weinhold left to join the staff of White House energy chief James R. Schlesinger.

Even before Knudsen took over, the task force was getting indications that its result would be, in the word often heard in the interviews, "sensitive."

Without telling Knudsen, White quietly launched a parallel supply/price study by a second group.

Neither team had much of a problem charting the supply and production costs of proved reserves, or even reserves reasonably "inferred" to be available. Notably, they generally agreed that into the 1990s supplies will be relatively plentiful and production costs under \$1.

But a major split did develop over the predicted availability and costs of producing so-called undiscovered reserves, about which, by definition, there is far more speculation than proved or inferred reserves.

Knudsen's group, relying entirely on public data from government agencies and industry sources such as the American Gas Association, ended up more optimistic than the parallel group, which relied on a model devised by the Standard Research Institute on the basis of some industry figures and premises classified as trade secrets.

In a phone interview, fossil-fuels Chief White said the SRI premises were unavailable even to him. Knudsen was turned down when he asked Harry Johnson, director of the so-called MOPPS (Market Oriented Program Planning Study) program of which the task force was a part, to let him see them.

On April 12—Six days before President Carter would introduce a nationwide television audience to his NEP—White met with Hugh Guthrie, an aide who had worked for Shell Oil for 33 years.

White, in the phone interview, said Guthrie told him that the Knudsen curves would be "laughed out of court" by the industry and would jeopardize the credibility of the whole MOPPS effort in the eyes of John F. O'Leary, Federal Energy Administrator and Schlesinger's top aide in the White House.

"I decided he was right," White said. Asked if he may have been influenced by political



implications, he said, that none had "dawned on me at that moment."

Early in the interview, White scorned the "unreality" of the Knudsen curves, saying, for example, that Knudsen arbitrarily had figured the costs of producing undiscovered reserves at about \$2.50 per 1,000 cubic feet, or approximately five times the 1975 regulated interstate price. Later, however, he said, "Hell, that's not an unreasonable guess."

He opted for the SRI curves as "more realistic," although he admittedly didn't know the premises from which they were derived. "It was a lousy choice I had to make"—under the April 7 deadline pressure—he said.

As a result of that choice, Johnson went to the White House to brief O'Leary on the SRI curves, which are more easily reconciled with the NEP. Yesterday, O'Leary told a reporter he had never heard of Knudsen, his curves or his methodology. He said "I'd like to be briefed" on them, but emphasized his belief that the facts, in any case, show the SRI curves to be "incorrect," that is unreflective of what he believes to be the reality: the nation is in an "attrition situation" insofar as the gas supply is concerned.

Last week, at a two-day meeting with industry experts in Reston, ERDA officials devised new curves that come closer to the dire estimates in the Carter plan. White said that all of the curves, including Knudsen's, will be published in a few days.

Before that, White had abruptly dismissed Knudsen, who had refused to compromise projections from public data to reconcile them with projections made from closed proprietary data. Neither man will say why. Some sources suggested that Knudsen was punished for heresy.

He is now back in his old job as an assistant to White.

#### HOLDING APPROPRIATIONS WITHIN BUDGET CEILINGS

**HON. JOSEPH L. FISHER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. FISHER. Mr. Speaker, as we begin the appropriations process for the fiscal year 1978, we should remain alert to the continuing need for coordinating appropriations with the budgetary targets established in the first concurrent resolution. The budgetary process cannot be relegated to the first 2 weeks in May and to September, and then forgotten in the interim. Without careful vigilance now in our decisions on appropriations and other spending legislation, we will find ourselves in a mad scramble in September trying to rectify our indulgences of June and July.

This week we are considering the first round of appropriations bills: Treasury-Postal Service; Transportation; and State, Justice, Commerce, and Judiciary. These bills are illustrative of two of the difficulties that arise in tying spending decisions to separately set budgetary totals.

First, we run the real risk of being "nickel and dimed" above the budget resolution targets. Each of these appropriations bills—when combined with amounts assumed in the first budget resolution but not yet considered—exceeds the functional outlay targets established in the first resolution. Unless

these overruns are offset by votes on subsequent appropriation bills to cut below budget targets, the House will finish the appropriation voting cycle with appropriations over the targets. Cumulatively the excess could be considerable. To be sure, the separate overruns are relatively small amounts—\$50 million here, \$100 million there. These hardly seem consequential when compared to a total appropriation of \$5 or \$10 billion. But if each spending bill—and there will be over 50 of them before we are through in September—were to exhibit such a tendency, we would find ourselves with a total budget several billion dollars larger than our target.

While the figures in the first concurrent resolution are admittedly only targets and not binding, nonetheless every additional dollar of spending voted now will require additional and increasingly difficult budgetary choices later on in the summer. The integrity and success of the congressional budget process depends ultimately on our ability to be tough-minded in our funding decisions, and we should not allow funding to exceed targets without sufficient debate and appropriate cause.

The second difficulty that arises as we attempt to coordinate appropriations with budget targets relates to the first. Each of the small overruns in these appropriations bills can and will be attributed to the complexity inherent in estimating outlays once the budget authority level—including appropriations—has been determined. In the past few years outlays have been overestimated at the time the budget resolutions and appropriations are voted, apparently actual 1976 outlays were overestimated by some \$8-\$10 billion. The fact of the matter is that we do not yet have reliable procedures for estimating outlays to the degree of accuracy required by the budgetary process.

Because of these difficulties in relating appropriations to budget outlay targets the prudent course will be to watch each appropriation bill closely as it is considered, check each one against the budget figures, and strive to hold the line unless some new factor comes into view that would indicate some other action.

#### DR. PETER G. BOURNE'S ADDRESS TO U.N. CHILDREN'S FUND

**HON. CLEMENT J. ZABLOCKI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. ZABLOCKI. Mr. Speaker, on May 23, Dr. Peter G. Bourne, Special Assistant to the President, addressed the annual meeting of the 30-nation Executive Board of the United Nations Children's Fund in Manila. In speaking to the delegates, Dr. Bourne pledged continued U.S. support to UNICEF, and read a message from the President which said in part:

The special emphasis you place on meeting the human needs of children, the future leaders of the world, make your efforts even

that much more essential to the goal of seeking human freedom and dignity for all mankind.

Dr. Bourne's remarks follow:

Mr. Chairman, Mr. Labouisse, and members of the UNICEF Executive Board. It is a great pleasure and honor for me to be here this morning.

I want to begin by conveying to you the personal greetings of President Carter on behalf of the American people, for your outstanding contributions to the health and well being of the children of the world. As you may know he and his family have had a longstanding interest in the human needs of people everywhere. The President's mother, a nurse, went to India at the age of 68 to work in a family planning program as a member of the Peace Corps, and his wife, Rosalynn, has a longstanding interest in health problems. Mrs. Carter will soon travel to a number of Latin American countries, during which she hopes to visit a UNICEF project. Also, only 2 weeks ago during the annual meeting of the World Health Assembly, the President, in a message to the Assembly stated, "We will work together with all nations to control disease, improve nutrition, and raise the quality and productivity of life throughout the world." I wanted to mention this to indicate the strong interest and person commitment of the President to providing leadership to help deal with the basic human needs of people throughout the world. He has asked me to read to you the following message:

"This is to convey, on behalf of the people of the United States, my support for the principles for which UNICEF stands.

"The very important participation and active support of the members of UNICEF is of particular interest to me in that your organization is dedicated to the basic human right of all people to be free of poverty and hunger and disease. The special emphasis you place on meeting the human needs of children, the future leaders of the world, make your efforts even that much more essential to the goal of seeking human freedom and dignity for all mankind.—The President of the United States"

There is probably no single United Nations organization more well known and highly regarded in my country than the one known by the familiar acronym of UNICEF. The work of your organization to help the needy and deserving children of the world has always held the special attention, and affection, of millions of Americans.

As you know my country was privileged to become an early and strong supporter of UNICEF's work to assist less fortunate areas of the world. Today we continue to support, both through government and private contributions, UNICEF's programs for better health, nutrition, social welfare and education among children in scores of countries.

Much more, of course, remains to be done if we are to succeed in our goal of providing basic services for children everywhere. Millions of children still die at childbirth or suffer early deaths through infant starvation, neglect and disease. In some countries 50% of the children still die before they reach five years of age. Too many more are denied the fullness and richness of life through inadequate diets, debilitating parasitic infections, other chronic diseases, and lack of education. In some remote areas we still, unfortunately, do not even know what our children's needs are.

The world cannot afford, and we cannot tolerate, these deplorable conditions any longer, for the means to alleviate them are at hand. We know from experience that, given sufficient priority in national planning, adequate care for our children can be provided. And we know that UNICEF, working closely with related international agencies, can provide necessary external resources to

tackle many problems involving children's basic needs.

Let me mention at least two program development areas where the United States believes we need to concentrate our efforts:

The first major area concerns malnutrition. An adequate diet is often the key factor in helping children to ward off infectious disease. It is estimated by responsible authorities that 10 million children under 5 years in developing countries suffer from severe protein/calorie deficiency; another 80 million suffer only slightly less grievously; and a third group numbering into the hundreds of millions do not have the minimum diet prescribed for the developed countries. Many suffer vitamin deficiency diseases. UNICEF, other international agencies, and individual governments are doing much to alleviate this bleak picture. But we can and must do more.

The second program development area is comprehensive maternal and child health services. Families must be provided with education and means to assure responsible parenthood, to limit their family to the size they can provide for. Pregnant and lactating women must be provided medical and nutritional services to safeguard their own and their children's health. Infants and preschool children must be provided with preventive and curative medical services. Less than 10 percent of the more than 80 million children born each year are being immunized against preventable diseases. A major effort is needed during these critical periods of high risk if our children are to survive and grow to develop their full human potential.

The United States has been a staunch supporter of UNICEF programs as they have developed over the years. We believe the concept of "basic services," providing a group of related, mutually supportive activities for children, is sound and deserves our support. We will join others in support of measures that will help give the world's poor majority access to basic services required for good health.

Over the years, we have welcomed other countries' increased sharing of the financial burden for UNICEF. In 1975 UNICEF reached a goal of \$100 million in expenditures for children and their families; last fall the General Assembly proposed a new goal of \$200 million. I understand that Mr. Labrousse has suggested we reach this target by 1979, the International Year of the Child.

I hardly need to tell you that this will only deal with a mere fraction of the problem. Much of the increased expenditures, and the effort, will of necessity have to come from the individual nations affected. But UNICEF, in helping to identify the problems, in designing programs, and in providing the training and initial support, will continue to have a central catalytic role for many years.

In President Carter's first budget message to the U.S. Congress this year, he requested increased development assistance appropriations, most of which go to help the developing world meet its basic human needs. Significant additional contributions in my country will be encouraged from private sources.

As a demonstration of U.S. commitment toward a strong UNICEF, and in support of its excellent work, the President will soon ask our Congress, in addition to the \$20 million already requested, to increase my government's contribution to UNICEF by an additional 25 percent, adding an additional \$5 million for a total of \$25 million for 1978.

Money alone, of course, will not be sufficient. Sound management, concentration on quality programs, and dedicated people are essential.

I would like to close with these thoughts: Our increasingly interdependent world can no longer tolerate the approximately one billion people who live in absolute poverty, hunger and despair. Not only is this intolerable to our sense of justice, but continuous

tion of this disparity between rich and poor can only lead to political and social upheaval that inevitably will lead to further human suffering.

The nations of the world must acknowledge their interdependence and join together to dedicate their minds, their hearts, and their talents to the solution of those problems which threaten the survival of us all.

We must free ourselves from the limitations of national prejudice and recognize that the forces which unite mankind are incomparably greater than those which separate it. We must establish a world order of peace, justice, and compassion in which we acknowledge that we are one body of people with shared problems dependent on one body of resources.

We must help all mankind to achieve the basic needs that transcend ideology, freedom from hunger, physical suffering and disease, war, pests, pollution of the environment, and servitude to others, the desire to see one's children grow up to be happy and have a better chance in the world than we did, the ability to enhance one's position in society and in the world by virtue of one's own merits and hard work, the opportunity to travel freely, to be educated, to have the benefits of technology and material things, and the time to enjoy them. All people regardless of where they live, share these aspirations, and we should help them be fulfilled.

There is simply no alternative to any members than to support a global policy of improved health, nutrition, and maternal and child health services. President Carter recognizes the importance of a human needs policy and has and will continue to demonstrate his commitments in this area.

It is with these thoughts that I close and pledge on behalf of President Carter and the United States government our fullest support for UNICEF, and the children of the world.

#### AGENCY FOR CONSUMER PROTECTION

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Ms. HOLTZMAN. Mr. Speaker, in attacking the proposal for an Agency for Consumer Protection on May 20, U.S. Chamber of Commerce's Richard Leshner managed to be both anticonsumer and sexist in the same breath when he criticized Esther Peterson, the White House consumer adviser, by saying "There's an old quotation that 'Hell hath no fury like a woman scorned.'" He went on to refer to Ms. Peterson as "a frustrated woman."

It is not Esther Peterson who is frustrated but rather, according to Louis Harris' recent survey, American consumers who are frustrated at the high prices, poor quality, and hazardous nature of many of the products they buy. Harris' poll, undertaken for Sentry Insurance, indicated that consumer unrest was "staggering," in the words of the Washington Post, and that the public, 52 percent to 39 percent, supported the creation of an Agency for Consumer Protection.

Eight women's organizations—the National Organization for Women, American Association of University Women, National Women's Political Caucus, Women's Equity Action League, Center for Women Policy Studies, the

Women's Lobby, Network, and the National Council of Jewish Women—replied to Mr. Leshner's comments by saying:

Mr. Leshner's snide and sexist comments debase the dialogue over the importance of a consumer protection agency.

And 17 prominent women in government, along with 2 men, responded as well. I would like to submit the letter they sent to Mr. Leshner and a Washington Star article on the subject:

MAY 26, 1977.

DR. RICHARD LESHNER,  
President, Chamber of Commerce of the  
United States, Washington, D.C.

DEAR DR. LESHNER: Last Thursday at a press conference, you characterized the strong defense by Esther Peterson of President Carter's proposal to establish an Agency for Consumer Protection in words which display blatant bigotry. "Hell hath no fury like a woman scorned," you stated, and then described our esteemed colleague's candid response to heavy business lobbying against the legislation "as a saga of a frustrated woman."

Apart from your apparent difficulty in discussing this needed and long overdue legislation on the merits, why, we should like to inquire, have you used language which in full context can only be termed sexist and thoughtless? With business under continual criticism for discriminating against women, corporate pronouncements to the contrary notwithstanding, it is revealing indeed that the choice of words by a leading representative of business displays such deplorable insensitivity and prejudice.

We believe an apology is in order. It would help the quality of the debate on this legislation if you would avoid biased characteristics that both the Nation's laws and its values are striving to diminish.

Sincerely,

Barbara Babcock, Assistant Attorney General,\* Department of Justice; Richard Beattie, Deputy General Counsel,\* Department of Health, Education and Welfare; Lucy Wilson Benson, Under Secretary of State for Security Assistance.\*

Michael Berman, Counsel to the Vice President of the United States\*; Eula Bingham, Assistant Secretary for Occupational Safety & Health,\* Department of Labor; Barbara Blum, Deputy Administrator\*, Environmental Protection Agency.

Joan Claybrook, Administrator,\* National Highway Traffic Safety Administration; Patricia Derian, Coordinator of Women and Development,\* Department of State; Carol Tucker Foreman, Assistant Secretary for Food and Consumer Services,\* Department of Agriculture; Linda Kamm, General Counsel,\* Office of the Secretary, Department of Transportation; Mary King, Deputy Director,\* ACTION; Margaret McKenna, Deputy Counsel to the President,\* The White House.

Patsy Mink, Assistant Secretary for Oceans and International Environmental and Scientific Affairs,\* Department of State; Gaciela Olivarez, Director,\* Community Services Administration; Eileen Shanahan, Assistant Secretary for Public Affairs,\* Department of Health, Education, and Welfare; Jill Volner, General Counsel,\* Department of the Army; Patricia Wald, Assistant Attorney General,\* Department of Justice; Ann Wexler, Deputy Under Secretary,\* Department of Commerce.

"HELL HATH NO FURY"—AND THEN CAME THE FURY

(By Stephen M. Aug)

Seventeen angry women—and two angry men—have demanded and apparently won an

\*Titles used for information only.



apology from the president of the U.S. Chamber of Commerce for allegedly sexist remarks he made during a recent news conference.

But although the chamber president, Richard Leshner, offered the apology, at the same time he accused President Carter's consumer adviser, Esther Peterson, of being a liar.

What angered the women—17 of the most prominent women in the federal government—were remarks Leshner made at a news conference May 19 in which he was critical of the Presidents consumer adviser.

He said, "Hell hath no fury like a woman scorned," and then described Peterson's response to heavy business lobbying against legislation to establish an agency for consumer protection as "a saga of a frustrated woman."

The chamber, in common with most of the business community, opposes the pending legislation, which would set up an agency to represent consumers before federal regulatory commissions. The so-called public-interest lobby has strongly supported such legislation, and it has won the backing of the Carter administration.

The letter to Leshner was conceived by Joan Claybrook, administrator of the Department of Transportation's National Highway Traffic Safety Administration. The complaint mailed Thursday, said Leshner's choice of language "can only be termed sexist and thoughtless."

"With business under continual criticism for discriminating against women, corporate pronouncements to the contrary notwithstanding, it is revealing indeed that the choice of words by a leading representative of business displays such deplorable insensitivity and prejudice," the letter said.

It demanded an apology.

Although the letter bore no signatures—only a list of the names of the 17 women and two men, Claybrook said all of the people whose names appear on it were in agreement. She added that at least three other women whose names appeared on it had helped write it.

The three coauthors, Claybrook said, were Patsy Mink, assistant secretary of state for oceans and international environmental and scientific affairs; Carol Tucker Foreman, assistant secretary of agriculture for food and consumer services, and Eileen Shanahan, assistant secretary for public affairs at the Department of Health, Education and Welfare.

The women whose names appeared on the letter to Leshner also include:

Barbara Babcock and Patricia Wald, assistant attorneys general;

Lucy Wilson Benson, an undersecretary of state;

Eula Bingham, an assistant secretary of labor for occupational health;

Barbara Blum, deputy administrator of the Environmental Protection Agency;

Midge Costanza, an assistant to the President;

Patricia Derian, coordinator of women and development at the State Department;

Linda Kamm, general counsel of the Transportation Department;

Mary King, deputy director of ACTION;

Margaret McKenna, deputy counsel to the President;

Graciela Olivarez, director of the Community Services Administration;

Jill Wine Volner, general counsel of the Army;

Anne Wexler, deputy undersecretary of commerce.

The two men were Michael Berman, counsel to Vice President Walter F. Mondale, and Richard Beatte, deputy general counsel at the Department of HEW.

Claybrook said that while some men, like Leshner, would use words such as "frustrated" to describe Peterson's work on behalf of consumer-protection legislation, "for men

you call them 'determined,' 'tough-minded,'—those are the words you use for men. I think he owes an apology."

Leshner told a reporter that he received the letter Friday and, "first of all, I respond by saying I apologize if any women were offended by those quotations. Secondly, the first quotation is a quotation from Shakespeare, and I think there are too many things to be done in the women's movement than to worry about rewriting Shakespeare or the Bible, or anything else that has sexist connotations."

In fact, a check through several reference books of famous quotations finds the quote—"Nor hell a fury like a woman scorn'd"—attributed not to Shakespeare but to William Congreve, a Restoration British playwright. It appears in Act II, Scene 8 of "The Mourning Bride."

Having apologized, Leshner added: "But the most important point is that I think this is a smokescreen to cover over the fact that in that press conference we proved that Esther Peterson has been telling lies and misstating facts and maligning the character of great people in the interest of promoting the Consumer Protection Agency bill."

Asked what lie she told, Leshner replied that Peterson had contended in a speech that the chamber spent \$20 million a year lobbying in 1975. "We pointed out that the total budget of the U.S. chamber in 1975 was \$12 million," Leshner said, adding that less than 10 percent of that was spent for lobbying.

Further, he said, Peterson "implied that Leon Jaworski" wrote his stinging attack on the concept of the Consumer Protection Agency and the potential for abuse of power only because he had been paid by the Business Roundtable.

"It's not untrue that he was paid for his opinion, but he was paid for his professional and honest judgment about the legislation itself," Leshner said.

Jaworski, a former Watergate special prosecutor now in private practice, submitted a letter opposing creation of the agency to the House Government Operations Committee, which was considering the legislation. The letter later was reprinted in *The Washington Star* and was used as the basis for a full-page advertisement in *The New York Times* May 19, sponsored by the chamber.

As for his use of the phrase, "a frustrated woman," Leshner said "her frustration has to do with the close vote in the House Government Operations Committee, 'which approved the legislation by only one vote.'"

Then Leshner complained that while "we're all trying to learn a new language... Esther does the same thing when she refers to the head of the agency—she refers to him as a 'he.'"

Leshner also complained that Peterson "tries to play the woman's role" as she "walks the halls of Congress... crying real tears over these big bad people while lobbying on the other side."

He added, "Before we went on the Today Show today, she pulled out her Kleenex and said, 'I may very well need these.' Well, she didn't cry on that show."

Peterson said that indeed an original draft of a speech she made May 11 had said the chamber spent \$20 million for lobbying. She said, however, that she caught the error and when she gave the speech said it had an annual budget of \$20 million—presumably including in the figure the amount spent on *Nation's Business*, the chamber's monthly magazine.

As for the letter of complaint, Peterson said she had "heard somebody had called and said they were furious. I said I was amused. I said I wasn't going to dignify it with an answer. I always feel that way when I'm attacked for being a woman. It's because they don't have any good arguments."

As to the Jaworski letter to the committee,

Peterson said it was "dishonest of them not to have put in their New York Times ad" that it had been paid for.

Peterson said she did not intend to make an issue of Leshner's remarks. She confirmed that she had a tissue handy before she went on television the other day—"but I was sniffing. If he wants to understand personalities, he'd better understand the difference between a sniff and a tear."

#### ANATOLY SCHARANSKY

#### HON. WILLIAM M. BRODHEAD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BRODHEAD. Mr. Speaker, on July 1, 1977, Anatoly Scharansky was formally charged with treason by the Soviet Government.

Scharansky has emerged as one of the boldest and most articulate dissident activists as a founder and member of the unofficial group monitoring Soviet compliance with the Helsinki accords. Arrested on March 15, 1977, and subsequently questioned as a "traitor to the republic," Scharansky awaits his trial for high treason as an "American spy."

The charge—which was characterized by the State Department as "misinformation laced with slander and innuendo"—would be absurd were it not for the fact that it carries with it the death penalty.

It is clear that the Soviet Government's motive in this matter is to silence a forceful leader and kill the emigration movement and the human rights movement in the USSR. I strongly believe that the Congress and the administration must protest this action. I have sent the following communications to President Carter and Secretary Brezhnev on this matter and urge my colleagues to do the same. We must continue to speak out on behalf of those who are fighting on the front lines in the battle for human rights.

The letters follow:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 1, 1977.

HON. LEONID I. BREZHNEV,  
General Secretary, Communist Party of the Soviet Union, the Kremlin, Moscow, R.S.F.S.R., U.S.S.R.

DEAR MR. SECRETARY: We protest in the strongest possible term the charge leveled against Moscow Jew Anatoly Scharansky. His indictment under Article 64 of the Criminal Code of the R.S.F.S.R. of treason constitutes an affront to the signatory nations of the Helsinki final act and to all justice-loving peoples.

Since filing his application to emigrate to Israel in 1973, Mr. Scharansky has been the target of systematic abuse by officials of the Soviet government. He has been held in Lefortova Prison since March 15 on charges which were then, and are still, absurdly and transparently without foundation. His continued detention without benefit of counsel of choice and isolation from members of his family are in flagrant violation of Soviet and international law.

Failure to release Scharansky immediately and the dropping of all charges will surely engender widespread protest among the American people and their elected representatives in Congress.

Better cooperation between our two gov-

ernments will be fostered if Mr. Scharansky is given permission to emigrate.

Sincerely yours,

Sidney R. Yates, James J. Blanchard, William M. Brodhead, John Buchanan, William R. Cotter, Christopher J. Dodd, Robert F. Drinan, Joshua Ellberg, Dante B. Fascell, Millicent Fenwick, Hamilton Fish Jr., Elizabeth Holtzman, Members of Congress.

Edward I. Koch, William Lehman, Elliott H. Levitas, Joe Moakley, Antony Toby Moffett, Richard L. Ottinger, Claude Pepper, Frederick Richmond, Benjamin S. Rosenthal, Stephen J. Solarz, Newton I. Steers, Jr., Henry A. Waxman, Members of Congress.

HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 6, 1977.

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

DEAR MR. PRESIDENT: On June 1, 1977, Anatoly Scharansky, a leader in the Jewish emigration movement and a founding member of the Group to Monitor the Helsinki Agreement in the U.S.S.R., was officially charged with the crime of high treason. Under Soviet law, conviction on this charge carries with it a penalty of death.

Mr. Scharansky was arrested on March 15, 1977 following the publication of a news article on March 4, 1977 in *Izvestia* which accused him and other Soviet Jews, Vladimir Slepak and Dr. Alexander Lerner, of collaborating with the C.I.A.

Anatoly Scharansky has been an outspoken critic of human rights violations in the U.S.S.R. and is now in grave danger because of his staunch defense of human rights in the Soviet Union. The entire human rights movement in the Soviet Union is threatened by the Soviet government's latest action. I therefore urge you to come to the assistance of Anatoly Scharansky in every possible way.

Sincerely yours,

WILLIAM M. BRODHEAD.

#### PRESSLER INVITES WALL STREET JOURNAL EDITORS TO SOUTH DAKOTA

#### HON. LARRY PRESSLER

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. PRESSLER. Mr. Speaker, after reading the Wall Street Journal's June 6, 1977, lead editorial, "Veto the Farm Bill," I feel compelled to invite the editors of that paper to visit a South Dakota farm and learn firsthand the importance of the farm bill to farmers and small businessmen in farming communities.

The Wall Street Journal said the farm bill was a "nice machine for enriching farmers and milking taxpayers." The Journal also referred to the inclusion for the first time of land costs in production estimates as a "joker." Many South Dakota farmers who are paying high prices for land do not consider this a "joker."

I believe the Wall Street Journal has a semiconspiracy against our family farmers. The irony is that when family farmers are replaced by corporate farmers there will be real price increases. America's consumers will have to pay more for their food under corporate farming.

There is a tragic misunderstanding between urban interests such as the Wall

Street Journal and our Nation's farmers. If the Journal editors would come to a South Dakota farm, I believe they would see the importance of the farm bill to both rural and urban Americans.

#### EMINENT DOMAIN AND COAL SLURRY PIPELINES

#### HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. ECKHARDT. Mr. Speaker, on last Thursday, the gentleman from Wyoming told the House—CONGRESSIONAL RECORD, June 2, pages 17274-75—that while Texas had enacted a law providing the right of eminent domain to coal slurry pipelines, such legislation would prohibit the use of Texas water in a slurry pipeline authorized by the Texas act.

The distinguished gentleman from Wyoming (Mr. RONCALIO) who is so well versed in the subject of water rights generally and so sensitive to the problem in his own State has, I think, made an inadvertent error in construing Texas law in this respect. The recent action of the Texas Legislature had a quite different effect.

The Texas approach to the use of water in coal slurry pipelines has been, and continues to be after the enactment of the Coal Slurry Eminent Domain Act, at least as permissive as the approach taken by the legislature in the gentleman's home State of Wyoming.

Both States require that any proposal to use water in a coal slurry pipeline be examined to determine that the specific pipeline will not have any detrimental effect on other water users. In Texas the decision is delegated to the Texas Water Rights Commission. The Texas act extending eminent domain to coal slurry pipelines did not alter this approach. In Wyoming, both a State agency, the Office of the State Engineer, and the legislature itself must approve each pipeline proposal.

In the Texas legislation, the first major provision concerning water use specifies that:

The right of eminent domain granted under this chapter to such pipelines shall not include and cannot be used to condemn water or water rights for use in the transportation of coal by pipeline; and provided further that no Texas water from any source shall be used in connection with the transportation, maintenance, or operation of a coal slurry pipeline (except water used for drinking, toilet, bath, or other personal uses at pumping stations or offices) within the State of Texas unless the Texas Water Rights Commission shall have determined, after public hearing, that such use will not be detrimental to the water supply of the area from which the water is sought to be extracted.

Second, the Texas act provides that the right of eminent domain cannot be used to condemn water or water rights. A similar provision is contained in H.R. 1609, the Coal Pipeline Act of 1977.

In Wyoming, the State legislature in 1974 decided that the use of water in coal slurry pipelines would require the

specific prior approval of the legislature itself on the advice of the State Engineer. That same bill also gave the legislature's specific approval to a proposal by Energy Transportation Systems Inc. to withdraw up to 20,000 acre feet of water for a slurry pipeline. The actual language of the act was printed in the hearing record compiled by the Interior Committee in 1975 on coal slurry pipeline legislation—page 1121.

Certainly the supporters from Texas of the proposed Federal Coal Pipeline Act of 1977 do not urge that Texas water law should be more onerous than Wyoming water law. In providing that "Nothing in the Act shall be construed (1) as affecting in any way existing law governing appropriation, use, or diversion of water, or any Federal, State, or private right to water \* \* \*," H.R. 1609 simply leaves the determination of State water rights to the appropriate State authorities. Nor has the Texas State Legislature demanded any more stringent conditions on slurry pipeline use of water than those that were in effect in Wyoming when permits were granted for water to be used for slurry coal. It is the Wyoming Legislature itself that approved the water application for a coal slurry pipeline and has the right and duty to consider any future applications that may be submitted.

In conclusion, the States should determine, as both Texas and Wyoming have done, how their water is to be allocated. H.R. 1609 would preserve this approach.

#### MONTHLY LIST OF GAO REPORTS

#### HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BROOKS. Mr. Speaker, the monthly list of GAO reports includes summaries of reports which were prepared by the staff of the General Accounting Office. The April 1977 list includes:

##### AGRICULTURE

The Summer Feeding Program—How to Feed the Children and Stop Program Abuses. CED-77-59, April 15.

New Approach Needed to Control Production of Major Crops If Surpluses Again Occur. CED-77-57, April 25.

Food and Agriculture Issues for Planning. CED-77-61, April 22.

##### Letter report

Need to Improve Forest Service procedures for handling vehicle accident repairs and claims. LOD-77-213, April 28.

##### COMMERCE AND TRANSPORTATION

The Status and Problems in Constructing the National Visitor Center. PSAD-77-93, April 4.

##### Letter reports

The Executive Branch has released impounded budget authority for the Commerce and Transportation Departments, as required under provisions of the Impoundment Control Act of 1974. OGC-77-15, March 31.

Legislation recommended to lift funding restrictions on state programs for training school bus drivers. CED-77-60, April 26.



## COMMUNITY AND REGIONAL DEVELOPMENT

## Letter report

Management of the Department of Housing and Urban Development's Basic Homes Program. CED-77-52, April 1.

## EDUCATION, TRAINING, EMPLOYMENT, AND SOCIAL SERVICES

Social Research and Development of Limited Use to National Policymakers. HRD-77-34, April 4.

History of Contract Awarded to Develop a Project Grant Information System. HRD-77-47, April 8.

More Benefits to Jobless Can Be Attained in Public Service Employment. HRD-77-53, April 7.

Questions Persist About Federal Support for Development of Curriculum Materials and Behavior Modification Techniques Used in Local Schools. HRD-77-49, April 15.

The Well-Being of Older People in Cleveland, Ohio. HRD-77-70, April 19.

## GENERAL GOVERNMENT

The Role of the Postal Rate Commission Should Be Clarified. GGD-77-20, April 7.

Better Evaluations Needed to Weed Out Useless Federal Advisory Committees. GGD-76-104, April 7.

System for Processing Individual Equal Employment Opportunity Discrimination Complaints: Improvements Needed. FPCD-76-77, April 8.

How the Fair Labor Standards Act Affects Federal Agencies and Employees. FPCD-76-95, April 18.

Magnitude of Nonappropriated Fund and Related Activities in the Executive Branch. FPCD-77-28, April 25.

Extending the Tax Assessment Period: Why, How Often, and What Improvements Can Be Made. GGD-76-108, March 28.

Alcohol and Tobacco Excise Taxes: Laws and Audits Need Modernizing. GGD-76-91, April 8.

The Debate on the Structure of Federal Regulation of Banks. OCG-77-2, April 14.

Audit of Financial Statements of the Federal Financing Bank—Fiscal Years 1975 and 1976. GGD-77-36, April 27.

Federal Supply Service Self-Service Stores Can Be Improved. PSAD-77-60, April 14.

Vulnerabilities of Telecommunications Systems to Unauthorized Use. LCD-77-102, March 31.

Travel in the Management and Operation of Federal Programs. FPCD-77-11, March 17.

Special Retirement Policy for Federal Law Enforcement and Firefighter Personnel Needs Reevaluation. FPCD-76-97, February 24.

## Letter reports

Clarification of GAO's recommendation to the General Services Administration on pricing of construction contract change orders. LCD-77-326, April 7.

Answers to questions about the new Financial Management System for the central government of the Trust Territory of the Pacific Islands. FGMSD-77-27, April 18.

Extent to which tax-exempt organizations fail to file employment tax returns covering social security and Federal unemployment taxes. GGD-77-48, April 20.

How the District of Columbia can improve its system for detecting errors in welfare payments. GGD-77-51, April 20.

## HEALTH

Progress and Problems in Treating Alcohol Abusers. HRD-76-163, April 28.

Fundamental Improvements Needed for Timely Promulgation of Health Program Regulations. HRD-77-23, February 4.

## Letter report

Need to reevaluate size of planned Veterans Administration hospitals in Richmond, Virginia, and Bay Pines, Florida. HRD-77-79, April 4.

## GENERAL SCIENCE, SPACE, AND TECHNOLOGY

Federal Agencies' Contracting for Research and Development in the Private, Profitmaking Sector. PSAD-77-66, March 24.

## INTERNATIONAL AFFAIRS

Nicaragua—An Assessment of Earthquake Relief and Reconstruction Assistance. ID-77-25, March 17.

Compensation Provided to American Claimants Through Foreign Claims Settlements. ID-77-26, April 6.

Examination of Financial Statements of the Export-Import Bank of the United States for the Fiscal Year Ended June 30, 1976. ID-77-23, April 15.

## Letter report

Advantages and disadvantages of GAO's use of a decentralized audit operation for performing reviews of U.S. activities overseas. ID-77-35, April 22.

## NATIONAL DEFENSE

Status of the F-16 Aircraft Program. PSAD-77-41, April 1.

Better Management of Spare Equipment Will Improve Maintenance Productivity and Save the Army Millions. LCD-76-442, April 5.

Consolidation of the Air Force's Environmental and Radiological Health Laboratories. LCD-77-323, April 6.

Air Force Contingency Plans Should Include Facilities of Civil Reserve Air Fleet. LCD-77-207, April 6.

Changes in Navy Ship Overhaul Practices Could Improve Fleet Capability and Crew Effectiveness. FPCD-77-76, April 8.

Should the Navy Reverse McDonnell Douglas Corporation's Award of the F-18 Ejection Seat Contract? PSAD-77-99, April 11.

Pricing of Noncompetitive Contracts Subject to the Truth-In-Negotiations Act. PSAD-77-91, April 11.

Human Resources Research and Development Results Can Be Better Managed. FPCD-77-43, April 22.

Implementation of Emergency Loan Guarantee Act. PSAD-77-101, April 25.

The Effectiveness of the Attack Submarine in the Direct Support Role. PSAD-77-89, April 29.

## Letter reports

Would consolidating processing of military disability retirements under a single manager improve efficiency and uniformity among the military services? FPCD-77-45, April 18.

Army practices in purchasing electronic teaching aids for language students—"language laboratories"—for foreign countries' use. PSAD-77-104, April 28.

## NATURAL RESOURCES, ENVIRONMENT, AND ENERGY

Security at Nuclear Powerplants—At Best, Inadequate. EMD-77-32, April 7.

Energy: Issues Facing the 95th Congress. EMD-77-34, April 28.

Evaluation of the Analysis Supporting President Ford's Veto of H.R. 25, the Surface Mining Control and Reclamation Act of 1975. EMD-77-37, April 15.

Continuing Need for Improved Operation and Maintenance of Municipal Waste Treatment Plants. CED-77-46, April 11.

Analysis of Closure Orders Issued under the Federal Metal and Nonmetallic Mine Safety Act of 1966. RED-76-64, February 12, 1976.

Information on the California Anchovy. GGD-75-43, December 31, 1974.

## Letter reports

GAO comments on proposed deferral of \$12.6 million for water resources projects. OGC-77-16, April 18.

The Energy Research and Development Administration should review the commercial potential and advantages and disadvantages of small, medium, and large wind energy systems before setting priorities for its research program. EMD-77-33, March 29.

GAO review of the Federal Power Commission's projections for natural gas curtailments during the winter of 1976-77. EMD-77-12, January 13.

## REVENUE SHARING AND GENERAL PURPOSE FISCAL ASSISTANCE

Assessment of New York City's Performance and Prospects Under Its 3-Year Emergency Financial Plan. GGD-77-40, April 4.

New York City's Efforts to Improve Its Accounting Systems. FGMSD-77-15, April 4.

The Long-Term Fiscal Outlook for New York City. PAD-77-1, April 4.

Summary: The Long-Term Fiscal Outlook for New York City. PAD-77-1A, April 4.

The monthly list of GAO reports and/or copies of the full texts are available from the U.S. General Accounting Office, Distribution Section, room 4522, 441 G Street NW., Washington, D.C. 20548, phone (202) 275-6241.

## PRINCE KUHIO, DELEGATE TO CONGRESS

## HON. CECIL "CEC" HEFTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. HEFTEL. Mr. Speaker, on June 24, the people of Hawaii will have the honor of welcoming our First Lady, Mrs. Rosalynn Carter, for the dedication of the new Honolulu Federal building, which will be named after Prince Jonah Kuhio Kalaniana'ole.

I think it is fitting, Mr. Speaker, to recall the Hawaiian whose name will grace this building as one of the most remarkable men to ever serve in the U.S. House of Representatives.

Prince Kuhio—known as the "Citizen Prince" by those who loved and revered him—was a delegate to Congress from the Territory of Hawaii from 1903 to 1921.

His life was filled with great contrasts. He was of royal lineage and likely would have become King had the Hawaiian monarchy not been overthrown in the revolution of 1893. Despite his imprisonment for participating in an attempt to resist the new Republic and restore the monarchy, he eventually went on to serve his people as their elected delegate to Washington.

Prince Kuhio is remembered fondly in Hawaii each March 26 on Kuhio Day, which is celebrated as a State holiday. I am pleased, Mr. Speaker, to remember him now for the benefit of my colleagues in this honorable body by presenting an account of his life and achievements written by Frances Reed of Hilo, Hawaii.

The people of the Aloha State look forward with great anticipation to the visit of Mrs. Carter and to the dedication of the Prince Jonah Kuhio Kalaniana'ole Federal building and courthouse.

The article follows:

PRINCE JONAH KUHIO KALANIANA'OLE  
(By Frances Reed)

Prince Jonah Kuhio Kalaniana'ole, descendant of Hawaii's ancient royal families, was born at Hoai, Koala in the Koloa district on the Island of Kauai on March 26, 1871, the youngest son of Kauai's High Chief David Kahalepouli Piikoi and Princess Kin-

oiki Kekaulike. His great-grandfather, Kaumualihi, had been the last king of Kauai. The Prince's birthplace was a grass house in this ancient fishing village. Normally, however, the Piko family resided on Oahu.

The family consisted of three boys. Their mother and father died when they were young and they were adopted by their aunt, Kapiolani, who was their mother's sister and the wife of King Kalakaua. In the course of time each brother dropped his surname Piko, taking his middle name as a surname.

When King Kalakaua and Queen Kapiolani ascended their thrones in 1874, the children were already members of the royal household as the queen's nephews and, later, foster sons. One of the highlights of their youth was the coronation ceremony of Kalakaua and Kapiolani, in which they participated as immediate members of the family. They were made princes by royal decree when Kuhio was thirteen.

The boys attended private schools in Honolulu, first St. Alban's College, now Iolani School, and then Punahou School. It was at St. Alban's that the nickname "Prince Cupid" was first given to the roly-poly Prince by his French school teacher, Pierre Jones. Kuhio was then a fat little fellow whose eyes twinkled merrily and upon whose lips there was a perpetual smile. The French teacher said: "He is so cute, just like the picture of the little cupid." This affectionate nickname stayed with him throughout his lifetime. Even in Washington he was known as "Prince Cupid." He didn't seem to mind the name, although he never referred to it himself.

At Punahou Kuhio was noted for his ability as an athlete. In fact, throughout his life he was considered an all-round sportsman. He took part in all athletic sports and excelled in rowing and football. He loved to participate in rowing regattas off the beach at Waikiki. Running and bicycling were other school activities that he enjoyed. Born to a great love of the sea, as are most Hawaiians, he was an expert surf rider and spear fisherman.

The Prince was skilled in the ancient Hawaiian form of wrestling known as "lua." In his youth he was taught 250 "holds," which he never forgot.

He was an expert horseman and there was nothing he enjoyed more keenly than going with the cowboys after wild cattle and horses on the rugged slopes of Mauna Kea, or spearing wild boars from the back of a horse. He was an excellent polo player and was fond of yachting and game fishing. Good marksmanship with either rifle or shotgun made him a welcome member of shooting parties. Golf was a favorite pastime.

From Punahou the princes were sent to St. Matthew's School at San Mateo, California. One of the brothers, Prince Edward, died before graduating. After finishing their schooling the other two princes, David and Kuhio, were sent by King Kalakaua to the Royal Agricultural College in Cirencester, England (during the years 1890 and 1891). In addition to studying agriculture, the princes also took courses in business education.

King Kalakaua's purpose in educating the princes at the best schools and in England was to prepare them to hold high offices in the kingdom or to wear the crown. For this reason, he placed them in clerical work in different government offices during vacations and between schools.

Upon his return from England, Prince Kuhio received a position in the Ministry of the Interior and the Customs Service. He worked very hard and showed a strong aptitude for public affairs.

In 1891 King Kalakaua died and his sister Liliuokalani became queen. Prince Kuhio was to be in the line of succession to the crown. But her reign lasted a little less than two years. In 1893 a revolution deposed the queen,

overthrew the monarchy, and set up the Republic of Hawaii. The Prince was then twenty-one years of age. The career for which he had been trained was gone. Only by some miracle would he ever become king of the Hawaiian Islands.

Prince Kuhio was naturally a staunch supporter of his aunt, Queen Liliuokalani. He wanted to see her returned to her throne and joined with a group of revolutionaries who tried to overturn the republic and restore the monarchy. He was active in raising money with which to buy weapons on the mainland but the plot was discovered. Kuhio was arrested and charged with treason. He was found guilty by a military commission and served about a year as a political prisoner. He evidently did not suffer a great deal as throughout his later life he delighted in telling yarns about his months in prison.

His release and pardon came on the same day in 1895 that the republic released Queen Liliuokalani from her imprisonment. A year later, on October 8, 1896, he married Elizabeth Kahanu Kaauwai daughter of a chief of Maui. She had visited him daily while he was in prison, bringing him good things to eat whenever possible.

The young couple made a trip around the world in 1899, seemingly with the intent of settling in another country. They visited all of the cities of Europe and went to Africa where the Prince shot many animals, the heads of which were sent back as trophies for his home in Waikiki. They investigated the diamond mining business in South Africa, but decided not to invest in it. They returned to the Islands in 1901.

Congress, in April 1900, had passed the Organic Act which established a territorial form of government in Hawaii and which provided that the Constitution and laws of the United States had the same force and effect in the territory as elsewhere in America. It was probably this that brought the Prince back to Hawaii. He became a member of the Republican Party and a loyal supporter of the United States. Because he was one of their own ali, the Hawaiian people trusted and followed him.

At the convention of the Republican Party held in Honolulu in 1902, Prince Kuhio was persuaded to accept the party's nomination as a delegate to Congress.

When Prince Kuhio first entered public life as a candidate he showed natural ability to speak in his own language. His English, however, was not so good. But, as the years rolled by, he became a fluent speaker in both English and Hawaiian. He was a great political campaigner. When he arose to address his audiences, he began by greeting them in the soft, mellow long-drawn out "Aloha, aloha, kamaaina."

He was successful in his first bid for election and many others and served as Hawaii's delegate to Congress from 1903 to 1921. His greatest asset, both with the Hawaiians and with the haole voters, was his keen wit and ready good humor. He was also well-liked by his fellow-legislators in Washington, even those who at times opposed his views. He never presented or advocated measures which he could not wholeheartedly support, but if he believed that something would be good for the Hawaiian people he worked tirelessly for it. He had sincerity, enthusiasm and the courage to stand up for his convictions. He commanded universal respect.

Among the outstanding achievements of Prince Kuhio in his twenty years in Congress were the following:

(1) Kalaupapa Leper Settlement—He was able to keep this territorial institution and to secure a federal appropriation to build an experimental hospital for the treatment of leprosy.

(2) County government—He obtained an amendment to the Organic Act in 1905 which authorized the creation of county governments with elected officials.

(3) Pearl Harbor—The development of Pearl Harbor was an objective Prince Kuhio worked for at all times in Washington. He obtained millions of dollars for it and for the many army installations on Oahu. He served on the Military Affairs Committee of the House of Representatives, although, since he was merely a delegate instead of an elected representative, he did not have a vote.

(4) Congressional visits to the Islands—Knowing how little the mainlanders knew about Hawaii, the Prince found that the best way to make friends for the Hawaiian cause was to persuade the Congressmen to visit the Islands. He brought out congressional parties in 1907, 1909, 1915 and 1917 and entertained them lavishly at great luaus.

(5) Harbors—Through Prince Kuhio's efforts funds were secured for improvements to the harbors at Honolulu, Hilo, Kahului and Nawiliwili.

(6) Hawaiian Homestead Act—In 1910 he obtained an amendment to the Organic Act which opened public lands to homesteading. This, however, did not protect the Hawaiians so the Prince began agitation to set up special homesteading lands for Hawaiians only.

(7) Hawaii National Park—Prince Kuhio has been called the "Father of Hawaii National Park" because it was he who obtained passage of the bill enabling the Interior Department to take over a large area of the Kilauea volcano in 1916 for development as a national park.

(8) Rehabilitation Act—One of the greatest sorrows in the life of Prince Kuhio was the unmistakable decline in the Hawaiian race during his lifetime. The number of full-blooded Hawaiians began its fatal decrease long before his birth, but the tendency was so marked that it showed up from month to month during his lifetime. In 1896 there were over 30,000 of his race in the islands. At the time of his death in 1922 there were a scant 20,000. This seemed to indicate that within half a century the Hawaiians would be but a memory in the history of Hawaii.

Prince Kuhio felt that the solution lay in getting the Hawaiians away from the cities and back to the land. His idea was to turn over certain government-owned lands to the Hawaiians and endeavor to induce them to become a race of producers once again.

The Rehabilitation Act, better known as the Hawaiian Homes Commission Act, was his greatest achievement and it took years of fighting. The battle was not won until 1921. Prince Kuhio then returned home. He hoped to be appointed governor but President Harding's choice for the post was Wallace Farrington. The Prince did not permit his disappointment to show and he worked closely with the governor, who became his good friend. He was appointed a member of the Hawaiian Homes Commission, which was set up to carry out the provisions of the Rehabilitation Act.

Statehood for Hawaii was not achieved during his lifetime but on February 11, 1919 Prince Kuhio introduced a bill in Congress, asking that Hawaii be admitted to the United States. The first World War had just ended and the Prince stated that the war had proved that his people had become Americanized. The bill was referred to a committee for study and nothing further was done with it. The next year the delegate introduced another bill. These were the first two of a long succession of statehood bills. Even in Hawaii there was little support for these bills and they were easily overlooked by Congress.

In addition to his other accomplishments, Prince Kuhio did all that he could to restore the Hawaiians' pride in their race and their respect for its past achievements. He believed in democracy and self-government and urged his people to take pride in their American citizenship and to adjust to changing conditions. He was outspoken in telling the Hawaiians that work was their only salvation—



hard work that would enable them to compete with the other races.

In 1903, the Prince organized the Order of Kamehameha, a society devoted to the perpetuation of the memory of Kamehameha the Great. He officiated at the first observance of Kamehameha Day held in 1904 in front of the statue of the king in Honolulu. The organization of the Order of Kamehameha set the pattern for the revival of many of the old Hawaiian societies. Kuhio also organized the groups known as The Chiefs of Hawaii and the Hawaiian Civic Club.

Prince Kuhio died of heart disease at his Waikiki Beach home on January 1, 1922 at the age of fifty and was given the last state funeral held in Hawaii for an ali. He was buried at the royal mausoleum in Nuuanu Valley. Royalty in the Hawaiian Islands died with him. He was the last Hawaiian who by right of blood and designation could have claimed the crown.

As a monument to Kuhio's memory his birthplace on Kauai was made into a park and a statue of him, the work of sculptor Jacob Rosenstein, placed there in a simple rock pedestal. The calm, appealing face looks out to the sea which he loved. Engraved on the bronze plaque is the name of the Prince followed by the phrase, "Ke Alii Makaainana" (The Citizen Prince). The bust was unveiled on June 17, 1928 amid a gathering of noted people from all over the Islands.

The area in which Kuhio's home, Pua Lani (Flower from the wreath of Heaven) was located is now Kuhio Park, in the Waikiki area of Honolulu. A bronze plaque was placed there in 1940 by Hawaiians devoted to the memory of their beloved leader. It bears the words:

"Prince by the grace of God, Statesman by accomplishment. Delegate to Congress by popular choice. Father of the Hawaiian Rehabilitation Act.—Dedicated by his People."

In 1949 the Legislature designated March 26 as a territorial holiday to be known as Kuhio Day. It is observed with school programs and special ceremonies sponsored by Hawaiian societies at the royal mausoleum.

#### B-1 COSTS

### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. DORNAN. Mr. Speaker, today, I would like to address the House on the subject of B-1 costs. In the past few years, this has become quite an emotional issue, particularly on the part of those individuals who are opposed to the program. They claim that exorbitant overruns have occurred, and we just cannot afford this aircraft. Actually, quite the opposite is true. It is one of the best managed programs in Defense Department history and we cannot afford not to buy it.

Critics point to the estimate made for the B-1 at the time of the decision to begin development, \$9.9 billion in terms of the purchasing power of 1970 dollars and the current estimate of \$24.8 billion, and then claim that the cost of the B-1 has doubled. They conveniently forget that the cost of everything we buy has risen at an unprecedented rate over the past few years, and that aircraft are no exception. If we could still buy things with 1970 dollars, 244 B-1s would cost about \$11.8 billion, a growth of about 20 percent in real terms over a 7-year

period. Some of this growth comes from having a better definition of the aircraft than was possible in 1970. The design is essentially complete, three aircraft have been built and tested, four more are being built. The Air Force now obviously knows much more about the cost of a B-1 than it did in 1970 and this increased knowledge is reflected in their estimates. We in the Congress must also take credit or blame for some of the increase.

While both Houses have repeatedly voted to support the program, the Congress has made reductions in R.D.T. & E. and procurement funding levels which have caused inefficiencies in the program and led to real cost growth.

Where does the remainder of the \$24.8 billion come from? From inflation—the inflation that we have experienced since 1970 and that which is projected to occur until 1989, the last year funds will be spent on B-1 procurement. In 1977 dollars—today's dollars, the same ones we have in our pockets—the cost to acquire 244 B-1s would be \$20.6 billion. Inflation since 1970 accounts for the difference between this number and the current estimate expressed in 1970 dollars.

Thus the B-1 costs have grown by 74 percent due to inflation we have already experienced. This increase is in line with the experience of other military aircraft programs. Some examples of inflation over this same period include coal and fuel oil—170 percent increase; medical care—78 percent increase; professional services—67 percent increase; homeownership—64 percent increase. The cost of manufactured goods rose 73 percent, of intermediate materials 86 percent, of fabricated structure 78 percent—all constituent parts of the aircraft. Wages have also risen, for example the hourly wages of aircraft and parts employees have gone up about 67 percent over this period. The inflation in the B-1 program is not isolated—it is present in all sectors of the economy.

The future will bring additional inflationary increases, from the \$20.6 billion estimate in 1977 dollars to the \$24.8 billion estimate which includes all the currently projected inflation effects through the last expenditures in 1989.

We must consider the capabilities we are buying for this money. The B-1 is the most capable heavy bomber ever built—it has to be to defeat the Soviet defenses projected for the 1980's and to be able to continue its mastery over those defenses in the 1990's and beyond. It is flexible, capable of penetration at tree top altitudes at high subsonic speeds and supersonic penetration at high altitude. It can carry a large number and variety of weapons such as the short range attack missile, nuclear gravity weapons, and conventional weapons, including the new precision guided munitions, in performing the variety of missions which only the bomber can accomplish. It has the capability to deliver weapons currently under development such as the air launched cruise missile. It will have a state-of-the-art electronic countermeasures system that can react quickly to changes in defenses. Future capabilities and costs were in the forefront of the requirements definition and design solu-

tions. The B-1 has a design lifetime of 30 years, a low maintenance cost, efficient engines to lower fuel consumption, a high alert rate, and even a low crew size to reduce personnel costs per aircraft. Thus, while unit costs are fairly high, unit effectiveness is higher still. We could build bombers which cost less for each one, but more would be required and the operating costs would be high. The total bill presented to the taxpayer over the next few decades for such an aircraft would be much higher in total than the bill for the B-1.

If we go back in history and look at the bomber aircraft of the past, we again find that the B-1 is not as expensive as a cursory investigation would suppose. Aircraft of the past were expensive because many more were required to do the job, they did not last as long, and they were costly to operate. The heavy bomber mission in World War II required over 16,000 B-17s at a cost in today's dollars of about \$70 billion to acquire and operate. And their effective lifetime was only 6 years. The B-29 operated at the end of that war and through the Korean war, a period of about 10 years. Just under 3,800 were built, at a cost of about \$49 billion in 1977 dollars. The B-47 was the first pure jet heavy bomber, but we needed over 2,000 of them at a cost of over \$51 billion. They were in the inventory 13 years. The B-52, still flying and defending the country, has been doing so for 22 years now. We built 744 of them and the equivalent cost to provide and operate them up to now has been \$65 billion in 1977 dollars. In contrast, over the planned 30-year life of the B-1, we expect to have to spend about \$36 billion of today's dollars for its development, procurement, training, operations, maintenance and support.

One further fact to be considered in discussing costs is that a large amount has already been spent on the B-1 program. Almost \$5.3 billion in 1977 equivalent dollars has been authorized and appropriated by the Congress for this aircraft. We are very far into this program with almost 25 percent of the cost in today's dollars having already been spent. Thus, the Congress can now only influence a program of \$15.3 billion or a unit cost of \$63 million. When thought of in these terms—which we can easily understand since we spend 1977 dollars every day—the B-1 does not seem so expensive after all.

In summary, the B-1 costs are actually low when the capability being provided is taken into account. In the days when the median house in the United States costs over \$50,000, the car you drive is approaching—or has exceeded \$6,000, costs for a gallon of gas are reaching the 70-cent mark and higher, we must also expect to pay more for our national security and the tools by which we maintain it, such as our military aircraft. And, since the bomber provides us with unique deterrent capabilities which must be maintained if we are to retain our strategic posture vis-a-vis the Soviet Union, the funds for the B-1 will be well spent. I hope that the House of Representatives will continue its strong support of this vital program.

## WIDE-OPEN INVITATION TO FRAUD

## HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. FRENZEL. Mr. Speaker, in a signed editorial appearing in the Appleton-Nienah-Menasha Post Crescent on June 2, John Wyngaard, one of the most respected political analysts in Wisconsin, calls the voting day registration system "a wide-open invitation to further fraud."

Some proponents of the walk-in registration plan have pointed proudly to the Wisconsin experience, it is especially noteworthy that a well-known Wisconsin writer says no real study of violations was made there. Wyngaard correctly identifies the awesome fraud problem.

The editorial follows:

## WALK-IN REGISTRATION LAW OPEN INVITATION TO FRAUD

(By John Wyngaard)

MADISON.—Gov. Patrick Lucey and like-minded Democrats regard as one of the great recent achievements of the legislature the walk-in registration law that the governor successfully pushed through a legislature dominated by his party.

The stated purpose was to permit careless persons, who ignore the simple task of registering with the Municipal clerk to assure the integrity of elections, to go to the polls and register at the time of voting, with the most lenient of rules to prove their identities, their residence and their eligibility.

Unsaid, but widely understood by both political parties, is that the problem of negligence about voter registration is most prevalent among those who typically regard themselves as Democrats.

It is reasonable to speculate, for example, that a major part of the reason why more Wisconsin voters turned out last November, and why President Carter carried the state by an historically thin margin, was the fact that some thousands of normally ineligible voters were permitted to cast their ballots under the new rule.

The vote is one of the fundamental privileges of the citizen and hallmark of democratic government.

To condone the lazy, the ignorant or the indifferent voter and to encourage his visit to the polls in defiance of the slight inconvenience of putting his name in the poll lists in the office of a designated supervising officer is to denigrate the idea of a responsible government.

Is there any change required or desirable in the registration rules it is that they should be extended to some of the smaller municipalities where the rule of a pre-election poll list does not yet apply.

Hundreds of towns, for example, lying adjacent to parent cities are now exempt under the law on the presumption that they are rural, that the neighbors know each other and that the local officers can reliably spot a stranger and challenge his eligibility if that appears prudent.

Indeed, the whole elections code cries out for revision, as illustrated by the experience with the transportation referendum a year ago which was so close that it required a recount. When the recount was ordered, it failed because local supervisors had destroyed the ballots in defiance of law and common sense.

The walk-in vote rule tends to favor Democrats, as they cheerfully concede in private. Most politicians concede that the indifferent,

if somehow persuaded to drop in at the polls, boost the vote totals of the Democrats. One of the reasons why Republicans provide serious competition in some elections as in the Carter-Ford tight race in Wisconsin last fall, is that a larger ratio of Republicans make it a rule to vote.

President Carter is now pushing for a universal walk-in registration law by act of Congress, basing his proposal on the argument that Wisconsin and Minnesota have proved its value. That is a debatable claim, at best, since no real study was made of the first results here, or possible violations.

These are states with long-standing reputations for comparatively clean government and honest administration. But the election process is not clean everywhere. Who would willingly authorize the Chicago Democratic machine of the late Mayor Daley, already notorious for its machinations, to herd voters into the polls without previous proof of residence and other qualifications? Yet such a wide open invitation to further fraud would be recognized in the new law President Carter, Democrat, wants.

## CARTER'S ENVIRONMENTAL MESSAGE

## HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for June 8, 1977, into the CONGRESSIONAL RECORD:

## CARTER'S ENVIRONMENTAL MESSAGE

It is now clear that President Carter will take an active leadership role on environmental issues.

His full-dress environmental message to the Congress, the first formal, Presidential affirmation of environmental concern in the last four years, represents a sharp shift in national policy. In the comprehensive message he makes a commitment to carry out the environmental programs that the nation has adopted in recent years. He states that the primary need is not for new, comprehensive laws, but for "sensitive administration and energetic enforcement of the ones we have." In addition, he has appointed a number of card-carrying conservationists in key administrative posts, and he is expanding the responsibility of the Council on Environmental Quality. He has not only committed himself to the view that environmental protection is consistent with a sound economy, but he argues that if we ignore the care of our environment "the day will eventually come when our economy suffers from that neglect."

In his environmental message the President rejected the view of two groups: on the one side, those who argue that environmental protection is incompatible with economic growth and that environmental goals must be modified and delayed so as not to interfere with economic expansion; and, on the other side, those who argue that economic well-being does not require economic growth and that in a finite world there are limits to growth.

The President's call for a strong commitment to the environment has arrived at a time when the Congress has before it a long agenda of environmental issues, and is uncertain about the direction it wants to go. In recent days, for example, the House has passed a tough bill regulating strip mining, but then rejected amendments to the Clean

Air Act that would have applied stricter limits to automobile exhaust fumes. It also comes at a time when the country has made recent significant progress in a number of key environmental areas and when the goal of protecting the environment is no longer just the cause of a few conservationists but is a clearly accepted national goal with strong majority support.

An overall assessment of efforts to protect the environment is necessarily mixed. The environmental programs have promised more than they have been able to deliver—but that is due less to the fault of the programs than to strong and bitter opposition. At accelerating rates, questions have arisen about the effects of all kinds of substances in the environment, including asbestos, vinyl chloride, PCBs, fluorocarbons, kepone, and many others. The Toxic Substances Control Act, enacted in 1976, requires the screening and approval of all new chemical substances before they are released for commercial sale. Although this complex law places a heavy burden on the EPA, it establishes a regulatory procedure which should be helpful.

The struggle for cleaner air goes on, with frequent delays and modifications of the standards, but significant progress is being made, even though some of the goals originally set for 1975 may not be reached until the mid-1980s. No conclusive assessment of the condition of the nation's waterways is possible, but EPA says that the levels of bacteria and oxygen-absorbing waste in waterways is continuing to decline, although nitrogen and phosphate contaminants are still on the increase. The foremost accomplishment has been to end the accelerating degradation of the Great Lakes. The nation's handling of solid waste is far from satisfactory, but more communities are beginning to understand that these wastes are a valuable source of resources and energy and they are adopting the conservationist view that there is no such thing as trash.

While the nation is making progress in reducing pollution, a formidable array of problems remain. I am persuaded that most Americans remain deeply concerned about environmental problems and strongly favor action to help move toward solutions. They see cleaning up the environment as a national task of high priority. Every time there is an oil spill, or a toxic chemical gets loose in water or air, or a drug endangers human life, or a city chokes on pollution, people become more determined to move ahead with the fight against pollution. Most of us know that the efforts for cleaner automobiles, a carefully constructed Alaskan pipeline, better sewage treatment facilities, and caution about the use of toxic chemicals have been worthwhile. We also know that the economic benefits of pollution control are becoming apparent. The Council on Environmental Quality estimates that pollution-control businesses employ 400,000 workers, while only 17,600 persons lost jobs when plants closed because of environmental controls. The Council points out that the Gross National Product rose by \$1.5 billion due to these expenditures while these controls added only 0.3 to the inflation rate.

I do not agree with the observation that Americans have become disenchanted with the cause of protecting the environment. I agree with the President that economic and environmental values are not fundamentally in conflict but go hand in hand. We must be prepared to protect both or neither will survive. I do not contend that environmental concern should take precedence over all others, but I believe it is necessary to strike a reasonable balance between cleaning up our environment and stimulating economic and energy development. The two goals are of equal importance.



# GROWING BUSINESS SUPPORT FOR AGENCY FOR CONSUMER PROTECTION

## HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. WAXMAN. Mr. Speaker, we have heard a great deal about the opposition of business groups such as the U.S. Chamber of Commerce and the Business Roundtable to the creation of an Agency for Consumer Protection. While these groups purport to represent the business community, I am becoming increasingly convinced that in opposing the ACP, these business groups and trade associations are doing their membership a grave disservice and may well be acting in direct contravention to the wishes of the rank and file in the business community.

Enthusiasm for the ACP is growing. While support among citizens is of long standing, recent upsurges in support within business circles is refreshing. Ester Peterson, Special Assistant to the President for Consumer Affairs, has informed me that over 100 individual businesses, from all across the country, have endorsed creation of the Consumer Protection Agency. Businesses supporting the ACP include:

Advanced R & D, Inc., Orlando, Florida.  
Aldi-Benner Tea Co., Burlington, Iowa.  
Alpha Beta, La Harbra, Calif.  
Alexander Hamilton Life Insurance Co., Farmington, Michigan.  
American Income Life Insurance Co., Waco, Texas.  
American Sound Corporation, Warren, Michigan.  
AMFAC, Inc., Honolulu, Hawaii.  
Amivest Corporation, New York, New York.  
Applikay Textile Process Corporation, Passaic, New Jersey.  
Atlantic Richfield Company, Los Angeles, Calif.  
Bantam Books, New York, New York.  
Big Smith, Inc., New York.  
Blake's, Springfield, Mass.  
Blue Bell, Greensboro, N.C.  
Blue Cross Association, Washington, D.C.  
Bonnie Bell, Lakewood, Ohio.  
Boulder National Bank, Boulder, Colo.  
Brands Mart, New York, New York.  
Cardinal Outdoor Advertising, Erie, Pennsylvania.  
Danville, Illinois, Terre Haute, Indiana.  
Chief Auto Supply, Carritos, California.  
Cinema 5 Limited, New York, New York.  
Coffee Associates Food Enterprises, South Windsor, CT.  
Condamatic Company, Inc., Warren, Michigan.  
Connecticut General Life Insurance, Hartford, Connecticut.  
Consumers Cooperative of Berkeley, Inc., Berkeley, California.  
Consumers Cooperative Society of Palo Alto, Palo Alto, California.  
Consumers United Insurance Company, Arlington, VA.  
Co-op and Consumer Supermarkets, SCAN Contemporary Co-op Furniture, Silver Spring, Maryland.  
Cummins Engine Company, Columbus, Indiana.  
Dansk Design, Mt. Kisko, New York.  
The Dreyfus Corporation, New York, New York.  
Dyna Day Plastics, Inc., Warren, Michigan.  
Dyson-Kissner Corporation, New York, New York.

Walter Emery Bank of Denver, Denver, Colo.  
Executive Life Insurance of New York, New York, New York.  
Factory Equipment Corp., Los Angeles, Calif.  
Federation of Cooperatives, New York, New York.  
Feuer Precision Gauges, Inc., Forest Hills, New York.  
Florida Investors Mortgage Corporation, Gainesville, Florida.  
Frankel Carbon & Ribbon, Denver, Colo.  
Gamble Corp. Buying, New York.  
General Instrument Corp., New York, New York.  
Laurence Good, L. S. Good, Wheeling, West Virginia.  
GRT Corporation, Sunnyvale, Calif.  
Hamburger's, Baltimore, Maryland.  
Hang Ten International, San Diego, California.  
Harper Systems, Little Rock, Ark.  
Harris & Frank, Los Angeles, Calif.  
Robert Hart, Boulder National Bank, Boulder, Colo.  
The Hechinger Company, Washington, D.C.  
Henhouse Interstate, St. Louis, Missouri.  
Holiday Universal, Inc., Townsend, Md.  
Hydro Medical Science, New Brunswick, New Jersey.  
International Creative Management, New York, New York.  
International Group Plans, Inc., Washington, D.C.  
Joseph & Fels, New York.  
KB Marketing System, Inc., Brilliant, Ohio.  
Kennedy's, Boston, Massachusetts.  
King Super Markets, Inc., Irvington, New Jersey.  
Labenthal Company, New York, New York.  
Levi-Strauss, San Francisco, Calif.  
Lloyd's Shopping Center, Middletown, New York.  
Maxell Corporation of America, Moonachie, New Jersey.  
MCA (parent of Universal Pictures), Universal City, Calif.  
Mobil Oil Company, New York, New York.  
Monogram Industries, Inc., Los Angeles, Calif.  
Montgomery Ward, Chicago, Illinois.  
Myers Bros., Springfield, Ill.  
National Association of Mutual Insurance Agents, Washington, D.C.  
National Patent Development Company, New York, New York.  
National State Bank, Trenton, N.J.  
Oakland Consolidated Corporation, Maitland, Florida.  
Optical Systems Corp., Los Angeles, Calif.  
Pa. Power & Light Co., Allentown, Pa.  
Phillips-Van Heusen, New York, New York.  
Piedmont Industries, New York, New York.  
Pioneer Systems, Manchester, Connecticut.  
Polaroid Corp., Cambridge, Mass.  
Professional Insurance Agents, Washington, D.C.  
Puritan Fashions Corp., New York, New York.  
Putnam-Gellman Corporation, New York, New York.  
Ratner Corporation, San Diego, Calif.  
Redwood & Ross Stores, Kalamazoo, Michigan.  
Rice's/Nachman's Stores, Norfolk, Virginia.  
Rob Roy, New York, New York.  
Royal Transmission, Las Vegas, Nevada.  
Scottie Car, Springfield, Illinois.  
Scottish Inns of America, Knoxville, Tennessee.  
Star Market Co., Cambridge, Mass.  
Stop and Shop Companies, Boston, Mass.  
Stratford Town Fairs, Stratford, Connecticut.  
Stride Rite Shoes, Boston, Mass.  
TDK Electronics Corp., Garden City, N.Y.  
Warner Communication, New York, New York.  
Wrangler Hosiery, New York.

These business leader, in supporting the ACP, understand the importance of this legislation and recognize the positive effect of regulatory reform on the business community. By assisting Federal agencies in the edvelopment of regulatory policy, the ACP will represent not only the needs of individual consumers, but the rights of the business community to operate in a competitive marketplace. With assistance from the business community, the ACP would work arduously to sever bureaucratic red tape and lobby against unnecessary and inflationary governmental regulations.

I would like to call to the attention of my colleagues, a letter I recently received from the TDK Electronics Corp. of Garden City, N.Y. The TDK Electronics Corp. has been plagued by fraudulent product imitations and has been unsuccessful in its efforts to seek relief through existing Federal consumer affairs offices. As I explained in my response to Mr. Bud Barger, TDK division sales manager, TDK's experience "demonstrates the inadequacies of the present decentralized system and the need to create an agency with comprehensive authority to identify and represent significant consumer issues in Federal agency rulemaking proceedings."

In explaining TDK's support for the ACP, Mr. Barger pointed out that—

... if consumers have an advocate to represent their points of view and welfare before government agencies, they will gain more trust in government decisions, and this will be good for the business climate. No company or business should be unhappy about an improvement in the consumer's attitude toward government and an improved business climate.

From all the evidence I have seen, I believe the business community is in concurrence with Mr. Barger's most responsible and incisive observations.

Mr. Speaker, because of the interest expressed by my colleagues, I would like to place TDK Electronic's letter endorsing the Agency for Consumer Protection and my subsequent response, in the Record at this point:

TDK ELECTRONICS CORP.,  
Garden City, N.Y., May 6, 1977.

Congressman HENRY A. WAXMAN,  
Member Committee on Government Operations,  
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN WAXMAN: On April 20th before the Committee on Government Operations I gave testimony on behalf of myself and TDK Electronics Corp. in support of Bill HR 6118 to create an Agency for Consumer Advocacy. My company and I understand that this agency is not a regulator, but a consumer advocate before existing government regulators.

I feel that if consumers have an advocate to represent their points of view and welfare before government agencies, they will gain more trust in government decisions, and this will be good for the business climate. No company or business should be unhappy about an improvement in the consumer's attitude towards government and an improved business climate.

In President Carter's message to Congress on April 6, 1977, concerning the formation of the Agency for Consumer Affairs, he called for the "administration to establish responsible priorities for consumer advocacy." I

feel very strongly that by first establishing priorities in those areas that concern and affect both business and company the consumer interest will be served and protected and businesses will be given confidence that this agency and government is for everyone's benefit. Businesses that are against this bill because they feel this agency will do them no good might have their minds changed.

One of the first priorities that affect both consumers and businesses that should be dealt with is one of imitation products that trade off the good names, advertising, packaging, trade symbols and companies good consumer relationship. These imitations are bad for the consumer because he is duped into buying a product that is not what he thinks it is and, in almost every case, totally inferior in quality. Many times the consumer pays the same price or higher for the imitation.

These imitations are bad for business because they counteract the legitimate product's advertising, reputation and alienate potential steady customers for a business's product when that consumer buys an inferior product thinking it is legitimate and the product fails to perform to his satisfaction. These imitations also give the unscrupulous businessman an opportunity to rip-off the consumer without too much trouble.

TDK is a manufacturer of quality audio and video tape products. We are a well recognized leader in this industry and maintain a high reputation among consumers that are familiar with our products. I have enclosed our customers tape product catalogs for your reference.

My company is faced with a difficult problem involving imitations of our products. I have enclosed a sample of our TDK product and a sample of an imitation with a brand name of KDK. These KDK cassettes started appearing heavily about one year ago in the U.S. mainly in New York and Florida. Most of this imitation product appeared to be imported from Hong Kong. The product for the record, was tested by magazines, testing laboratories and TDK and found to be grossly inferior to our product. I have enclosed a copy of an article in *Hi Fidelity Magazine* and our own technical bulletin to support this. We and magazines began to receive consumer letters telling us how they mistakenly purchased these imitations thinking they were legitimate. I have also enclosed samples of these letters for your reference.

TDK immediately began to investigate what action we could take to stop these gross misrepresentations of our products. We applied to U.S. Customs to prevent any further importation of these goods. They approved our application and sent bulletins out to all customs agents. I have enclosed correspondence pertaining to this approval. Still, the imitations flowed into this country. Then we began to notice imitations without any indication of country of origin. This indicated that now they are also being made in the U.S.A. So our problem continued to grow.

I began to appeal to other areas for advice and help. I contacted Larry Finley at the International Tape Association who in turn contacted the HEW Offices of Consumers Affairs without success. I have enclosed correspondence with Mr. Larry Finley for reference. I contacted the Attorney General's office in New York. I contacted local consumer related groups. Again, I have enclosed correspondence for your reference.

As you probably guessed, my problem continued to grow. Neither the Federal Trade Commission nor U.S. Customs nor anyone had taken enough action to stop these imitations from growing. TDK then took retailers, distributors, and importers of these imitations on legally. We took legal action

against 30 different sellers of KDK. After many dollars for legal fees and about six months, we got permanent injunctions preventing these people from selling KDK. As we successfully stopped these 30, 30 more sprang up.

Again, I am turning to the government for help, but I and other reputable businessmen and their consumers need your help.

Imitations are not limited to my company or my industry. They affect the perfume, jewelry, watch and other industries. I urge you and the congressional committee to include in the final legislation an instruction to the agency to give high priority to business/consumer rip-offs like this issue. I am sure many businesses and consumers would appreciate your favorable consideration to this matter and TDK and I invite any suggestions from you and are willing to help in any way we can. The effect of this action will be to strengthen confidence in this new agency.

Sincerely,

TDK ELECTRONICS CORP.,  
BUD BARGER,  
Division Sales Manager.

HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 2, 1977.

Mr. BUD BARGER,  
Division Sales Manager, TDK Electronics  
Corp., Garden City, N.Y.

DEAR Mr. BARGER: Thank you for your thoughtful letter in support of the Agency for Consumer Protection. As you may know, legislation to create this much-needed agency was reported favorably by the House Government Operations Committee and is awaiting action on the House floor.

The support of conscientious businessmen like yourself is essential to the success of this new Agency. Despite the opposition of business lobbies such as the U.S. Chamber of Commerce, I am increasingly convinced by letters such as yours, that a substantial portion of the business community is in support of this legislation. Not only will the ACP represent consumers, but it will represent the rights of businesses to operate in a competitive marketplace devoid of unscrupulous business practices. As you know, at times policies by federal regulatory agencies restrict competition or entrance into the marketplace to the detriment of viable business interests. Through intervention in federal agency proceedings, the ACP would encourage competition and would work to remediate examples of unfair business practices.

Although opponents have portrayed the ACP as an unchecked bureaucracy, such a statement is, at best, representative of a fundamental misunderstanding of both the structure and scope of the enacting legislation. Not only is the ACP one of the smallest agencies ever created by Congress, but stringent checks and safeguards have been incorporated into the bill to insure efficiency and objectivity.

I greatly appreciate your support of the ACP. The lack of responsiveness experienced by TDK Electronics Corporation in dealing with existing federal consumer agency departments demonstrates the inadequacies of the present decentralized system and the need to create an agency with comprehensive authority to identify and represent significant consumer issues in federal agency rulemaking proceedings.

I assure you of my support for this legislation and hope you will not hesitate to contact me if I may be of any assistance in the future.

With all best wishes, I am,  
Sincerely,

HENRY A. WAXMAN,  
Member of Congress.

## CAN IMPROVED POSTAL MANAGEMENT PREVENT SERVICE CUTBACKS?

HON. PHILIP R. SHARP

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. SHARP. Mr. Speaker, as we consider the appropriations today for the U.S. Postal Service I would like to express some of my concerns about postal reform and the future of the post office. Although this is a complex issue, there are several matters which are of particular importance to me and my constituents. These include the closing of small rural post offices, 5-day mail delivery, and rate hikes.

For the past year, a great deal of concern has been expressed because of the Postmaster General's intention to close a substantial number of rural post offices. As a representative of a partly rural district, I have been keenly aware of the effect that such action would have on my own constituents. The problem lies in providing adequate service to rural areas while controlling expenditures for those services. We must, however, keep in mind the importance of such a post office as a source of identity for a small rural community. Furthermore, to close down rural post offices is to unfairly penalize the rural taxpayer merely because he does not reside in a populated area.

Another of the more recent and highly publicized proposals to the Postal Service has been to cut back home delivery from 6 to 5 days. According to a recent survey, 80 percent of the people interviewed would prefer such a cutback in service to an increase in postal rates. Clearly, a reduction in service would help minimize the need for an increase in postal rates, but it definitely will not forestall an increase altogether.

Furthermore, adequate research has not been done on the impact of the cutback. I know, however, from contact with my constituents, of the importance of 6-day delivery to many citizens. Senior citizens who are homebound rely on the mails as a source of contact with the outside world and some newspapers are delivered through the mail in rural areas.

If the U.S. Postal Service implements a plan for 5-day delivery it would also mean the elimination of 20,000 jobs throughout the Nation. We must carefully consider the loss of so many jobs at a time when there is such high unemployment and also when Congress is expressing a different policy by passing bills to increase employment.

Even with these possible cuts in service, we are told to expect the cost of a first class stamp to rise to 22 cents by 1985. Is this really necessary? We are being presented with a choice between paying more or receiving less. Is there not another option—better service at the same price brought about by better management?

When Congress created the U.S. Postal Service, the intent was to create an independent corporation that would operate efficiently and effectively, and be free



from the influence of partisan politics. Although I strongly agree with those intentions, and I certainly do not want to get partisan politics back into the selection of our postmasters, we have inadvertently also removed an element of accountability from the operation of the postal service. I am not at all sure that the management has operated efficiently and effectively in their independent capacity and I cannot help wondering if mismanagement, without congressional supervision, has not been passed on to the consumer in the form of higher rates and decreased service.

We cannot expect a reduction in postal costs. Eighty-six percent of the Postal Service's expenses are labor costs, and as the cost of living rises for all of us, so will the costs of the Postal Service. People are not convinced, however, that the Postal Service has been operated in an efficient and effective manner. If we are unwilling to experience cutbacks in service like the closing of small post offices and 5-day mail delivery, then we will surely see rapidly increasing postal rates. But, if the rates are to go higher, or if Congress should need to further subsidize the Postal Service to offset higher rates, then I feel strongly that we must demand more accountability for the dollars spent in this area.

Proposals pending in the Congress at the present time will address the issue of postal reform, and I hope that the Congress will act to find an equitable and reasonable solution to the problems of the U.S. Postal Service before we are required to vote more and more subsidies.

## ENERGY RHETORIC

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. CRANE. Mr. Speaker, in the past, we have seen the results of oil and natural gas price regulation. We suffered through the 1973 Arab oil embargo because of price regulation and still today, production incentive is crushed by excessive Government interference.

When will we learn? If the consumer is to remain free of worry about where his next shipment of home heating oil will come from, we must begin to encourage our producers to develop new sources of energy.

Congress is presently considering an energy package which does nothing to provide incentive to produce larger quantities of domestic oil and natural gas. The plan is designed to conserve via excessive taxation and as far as I am concerned, this is the least effective way to solve the Nation's energy troubles.

It is on this note that I insert into the RECORD an article written by Milton Friedman of the University of Chicago. Mr. Friedman is one of the top economists in our country today.

The article follows:

## ENERGY RHETORIC

(By Milton Friedman)

I do not know whether Guinness Book of World Records recognizes a record for the divergence of rhetoric from reality. If not, I suggest that it do so, and I nominate as a candidate the debate over energy policy now raging in the U.S. Herewith some supporting evidence.

1. *Pride of place must go to President Carter's use of William James's phrase "the moral equivalent of war" to describe the approach needed.*

We do have a real energy crisis—no doubt about that. And, of course, every aspect of life has a moral dimension. But, for the ordinary U.S. citizen, there is simply no special moral issue involved in energy, any more than there is in how to make the most effective use of our limited supplies of food, or iron ore, or land. The problem is a strictly technical economic problem of adjusting consumption and domestic production to a drastic change in the world price of oil engineered by the OPEC cartel.

If there is any special moral issue, it is the failure of the Congress and the Federal bureaucracy to acknowledge the major role that they have played, through ceilings on price, encouragement of OPEC and heavy-handed administration, in greatly exacerbating the crisis. Of course, the best defense is a good offense—hence the appeal to other people's moral responsibility!

2. *"The nation's most careless squanderers of energy"—a phrase used in one media report on an affluent suburb.*

Are the residents of the suburb (and the reporters writing the story) also "squanderers of food, housing, clothing"? Is it either an actual or desirable policy that everyone should consume all items at some minimum sustainable level? At the same level as everyone else? What has happened to pride in our success in improving the living standards of our people? Today's lower-middle classes live at levels that would have been affluent "squandering" a century ago; and today's "squanderers" will set the pace for the less advantaged tomorrow—if ill-considered government meddling does not kill the goose that lays those golden eggs.

Energy has been relatively cheap, and it has been sensible for all of us to adjust our use to that fact. It has become more expensive—perhaps only temporarily—and if each of us is required to face that fact, we shall all be led to cooperate in using less energy and producing more at home.

3. *Gasoline prices have risen drastically and it is unconscionable to let them rise further.*

Corrected for inflation, the price of gasoline in 1976 was 2 per cent lower than in 1956! Gas prices did slightly more than double over the two decades, but prices in general rose even faster.

A major source of our energy problem is that government policies have been falsifying the true situation to consumers. As a nation, we are paying more for gasoline than two decades ago, but we are doing so through taxes that are used to subsidize the import of foreign oil, in order to hold down the price at the gasoline pump. That is why we have not had the right incentive to conserve.

4. In a discussion of President Carter's proposals: *"The biggest burden will probably fall on industry. Factories and utilities will be taxed heavily unless they shift to coal."*

How do you "burden" industry or "tax" a factory? Do you squeeze it until it screams? Send it to jail?

Only people can bear a "burden" or pay a tax. An industry, a factory, or a utility can do neither. Officials of an enterprise may

transmit a check to the U.S. Treasury, but they are only agents. The burden of the tax is borne either by the stockholders, or the employees, or the customers—and, in the long-run, for a tax on a specific product, primarily by the customers. Stockholders and employees may bear the initial burden if they are temporarily locked into a particular enterprise or industry, but only at the expense of discouraging further investment and employment in the industry.

We need more investment in the domestic production of energy. Taxing away the fruit of past investment is hardly a sensible way to encourage more investment. It is simply stupid of us to adopt the general policy of taxing away "windfall" profits reaped by farsighted individuals who invested in advance in order to be able to profit from high prices when a "shortage" occurs—whether because of a cartel or a drought or whatnot. That is a sure way to destroy private provision for emergencies and to transform our economy into a centralized corporate state. Senators who scream about "obscene profits" are sabotaging the free-market system, and therewith our political and civil freedoms.

5. A congressman about the President's program: *"OK, as long as everybody is hurt equally."*

What a sadistic philosophy. That is a prescription for universal misery. I thought true American philosophy was, "OK, as long as everyone has an equal opportunity to improve his lot."

6. The House energy committee's 40 members *"were carefully chosen . . . with a slight tilt toward consumer interest and against radical changes, such as the total elimination of price controls on gas and oil."*

How rapidly the conventional becomes radical and the radical, conventional. The truly radical element of present energy policy is the existence of price controls. The controls on natural gas date back only to 1954, on oil, to 1971. They are not only radical, but a major source of our problem.

7. *"Gas-guzzling" cars.*

A combination of demagoguery, confusion about morals, and bad economics. One man's gas guzzler is another man's necessity. If each of us has to pay the full cost of energy—which is what would occur if the market were allowed free rein—we would each have to choose how to meet the cost. One man would decide to do so by driving a large car fewer miles; another by buying a small car; a third, by conserving on other items of consumption, thereby releasing them for persons who had a less urgent need for the gasoline.

Given that gasoline sells at full-cost—which today means at the cost imposed by OPEC—there is no justification whatsoever for an additional tax on large cars and a subsidy for small cars. That simply imposes a cost greater than the value of the energy saved. Neither is there any justification for governmentally mandated average-mileage requirements. These are just further examples of how one government mistake—artificially keeping down the price at the gas pump—leads to others. A full-cost price for gasoline gives just the right incentive to the car owner to balance the advantages of a larger car against the extra costs of gas; it gives the right incentive to the manufacturer to meet the demands of the prospective car purchaser.

Insofar as the problem is one of relieving persons in acute distress, we should do that by giving them general purchasing power, through a negative income tax replacing our present rag bag of welfare programs, not by trying to do something about gasoline separately, food separately, and so on *ad nauseam*.

ENERGY CONSERVATION AND  
HUMAN RIGHTS

## HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. JEFFORDS. Mr. Speaker, the importance of energy conservation cannot be overemphasized. Energy conservation provides not only time to make the transition from a fossil fuel economy to one based on alternative resources such as solar energy but it also enables these alternatives to meet a greater proportion of our energy budget. In this vein I wish to call my colleagues' attention to the following article which appeared in the Rutland Herald and Barre-Montpelier Times-Argus on Sunday May 15:

ENERGY PLATFORM: POLITICAL FLIM-FLAMMERS KEEP OFF

*"His (President Carter's) attention to the element of fairness is especially refreshing. The only major fault I can find is that the proposal (the President's energy plan) in many cases does not go far enough given the severity of the problems we face. Naturally, some of the President's proposals, particularly the measures to reduce gasoline consumption will be hard in Vermont. But I think he is right that everybody will find some part of the program hard to live with and that if exceptions are made for every special case, no program will be left. I would much prefer inconvenience now to the disaster I will live to see if real changes are not made starting now."*

(By Anthony Scoville)

In the 1960's, when the first picture of the earth was taken from the moon, the Flat Earth Society ceased to exist. But the United States in 1977 consumes the earth as though our planet were the Great Plains. With less than six per cent of the world's people, this country uses 30 per cent of the world's energy, and we consume each day the energy equivalent of 37 million barrels of oil or 13½ billion barrels each year. Every nine months we must discover and develop, among all forms of energy, a new Alaskan North Slope. The world over, mankind expends the equivalent of 45 billion barrels of oil each year while most nations, as economists like to say, are "underdeveloped."

Our economy must grow. Unemployment does not decline unless the gross national product increases at least 4½ per cent annually. What does growth imply? It implies, if past trends continue, that energy consumption increases about 3½ per cent each year. It implies that in just 20 years we might demand the energy equivalent of 27 billion barrels of oil or new Alaska every 4½ months, only slightly longer than Vermont's growing season. And, when my sons are my age (37), we would require the equal of a new Alaska in the time my grandchildren have to pass their summer vacations. So what of gushers and 500 years of Western coal? If our known oil reserves double, the Age of Oil will continue less than the 50 years from 1910 to 1960 during which our economy converted from coal to oil and natural gas.

The numbers above are of course only mathematical projections. As such they tell us what might happen if we continue our present trip with no thought for the future. Moreover, projections such as these reveal what the marketplace debate over the magnitude of fuel reserves and energy demand curves does not: namely, that the source of our impasse is the inherent conflict between

a demand compounded yearly at any rate and a finite resource regardless of size.

There are other problems too. First, the shortage of resources is systematic and pervasive. Helium, the gas most people associate with toy balloons, is, for example, vital to specialized welding techniques which may be needed to develop advanced energy sources such as fusion power. However, there is only one source in the world: natural gas wells in Texas. There is only a 13-year supply in existence and still we dissipate this precious commodity every time we turn on our cooking stoves.

Second, priorities must be set for the use of high quality, versatile fuels such as natural gas and petroleum. The prudence of burning our last drop of oil to heat homes and offices is questionable when that oil will be needed to produce fertilizer for our farms and fiber for our clothing. (If all the fiber in this country were grown naturally from cotton and wool, it is estimated that 60 per cent of our farmland would be devoted to these two crops.)

Third, time is very short. In every instance when we changed our primary fuel, approximately 50 years was required to convert the energy structure of the nation. The conversion from wood to coal took place between 1850 and 1910; as mentioned above, the conversion from coal to oil and gas occurred between 1910 and 1960. But the year 2027 is only one year shy of the year predicted by the National Petroleum Council for the exhaustion of domestic oil fields—assuming that we import 35 percent of our petroleum and assuming that consumption remains constant at the 1973 level.

What can we do now? We can conserve all resources, not just energy. Let me give an example of the importance of every watt saved. Vermont laws ban non-returnable soda as well as beer cans and bottles. When these cans and bottles are recycled or returned for rebottling, the estimated savings will amount to 4½ million gallons of heating oil each year. This measure alone will save enough energy to heat 3,700 Vermont homes. Were the same law in effect nationwide, the savings could heat nine out of every 10 houses in the state.

Conservation is not one, dramatic action. It is one percent here and two percent there until the total constitutes nearly half of all the energy we consume. Professor March Ross of the University of Michigan and Professor Robert Williams of Princeton estimate that our 1973 gross national product could have been achieved employing approximately 55 percent of the energy actually used. Their figures are corroborated by others. In 1974, Switzerland had a higher gross national product than ours but used about one quarter the energy for each individual. Sweden, which also has a higher standard of living, consumed only one half as much energy per person as we did.

So energy conservation need not necessitate a lower standard of living. And President Carter's goal of reducing energy growth to 2 per cent by 1985 is no goal at all. If Ross and Williams are correct, in the year 2000 our energy budget could be two-thirds what it is today even though our population will have increased in the meantime. This represents a decline of one and three-quarter's per cent compounded yearly. Furthermore, saving energy is the best investment we can make for, as the President said in his address to the nation on energy, "Conservation is the only way we can buy a barrel of oil for \$2. It costs about \$13 to waste it."

Energy conservation also makes possible the use of alternative forms of energy such as solar heat. If solar systems can now provide about 40 percent of the heat for a house, when conservation measures cut demand in half, solar energy could provide over 80 per cent of the required heat.

President Carter has called the energy problem the "greatest challenge that our country will face during our lifetime" excepting only the prevention of war. It will, he said, "test the character of the American people and the ability of the President and the Congress to govern this nation." If letters received by Vermont's congressional delegation are indicative, people will respond, at first—for we have been chastened since 1973—then in greater numbers as time goes on provided they understand the problems we face, provided the proposed solutions can attain what is sought, and provided the sacrifices are borne equitably by all members of this and future generations. These are human rights.

As citizens, we have a right to understand the problems we face; that is, to be presented now with all the facts clearly and without condescension. We have a right to ask our elected leaders that they propose an undertaking, not as a political "bargaining chip" but in good faith as the solution most likely to attain common ends. Finally, we have a right to expect that sacrifices will be borne by each in proportion to what can be given—now and in the future.

We have been called, and upon us all the future casts its categorical imperative, its human right. As the President stated in his address:

*"We have always wanted to give our children a world richer in possibilities than we have had ourselves. They are the ones that we must provide for now. They are the ones who will suffer most if we do not act."*

## AND THE POOR GET BURIED

## HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. FRASER. Mr. Speaker, the 1978 Labor-HEW appropriations bill contains a provision prohibiting Federal funds from being used for abortion except where the life of the mother would be endangered if the fetus were carried to term.

I oppose this provision, as do many of my colleagues, because it is discriminatory. I do not think we have the right to deny equal health care to Americans who depend on public funds for that health care.

Besides being unfair, the provision is another attack on the right of women to choose abortion, within the confines of the Supreme Court's decisions. Despite the Court's 1973 decisions, access to abortion remains a problem. An estimated 654,000 women who needed abortions were unable to obtain them in 1976. Eighty-three thousand women had to go outside their home States in 1975 to obtain abortions. And 240,000 to 330,000 had to travel outside their home counties to receive abortions—sometimes a distance of hundreds of miles. And now we would further limit the access of poor women to abortion.

I would like to call the attention of my colleagues to a letter to the editor printed in the January-February 1977, issue of Family Planning Perspectives. I think it shows that abortion is a reality all of us must acknowledge, whether or not access to abortion is limited by such pro-



visions as the one included in the 1978 Labor-HEW appropriations bill. The letter follows:

**AND THE POOR GET BURIED**

James D. Shelton's article "Abortion Utilization: Does Travel Distance Matter?" [8:260] points up the importance of accessibility in utilization of legal abortion. One aspect of accessibility is cost. Many of those who want but cannot afford safe, legal abortions go on to have unwanted births. Others—although the number has declined markedly since the 1973 Supreme Court abortion decisions—are driven to seek clandestine abortions from untrained practitioners at great risk to their lives and health. In the light of recent congressional legislation which would deny poor women reimbursement through Medicaid for legal abortion (and the judicial ruling, now under review, enjoining implementation of that legislation), the following case, not untypical, identified through the Center for Disease Control's nationwide surveillance of abortion mortality, demonstrates the potential health impact of such a ban on federal spending for abortion.

A 41-year-old black married woman with six previous pregnancies, five living children, and one previous abortion, sought an illegal abortion from a local dietitian to terminate a pregnancy of 10 weeks' gestation. Her admitted motive for seeking an illegal procedure was financial, since Medicaid in her state of residence would not pay for her abortion. The illegal procedure cost \$30, compared to an estimated \$150 for a legal abortion performed through the twelfth week by a physician on an outpatient basis. Allegedly, the abortion was done by inserting a metal rod to dilate the cervix, followed by placement of an intrauterine catheter which remained in place for two days until the passage of some products of conception. A day after the catheter was expelled, she experienced fever, shaking chills, vomiting, and lower abdominal tenderness. Antibiotics were prescribed, but her symptoms worsened over the next 24 hours, and she was admitted to a hospital for more intensive treatment. Despite high dose antibiotics and curettage to remove the infected products of conception, a generalized abdominal infection ensued which required a total hysterectomy. However, abscesses remained, and the patient eventually died of an overwhelming infection 19 days after the illegal abortion.

If public support had been available to pay for a legal abortion, the patient might never have resorted to using the local illegal practitioner. An unsatisfactory technique (an intrauterine catheter) was used, and the procedure may have been performed under unsanitary conditions, which increased the possibility of eventual infection. Moreover, because the abortion had been obtained in a clandestine manner, the patient may have delayed seeking appropriate medical care, despite the early appearance of symptoms. In this way, the stigma attached to a criminal activity compounds the risks of an illegal abortion.

If the recent congressional legislation is ever allowed by the courts to be implemented, it is likely that many more poor women, unable to pay themselves for a safe, legal abortion, would once again risk their lives at the hands of illegal practitioners.

DAVID A. GRIMES,

WILLARD CATES, JR.,

Abortion Surveillance Branch, Family Planning Evaluation Division, Center for Disease Control, Atlanta.

**TEXAS AGGIE CHOSEN AS MISS U.S.A.**

**HON. OLIN E. TEAGUE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. TEAGUE. Mr. Speaker, under leave to extend my remarks in the RECORD I wish to include several articles on Miss Kim Tones, a student at Texas A. & M. University who was recently chosen as Miss United States of America in the Miss Universe Beauty Pageant which will be held in Santo Domingo, July 16.

Miss Tones is from Houston and has brought great honors to my alma mater and has disproven the fact that many stated by allowing females to enroll at A. & M. which previously had been an all boys school, would kill the school.

The materials follow:

**TEXAN CLAIMS CROWN AS MISS USA FOR 1977**

CHARLESTON, S.C.—Kimberly Louise Tones of Texas, who said the secret of beauty comes from within a person, was named Miss USA Saturday night.

Miss Tones, a 21-year-old student at Texas A&M University, will represent the United States in the Miss Universe pageant in Santo Domingo July 16. She is the daughter of an El Paso, Tex., carpet salesman.

Runnerup in the event was Mary O'Neal Contino of Nevada, Debra Jean Cossette of Minnesota finished third, followed by Pamela Lynn Gergely of California and Sheryl Lynn Herring of Virginia.

Miss Tones is 5-foot-8 with measurements of 36-24-36. She said her life ambition is to become a physical education teacher or enter public relations.

Asked by master of ceremonies Bob Barker what made a beautiful person, she said beauty comes from the inside.

"You can be a real beautiful person on the outside and have a really tacky personality and it can make you ugly," she said.

Miss Texas seemed to be the overwhelming favorite among the crowd in the auditorium. She won the best costume award earlier this week for her dazzling black and sequined cowboy outfit.

The pageant had been hit by complaints earlier, including a lament that the swimsuits didn't properly fit the girls.

There were also accusations over the lack of black participation, feminists charged the whole affair was degrading, and some Charleston residents were up in arms over the cost.

But all this seemingly did little to dampen the spirits of contestants from all 50 states and the District of Columbia who competed for the right to represent the United States in the Miss Universe Pageant.

Saturday night's finals, a nationally televised affair, were preceded by two nights of preliminary competition, which served as the basis for selecting the 12 finalists.

One of the major controversies, at least among the contestants themselves, concerned the swimsuits. The brand used this time was a departure from the past.

Pageant officials said the suits had a remarkable ability to cling to the body and emphasize the natural look. But many contestants disagreed, saying the one-piece suits didn't fit and failed to show the body.

"You have to yank it down to make it stay on your bottom," said Michelle Fisser, Miss Wyoming. "If you're not well-endowed, it doesn't help your figure, and if you are well-endowed, it flattens you out."

Robert Ford, a black Charleston city councilman, called for a boycott of the pageant because there were no black contestants. Pageant officials said they had no control over the selection of state winners and that there have been black contestants in the past.

They noted Greg Morris, a black star of the Mission Impossible television series was one of the judges.

**"I CAN'T BELIEVE IT!" SAYS MISS U.S.A.— FIRST A. & M. STUDENT TO WIN TITLE**  
(By Ken Stroebel)

There are girls at A&M.

That's the reaction Miss Kim Tones, A&M Class of '77, is getting from the folks in Charleston, S.C., where she was crowned Miss USA Saturday night.

The 21-year-old blue-eyed blonde is a senior health and physical education major at A&M and daughter of Mr. and Mrs. W.A. Tones of Houston.

Miss Tones, who was born in Chicago, Ill., was chosen Saturday on live national television from a field of 51 contestants from each state and the District of Columbia. She received an \$11,000 scholarship and a \$10,000 personal appearances contract.

She was runner-up in the Cotton Dutchess Pageant when she was a freshman at A&M in 1974 and had never won a major beauty contest until the Southwest Houston A&M Club entered her in the Miss Texas Pageant last August in El Paso.

Miss Tones said her first reaction to the selection was "What a shocker! I can't believe it! The first Aggie to be Miss USA!" She said master of ceremonies Bob Barker asked, "Are you going to be all right?" and asked if she was going to faint.

Miss Tones said she might pursue a career in modeling but only after graduation from college.

"I'd like to first get my degree," she said, because modeling is "a real competitive business. If it doesn't work out it will be good to have something to fall back on." She plans to teach physical education.

And she has some experience. The 5-foot-8, 119-pound Houstonian has spent summers as life guard and swimming instructor. "I can get a tan and take it easy," she said.

That may change this summer. She is celebrating by "going on a diet," and Thursday she leaves for rest and relaxation in Acapulco and to watch the Miss Mexico Pageant. The Miss Philippines Pageant in New York follows, "to give me a little exposure" to beauty contests in preparation for the Miss Universe Pageant in the Dominican Republic July 16.

Miss USA 1976 Barbara Peterson warns Miss Tones it will be hard to keep friends at home because of the constant traveling, and she admits she hasn't had much time for dating.

"I've been living out of a suitcase for quite some time now," she said.

It started a week ago with parties and tours around Charleston, Charleston's Landing and Georgetown. Judging of state costume, swimsuit and evening gown competition and preliminary judging followed. Personal five-minute interviews were held with each judge Thursday and Friday. This year's competition didn't include a talent segment in the competition.

"Wherever you go, you see some Aggies in the crowds. I met a bunch of them up here" in Charleston, she said. "It was kind of nice."

Miss Tones said she received many letters, telegrams and flowers from Texas, including a telegram from Aggie baseball coach Tom Chandler—Miss Tones was one of 12 Diamond Darlings.

Miss Tones said she will be Miss USA for a year and continue her studies in Fall, 1978. Does she think the contest is sexist?

"If it were sexist I wouldn't be in it," she said. "We're showing ourselves off but we're not flaunting ourselves."

Other finalists, in descending order, were Miss Nevada, Mary O'Neal Contino; Miss Minnesota, Debbie Cossette; Miss California, Pam Gergely; and Miss Virginia, Lynn Herring.

#### TRISHA, KIM—TO EACH HER OWN

About fall of each year, Kim Tomes goes into training. She starts a special diet, exercises, swims and begins taking meticulous care of her hair, nails and skin. Right behind her a "coach"—a Kim Tomes look-alike with dark features instead of blonde—softly issues commands to stop eating or to do more exercises. That coach is her sister.

Kim, 21, and Trisha, 19, both of Houston, attend Texas A&M. Kim, a senior physical education major who has been entering beauty contests since high school, is the reigning Miss Texas Universe. In May she travels to Niagara, N.Y. to try out her charm in the Miss USA contest. Whoever is crowned in that contest competes for the Miss Universe title.

"It's wonderful winning these contests," Kim, casually resting on the bright green carpet of her modern apartment, threw back her head and laughed. It's like Christmas or something."

Looking at the beauty queen, it's obvious she's a natural. Some people just always fit into their environment whatever it is and she's one of them. Kim answers questions very casually. Her green and white striped tunic blends well with her background—naturally.

Trisha, though still in her teens, seems very mature for her age. A medical technology major, she has never been interested in competing, although she is every bit as beautiful as Kim.

"I guess I'm just chicken," she smiled. There it was again, that charming smile that flashes in the same way on her sister's face.

Once Trisha did beat Kim out of a job, though.

"I answered the phone and a man asked for Kim," Trisha reminisced. "I told him she was not home and he said, 'How are her nails?' I replied, 'I don't know how hers are but mine are just fine.'" Trisha then recounted how he told her to be at a certain place at a certain time to audition for a commercial.

"I went swimming before the audition and walked in with wet hair, an old T-shirt and cut-offs thinking that I would be the only one there," she laughed. "Instead the room was full of immaculately dressed girls with perfect hair and makeup, but I got the job. I guess they were really just interested in hands. That's all that showed in the commercial anyway," she laughed.

"I've never had the desire to enter a contest," Trisha said. "I enjoy watching Kim."

Trisha noted that Kim models for her and she tells her what looks good, but the agents have the final say.

Among the many prizes Kim has won is a car for a year, a wardrobe, a college scholarship, a color television, jewelry and a completely furnished apartment in El Paso. El Paso is where the Miss Texas Universe pageant is headquartered and where Kim will be moving next semester. However, her new home in West Texas will not be that permanent. While there, she will be traveling as a representative of the pageant, making 41 appearances including one at Caesar's Palace in Las Vegas. In October, she emceed a program in Acapulco and, before that, went to the Philippines.

Kim is quick to note the disadvantages, however.

"I'm not in this for an ego trip," she emphasized. "I like to win because of the travel, money and experiences."

"Some people my age haven't been able to do all of this and I feel that some times it's harder for me to get to know people at school than it is for someone else," she said.

Trisha took up the issue also with, "if you are beautiful on the outside, it is hard to show people you are beautiful on the inside, too."

After preparing for the upcoming pageant, making appearances under her present title and then competing, she says her future is indeterminable.

"I have an offer to take a job in fashion merchandising at a large department store, but I want to come back and get my degree first. After that I don't know what."

#### BIPARTISAN GROUP OF HOUSE MEMBERS PROTESTS CARTER ADMINISTRATION'S DENIAL OF FREE SPEECH

#### HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BAUMAN. Mr. Speaker, the Carter administration is apparently moving to close down the Rhodesian Information Office here in Washington, the only source within the United States for official information from the government of that nation. In spite of the fact that the principle of majority rule has been fully accepted by the government of Ian Smith, which has committed itself to an orderly transition to a new government, the Carter policy is to deny freedom of speech to the Rhodesian Information Office and its staff at a time when communication is most important.

The President seems to see no inconsistency in stamping out free speech and the American public's right to know at a time when the terrorist Palestine Liberation Organization is permitted to have a similar office in this country, and when the Carter policy advocates the opening of ties with Communist Vietnam and Cuba.

Mr. Speaker, I include at this point a copy of a letter sent to Secretary of State Vance protesting this action, as well as editorial comment from the Wall Street Journal and Human Events:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 2, 1977.

HON. CYRUS VANCE,  
Secretary of State, Department of State,  
Washington, D.C.

DEAR MR. SECRETARY: It is our understanding that the Department of State has under consideration the issuance of an executive order which would terminate the operations of the Rhodesian Information Office located here in Washington. Further, it is our understanding that the basis for this action is the U.S. vote last week in the United Nations Security Council in favor of a resolution prohibiting the member nations from allowing the international transfer or use of any funds of the current Rhodesian government.

All of us fully support the principle of majority rule in Rhodesia as we do for all nations. We believe that majority rule in Rhodesia is inevitable.

However, it seems to us that the difficult transition to majority rule in that nation would not be aided by the closing of the Rhodesian government's Information Office,

which at this moment in difficult negotiations could be a valuable vehicle in public as well as governmental communications. We think it logical that emphasis at the present time for more open exchange between Rhodesia and our government and people rather than less as the transition to majority rule continues.

We therefore request that you provide us a full explanation of this reported executive order, its justification, and what policy prompts its consideration. In view of the imminence of this reported action, we would appreciate a prompt reply to Representative Edward Derwinski, a member of the House International Relations Committee, who in turn will inform us of your views.

David R. Bowen, Guy Vander Jagt, Harold Runnels, Dan Daniel, Robert W. Daniel, Jr., J. Herbert Burke, Trent Lott, Jerry Huckaby, Bill Young, Omar Burleson, Wm. Broomfield, Ed Derwinski, G. V. Montgomery, Robert J. Lagomarsino, Bob Michel, Bob Bauman, Jim Martin, John H. Rousselot, Mickey Edwards, Jack Kemp, John J. Flynt.

Larry M. McDonald, James M. Collins, Paul Findley, Gene Snyder, Marjorie S. Holt, Del Clawson, Bud Shuster, Tom Hagedorn, Dan Marriott, Clarence Miller, Samuel S. Stratton, David Satterfield.

Philip M. Crane, Eldon Rudd, Steve Symms, Bill Goodling, Robert E. Badham, Bill Ketchum, Bill Armstrong, Dawson Mathis, Tennyson Guyer, Ron Mottl, Henry J. Hyde.

[From the Wall Street Journal]

#### JUMPING THROUGH HOOPS

The administration's efforts to force "majority rule" on Rhodesia have taken many questionable forms, from banning the import of Rhodesian chrome to backing a \$100 million fund (recently approved by the House) for four black African states that are threatening guerrilla warfare against the white Rhodesian government. These measures have the effect of increasing U.S. dependence on Soviet chrome and earmarking money for the Marxist dictatorships of Mozambique and Angola.

Now, it seems that the administration is also willing to interfere with the free flow of information, throttling Rhodesia's efforts to explain its side of the complicated story. Last week the U.S. joined other members of the UN Security Council in adopting by consensus, without a vote, a resolution sponsored by all 15 members of the council, requiring every nation to ban the use or transfer of any funds by the Rhodesian government for its agents overseas. The purpose is to close down Rhodesian information offices in Washington and Sydney, Australia.

This whole business is reminiscent of the early 1960s, when Washington throttled the Katanga information service at a time when the New Frontier supported the UN military operation aimed at ending Katanga's separation from the Congo. Whatever the merits of the UN Congo operation, it seems pretty clear that the anti-Katanga harassment was not one of our finest hours.

The Rhodesian information office is undoubtedly a lobby, but heretofore the State Department took the position that there was no bar to its existence in Washington, since lobbies do serve an information func-



tion. As a practical matter, shutting down the office would likely have little effect on the formulation of congressional or public opinion. We have seen little evidence of a propaganda steamroller stampeding anyone in favor of the Rhodesian regime.

Shutting down the office would, though, do violence to the American tradition of free speech. We are supposed to believe that all sides, even the most unpopular, deserve a fair hearing. We are supposed to believe in an exchange of opinions, in free and open debate. Most members of the UN believe no such thing, of course. It is no surprise to see them sponsoring initiatives that violate the most cherished American beliefs, but it is more than a bit discouraging to see the U.S. administration jumping through the same hoops to please them.

[From Human Events, June 11, 1977]  
ADMINISTRATION MUZZLES RHODESIAN INFO OFFICE

The Carter Administration, which has been supporting the Communist-backed "front-line" dictatorships in their efforts to overthrow the pro-Western government of Rhodesia, has now demonstrated its commitment to "human rights" by joining in a U.N. resolution designed to choke off that nation's right to make its case to the American people.

The U.N. Security Council resolution, adopted with U.S. support on May 27, calls for United Nations member countries to "prohibit the use of transfer of any funds in their territories by the illegal regime in Southern Rhodesia, including any office or agent thereof . . . other than an office or agency established exclusively for pension purposes."

The purpose of this resolution, which will probably require an Executive Order from President Carter to enforce in this country, is to shut down Rhodesian information offices in several nations, including the tiny operation in Washington.

By joining in this action, the Administration has shown its concern for human rights to be selective at best. Not only does this resolution throttle the free speech of the Rhodesian spokesmen to argue their case in this country but also, as the Washington Star has noted editorially, the 1st Amendment "right of the American people to learn what they need to know."

Making this crude maneuver all the more questionable is the fact that, even as the Rhodesians are gagged, Communist governments are permitted to continue their propaganda and espionage activities against the United States from well-staffed embassies at the United Nations and in the Nation's Capitol.

If there ever was any justification for the concerted bullying by the powerful nations of the world against the Ian Smith government in Rhodesia, it passed when Prime Minister Smith accepted the principle of black rule in his country.

As Kenneth H. Towsey, who for the past 13 years has headed the Rhodesian Information Office in Washington, observed in what he wryly described as his "valedictory" statement in the wake of the U.N. resolution: "When the Rhodesian government is cooperating fully with an Anglo-American initiative designed to resolve the conflict in Rhodesia . . . this is a time for more communication, not less."

"There is a total commitment on the part of the Rhodesian government," Towsey told HUMAN EVENTS last week, "to . . . the Anglo-American initiative, which envisages majority rule by the end of 1978. We are cooperating fully in that initiative."

"But," he continued, "we are concerned

about constitutional safeguards and the preservation of the rights of minorities. And this is going to be the most important issue as we go down this road."

From a moral standpoint, it is hard to argue with that position. Any shift from the present white minority government to a black-ruled dictatorship, guaranteeing neither legitimate elections nor such basic constitutional rights as life, liberty and property, could by no stretch of the imagination be called a step forward.

Yet the Soviets, who together with their Cuban proxies in Africa provide the driving Daniel O. Graham, the retired former head force behind much of the policies of the "front-line" states, are adamantly opposed to a peaceful transition to a legitimate constitutional republic in Rhodesia, with guaranteed rights for all citizens. As Lt. Gen. of the Defense Intelligence Agency, has recently written:

"The Soviets . . . make clear that they are far less concerned with ending racial discrimination than in using it to their own ends. As they put the case, there can be no redress of racial grievances short of a full reversal of the role of 'oppressed' and 'oppressors.' Any shift from minority rule by whites to majority rule by blacks is treated as fraudulent and unacceptable unless accompanied by a full range of discriminatory measures against the whites."

Even many of the non-Marxist black governments in the region seem determined to use violence against Rhodesians rather than support a peaceful transition to black rule in that country. And, according to columnists Evans and Novak, Vice President Walter Mondale in last month's talks in Vienna with Prime Minister John Vorster of South Africa made it clear that the United States would do nothing to try to discourage Zambia from sponsoring guerrilla raids into Rhodesia (though we condemn Rhodesia for making similar cross-border raids against terrorists' sanctuaries in neighboring countries)—an indication that official U.S. policy now openly supports black racism in Africa.

Small wonder, then, that the Rhodesians, faced with this kind of prospect, rely desperately on their information office in Washington as a means of communicating their concerns to the American people. By brutally shutting off this last small link the Rhodesians have with this country, therefore, the Carter Administration not only plays into the hands of the Soviets but invites responsibility for a possible future bloodbath in Rhodesia similar to the one still in progress in Cambodia, about which the President has been so curiously silent.

Prior to passage of the U.N. resolution, Towsey had been under the impression that it would only cut off funds for the information office emanating from Rhodesia itself. Believing this, Towsey entertained hopes that, in the event the resolution passed as subsequently happened, it might be possible to maintain his \$150,000-per-year operation, using funds contributed voluntarily by American citizens concerned with his nation's plight.

In the wake of the resolution's adoption, however, Treasury Department sources indicated that the Administration would probably clamp down on the Rhodesian office, even if supported by Americans.

The Washington Post quoted an unnamed Treasury official at the department's Office of Foreign Assets Control as saying: "I think it would prohibit" the use of funds from any source for the Rhodesian office in the United States, "as long as they are an agency of the Rhodesian regime." As he interpreted the U.N. language, the Treasury official told the Post, it appears that "the source would not be relevant."

In short, the Administration not only joined in this lynching party at the United Nations but it appears likely to make the strictest possible interpretation of its obligations under the resolution. By this action, along with such other recent moves as his support for a House measure allowing \$100 million in aid to the governments supporting terrorism against Rhodesia (see rollicall, page 15), President Carter has taken this country in a direction justified on neither moral nor strategic grounds.

Despite the Treasury Department's apparent strict interpretation of the U.N. resolution, some observers believe it may still be possible for Americans to establish an organization supporting a true democracy in Rhodesia. It is even possible that Mr. Towsey, who enjoys resident alien status in this country, could be employed by such an organization as a paid staff member. The only requirement would be that this organization have no formal ties with the Rhodesian government, in which event it would not qualify as an "office or agent thereof" and consequently would not be covered by the resolution language.

## HYDE AMENDMENT ON ABORTION

HON. ANTHONY C. BEILENSEN  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BEILENSEN. Mr. Speaker, in less than 1 week the House will consider the Labor/HEW appropriation. This legislation contains a provision prohibiting Federal funds for abortion services—known as the "Hyde Amendment."

June 2, 1977, the Washington Star printed an article written by Lyle Denniston concerning the recent press conference held by the National Women's Political Caucus in protest of the "Hyde Amendment." I submit part of this article for the Record as it contains some important and useful information:

The National Women's Political Caucus and other feminist groups spent the Memorial Day weekend lobbying members of the House in key districts. A letter-writing campaign is now being mounted.

The themes of the lobbying campaign were recited over and over at yesterday's press briefing:

A congressional ban on welfare abortions stop abortions," it will only make them "dangerous" again by forcing women who can't afford legal abortions to get the operations illegally.

The ban would be "discriminatory" or "class" legislation, aimed at young, poor and minority women.

Clinics and hospitals would not provide free abortion services to make up for the withdrawal of publicly financed services.

Federal welfare costs would actually rise, not fall, because of the costs of financing prenatal care, childbirth and welfare to children up through age 18.

A congressional ban on financing "won't" be unconstitutional because it would violate the Supreme Court's 1973 ruling that a woman has a right to an abortion, with the consent of her doctor, at least in the first 13 weeks of pregnancy.

## SEPARATISTS CALL FOR U.N. INTERVENTION IN U.S. ELECTIONS

## HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. McDONALD. Mr. Speaker, a revolutionary group active in Jackson, Miss., Detroit, Mich., New York City, and other areas is now preparing an appeal to the United Nations for assistance in implementing its program of forming a separate country from sections of Louisiana, Mississippi, Tennessee, Arkansas, and other States.

The proposal is bizarre. Yet the separatist group, the so-called Republic of New Africa—RNA—has been working with pro-Cuban revolutionaries including the violence-prone and terrorism supporting Puerto Rican Socialist Party for the past 1½ years. The Puerto Rican Socialist Party's claims for independence from the United States have been supported in the United Nations by the Cuban Ambassador, and there is a possibility that the RNA's demands may also find support from Havana as well as from some of the new Communist states in Africa.

An in-depth study of the RNA's background and plans for demonstrations in New York City at the time of its United Nations appeal this fall was provided in the June 3, 1977, issue of the Information Digest, a newsletter which reports on many violence-prone, revolutionary, and terrorist organizations, which I commend to the attention of my colleagues:

## THE REPUBLIC OF NEW AFRICA

Plans are being made by the Republic of New Africa (RNA) for a New York City demonstration in the fall to coincide with an attempt to move forward their demand for an independent black state to be carved from the southern United States with an appeal to the United Nations.

The RNA, self-styled "An African Nation in the Western Hemisphere Struggling for Complete Independence," was established in March 1968, in Detroit at the Shrine of the Black Madonna which, with its pastor A. B. Cleage, Jr., remains affiliated with the United Church of Christ. An estimated 3,000 people heard 200 delegates discuss plans to form an all-Negro nation in five Southern states.

The organizers for the RNA movement were two Michigan brothers, Milton and Richard Henry. At the outset, Robert F. Williams was RNA's president, a post he held while in self-imposed exile in Peking, to avoid prosecution for kidnapping a white couple during racial disturbances in North Carolina. [Williams returned from Peking and Tanzania to Detroit and resisted extradition for several years; he reportedly served as a "resource person" for Secretary of State Kissinger prior to President Nixon's China visit; eventually North Carolina dropped the kidnapping charges due to the death of the man allegedly kidnapped and the ill health of his widow.] Soon after his return to the U.S. on 12/3/69, Williams resigned from the RNA.

At RNA's formation, Milton Henry, using the name "Brother Galdi," became "First Vice-President," while his brother, Richard Bullock Henry, then called "Brother Imari," was "Minister of Information."

In May 1968, Milton Henry gained publicity for his letter to the U.S. Secretary of State

announcing that the RNA was prepared to negotiate with the United States. He stated in the letter that RNA's goal was "making a separate, free and independent black nation" from the states of Mississippi, Louisiana, Alabama, Georgia and South Carolina. To finance this project, in an "official basic document" RNA demanded \$15,000 "plus transportation costs" from each of the states, and an additional \$10,000 from the federal government for each person involved in the new nation.

In March 1970, Richard Henry, who now prefers to be known as Imari Abubakari Obedele I, claiming near unanimous election as national chairman, took control of RNA from his brother who was suspended for a twelve-month period and did not rejoin.

RNA was the first organization in recent years to use the green, red and black "liberation" flag probably first used by Marcus Garvey. During the past nine years there has been a proliferation of "black nationalist" flags and insignia using the red, black and green colors. This proliferation has contributed to RNA's unfounded reputation as a large-membership organization.

In 1971, RNA purchased a tract of farm land in Hinds County, MS, named it El Malik, and on 3/28/71 formally dedicated the farm as the RNA provisional capital. Three months later in a financial dispute the owner of the land charged that they were trespassing and an injunction to prevent RNA from using the land was issued. In his role as Imari Obedele I, Richard Henry stated, "The American court is an enemy's court, and as President of the Black Nation I cannot accept its jurisdiction."

Three months later, the RNA newspaper The New African [6/29/71] carried a headline reading, "IMARI VOWS WAR OVER EL MALIK! 'We Shall Return to El Malik in Force, And ANYBODY The Mississippi National Guard Or Anyone Else Who Gets In Our Way Will Be Utterly Destroyed!'"

On page 4 of that issue of The New African, an excerpt from Richard Henry's 1970 pamphlet, "Revolution and Nation Building," was reprinted which read:

"Finally, beyond the South, the black man's SECOND-STRIKE CAPABILITY must be believable. The second-strike capability is the Underground Army, the black guerrillas in the cities. So long as black people are able to remain in the cities—and there are over 120 major cities where the black brothers have used the torch—and retain relative freedom of movement, the black man has, or can develop, the means for destroying white industrial capacity and—if need be—white America in general as mercilessly as a missile attack."

During the 1971-72 period, Kathleen Cleaver returned from Algiers and made contact with the RNA. This was during the period of the formation of the terrorist Black Liberation Army (BLA), Marxist in ideology with strong "cultural nationalist" admixtures.

In March of the following year (1972), wielding influence totally disproportionate to its numbers, the RNA joined with other separatist/nationalist groups to play a dominant role at the National Black Political Convention in Gary, IN. At that conference the RNA gained massive support from groups usually considered moderate and reasonable, as well as from militant organizations, for its bizarre separatist programs. This included enthusiastic endorsement of a demand for reparations to all Negro people, long a major RNA objective; and passing a resolution calling for freedom for members of the RNA "victimized by the state of Mississippi."

This was a reference to a joint raid by the Jackson Police Department and the FBI on the RNA "Government Center" in Jackson on 8/18/71 to execute fugitive warrants. A 20-minute gun battle erupted which resulted in

the fatal shooting of a Jackson Police Lieutenant and the wounding of another Jackson officer and an FBI agent.

Following the shootout, a search of the RNA house at 1148 Lewis Street in Jackson which the group called its "Government Center" disclosed sandbag fortifications, gun ports and a bunker dug under the building connected to an adjoining unoccupied house by a tunnel. A cache of weapons including shotguns, pistol, revolvers, automatic rifles, all types of ammunition, molotov cocktails and a booby trap bomb.

When it was determined that one of the named fugitives were among those arrested at the Lewis Street address, a second raid was made on a house at 1320 Lynch Street where Richard Henry was living. A subsequent search of the Lynch Street house turned up more rifles and handguns some of which were identified as stolen property.

Eleven RNA members were arrested in the raids including Richard Henry and the RNA "Minister of Information," Brenda Blount, aka Aisha-Ishtar Salim. The RNA-11 were charged with murder, aiding and abetting murder, and levying war against the state of Mississippi [Section 2397, State Treason, of the Mississippi Code]. With support from the United Church of Christ Commission for Racial Justice, a defense fund, The New Africa Prisoner of War Fund, was established.

Among those convicted was Richard Henry, who with all appeals apparently exhausted began serving a 12-year sentence in federal prison in December 1976. Before returning to jail, Henry instructed the "officers of the Provisional Government" to make two demands of the United Nations:

"1. Freedom for all Prisoners of War (RNA-11, the Wilmington Ten, the Black Liberation Army, Black and Indian and Puerto Rican and others), and

2. Supervision of the 1978 National and Black Elections in Kush."

(NOTE.—As defined by the RNA, the Kush is all black-majority counties and parishes on both sides of the Mississippi River from Memphis to New Orleans. The Kush District, therefore, lies mostly in Mississippi, but includes counties in Tennessee and Arkansas and parishes in Louisiana.)

Richard Henry's proposals for the RNA's United Nations appeal are set forth in the April 1977 issue of The Black Scholar, a Marxist and nationalist magazine whose publisher, Robert Chrisman, led an all-black cultural tour of Cuba last November. The Black Scholar enjoys considerable influence (and advertising revenues) in and from the academic community.

In brief, the RNA's claim to UN consideration is predicated on recent decisions by the U.S. courts in favor of American Indians, the Indian Self-Determination Act of 1975, various UN resolutions related to the "Declaration on the Granting of Independence to Colonial Countries and People" [Res. 1514] and to the Revenue Sharing Act of 1972 [P.L. 92-512] which can be construed as providing recognition for "bands, groups and nations" of certain groups of U.S. citizens. Using the doctrine of "equal protection," the RNA hopes to establish that it is a "New African" nation.

In 1976 the Republic of New Africa and The Black Scholar were organizational sponsors of the Castroite-dominated July 4 Coalition (J4C) initiated and led by the Marxist-Leninist Puerto Rican Socialist Party (PSP). It is noted that Cuba's United Nations Ambassador Ricardo Alarcon has strongly pressed the PSP's claims for Puerto Rican independence from the U.S., and it is likely that Cuba will also provide direct, as well as indirect, support for the RNA in the UN.



(NOTE.—Proposals for an all-Negro state per se were not an original Henry brothers concept. During the 1930s the League of Struggle for Negro Rights, cited as among "the most prominent and important Communist Negro fronts" [House Committee on Un-American Activities Hearings, "The American Negro in the Communist Party, Dec. 22, 1954] developed a blueprint for "self-determination" of the Negro in the Black Belt. In 1946 this concept was touted briefly by the National Committee of the CPUSA as "a theory which was contrived by Stalin," but formally rejected it in 1959, at which time a faction of veteran militant blacks split from CPUSA.)

Richard B. Henry or Imari Obadele, born March 2, 1930, was a technical manual editor at the U.S. Army Tank Automotive Command in Warren, MI, with a secret clearance when he helped form the RNA. During the period 1961-1965, Henry was active in a number of militant civil rights groups, helping to organize the Group on Advanced Leadership (GOAL) and participating in a number of rallies and demonstrations. In 1963 he co-organized the first Detroit speaking engagement for Malcolm X whose widow, Betty Shabazz, in 1968 and 1969 was an RNA vice-president, and also co-organized a Martin Luther King, Jr., march there that same year.

Other groups with which Richard Henry had been involved in a leadership role include the Frederick Douglas Gun Club, the Medger Evers Rifle Club, the Revolutionary Action Movement (RAM) and the Malcolm X Society which he helped organize and which sponsored the founding RNA convention.

In 1964, he was arrested, but subsequently acquitted, on charges arising from a mass demonstration at Trembly Skilled Trade School.

Three months after RNA was formed, Richard and Milton Henry and Mae Mallory, one of the five with Robert Williams charged with the North Carolina kidnapping in 1961 and a militant acting as RNA's "consul" in New York, traveled to Tanzania for a rendezvous with Williams in Dar-es-Salaam. During this visit evidence suggests that Richard Henry met with Arkady K. Boyko, then First Secretary of the USSR Embassy to Tanzania and a known KGB functionary.

On his return to the U.S., Richard Henry issued a statement saying that the RNA should put a high priority on building "a strong disciplined black legion in America—a black army to fight for black rights."

Since that date, Richard Henry/Imari Obadele has continued to advocate violence. Under his leadership the Republic of New Africa has developed a para-military organization and individual RNA members have been involved in crimes of violence ranging from murder of law enforcement officers through hijacking aircraft to Cuba to armed robbery.

Nationally active, the RNA claims that since its formation on March 31, 1968, "we have been a nation because we have established a government. But our land is not free. We are a captive nation." Based upon this premise, the RNA says its first obligation is "to free the land." RNA's outline for the function of its government calls for:

A holding action in the North;  
A major drive to win control in Mississippi;  
A vigorous military campaign;  
The pursuit in the U.N. of recognition for the Republic;  
The cultivation of support for the Republic among the Afro-Asian.

The RNA "governance structure" is based on a "People's Center Council" (PCC) as the decision making group. The PCC is composed of the RNA president, vice-presidents, and one delegate from each "consulate" or "government center." Meeting four times a year, the PCC has "judicial power." A chain of

command was established early in the RNA's existence: president, regional vice-president, then the ministers of finance, justice, information, education, defense, state, foreign affairs, culture and economics.

RNA political education is based on Richard Henry's books including *Revolution and Nation Building*; *War in America*; and *Foundations of the Black Nation*. Other training materials are the writings of Malcolm Little (Malcolm X); 100 Years of Lynching, Ginsberg; Negro Social and Political Thought, 1850-1910, Brutus; The World and Africa, W.E.B. DuBois; and CPUSA Central Committee member Herbert Aptheker's *To Be Free*. In the California chapters of RNA, if not nationally, the writings of Mao have been a regular part of a continuing political education course.

The RNA's own material provides evidence that the organization advocates violence to overthrow the government and that it is actively preparing to use violence; while RNA political rhetoric verges on the insane, RNA military training contains a sophistication that poses a real threat. RNA is in contact with, and is supported by, a large number of Cuban-oriented groups which actively support revolutionary terrorism. This, coupled with international manipulation of "human rights" issues could result in a U.N. scenario being developed by the Soviet bloc and Marxist Africa to give a degree of legitimacy to the bizarre demands of the RNA.

#### PEOPLE SUPPORT DEVELOPMENT OF NUCLEAR POWERPLANTS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. GAYDOS. Mr. Speaker, it is my custom to share with my colleagues the findings of telephone surveys I periodically conduct among more than 3,000 volunteer participants in the 20th Congressional District of Pennsylvania.

The questions asked in these surveys deal with matters of national interest and I recently sought the opinion of these volunteers as to whether the United States should proceed with the development to nuclear power by a margin of energy needs. Each participant in the poll was furnished with a brief résumé, listed the "pros and cons" of nuclear powerplants.

The survey took approximately 2 months to complete and the final tabulation revealed a majority of those responding favored a national commitment of nuclear powerplants to meet our nearly 3 to 1.

According to the findings, 2,568 participants responded to the question. Sixty-two percent of them—1,591—supported nuclear plant development; 22 percent—576—were opposed to the program and 16 percent—401—had no opinion on the issue.

Mr. Speaker, I have found my "Home Phone Poll" to be an excellent means of obtaining a quick and accurate cross section of public opinion. Because of his announced position on this particular matter, I have informed President Carter of the survey results and I am pleased to insert the findings in the Record for the consideration of all concerned with this controversial subject.

#### TASK FORCE ON SEX DISCRIMINATION

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. FRASER. Mr. Speaker, this Friday I plan to offer an amendment to H.R. 7556 to increase funding for the Task Force on Sex Discrimination in the Civil Rights Division of the Justice Department.

For the benefit of my colleagues who may not have seen it, I would like to insert "Civil Rights Division Responses to Questions Posed by Representative Smith of Iowa, House Subcommittee on Appropriations Concerning the Sex Discrimination Task Force."

This statement was included in the March 17, 1977, record of the Appropriations Subcommittee for State, Justice, Commerce, and Judiciary hearings on the fiscal year 1978 appropriations. This statement clarifies the objectives of the task force and discusses the time and staff needed to complete the work of the task force.

The statement follows:

CIVIL RIGHTS DIVISION RESPONSES TO QUESTIONS POSED ON REP. SMITH OF IOWA, HOUSE SUBCOMMITTEE ON APPROPRIATIONS CONCERNING THE SEX DISCRIMINATION TASK FORCE

1. Analysis of estimated total work years required to complete the work assigned to the Task Force on Sex Discrimination:

We have estimated that it will take between 50 and 60 work years to complete the tasks of identifying, reviewing, and analyzing all federal laws and regulations and drafting revisions to such laws and regulations to eliminate or amend those provisions which discriminate on the basis of sex. Although the Task Force has completed its preliminary review of all U.S. Code provisions containing gender-based words, no review of administrative regulations and guidelines has yet been undertaken and the code provisions identified must be re-examined in conjunction with pertinent regulations. This task alone will require approximately 5 work years.

Several areas of the law have been tentatively identified as requiring more concentrated attention. These include: (1) social security and other federal programs providing disability, retirement, or death benefits, (2) employment and training programs, (3) laws and regulations relating to the armed services and the Coast Guard, (4) taxation, (5) health and welfare programs, and (6) criminal-law and correctional institutions. Except for the study of the armed services, each of these areas will require an average of 3 work years. The study of laws, regulations, and policies relating to the armed services and the Coast Guard will place greater demands on staff time and will probably require 7 work years. Thus, one can estimate that the total time devoted to this more comprehensive research will amount to approximately 22 work years.

Consultation with personnel of the administering agencies and the actual drafting of legislative and regulatory amendments will consume an additional 10 work years. Included in this estimate as well would be the staff time spent at meetings of the Department of Justice Policy Committee and any Advisory Council that may be established. Also included would be time spent in assist-

ing at Congressional hearings once legislation has been introduced.

In addition to reviewing those laws and regulations now in effect, the Task Force must review proposed legislation and regulations to ensure, before they become effective, that these do not provide unequal benefits or treatment on the basis of sex. Staff must also monitor litigation alleging sex discrimination in existing federal laws, regulations, or policies. Four work years will be required to perform these and related tasks (2 staff persons each fiscal year).

Supervision of staff work and administrative, clerical, and other support services will require an additional 14 work years (7 persons per year).

Thus, approximately 55 work years will be needed for completion of the Task Force's work:

	Work years
(1) Review of administrative regulations and related legislation.....	5
(2) Comprehensive study in selected areas of the law.....	22
(3) Drafting of proposed revisions of laws and regulations.....	10
(4) Monitoring of litigation and proposed legislation and regulations.....	4
(5) Supervision and support functions.....	14
Total Estimate.....	55

2. If other federal agencies provide cooperation and assistance to the Task Force, how long would it take to complete the job with a staff of 14?

At least four years. The estimate of 55 total work years, detailed above, is based on the assumption that the administering agencies will cooperate fully with the Task Force and will perform the following functions:

(1) Initial review of all their respective regulations to identify, for the Task Force, those which contain sex-based distinctions;

(2) Designation and assignment of policy-level personnel to render advice and assistance to the Task Force staff in determining the need for and method of revising laws and regulations; and

(3) Initial drafting of legislative or regulatory proposals where current laws and/or regulations require substantial revision.

Some waste and duplication will occur if the project is extended beyond two or three years, and additional work years—beyond the 55 mentioned above—would have to be contemplated. Work years estimated for certain annually recurring tasks, such as monitoring proposed legislation and regulations, and some support services will increase in direct proportion to the duration of the project. Staff turnover will be unavoidable, resulting in the loss of trained personnel and the need to recruit and train others.

Moreover, small staff size and less flexibility in staff assignments will preclude the Task Force from working most effectively. In order to achieve the fullest cooperation with other federal agencies and with the Congress, the Task Force must be large enough to permit it to adapt its work assignments to areas of current concern to the administering agencies and to the Congress (e.g., the recently announced proposal of the Department of Defense to seek amendment of 10 U.S.C. § 6015, prohibiting the assignment of women to naval vessels other than hospital and transport ships indicates the need for immediate Task Force attention to this area yet staff limitations have forced the Task Force temporarily to abandon its review of armed services laws, regulations, and policies).

3. Can the Task Force complete its work in one year? If no, how long will it take?

The optimum duration of this project is two to two and a half years at full staff capacity, followed, perhaps, by a phasing out period of one additional year to permit a

very limited staff to prepare legislative proposals and assist in the Congressional hearing process through the end of the 96th Congress. Personnel required for a two-year project would be half the total estimated work years—28 persons. For a two and a half year project, a staff of 22 would be needed.

Even with unlimited personnel and other resources, it is unlikely that the Task Force could complete its assignment within one year. It would take several months to recruit, hire, and train a staff of 35 or 60. Moreover, the nature of the work of the Task Force limits its annual productivity and any staff beyond 30 could not be effectively utilized. For example, Task Force proposals must be approved by the Departmental Policy Committee, and later by the Attorney General, before final preparation and submission to the President. Scheduling of Congressional hearings on proposed legislation is dependent on the work load of the Congress. Thus, it is unlikely that assignments undertaken by the Task Force could be moved along to completion within this short period of time. The nature of the work involved also necessitates relatively close staff supervision and control to ensure uniformity of work product. These would be difficult to maintain with a staff larger than 30 persons.

#### NATIONAL PARK SERVICE TRANSPORTATION AUTHORITY

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. SCHEUER. Mr. Speaker, earlier this morning I testified before the Subcommittee on Parks and Recreation of the Senate Interior Committee in strenuous opposition to a bill sponsored by Senator HARRISON WILLIAMS, Democrat of New Jersey, and our colleague from New York, Representative JONATHAN BINGHAM.

The so-called Bingham-Williams bill would set up a National Park Service Transportation Authority to plan and design transportation schemes to improve accessibility to all national parks. However, the emphasis of the proponents of the bill has clearly been on Gateway National Park, two major units of which lie within my congressional district.

Mr. Speaker, the Park Service has no right and no need to put itself into the transportation business. Frankly, it has had enough trouble with the planning process for the park itself at Gateway, an area in which the Service's expertise is unchallenged.

A full text of my testimony appears below. It outlines my major objections to the Bingham-Williams bill and ends with a plea for moderation of Government planning and regulation:

#### NATIONAL PARK SERVICE TRANSPORTATION AUTHORITY

Chairman Abourezk and Distinguished Committee Members: I'm here to urge you to keep the National Parks Service out of the transportation business. We can do without a National Park Service Transportation Company.

Before I outline the reasons why I'm convinced that the "Williams Bill" is bad for the Park Service and bad public policy, let me identify the special interest and special concern that prompts me to appear before you this morning.

I represent the 11th Congressional District in New York City. Within my district are two of the major units of the new urban national park Gateway National Recreation Area.

When I was first elected to represent this district, in November, 1974—even before I took the oath of office—my very first act was to meet with the New York civic leaders who had encouraged Congress to create Gateway National Recreation Area. I was intrigued by the possibility that, within my new Congressional district, there was being formed an entirely new and potentially exciting and challenging urban national park.

I think it's fair to say that I led in pressing the effort for more innovative and creative planning for Gateway in particular—and urban national parks in general. I'm proud that I was, indeed, able to spur a process in the National Park Service which could create an outstanding recreational, cultural and educational center for the entire country.

Indeed, this weekend, I'll be host to Interior Department Assistant Secretary for Parks, Robert Herbst, to show him several miles of beautiful beach on which the federal government has spent over \$15 million of improvement funds. I will convey personally to him some of my thoughts on Gateway. I intend to continue to press with great vigor for a great national park.

I state this so as to place in context my position on Park Service, general transportation programs, and park development which I view as separate, distinct, severable and indeed, conflicting, projects.

Let me briefly describe the communities in my district that surround Gateway's major units in New York.

First is the Breezy Point unit of Gateway in the Rockaways in Queens county, which stretches along the shore of the Atlantic Ocean on the south and along Jamaica Bay on the north, with a width of about six city blocks. In the middle of this unit of Gateway and completely surrounded by it, is the Breezy Point Cooperative, a community of cottages in which 15,000 people live. Adjacent to this unit are the communities of Belle Harbor and Neponsit, with a large middle-income, homeownership population.

In Brooklyn, the park is surrounded by the moderate and middle income communities of Mill Basin and Canarsie in my district. And here I must vigorously oppose a vast National Park Service transportation operation, which would include an armada of buses that could devastate our communities. The busing proposals already placed on the table by the National Park Service contemplating 3,250 daily round trips into our neighborhood would do extraordinary damage to these vital New York City communities—communities that are now major sources of revenue and of stability for a deeply stressed New York City. The publication of the transportation plan caused such a furor that hostility to the very concept of the Gateway National Park has grown by leaps and bounds.

So, in the most parochial sense, if you put the NPS into the transportation business, you'll be pitting it against its neighboring communities. That's not where the NPS should be!

And let us be candid; this "transportation company" has been pressed particularly for Gateway even though the legislation is for the entire Park Service.

Without the "NPS Transportation Company", Gateway is already the most accessible and heavily used national park in the country.

Let's look at the Gateway usage figures.

In 1973, 3.2 million people used the area that was becoming Gateway National Recreation Area. By 1975, under Gateway, there were 8 million visits to the Park, and in 1976, the visits reached to 9.4 million.

All without an "NPS Transportation Company", and also without turning the Gateway neighboring communities into antagonists of the park.



Gateway, inaccessible?—nonsense!

Yet, one of the rhetorical devices used to press for the mass transportation component of the NPS is, for instance, that Gateway is inaccessible.

Perhaps compared with Times Square or Grand Central Station, Gateway in Brooklyn and Queens is less accessible. However, a park that now serves well over 100,000 people a day on weekends and holidays, and is already the most heavily used national park in the United States, can hardly be termed inaccessible.

I'd like to add an aside in tribute to the capitalist impulse that often provides useful examples which we, in Congress, ought not to ignore. As it has been attributed to E. W. Emerson . . . "If a man can write a better book, preach a better sermon, or build a better mousetrap than his neighbor, though he builds his house in the woods, the world will make a beaten path to his door."

Several years ago, just thirty-five hundred yards from Floyd Bennett Field at Gateway, private entrepreneurs invested upwards of fifty million dollars to build a major shopping center.

No guarantees of people being brought to their doors were asked or offered. Yet, half a million people a week now "make a beaten path to his door." It didn't take an act of Congress. It took a better mousetrap.

If we wish to gain access to new areas of oceanfront land—a need indicated in remarks by Boris Pushkarev, a research planner at New York's Regional Plan Association—we can do it without the new "NPS Transportation Company." We can do it by adding additional vacant, oceanfront land that now abuts four existing, operating subway stations in the Rockaways in New York.

Let me briefly summarize and also outline some of the additional issues which ought to give pause to this effort. They are addressed to Gateway, but I believe many items are relevant to other parks.

1. The Park Service would be creating growing transportation constituencies and would come under increasing pressure to spend larger sums on transportation—particularly in urban areas. This would serve to reduce the funds in the total "pie" available for operation and development of the parks.

2. Unfortunately, the NPS planning process for Gateway has been weak. NPS has already expended nearly a half million dollars in transportation studies, and has come up only with a plan to inundate south Brooklyn and the Rockaways with bumper-to-bumper busing. Hardly innovative; certainly a plan achievable with little or no expenditure of planning money.

If the NPS planning mission is still plagued with problems, why add a new and complicated mission—one in which the NPS lacks any pretense of expertise.

3. The present NPS transportation planning process has already turned the communities surrounding Gateway into an increasingly hostile environment for future development of any and all creative proposals at Gateway. Should this sensitive—indeed explosive issue—continue to be led by those who've created the present deteriorating climate?

4. Lumping together the planning of the park and the planning of transportation—with its volatile implications—will assure that the focus of all of the ire against transportation will settle on the entire park plan; no matter how innovative and uplifting the park development plan may be. Conversely, the separation of the two would allow a more rational planning process for development of the park and for transportation planning too.

5. Transportation problems in south

Brooklyn and the Rockaways transcend the concerns of the park. The needs of those areas of New York cannot be met by a parochial NPS transportation effort.

6. All of the concern about transportation needs by the present transportation planners focuses on a maximum of 16 days a year of peak oceanfront usage and the presumed need to bring in hundreds of thousands of people. I strongly question the concept of "force feeding" the park's usage by expenditure recruitment.

7. No plan for a year-round use has ever been prepared for the park. For instance, if Floyd Bennett were to become a year-round, nationwide attraction, serving from 10,000 to 30,000 people a day, we would have a park serving well over 4 million people yearly, exclusive of summer ocean usage. And we would already have most of the transportation system in place without destroying neighborhoods and communities.

8. Income transfers which are inherent in the expensive transportation projects already projected are questionable, particularly when critical New York needs requiring billions of dollars are of paramount importance. Furthermore, if money is to be spent on mass transportation, certainly the priority should go to mass transport to year-round home to employment, not on recreational transportation which may be needed for only two weeks, or 15 days of peak use per year.

Over past decades we have tended on occasion to overplan, overspend and overgovern. I submit to you that an NPS Transportation Company is just such a wrong-way trip.

Is this trip necessary? My communities say no. Let's give the NPS a one-way ticket back to the drafting boards on this one.

#### WASPS

#### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. TEAGUE. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include the statement made by representatives of the American Legion with respect to pending legislation which would provide recognition to the Women's Air Forces Service Pilots for their service to their country during World War II by deeming such service to have been active duty in the Armed Forces of the United States for purposes of laws administered by the Veterans' Administration:

STATEMENT OF EDWARD J. LORD, ASSISTANT DIRECTOR, NATIONAL LEGISLATIVE COMMISSION

Mr. Chairman and Members of the Committee: The American Legion appreciates the opportunity to present its views and recommendations on S. 247 to extend veterans' benefits to the Women's Air Service Pilots of WW II; S. 1414 extending similar benefits to the overseas telephone operators of WW I and S. 129 to restore recognition for certain Philippine Army veterans of WW II.

Mr. Robert E. Lynch, Deputy Director of our National Veterans Affairs and Rehabilitation Commission is prepared to either read or summarize his statement.

STATEMENT OF ROBERT E. LYNCH, DEPUTY DIRECTOR, NATIONAL VETERANS AFFAIRS AND REHABILITATION COMMISSION

Mr. Chairman and Members of the Committee: The American Legion appreciates the

opportunity to present its views on three bills the Committee now has under consideration.

S. 247—a bill to provide recognition to the Women's Air Forces Service Pilots for their service to their country during World War II by deeming such service to have been active duty in the Armed Forces of the United States for purposes of laws administered by the Veterans' Administration.

The American Legion cannot support this bill. Its enactment would, in our judgment, jeopardize the entire concept upon which the program of veterans benefits has been constructed.

Let me say at the outset, that The American Legion is very much aware of the notable contribution to the war effort that was made by the Women's Air Force Service Pilots in World War II. That contribution was recognized at the time it was made, and the women pilots involved have been honored during the years intervening since the end of the war.

We recognize too, that the militarization of the WASPS was recommended in World War II, by the Army high command, and was approved by a Congressional Committee in 1944. We have read the record of how the bill failed of passage on the floor of the House, and perhaps the House should have, in fact, passed the bill at that time, possibly resulting in the militarization of the WASPS, and thus making this subject, now before the Committee, moot.

But the bill was not passed. The WASPS were not militarized, and the completed record of their service establishes that they functioned in a civilian capacity.

The question then, that must now be answered, is whether as civilians, in the service of the Army, for performance of a specific and limited task, admittedly involving appreciable risk to life and limb, the former members of the WASPS should be accorded the same rights and benefits that appertain to honorable service in the Armed Forces during World War II. The American Legion firmly believes that this should not be done.

The point is not whether the WASPS performed important and valuable service. The point is the retention of the concept of veterans and veterans benefits, as this concept has been developed and maintained throughout the history of the Republic.

In all of America's wars there have been civilian components that have rendered good and useful, and, most assuredly, important service, in association with the military. These components are multiple in number and variety of services performed, and most certainly include the invaluable work of the WASPS.

Much of the service of these civilian components was performed in the zones of active operations, even under fire. Members serving in the components were injured and killed in actual combat operations. All those who served are deserving of recognition and honor from a grateful country. But—they were not members of the military services, and they were not and are not veterans. And, in the judgment of the American Legion, any rewards and benefits the Congress may decide to bestow on them, should not be included in the category of veterans benefits.

In the history of our nation, the veteran has, from the time of the Revolution, occupied a special place, in relationship to the American people. In the main, our wars have been fought and won by the citizen-soldier, who, in responding to the nation's call, is fulfilling a basic obligation of citizenship. The citizen-soldier takes the soldier's oath. He is enrolled for the duration of the war. He is subject to military control and discipline. He is required to bear arms, and to engage in combat according to the orders of the offi-

cers appointed over him. Upon the honorable completion of the prescribed term of service, he is honorably discharged and he becomes a veteran. And at that point he becomes entitled to the honors and benefits that have been bestowed on veterans by a grateful nation.

The role of the veteran in America is a very special one. It is cherished by those who have earned it. It is unique among the categories that comprise the American society. It is highly prized and valuable, and is to be shared only by those who have earned it. The benefits and services that are attached to the status of veterans devolve upon his dependents and survivors. All of these factors, and the wars in which the nation has engaged, have resulted in a present veteran population of nearly 30 million, who, with their dependents and survivors, comprise fully half the total population.

So—in view of all of these things—where does one draw the line? How does one precisely define the term "veteran?" The American Legion will stand with the definition provided by section 101 of title 38, of the United States Code. Paragraph (2) of section 101, reads: The term "veteran" means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

On the basis of that definition, the former members of the WASPS are not veterans. And if that is true, the question that then presents itself is whether, notwithstanding the fact that WASPS performed in a civilian capacity, they should nevertheless be accorded the rights, privileges and benefits that are accorded to veterans. We, of The American Legion, say not.

Of all the points that can be made against so according them, the overriding one, in our judgment is that to legislate such a grant of benefits would denigrate the term "veteran," so that it will never again have the value that presently attaches to it.

For, once the precise definition of the term is breached, it will no longer be possible to defend it. If WASPS are to be accorded the rights and privileges and benefits that now appertain to veterans, then an equally valid case can be made for all of the non-military components who in some way contributed to the war effort, in any of the nation's wars. And, of course, if benefits are to be given to all of these groups, then, it naturally follows that applicable benefits will attach to their dependents and survivors.

Now, Mr. Chairman and Members of the Committee, the reason The American Legion feels so strongly on this matter, is that, it will be impossible, in our judgment, to continue to ask the American people, through the Congress, to give special attention to the needs of veterans, and their families, if all rights and benefits for veterans are going to apply equally to anyone who, in whatever capacity, contributed to the war effort, in any of the nation's wars.

Mr. Chairman and Members of the Committee, The American Legion believes it would be gravely wrong for Congress to enact this measure.

S. 1414—a bill to provide service credit for certain services in telephone operating units; Signal Corps.

In commenting on S. 1414, we have particular reference to that part of the bill that amends section 106 of title 38, USC, to state that "(f) Service during World War I by any female citizen of the United States of America, as a member of the telephone operating units, Signal Corps, United States Army, shall be considered active duty for the purpose of all laws administered by the Veterans Administration."

We do not presently have sufficient information about the component here involved, to offer a definitive comment. We certainly do not have enough information at hand to conclude that the women telephone operators who were in the service of the Signal Corps, with the American Expeditionary Force in France in 1918, were members of the United States Army. They served under the command of the Signal Corps, and worked in a zone of active military operations. We do not know whether they took the soldier's oath, were enlisted for the duration, received military pay, wore regulation uniforms, were completely subject to military control and discipline, and were assigned military rank. The implication of the bill is that the women telephone operators did not, in fact, meet all these criteria of military service, and that they were, in fact, members of a civilian component, recruited to serve a special need of the Army in France.

If that is so, then the women telephone operators are not veterans as the term is defined, and all of the reasons advanced earlier in this statement, relating to WASPS, apply equally to the women telephone operators who served with the Signal Corps in World War I.

It is our recommendation to the Committee that this bill not be approved, at least until definitive data is obtained from the Department of Army concerning the status of this component in World War I. If it was indeed, a civilian component, then The American Legion does not support enactment of the measure, and we feel equally strongly about its inadvisability as we do about S. 247, which we discussed earlier in this statement.

S. 129—a bill to restore the wartime recognition of certain Filipino veterans of World War II and to entitle them to those benefits, rights, and privileges which result from such recognition.

S. 129 addresses a problem that developed subsequent to June 30, 1948, the date on which the Guerilla Recognition Program ended, resulting in approximately 125,000 guerillas being dropped from the rolls, causing problems that have persisted since that time.

Due to the circumstances under which the war in the Philippines was fought, questions arose following the end of the war, concerning recognition of those who had actually participated in the war, and fraudulent claims advanced by some to recognition they did not, in fact, deserve.

The American Legion has been concerned at the need to identify those who properly are entitled to recognition, so they may qualify for the benefits provided for them by the United States. That concern is most recently expressed in Resolution No. 163, originated by The American Legion of the Philippines, and adopted by the most recent American Legion National Convention in August 1976.

Resolution No. 163 states American Legion support for legislation reopening the Guerilla Recognition Program of the Commonwealth of the Philippines by the Department of Defense of the United States. S. 129 would appear to satisfy this apparent need as recognized in our resolution.

Because of the fact that a real problem does exist, in completing identification of those who served the cause of the United States in the Philippines during World War II, The American Legion believes that S. 129 is worthwhile legislation, and recommends favorable consideration by the Committee.

Mr. Chairman and Members of the Committee, that completes our presentation with regard to the three bills now under consideration. We are prepared to respond to any questions Members of the Committee may have.

# INTRODUCTION OF THE CLASS ACTION PROCEDURES IMPROVEMENT ACT OF 1977

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. KOCH. Mr. Speaker, today I am introducing the Class Action Procedures Improvement Act of 1977. This is an important bill which, if enacted, would significantly help to deter violations of law for which there is presently no redress. The first portion of the bill would improve class action procedures generally, principally by substituting a practical procedure to replace the cumbersome notice requirement currently imposed on plaintiffs in class actions. The current state of the law as articulated in the Eisen case requires an individual notice to be mailed to every member of such a class. The costs of such a requirement in many cases are prohibitive and can effectively bar the use of a class action as an available tool to plaintiffs. My legislation would allow the court to determine a method of notice to the class that is "reasonable" under the circumstances.

My bill would also address the current state of the law with respect to jurisdictional amount in class actions. In Snyder against Harris, the Supreme Court ruled that each member of the class had to have a claim in excess of \$10,000. This interpretation of the jurisdictional amount requirement also effectively bars many potential plaintiffs from utilizing the class action tool. My legislation would allow members of a class to aggregate their claims in order to meet the \$10,000 jurisdictional amount. This would permit generally aggrieved individuals who have legitimate claims under \$10,000 from using the class action tool. However, my bill would require that each claim be at least \$10 and the total amount of the class' damages exceed \$10,000 so that frivolous claims would be effectively excluded.

The final portion of my legislation would significantly improve the quality of consumer justice in America, by affording a real remedy for the first time, to certain victims of misrepresentation. This legislation will not redress all wrongs to consumers since merely individual consumer suits will have to be handled in small claims courts and other relatively informal tribunals. But the bill will be exceedingly valuable in those cases in which substantial numbers of consumers are adversely affected by the same practice, such as a widely circulated false advertisement, or a practice of keeping consumer deposits without delivering goods.

My legislation would enable aggrieved classes of consumers to maintain actions for injunctions, or for actual damages or restitution, in either the Federal or State courts. Actions for penalties would not be permitted unless some other statute specifically authorizes recovery of a penalty in a class action. Thus, businesses need not fear that consumers will



unfairly use this legislation to penalize them in a way unintended by legislatures.

There are those that will argue that this legislation will lead to a clogging of Federal or State court calendars. There is no reason to expect that this will happen. It did not happen in New York, Massachusetts, or California when those States liberalized their class action rules. Furthermore, the "unfair practices class action" portion of this legislation has several built-in devices to prevent trivial cases from being brought: First, the special \$25,000 aggregated jurisdictional amount; second, the requirement that that portion of the bill only applies to claims exceeding \$10; third, the requirement of notice to prospective defendants to encourage settlement; and fourth, the provision under which the Federal court, taking into account the condition of its docket, may dismiss the action without prejudice to refiling in a State court.

The House Judiciary Committee on Courts, Civil Liberties, and Criminal Justice will be holding hearings beginning June 20 on access to justice. I am confident that that subcommittee, chaired by my friend and colleague ROBERT KASTENMEIER, will address the salient issues raised by the legislation I am introducing today. I believe that reform of the class action is one of the significant ways in which we can improve access to the courts for all citizens and I am hopeful that the subcommittee, following its deliberations, will set class action reform as a high priority for congressional action.

I believe that the enactment of the Class Action Procedures Improvement Act of 1977 will represent far more than an important step in insuring justice for ordinary citizens who feel aggrieved and want a day in court. It will also be a major step in devising ways in which the Congress can resolve problems without creating new bureaucracies.

#### THE QUALITY OF FEDERAL JUSTICE

### HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. COHEN. Mr. Speaker, the House Judiciary Subcommittee on Monopolies and Commercial Law is this week considering an omnibus judgeship bill. The legislation would create some 80 additional Federal district judgeships throughout the country. These additional judgeships are clearly needed to help relieve the unprecedented backlog of cases which now poses a serious threat to the administration of justice in our Federal court system.

The additional judgeships will, however, prove to be of little value if they are not filled with highly qualified men and women. I believe the Congress would be remiss were it to pass the judgeship bill without taking steps to insure that the nominees proposed to fill the new openings on the bench will be of superior caliber.

The New York Times, in an editorial appearing in today's editions, makes a cogent case for establishment of a screening system which will assist in the selection of nominees for Federal judgeships. The House Judiciary Subcommittee now has under consideration a similar proposal. I would hope that the Judiciary Committee and the full House would take appropriate action to promote the quality of our Federal judges at the same time we increase their number.

The Times editorial follows:

#### THE QUALITY OF FEDERAL JUSTICE

A recent report to this newspaper well conveyed the irony of political events. It began: "The Senate passed tonight a bill to create 148 new Federal judgeships, which would ease the burden on the judiciary and provide patronage for Senate Democrats and President Carter."

There can be little question that the new judgeships—35 at the appellate level and 113 in district courts—are badly needed and that the House should quickly follow the Senate's lead. Not one judgeship has been created in the last seven years though Federal litigation has been increasing at a rapid rate. But the promise of patronage is hardly encouraging. This was to be the year in which a new emphasis on quality was to appear in our judicial system; at least that's what Candidate Carter implied when he told the Democratic Platform Committee that "all Federal judges and prosecutors should be appointed strictly on the basis of merit, without any consideration of political aspects or influence. . . ." Attorney General Bell agreed with that view at his confirmation hearing.

The Administration has been faithful to its word on the appellate level by creating special commissions to screen nominees. But even though the Attorney General has found better recruits through nonpartisan commissions than through patronage, the old ways are still being employed in the selection of district court judges and United States Attorneys. These jobs are traditionally filled by the nominees of Senators. The latter have been invited to set up screening commissions to assist them in making their choices. The Attorney General said last month that in the cases where Senators had followed that procedure, "many more qualified individuals are recommended for appointment than is the case when political patronage governs the choice." Unfortunately, most Senators have declined to accept the invitation.

The President seems unwilling to force the issue with the Senate and to demand that quality become the main concern in selection. He may be right in appraising his influence in the Senate at this point, but that should not be the end of the matter. Mr. Carter and the Attorney General could encourage the organized bar across the country to press Senators for a quality control system. They could also refuse to appoint all but the most clearly qualified nominees. The President's campaign promise was not just a pitch for votes; it was a recognition of a national concern.

#### COMMUNITY SERVICES ADMINISTRATION SHOULD BE GIVEN HIGH PRIORITY

### HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. RICHMOND. Mr. Speaker, I am addressing an issue today that is of vi-

tal importance to our Nation's poor and elderly: The Community Services Administration, which for many is the only sign of relief. I am concerned that the war on poverty was virtually curtailed during the Nixon and Ford administrations through vicious and malicious attacks on existing welfare programs. It has been distressing for me, during the past few years, to see this destruction. The poor and elderly during these times have been helpless, and the general condition of our welfare programs has gone downhill.

But, Mr. Speaker, I am encouraged by the Carter administration's commitment to alleviate the plight of the poor and aged in America, and I am hopeful that the Community Services Administration will be able to reaffirm its independent advocacy role that is vital to so many people in America.

I recently addressed this topic at the regional conference of the Community Services Administration in New York City. I would like to share the text of that speech with my colleagues at this time with the hope they will have a better understanding of the Community Services Administration and the important role it can play when properly administered:

SPEECH BY CONGRESSMAN FREDERICK W. RICHMOND

"I agreed to speak to you this afternoon because I represent the third poorest district in New York State. I have seen with my own eyes many of the problems we will be discussing here today. I have seen what can be done when citizens organize to effectively improve the quality of their own lives, and I have seen these same citizens demoralized and abused by narrow-minded and destructive administrative policies.

When President Johnson launched the War On Poverty in 1964, our communities were stirred by a new spirit. Neighbors began to get involved with one another; to discuss their mutual problems and to devise coherent and effective approaches to overcome the poverty and despair that have historically kept the poor and aged from full participation in our society. For the first time, all levels of government committed their intellectual and material resources to the effort to seek out and destroy the deep and pervasive poverty in our nation.

There is a current myth that poverty programs do not work and that we, as a nation, have lost the War on Poverty. We hear that these programs were poorly designed; that billions of dollars have been wasted; that the problems of poverty cannot be solved by the application of more and more Federal dollars. Let me tell you in no uncertain terms that those who are busily perpetuating these myths are the very same people who, for eight long years, purposely and with malice aforethought, conspired to destroy these very programs . . . and, as each of you know, these efforts were very nearly successful.

I believe it is time we cleared up this myth once and for all so that we can begin to focus more clearly on the very real and oppressive problems which face so many of our citizens each and every day of their lives.

The truth is that the War on Poverty did make a tremendous difference in the lives of poor people during its first few years. Yes—it is true that some of the programs failed, but a great many of them were successful as evidenced by the broad impact they are still exerting in hundreds of communities all over this country. Head Start, Community Health

and Legal Services Centers and Day Care are effective programs which have allowed poor people to participate in a meaningful way to improve their lives.

But soon after the War on Poverty was launched, President Johnson relegated it to the back burner so that his Administration could have all its time available to deal with the odious and tragic war in Vietnam. The sons of the poor found themselves drafted into the armed forces to serve in an unjust war, while their parents and families at home found themselves in the midst of the War on Poverty without the necessary tools to achieve the success that once seemed to beckon so hopefully.

President Nixon came into office with a deep-rooted bias against the poor and a determination to dismantle the Office of Economic Opportunity, the lead agency in the struggle for meaningful progress against the intolerable burden of despair so prevalent in our nation's poverty-stricken communities.

I have no intention of boring you with a long history, all too familiar to everyone in this room. But, I think it is virtually important that the myths currently in vogue about the failure of this nation's effort to alleviate poverty be put to rest.

Let's put it all out on the table. Richard Nixon and his chosen successor, President Ford, did everything in their power to cripple these programs and then they had the audacity; the sheer hypocrisy to blame the effects of their own heartlessness on poor people trying desperately to survive in our society.

Nixon and Ford appointed Administrators that had little commitment to the War on Poverty. When Congress refused to permit the administrative dismantling of these necessary programs, Nixon and Ford impounded the funds. When that didn't work they began issuing restrictive regulations. When that didn't work, they launched widely publicized attacks against the poor in a reprehensible attempt to blame the most helpless people in America for the failure of the Poverty Program.

Nixon attacked the welfare clients and President Ford launched a vicious and ignorant campaign against food stamp recipients. The airwaves were filled with an endless series of attacks on poor people as the most powerful man in America launched one attack after another on those with no power at all.

Under this barrage of vituperation, how could anyone in his right mind expect our nation's assault on the desperate problems of poverty to succeed?

The War on Poverty was not lost . . . it was betrayed by a small band of narrow-minded men who decided to use the poor as political scapegoats rather than deal with the single most important problem facing the nation.

Today we face a different and far more hopeful situation. President Carter has taken several recent steps which, I think, indicate his commitment to the restoration of meaningful advocacy programs for the poor of this nation. The President's recent appointment of Dr. Grace Olivarez to head the Community Services Administration is heartening, because it signals the President's concern with insuring that C.S.A. lives up to its role as a governmental advocate for the poor which, quite frankly, has not been the case for the past three or four years.

Richard Nixon's attempt to obliterate the advocacy role of O.E.O. came all too close to success, as we all know.

He had no intention of allowing the C.S.A. to operate in an effective manner on behalf of the poor.

Administrative restrictions were devised which have had a serious effect on the ability of C.S.A. to fulfill its mandate and this, too, was no accident.

Grant approval was centralized in Washington—1140—Part 15

ington and regional offices were removed from this vital process. This created an incredibly inefficient situation and one which was clearly not intended to increase local participation in the program.

In addition, the question of whether C.S.A. should remain an independent agency or whether it should be merged with the Department of Health, Education and Welfare was left to the President, whose inaction left C.S.A. in a bureaucratic no man's land which was intended to further emasculate and disarm the agency.

As a result, intergovernmental cooperation with C.S.A. came to a standstill as other agencies became justifiably hesitant in their dealings with an agency whose very existence was in question.

As if this were not enough, C.S.A. was put on a quarterly funding basis so that internal planning and budgeting procedures became increasingly inefficient and chaotic.

I haven't the slightest doubt that if Gerald Ford had been elected in 1976 he would have moved to abolish the Community Services Administration by merging it into H.E.W.

The inefficiencies which Nixon purposely created in the agency would have been used by President Ford to destroy the entire program once and for all.

The victory of President Carter has given us new hope and a new opportunity to correct the abuses of the past.

Today we face a far more hopeful situation. President Carter has taken several recent steps which I think indicate his commitment to the restoration of meaningful advocacy programs for the poor of this nation.

The President's recent appointment of Dr. Olivarez to head the Community Services Administration is a meaningful step in the right direction which I interpret as a sign of the President's real concern and commitment to restoring the advocacy role of this vital agency.

In the past few weeks, questions have been raised about President Carter's commitment to alleviating the plight of the poor and the aged in America.

I believe that the attitude President Carter takes toward the Community Services Administration is a crucial test and there is every indication that the President will act to accept this challenge.

The Independent Advocacy role of C.S.A. must be affirmed; grant authority should be returned to the regional offices and funding returned to an annual basis. This will give us the tools to rebuild advocacy programs that have been allowed to deteriorate over the past few years.

If the President gives us these tools, we in turn must take the responsibility to accept the fact that many C.S.A. programs have lost the spirit of advocacy.

We would be less than candid if we do not accept our share of the blame for the past three or four years of inaction.

Instead of significantly and meaningfully involving the poor in carrying out C.S.A. programs, many of us have remained silent while policy-making boards have refused to hold regular elections, thereby blocking the poor from participating in the making of vital decisions that directly effect their own lives.

Many programs have failed to serve as Advocates for the poor on matters of public policy. In fact, programs have too often worked the other side of the street by defending administrative policies, and procedures that run counter to the real interests of the poor and the aged.

Rumor has it that the passion and anger of the Sixties has been cooled by air conditioned offices and compensatory time. Well, I say that it's time to stop being bored and return to being bold. Community Action is needed now, as much if not more than ever in the past.

It is time to take a second look at our program accounts and admit that we should

phase out some of the programs we now fund.

We must stop defending the status quo. Like many other traditional agencies, there are far too many shufflers of paper, guardians of guidelines and meetings of deadlines.

I believe that the Community Services Administration under Dr. Olivarez will grasp these opportunities so that the poor and the aged of urban America and rural America will once again be able to receive the assistance they need to help themselves.

## AN ADDRESS BY RUSSELL W. PETERSON ON THE ROLE OF THE UNITED STATES IN THE WORLD

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BROWN of California. Mr. Speaker, last week the U.S. Association of the Club of Rome held a conference entitled "Alternative Views of the Future." The purpose of the conference was to discuss the global situation, and the limits or restraints the nations of the world face in meeting their needs and goals.

The keynote address to this conference was given by the president of New Directions, which is a newly founded organization dedicated to global issues of vital importance to our interdependent world. Russell W. Peterson serves as the full-time president of New Directions, after service as Chairman of the President's Council on Environmental Quality, and as the Governor of the State of Delaware.

I was very much interested in Mr. Peterson's address, and would highly commend it to my colleagues.

The speech follows:

THE ROLE AND RESPONSIBILITY OF THE UNITED STATES IN COPING WITH THE WORLD PROBLEMATIQUE

(By Russell W. Peterson, President, New Directions)

(Alternative Views of the Future, U.S. Association for the Club of Rome Conference, American University, Washington, D.C., June 3, 1977.)

In the General Assembly of the United Nations, each member state has one vote. But this does not mean that all nations are equal.

Instead, we come to the bar of history with vast disparities in geographic size, natural wealth, climate, population, economic development, military strength—not to mention contrasts in culture, tradition, religion, custom, ideology, and politics. But I would like to talk with you briefly this morning about my strong personal belief that today, in the community of nations, the United States has a special role and responsibility.

Part of our American heritage has been a deep pride in the success of our American experiment, and I feel that that conviction has some firm justification. But let me explain.

I do not by any means intend to suggest that we are a uniquely chosen people, or that we have some direct and private channel of communication with God. That sort of pernicious nonsense has been used all too often throughout history by assorted dictators and tyrants to justify oppression at home and aggression abroad in the name of some purportedly divine mission.



Nor do I mean to imply that we in the United States possess some special wisdom that protects us from error or stupidity in our international actions. I regret to say that there are far too many painful examples of U.S. mistakes in the recent past to take any assertion seriously.

And I certainly would not want to argue that we, as Americans, deserve some kind of privileged treatment. Both you and I have too often seen some of our fellow countrymen abroad, who apparently felt that the Great Seal of the United States on their passports automatically endowed them with some peculiarly lofty status or protection denied to citizens of other states.

No, I mean none of those things. And yet I do believe that the United States has a special role and responsibility in the world of today, and that in some ways we stand alone.

What do I mean by our unique character? We have achieved a high quality of life for most of our people. But so have several other nations.

We have built the most powerful military force that ever existed, capable of wiping out most life on earth. But our military and civilian leaders judge that the Soviets have now achieved "rough equivalence" with us.

We have been blessed with a great natural heritage that, among other things, permits us to be the breadbasket for the world. At the same time we have been bringing our population growth under control long before it bumps up against the carrying capacity of our land. Several other countries—including Canada and Australia—share this achievement with us.

We have built a powerful system for producing goods and a scientific establishment second to none.

Our people have had the benefit of a broad education as have many other societies.

We have built a democracy that for 200 years has weathered many storms, providing ever-greater justice for our people. And today the people are in firmer control than ever before.

We have held out our hands to our vanquished foes and helped them to rebuild their lands. And we have provided extensive aid to less fortunate nations.

Each of these traits which I have enumerated is shared by one or more other countries. But no other nation enjoys all of them.

But in addition, we have built a nation from essentially all cultures on earth. People from all over our planet with their varied backgrounds and hopes and fears and languages and abilities have come here. And they have risen to positions of leadership throughout our society, putting the imprints of their varied cultures on what has to be a microcosm of a world community.

It is the sum of these many factors that gives the U.S. a unique role and a special responsibility in coping with the world problematique.

This audience certainly knows what I mean by the "World Problematique." It has been well defined by Aurelio Peccei. It is that complex of problems troubling people of all nations—poverty in the midst of plenty, degradation of the environment, loss of faith in institutions, unemployment, alienation of youth, rejection of traditional values, war and violence, inflation. These seemingly divergent parts of the world problematique have three characteristics in common. They occur to some degree in all societies; they contain technical, social, economic and political elements; and most important of all, they interact. It is this interaction that makes it difficult, if not impossible, to cope with any of the components without understanding the whole. It is to better understand the whole and to devise effective responses that the Club of Rome and now the U.S. Association for the Club of Rome have dedicated their efforts.

We may be alone in the size of our opportunity to contribute to the resolution of the problematique, but certainly we cannot begin to do the job alone.

And certainly no nation is alone in suffering the consequences of our falling as a planet to resolve the critical world problems.

Today it is clear that our future prosperity and happiness and even our survival are inevitably tied to that of the world. Whether we like it or not, we cannot go it alone. The interdependence of the nations of the world is an unalterable fact.

So what is required for the U.S. to fulfill its special role and responsibility?

First of all, we need the right leadership. Fortunately for all of us, President Carter understands the world problematique, has a deep feeling for the basic strengths of the nation he heads, has the vision to articulate the long-range goals to which people everywhere can subscribe, and the courage to advance measures today that will lead toward those goals. He deserves our strong support.

But the President cannot do it alone. Other leaders, and the people in general, must develop a clear understanding of the threats to world security and of the opportunities to cope with them, and the people must demand a change in the directions we have been going. Most of our leaders in business and government continue to make decisions the same old way. Business leaders worry primarily about this year's operating statement and government leaders about the next election. And professors become trapped in the myopia of their specialty. As a result, we are being carried into the future by the momentum of the status quo—resisting change in every direction.

This myopic approach to the future is reminiscent of the unfortunate gentleman who fell from his balcony on the 75th floor of a hotel. As he passed each floor on the way down, other guests heard him repeat to himself, "So far, so good."

It may seem a far reach from that humble tale to the resolution of the world problematique. In fact, however, the falling gentleman's self-assurances seem to me at the heart of the key problem we need to resolve. His rationale could serve as a parable for man's obstinate rejection of reality—and for our continuing failures to make the hard decisions necessary to reconcile man's demands for near-term satisfaction with his long-term survival.

"So far, so good" is suicidal logic. The really troublesome element of it, however, is that it was absolutely irrefutable for the first 74 floors. Only arrival at the last floor betrayed a certain flaw in reasoning.

Let me illustrate the nature of this problem by reminding you of several recent sad experiences in United States' history that resulted from the cumulative impact of many short-term, special-interest decisions.

For many decades we pushed industrial development and public works projects with little concern for the environment. Finally our air, our water, our land became so befouled that the people—concerned about the security of life itself—rose up and demanded a change. Seeing their short-term personal goal of becoming re-elected threatened, the elected leaders passed an avalanche of environmental legislation. Now we are on a safer course and the all-out developers are being dragged into the future screaming—and making money as they go!

Our leaders—making piecemeal, short-term, myopic decisions—got us into the Vietnam War. Finally the people—realizing that the justification for that war was phony and that the war was threatening our security, not enhancing it—got us out. And so ended one of the most disgraceful chapters in our history.

Becoming elected has frequently been enhanced by speaking of the need for integrity in government while practicing something

else. This behavior culminated in the Watergate fiasco. The people—seeing the security they thought was provided by the democratic process threatened—demanded change. As a result, many elected officials all over the United States have been brought to the bar of justice, and legislative bodies at the national, state and local levels have passed a stream of legislation calling for higher ethics, more open government, campaign financing, income disclosures, etc. Responsible in no small measure for much of this action has been the potent citizens' lobby called "Common Cause."

One might think that after facing up to these past threats to security, we could relax. But on the contrary, the security of all of us demands constant vigilance. It also calls for some fundamental changes in how we look at the problems and at the world around us.

What is required is an integrated, holistic, interdisciplinary approach. This must be applied with humanistic wisdom, avoiding the simple application of blind technology as we have too frequently practiced in the past.

Traditionally, man has broken his endeavors down into specific disciplines for his own convenience, and hence has perceived reality from many different perspectives. Such specialization has been necessary for scientific and technological advance; and we have learned much more, and much more quickly, by breaking phenomena down into various compartments and studying them from the standpoints of biology, physics, chemistry, economics, political science, and so forth. But we must remember that our world does not exist in compartments; it comes in single, interrelated communities, each part of which affects other parts.

While pursuing our separate disciplines, each of us must strive to relate our work to that of others so that we can regain—by adding our individual pieces to the total puzzle—a view of the unity exemplified in nature. We have taken the globe apart to make it intellectually manageable, to make it professionally convenient. But that doesn't mean that the globe exists in parts. So all of us had better learn to put the pieces back together again. To ensure that our intellectual pigeon-holes conform with homely reality, we had better learn to think holistically.

There is much, for example, that an individual working alone in the field can contribute. But it is clear that the broader understanding we critically need today can only be obtained through a truly interdisciplinary approach. Since the biosphere does not recognize political divisions and boundaries and since many of the impacts of our actions do not stop at national borders, our search for understanding must be international as well as interdisciplinary.

In addition to a holistic perspective, it is also necessary that we bring a historical perspective to bear.

We in the United States are proud of our history, and rightly so. As we now consider our role in the world today, we would be well served by relating our history to that of the dozens of new nations that have just recently made the leap from colonialism to independence. And in so doing we might display a little tolerance and more understanding of the handicaps under which they struggle.

We might recall how Thomas Jefferson hoped for our new nation to live up to the provision for freedom he wrote into the Declaration of Independence, but had to give in to the most gross violation of all human rights—slavery—in order to gain agreement to establishment of our nation. And it took 90 years and a civil war before we wiped out that scourge. And even today we still tolerate injustice in our midst.

Some of the new nations haven't even ex-

isted as long as the 13 years it took us to create our constitution and elect our first President.

This doesn't mean that we shouldn't hold out for fulfillment of basic human rights and the meeting of basic human needs for people everywhere at the earliest possible time. This is what our way of life is all about. But to expect superhuman accomplishments overnight in nations with little experience in self-government and in many cases with populations barely surviving on lands of inadequate carrying capacity may be expecting too much. Certainly some tolerance is in order as we continue to promote movement toward the goals we hold out for all mankind.

Our Republic, thanks to the genius of its founders, has survived for 200 years, protecting our cherished freedoms, our democratic federal government, and our free enterprise system, and providing some resources to help advance the welfare of the world community. The checks and balances of our three branches and three levels of government and the watchdog efforts of a free press and an active citizenry have insured the survival of the Republic. But this has not been accomplished without great sacrifice and tremendous effort. And its future survival will call for continued effort, sacrifice and individual commitment and involvement.

But today, as I said earlier, it is also clear that our survival is inevitably tied to that of the world.

This realization provides the reason to be for the Club of Rome and for the U.S. Association for the Club of Rome—to help make the people of the world aware of the world problematique and to encourage and help them to analyze the choices they have for moving into the future.

My assignment here today is to discuss the role and responsibility of the United States in the world problematique.

And when we look at the rest of the world and weigh the strengths we have to contribute to the common cause, we must not forget or underestimate what I think is our greatest strength of all—more powerful than our armed forces with their nuclear weapons, more powerful than our vaunted economic system—it is our demonstrated respect for the dignity of individual human beings, a success story that once again can brighten the hopes of people everywhere. We must nurture it and keep it alive.

The role of any nation in world affairs may be designed by scholars and specialists and strategists—but it must be ratified in the political arena. At this moment, the person who wants to do something about world problems is nearly helpless. Isolated and standing alone, he or she cannot affect the political game where international policies are tested and adopted.

The new citizens' organization I head—New Directions—has been organized to provide citizens with a channel for effective impact on United States foreign policy formulation. We are building an army of dedicated, involved citizens concerned about the quality of life of individual human beings everywhere, mobilized and focused on those high-priority critical programs that can best enhance such quality of life for both present and future generations—organized to bring concerted and sustained citizen action to bear in whatever arena necessary to gain its objectives.

We will ask our members to do the kind of homework that will make them effective in citizen action. They should know all they can learn about their Congressman. They ought to know what his stated positions are, what actions he has taken, what his strengths and weaknesses are. They should have the same knowledge of their two Senators. We will help them do their homework. We will keep them up to date on important issues before the Congress. We will let them

know what they might do—at any given time—to influence those issues.

And we plan to ally with citizens' groups in other countries to join our separate forces to make common cause on world issues that mutually concern us.

To think that it will be easy to have a meaningful impact on the world's critical problems would be naive. But not to try would be foolish and irresponsible indeed.

How many of you—like me—now think U.S. citizens could have and should have waded earlier into the fight to get the U.S. out of the war in Vietnam?

And did we—all of us here—really have to tolerate the befoulment of our environment—the deterioration of our very life-support system—as long as we did before we had the courage to stand up and fight?

And why did we put up so long with the unethical practices in our democratic government?

Now the world faces even greater threats. What are you and I going to do about them?

The answer may very well determine what kind of world our grandchildren will be living in.

There are great goals out there in the future. We are not entirely at the mercy of a blind fate. There is good reason for hope for a brighter tomorrow for mankind everywhere. But we must alter our course to get there.

If enough of our leaders in industry and government don't have this vision or the courage to act, the people must see that they do. The people can do it. The tradition of democratic government testifies to that.

We in New Directions have selected three of the principal threats to world security on which to focus.

Let me briefly describe them. They are:

1) The need to reduce nuclear armaments and to place restrictions on indiscriminate sales of arms.

2) The need to achieve a safe energy future, foregoing the use of plutonium as a fuel because of its contribution to the proliferation of nuclear weapons and nuclear terrorism and its threat to the environment; and promoting energy conservation and the development of renewable energy sources.

3) The need to increase United States assistance in support of more self-reliant programs in developing countries—seeking increased food production, accelerated and ecologically sound rural development, and expanded low-cost delivery systems for health, education, and family planning.

People who have fulfilled their basic needs, like you and me—like most in our country—now strive for self-fulfillment. We may find this fulfillment in working to build a planetary unity—to point the way for humans everywhere to live in harmony with each other and with the total environment.

The experience of the United States of America in welcoming people from every area of the globe, and demonstrating how all these different people—while maintaining much of their different cultures—could live together in relatively good harmony while building one of the world's highest standards of living, stands as solid testimony that a prosperous, harmonious worldwide community is a practical objective.

It is a challenge to all of us on planet Earth—including you and me—to help build such a brotherhood.

By dedicating ourselves to protecting and improving the quality of life on earth, each of us can improve his personal security and enhance the quality of his life. Thereby, one's deepest self-interest is served. By such dedication we have the best hope of building a sense of worldwide community upon which our survival and that of our children are dependent.

Anyone who cares about his children and grandchildren has to be concerned about the critical world problems—about the poor-

est of the poor, about the exploding world population, about the proliferation of nuclear weapons and about the pollution of our oceans and our atmosphere.

We in this room do care.

Let us dedicate ourselves to doing something more about it.

The pervasive interrelationships among the peoples of the world and between man and his environment led me several years ago to propose a Declaration of Interdependence. On reflection, this Declaration might also be considered as a basis for the work of the U.S. Association for the Club of Rome, and as a banner under which we citizens of the United States might work to further our special role in helping to resolve the world problematique.

We, the people of Planet Earth, with respect for the dignity of each human life, with concern for future generations, with growing appreciation of our relation to our environment, with recognition of limits of our resources and with need for adequate food, air, water, shelter, health, protection, justice and self-fulfillment, hereby declare our interdependence and resolve to work together in brotherhood and in harmony with our environment to enhance the quality of life everywhere.

## THERE IS NO ENERGY SHORTAGE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. McDONALD. Mr. Speaker, the President's energy proposals rest on the premise that there is a shortage of energy. Now it's true that shortages in certain areas exist, but these are the result of Government restrictions which have blocked access to energy supplies and do not reflect any real shortage of natural resources.

Yet the President implies that there are real shortages and thus that the Government must impose a whole host of new controls and restrictions on energy usage to promote conservation. Such a policy will prevent producers from developing new energy supplies, causing far worse shortages in the future.

But, as M. Stanton Evans so clearly illustrates in the following article from the May 28 Human Events, Government estimates of known reserves always fall far short of the actual reserves. For example the known reserves of oil rose from 75 billion metric tons in 1950 to 455 billion in 1970.

Mr. Speaker, we do not have an energy crisis, but an enormous political crisis. The antidote is to remove Government restrictions on energy production, not create new ones.

The article follows:

CARTER PLAN MISTAKEN—THERE IS NO ENERGY SHORTAGE

(By M. Stanton Evans)

To listen to the "no-growth" advocates among us, there is nothing for Americans to do these days but hunker down and do without.

The age of abundant energy, we are informed, is over. We must learn to live within limits. Conservation, reduced consumption, and occasional hardship must be our lot. President Carter sees all this as the "moral equivalent of war." The "no-growth" spokes-



men view it with a certain obvious relish as the final fadeout of a waning technological society.

In fact, however, all these assertions are provably false. While fossil fuels are finite and exhaustible in theory, we are nowhere near to running out of them. Recent shortages have been artificially induced, and have nothing to do with natural limits. There are other energy sources available that are potentially unlimited, but these also have been closed off by artificial barriers.

Stick for a moment to petroleum, the fossil fuel to which our economy is so closely geared. We are repeatedly told we are on the verge of running out of domestic crude oil and that within a generation or two our known reserves will be used up. But this is almost always true of known reserves, since producers of oil, or other raw materials, have little incentive to go prospecting so long as they have a supply for several decades readily available.

The history of petroleum geology is replete with predictions that we were about to run out of crude oil. In 1914 the U.S. Bureau of Mines projected that future production would amount to only 5.7 billion barrels (we have since produced 34 billion). In 1939 the Department of Interior said the U.S. oil supply would last only 13 years (we have since discovered more than the total known supply at the time). In 1949, Interior said the end of the U.S. oil supply was in sight (oil production was increased by more than a million barrels a day in the next five years).

As noted by futurologist Herman Kahn in his book, *The Next 200 Years* (Morrow), what happens in such situations is that as demand presses in on existing supplies, prices are pushed up and producers are spurred to enlarge available reserves. As a result of this process, "known reserves" are constantly growing rather than declining, so that in 1970 known world reserves of oil were six times as large as they had been in 1950 (455 billion metric tons vs. 75 billion).

The same is true, incidentally, for virtually all of the mineral resources on which our advanced industrial economy depends. Kahn and his associates provide us with striking evidence of this fact in the following table:

Ore	Known reserves in 1950 (thousand metric tons)	Known reserves in 1970 (thousand metric tons)	Percentage increase
Iron.....	19,000,000	251,000,000	1,321
Manganese.....	500,000	635,000	27
Chromite.....	100,000	775,000	675
Tungsten.....	1,903	1,328	-30
Copper.....	100,000	279,000	179
Lead.....	40,000	85,000	115
Zinc.....	70,000	113,000	61
Tin.....	8,000	6,600	10
Bauxite.....	1,400,000	5,300,000	279
Potash.....	5,000,000	118,000,000	2,360
Phosphates.....	26,000,000	1,178,000,000	4,430
Oil.....	75,000,000	455,000,000	507

Source: Council on International Economic Policy, Executive Office of the President, "Special Report, Critical Imported Materials" (Washington, D.C.: U.S. Government Printing Office, December 1974).

The constant growth of known petroleum reserves is also illustrated by Prof. Neil Jacoby of UCLA in his authoritative volume, *Multinational Oil* (Macmillan). Jacoby observes that in 1948, proven free world reserves of crude oil amounted to only 62.3 billion barrels. By 1972, this figure was up to 568.8 billion barrels—better than a nine-fold increase in the span of a generation.

During this 25-year period, known reserves in the U.S. and Canada more than doubled (from 21.4 billion to 47 billion), but the biggest growth was in underdeveloped nations where new technology was making major headway, chiefly in the Middle East. Proven reserves in the Mideast countries

jumped from 28.5 billion barrels in 1947 to 355 billion in 1972, in response to world demand and the impact of technology.

Equally to the point, the amount of proven reserves has been rising, not falling, compared to the current rate of consumption. Thus, Jacoby notes, "in 1948, the 62 billion barrels of proven reserves would have lasted about 20 years at the then-current annual rate of consumption of 3 billion barrels. By 1972 the 569 billion barrels of reserves would have lasted about 35 years at the 1972 rate of 16 billion barrels a year." Increased demand, quite clearly, has called forth an ever-growing supply.

The problem today, from an American standpoint, is that government interference of various sorts has prevented this kind of adjustment from occurring, impeding exploration and production in the energy field. Government has held down the price of domestic crude oil and natural gas, blocked off access to offshore petroleum, imposed environmental and other constraints on the mining and use of coal, and recently slowed development of nuclear power after first encouraging it.

Where such pervasive restrictions are in force, the pricing system is unable to do its work of increasing supply in harmony with demand. What this means in terms of U.S. oil reserves (already known) was illustrated some months ago by Profs. Philip Gramm and Richard Davison in the *Wall Street Journal*. They pointed out that, as of 1969, the United States had 31 billion barrels of recoverable oil reserves at then-current prices. But there was another 285 billion in the ground that was recoverable only at higher prices, and could come onstream only as prices were permitted to rise.

The National Academy of Engineering explains the matter this way: "U.S. oil reserves discovered to date originally contained approximately 430 billion barrels of oil. Primary recovery operations and conventional water or gas injection secondary recovery operations have already recovered or will recover about 140 billion barrels from these reservoirs, leaving some 290 billion barrels that cannot be produced by conventional methods."

In other words, we have been recovering about 30 per cent of our available oil through reliance on (relatively) low-cost technology. To recover the remaining 70 per cent, or appreciable portions of it, will require more expensive techniques, which would only be possible if prices and return on investment were permitted to rise in response to market forces.

Gramm and Davison conclude that "a few dollars per barrel price increase would likely have the effect of tripling U.S. oil reserves. Just how fast the additional oil would become available as the price rises is impossible to say with precision. However, between 1947 and 1972, the record indicates that every 1 per cent increase in prices of refined petroleum products was on average associated with a 4 per cent increase in the production of gasoline."

By bollixing up the pricing system, the federal government and the environmentalists have prevented this process from working as it should, so that rather than rising to keep up with demand, as previously noted in this space, domestic oil production in recent years has actually been falling (8.1 million barrels a day in 1976, down from 9.6 million barrels in 1970). We have built so many disincentives into the system through controls and punitive tax laws that we are discouraging the very process we should be encouraging.

It is this purely governmental crisis that President Carter and the "no growth" people are citing as proof of energy exhaustion. Having stifled supply through imposition of controls, they now propose to do the same thing to demand.

## WE TOLD YOU SO: THE ASSASSINATION COMMITTEE FINDS NOTHING

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BAUMAN. Mr. Speaker, although a minority, the large number of Members of the House who have opposed the creation and funding of the House Select Committee on Assassinations have been vindicated by recent developments, or rather, the lack thereof. The New York Times has published a news story which indicates that not only has the select committee been unable to find any new facts regarding the assassinations of President Kennedy and Dr. King, but that most of their original theories were figments of several persons' vivid imaginations.

I include at this point the article with the observation that the committee might do well to end its activities and save the taxpayers the money which is currently being wasted:

### HOUSE SAID TO FIND NO NEW DEATH DATA

WASHINGTON (NYT).—The House Select Committee on Assassinations, which has been in operation for eight months, has come up with virtually no new information or evidence relating to the death of President John F. Kennedy or of the Rev. Martin Luther King, Jr., and has discovered that much of the so-called "new information" on which Congress based its decision to reopen the investigations is in error, according to a well-placed committee source.

"We certainly have come up with nothing earth-shaking," the source said, "and much that witnesses tell us is in conflict with what they supposedly told people who have written books about the assassinations and who have provided the basic leads for the committee to pursue."

An examination by the New York Times has determined that it was Mark Lane, the author and lecturer, who provided, on the basis of his published works, most of the "new leads."

Moreover, according to several officials familiar with the genesis and scope of the committee's investigation—and Mr. Lane himself—Mr. Lane was the primary force behind the formation of the committee and the architect of the direction that the investigation should take.

Mr. Lane, a former New York state legislator better known for his book "Rush to Judgment," criticizing the official investigations of the Kennedy assassination, was unsuccessful for two years in his attempts to get Congress to reopen an investigation into the death of Kennedy in Dallas.

But early last year, he began looking into King's death and persuaded the civil rights leader's widow, Coretta King, to solicit support from the Congressional Black Caucus for a reinvestigation of both assassinations.

Shortly after such an investigating committee was formed, Mr. Lane and Dick Gregory, the comedian, began work on a book about King and the assassination in Memphis. Mr. Lane refused to say how much they received from the publisher as an advance against royalties, but it was reported to have been \$100,000.

The book, entitled "Code Name Zorro," recently was published—at about the time that the committee, according to minutes of one of its executive sessions, was seeking

favorable public and congressional reaction to its request for funds.

From the committee's inception, staff members acknowledge, Mr. Lane's books, theories and private investigations have provided the "working manuals" and the "working hypotheses" for the investigation.

The committee source said that internal problems that resulted in the resignations of the committee's chairman, Representative Henry B. Gonzalez (D., Texas), and its chief counsel, Richard A. Sprague, had delayed the active investigation phase of the committee's work until the "past two or three weeks."

This was true, the source said, even though the committee issued a report March 28 asserting that it was already pursuing "new leads" and had processed "new information."

Just as the committee almost collapsed in controversy a few weeks ago, much of the new evidence appears to be falling apart. The lack of credible new evidence has been cited to explain why the committee has been unable to obtain a new chief counsel to replace Mr. Sprague. Arthur Goldberg, the former Supreme Court justice, and Archibald Cox, the former Watergate special prosecutor, both have declined the post.

The report of March 28 said, "Much of the new evidence is of a highly sensitive nature and cannot be publicly disclosed at this time," but gave "representative examples, which illustrate the leads the committee is currently pursuing."

#### TRIBUTE TO BOYD E. GOLDER

#### HON. DONALD J. MITCHELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. MITCHELL of New York. Mr. Speaker, Friday, June 17, 1977, is Boyd E. Golder Day in Utica, N.Y. I bring this to the attention of my colleagues because Boyd E. Golder is a very special person who, as he shares in his community's celebration of his 85th birthday, will be filled with memories of a productive lifetime of public service.

He is a very special person because for more than six decades he has done so well what each of us privileged to serve in the Congress endeavor to do each day, give of ourselves so the world will be a better place in which to live for all mankind.

Mr. Golder has worn many hats of responsibility during his very distinguished career both in elective and appointive positions, but I would venture the opinion that his tenure as mayor of Utica earned for him the greatest renown. First elected mayor of Utica in 1945, Mr. Golder obviously had a winning way as he went on to serve five terms in office.

His talent for administration and leadership was recognized beyond the boundaries of Utica. In 1946, during his first year in office, he was elected vice president of the New York State Conference of Mayors; and in 1947, the same year his constituents gave him an overwhelming vote of confidence with another victory at the polls, he was elected president of the New York State Conference of Mayors.

Boyd Golder's public service has not been confined to city hall. As a matter of fact, his record in appointive positions

is equally distinguished. He served his beloved Utica as commissioner of parks and recreation and as commissioner of safety. Gov. Thomas E. Dewey crossed party lines to appoint Mr. Golder to the Board of the State University of New York.

His interest in furthering educational opportunity and his special desire to contribute to the advancement of higher education availability in his home town have resulted in a long association with Utica College for Mr. Golder. He is a charter member of the Utica College Foundation of which he has served as vice president and president.

For 28 years Boyd Golder was a lecturer on city government at Boys State and during that period he helped to develop in young New Yorkers an appreciation for and interest in municipal government. Many who heard him went on to assume responsibility in government in their own right, no doubt inspired in part by the message he conveyed about the concepts of public service and good government during their formative years.

The Kiwanis Club of Utica, in conjunction with the Utica College Foundation, is cosponsoring the special June 17 tribute to Boyd E. Golder. It is especially fitting that Kiwanians everywhere take note of this event since the man of the hour has been affiliated with that fine, community-service oriented organization for more than 60 years—a most impressive record indeed.

I consider it a special privilege to know Boyd Golder. He has contributed so much to so many for so long and in so doing has earned our respect and our gratitude. The Boyd Golders of America are, in large measure, responsible for the abundance we enjoy and the greatness that is ours as a nation and a people.

#### EXPLANATION OF BONKER AMENDMENT ON PORPOISE ISSUE

#### HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 1977

Mr. BONKER. Mr. Speaker, several Members have approached me to get a better understanding of the intent of my amendment to H.R. 6970 which amended the Marine Mammal Protection Act. So it can be totally clarified, I offer the following explanation.

Congressman McCloskey's amendment package to H.R. 6970 attempted to lower the proposed porpoise mortality quota from 78,900, which many Members felt was exceedingly high, to 68,910. In addition, he sought to mandate a 50-percent reduction in the quota by 1980.

Because of the differences between these amendments and the bill passed out by the Merchant Marine and Fisheries Committee, a deadlock developed with neither Representative MURPHY nor Representative McCloskey able to muster the support to pass a measure out of the House. This left us between a rock and a hard place because without some kind of compromise another extremely

important part of H.R. 6970, the 100-percent observer program, would be lost. At this point, I proposed an amendment to retain Mr. McCloskey's lower quota, which required a 50-percent reduction in the annual dolphin quota by 1980. The 50-percent requirement would have mandated a quota of 34,455 in 1980.

I sought this deletion of the mandatory 50 percent reduction because I felt that there is insufficient evidence to indicate that the tuna fleet can reduce the take of dolphin to 34,455 by 1980. I do endorse the concept of continual reductions in the annual quota, but I am concerned that these reductions be established in some rational manner based upon the technological feasibility of achieving such a reduction and not by some arbitrary percentage mandated by an Act of Congress. This position was also supported by many of my colleagues.

Under section 103(b) of the Marine Mammal Protection Act, the Secretary, in promulgating regulations, is required to give consideration to a number of factors which effect the extent to which such animals may be taken. I would expect the Secretary to adhere to the mandate of section 103(b) in establishing annual quotas subsequent to 1977, and in particular give consideration to the effect of the regulations on fishery conservation and the economic and technological feasibility of implementation.

As passed by the House, H.R. 6970 provides that the Secretary shall establish "annual quotas for affected species and populations that accomplish significant reductions in the total incidental mortality and serious injury each year . . ." Based on recent technological advancements in fishing gear and methods which prevent dolphin mortality, I believe that reductions in the annual marine mammal quota in the future probably could amount to something less than 20 percent of the previous year's quota, or it could, with some other new development like the Medina panel, amount to as much as 80 percent. The point is that it is important that the Secretary not establish the quota on the basis of some rigid, inflexible timetable ordered by Congress. She should have sufficient discretion to establish a quota on the basis of the success of the fleet in reducing dolphin mortality the previous year, and on the sound judgment of her scientific staff as to what the fleet can achieve in the upcoming year.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of all meetings when scheduled, and any cancellations or changes in meetings as they occur.

As an interim procedure until the com-



puterization of this information becomes operational, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, June 9, 1977, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED JUNE 10

- 8:30 a.m.  
Finance  
Health Subcommittee  
To continue hearings on S. 1470, Medicare and Medicaid Administrative and Reimbursement Reform Act.  
2221 Dirksen Building
- 9:00 a.m.  
Appropriations  
Public Works Subcommittee  
To continue markup of proposed appropriations for fiscal year 1978 public works projects.  
S-126, Capitol  
Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To continue hearings on S. 421, to establish a program to educate the public in understanding climatic dynamics.  
5110 Dirksen Building
- Judiciary  
Improvements in Judicial Machinery Subcommittee  
To continue hearings on S. 1612 and S. 1613, to expand the jurisdiction of U.S. Magistrates.  
2228 Dirksen Building
- 9:30 a.m.  
Human Resources  
Health and Scientific Research Subcommittee  
To continue oversight hearings on environmental toxins in mother's milk.  
Until noon 4232 Dirksen Building  
Energy and Natural Resources  
Energy Research and Development Subcommittee  
To hold hearings on S. 1432, proposed Nuclear Non-Proliferation Act of 1977.  
6226 Dirksen Building
- 10:00 a.m.  
Banking, Housing, and Urban Affairs  
To hold hearings on S. 1594 and H.R. 5959, to revise and extend for 5 years the Renegotiation Act.  
5302 Dirksen Building
- Energy and Natural Resources  
To hold hearings on the nomination of Robert R. Nordhaus, to be a member of the Council of Economic Advisers.  
3110 Dirksen Building
- Foreign Relations  
International Operations Subcommittee  
To continue oversight hearings on the role of the media, business, banking, labor, national security, etc., in the current and future international flow of information.  
4221 Dirksen Building
- 10:30 a.m.  
Commerce, Science, and Transportation  
To continue hearings on S. 687, 121, 1187, 182, and 898, bills to establish a comprehensive national law to govern oil pollution liability and compensation.  
235 Russell Building
- 2:30 p.m.  
Foreign Relations  
To receive a briefing from Gen. George S. Brown, Chairman, Joint Chiefs of

Staff, and Philip C. Habib, Under Secretary of State for Political Affairs, on their recent trip to Korea and on U.S. policy toward Korea.

S-116, Capitol

#### JUNE 13

- 9:00 a.m.  
Energy and Natural Resources  
To resume hearings on part D (natural gas pricing) of S. 1469, National Energy Act, and S. 256, proposing deregulation of the wellhead price of natural gas.  
3110 Dirksen Building
- 9:30 a.m.  
Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To resume hearings on S. 657, to establish an Earth Resources and Environmental Information System.  
235 Russell Building
- Finance  
Taxation and Debt Management Subcommittee  
To receive testimony on proposals which seek to encourage economic growth and unemployment.  
2221 Dirksen Building
- 10:00 a.m.  
Banking, Housing, and Urban Affairs  
To continue hearings on S. 1594 and H.R. 5959, to revise and extend for 5 years the Renegotiation Act.  
5302 Dirksen Building
- Governmental Affairs  
Reports, Accounting, and Management Subcommittee  
To resume hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.  
6226 Dirksen Building
- 2:00 p.m.  
\*Judiciary  
Criminal Laws and Procedures Subcommittee  
To hold hearings on S. 1566, Foreign Intelligence Surveillance Act of 1977.  
2228 Dirksen Building
- #### JUNE 14
- 9:00 a.m.  
Energy and Natural Resources  
To continue hearings on part D (natural gas pricing) of S. 1469, National Energy Act.  
3110 Dirksen Building
- 9:15 a.m.  
\*Judiciary  
Criminal Laws and Procedures Subcommittee  
To continue hearings on S. 1566, Foreign Intelligence Surveillance Act of 1977.  
2228 Dirksen Building
- 9:30 a.m.  
Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To continue hearings on S. 657, to establish an Earth Resources and Environmental Information System.  
5110 Dirksen Building
- Finance  
Taxation and Debt Management Subcommittee  
To receive testimony on proposals which seek to encourage economic growth and employment.  
2221 Dirksen Building
- Select Small Business  
Monopoly and Anticompetitive Activities Subcommittee  
To hold hearings on the safety and effectiveness of over-the-counter sleepaids.  
6202 Dirksen Building
- 10:00 a.m.  
Agriculture, Nutrition, and Forestry  
Rural Development Subcommittee  
To hold oversight hearings on the im-

plementation of the Rural Development Act of 1972

322 Russell Building  
Banking, Housing, and Urban Affairs  
To continue hearings on S. 1594 and H.R. 5959, to revise and extend for 5 years the Renegotiation Act.  
5302 Dirksen Building

Joint Economic  
Economic Growth and Stabilization Subcommittee  
To resume hearings on economic development in rural areas.  
1202 Dirksen Building

10:30 a.m.  
Commerce, Science, and Transportation  
To consider pending committee business.  
235 Russell Building

Judiciary  
To hold hearings on S. 270, to permit awards of reasonable attorney's fees and other expenses for public participation in Federal proceedings.  
6226 Dirksen Building

#### JUNE 15

10:00 a.m.  
Banking, Housing, and Urban Affairs  
To mark up S. 1433, 895, 71, and 73, dealing with Federal regulation and supervision of financial institutions.  
5302 Dirksen Building

Energy and Natural Resources  
Energy Production and Supply Subcommittee  
To resume hearings on S. 977, to conserve gas and oil by fostering increased utilization of coal in electric generating facilities and in major industrial installations.  
3110 Dirksen Building

Energy and Natural Resources  
To hold hearings on H.R. 6550, to authorize funds for United States territories, and related bills (S. 1033, 950, 1192, 1193, 1032, and 1327).  
Room to be announced

Foreign Relations  
To hold hearings on treaties with Mexico and Canada on prisoner exchanges (Exec. D and H, 95th Cong., 1st sess.).  
4221 Dirksen Building

Joint Economic  
Economic Growth and Stabilization Subcommittee  
To continue hearings on economic development in rural areas.  
6226 Dirksen Building

#### JUNE 16

9:00 a.m.  
Veterans' Affairs  
Compensation and Pension Subcommittee  
To hold hearings on proposed increases in veterans' pensions.  
6226 Dirksen Building

10:00 a.m.  
Agriculture, Nutrition, and Forestry  
Rural Development Subcommittee  
To continue oversight hearings on the implementation of the Rural Development Act of 1972.  
322 Russell Building

Commerce, Science, and Transportation  
To hold oversight hearings on the effects of radiation on human, i.e., health, safety, and environment.  
5110 Dirksen Building

Commerce, Science, and Transportation  
Surface Transportation Subcommittee  
To hold hearings on general conditions of the intercity motorbus industry and suggestions for increased ridership.  
235 Russell Building

Energy and Natural Resources  
Energy Production and Supply Subcommittee  
To mark up S. 977, to conserve gas and oil by fostering increased utilization of coal in electric generating facilities and in major industrial installations.  
3110 Dirksen Building

June 8, 1977

# EXTENSIONS OF REMARKS

18115

## Foreign Relations

To continue hearings on treaties with Mexico and Canada on prisoner exchanges (Execs. D and H, respectively, 95th Cong., 1st sess.).

4221 Dirksen Building

## Human Resources

To consider S. 995, to prohibit discrimination based on pregnancy or related medical conditions; S. 705, to revise and strengthen standards for the regulation of clinical laboratories; and S. 1217, to establish guidelines for regulating research of Recombinant DNA.

4332 Dirksen Building

## Judiciary

### Juvenile Delinquency Subcommittee

To resume hearings on the protection of children against sexual exploitation.

1224 Dirksen Building

### Select Small Business

To hold hearings on S. 1526, to establish the position of Associate Administrator for Women's Business Enterprise within S.B.A.

424 Russell Building

11:00 a.m.

## Human Resources

### Health and Scientific Research Subcommittee

To resume hearings on S. 1391, Hospital Cost Containment Act of 1977.

Until 1 p.m. 4232 Dirksen Building

2:30 p.m.

## Foreign Relations

### Arms Control, Oceans, and International Environment Subcommittee

To resume hearings on S. 897 and 1432, proposed Nuclear Nonproliferation Act.

4221 Dirksen Building

JUNE 17

9:00 a.m.

## Finance

### Taxation and Debt Management Subcommittee

To hold hearings on S. 1538, proposing reform in the administration of the black lung benefits program.

2221 Dirksen Building

9:30 a.m.

## Human Resources

### Health and Scientific Research Subcommittee

To continue hearings on S. 1391, Hospital Cost Containment Act of 1977.

Until 12:30 p.m. 4232 Dirksen Building

### Veterans' Affairs

### Health and Readjustment Subcommittee

To hold oversight hearings on veterans' employment-unemployment situation.

Until 12:30 p.m. 6226 Dirksen Building

10:00 a.m.

### Banking, Housing, and Urban Affairs

To resume hearings on S. 1594 and H.R. 5959, bills to revise and extend for 5 years the Renegotiation Act.

5302 Dirksen Building

### Commerce, Science, and Transportation

To continue oversight hearings on the effects of radiation on humans, i.e., health, safety, and environment.

5110 Dirksen Building

## Judiciary

### Constitution Subcommittee

To hold hearings on S. 1393, to authorize actions by the Attorney General to redress deprivations of constitutional rights of institutionalized persons.

2228 Dirksen Building

1:00 p.m.

## Judiciary

To hold hearings on the nominations of John M. Harmon, of North Carolina, and James W. Moorman, of California, each to be an Assistant Attorney General; James R. Burgess, Jr., to be U.S. Attorney for the Eastern District of Illinois; and Thomas P. Sullivan, to be U.S. Attorney for the Northern District of Illinois.

2228 Dirksen Building

JUNE 20

9:00 a.m.

## Energy and Natural Resources

To resume hearings on part D (natural gas pricing) of S. 1469, National Energy Act.

3110 Dirksen Building

9:30 a.m.

## Human Resources

### Handicapped Subcommittee

To hold hearings on proposed extension of the Rehabilitation Act of 1973 and Education of the Handicapped Acts.

Until 1 p.m. 4232 Dirksen Building

10:00 a.m.

### Banking, Housing, and Urban Affairs

### Financial Institutions Subcommittee

To hold hearings on proposed legislation on financial institution reform.

5302 Dirksen Building

### Commerce, Science, and Transportation

Communications Subcommittee  
To hold hearings on S. 1162, to repeal section 222 of the Communications Act of 1934, which governs the interrelationship among communications common carriers providing international record services.

235 Russell Building

## Judiciary

### Criminal Laws and Procedures Subcommittee

To resume hearings on S. 1437, Criminal Code Reform Act of 1977, and the following criminal sentencing bills: S. 31, 45, 181, 204, 260, 888, 979, and 1221.

2228 Dirksen Building

JUNE 21

9:00 a.m.

## Energy and Natural Resources

### Energy Conservation and Regulation Subcommittee

To receive testimony on proposals embodied in parts A, B, C and G of S. 1469, the National Energy Act.

3110 Dirksen Building

9:30 a.m.

## Human Resources

### Handicapped Subcommittee

To continue hearings on proposed extension of the Rehabilitation Act of 1973 and Education of the Handicapped Acts.

Until 1 p.m. 4232 Dirksen Building

## Human Resources

### Health and Scientific Research Subcommittee

To resume hearings to evaluate information upon which the FDA based its decision to propose regulations banning the use of saccharin.

Until noon 1202 Dirksen Building

### Select Small Business

### Monopoly and Anticompetitive Activities Subcommittee

To resume hearings on the safety and effectiveness of over the counter sleep-aids.

6202 Dirksen Building

10:00 a.m.

### Banking, Housing, and Urban Affairs

### Financial Institutions Subcommittee

To continue hearings on proposed legislation on financial institution reform.

5302 Dirksen Building

### Commerce, Science, and Transportation

### Communications Subcommittee

To continue hearings on S. 1162, to repeal section 222 of the Communications Act of 1934, which governs the interrelationship among communications common carriers providing international record services.

235 Russell Building

## Judiciary

### Criminal Laws and Procedures Subcommittee

To continue hearings on S. 1437, Criminal Code Reform Act of 1977, and the

following criminal sentencing bills: S. 31, 45, 181, 260, 888, 979, and 1221.

2228 Dirksen Building

### Select Small Business

To hold hearings on alleged late payments by Government agencies to small business contractors.

424 Russell Building

JUNE 22

9:00 a.m.

## Energy and Natural Resources

### Energy Conservation and Regulation Subcommittee

To receive testimony on proposals embodied in parts A, B, C, and G of S. 1469, the National Energy Act.

3110 Dirksen Building

## Veterans' Affairs

### Health and Readjustment Subcommittee

To hold hearings on the effectiveness of VA programs on mental health, alcohol and drug abuse, readjustment counseling, and health.

Until 2 p.m. 6226 Dirksen Building

9:30 a.m.

## Human Resources

### Handicapped Subcommittee

To continue hearing on proposed extension of the Rehabilitation Act of 1973 and Education of the Handicapped Acts.

Until 1 p.m. 4232 Dirksen Building

### Select Nutrition and Human Needs

To hold hearings on nutrition as it relates to mental health and development.

Until 1 p.m. 6202 Dirksen Building

10:00 a.m.

### Banking, Housing, and Urban Affairs

### Financial Institutions Subcommittee

To continue hearings on proposed legislation on financial institution reform.

5302 Dirksen Building

## Judiciary

### Constitution Subcommittee

To resume hearings on S. 1393, to authorize actions by the Attorney General to redress deprivations of constitutional rights of institutionalized persons.

2228 Dirksen Building

### Joint Economic

### Subcommittee on Economic Growth and Stabilization

To hold hearings to receive testimony from public pollsters on the current status of and future conditions affecting the economy.

1202 Dirksen Building

### Select Small Business

To continue hearings on alleged late payments by the Federal Government to small business contractors.

424 Russell Building

JUNE 23

10:00 a.m.

### Banking, Housing, and Urban Affairs

### Financial Institutions Subcommittee

To continue hearings on proposed legislation on financial institution reform.

5302 Dirksen Building

### Commerce, Science, and Transportation

### Communications Subcommittee

To hold hearings on S. 1547, to assure that all those providing communications services are able to use existing communications space on poles which are owned by regulated utilities, and to simplify FCC forfeiture provisions.

235 Russell Building

## Energy and Natural Resources

To consider pending calendar business.

3110 Dirksen Building

## Judiciary

### Antitrust and Monopoly Subcommittee

To hold hearings on the President's proposed energy programs.

2228 Dirksen Building



Judiciary  
Constitution Subcommittee  
To continue hearings on S. 1393, to authorize actions by the Attorney General to redress deprivations of constitutional rights of institutionalized persons.  
1202 Dirksen Building  
JUNE 24

9:00 a.m.  
Veterans' Affairs  
Health and Readjustment Subcommittee  
To hold hearings on proposed increases in rates of veterans' education benefits.  
Until 2 p.m. 6226 Dirksen Building

10:00 a.m.  
Commerce, Science, and Transportation  
Communications Subcommittee  
To continue hearings on S. 1547, to assure that all those providing communications services are able to use existing communications space on poles which are owned by regulated utilities, and to simplify FCC forfeiture provisions.  
235 Russell Building  
JUNE 27

9:30 a.m.  
Judiciary  
Citizen and Shareholder Rights and Remedies Subcommittee  
To hold hearings on methods to improve shareholders participation in corporate decisionmaking.  
2228 Dirksen Building

Veterans' Affairs  
Health and Readjustment Subcommittee  
To hold hearings on proposed legislation to amend the Veterans' Physician and Dentists' Pay Comparability Act.  
Until noon 6226 Dirksen Building

10:00 a.m.  
Banking, Housing, and Urban Affairs  
Consumer Affairs Subcommittee  
To hold hearings on legislation to amend the Truth in Lending Act, including S. 1312 and S. 1501.  
5302 Dirksen Building

Commerce, Science, and Transportation  
To resume oversight hearings on the effects of radiation on humans, i.e., health, safety, and environment.  
5110 Dirksen Building  
JUNE 28

9:00 a.m.  
Veterans' Affairs  
Housing, Insurance, and Cemeteries Subcommittee  
To hold hearings on S. 718, to provide veterans with certain cost information relating to the conversion of Government-supervised insurance to individual life insurance policies.  
6202 Dirksen Building

9:30 a.m.  
Judiciary  
Citizen and Shareholder Rights and Remedies Subcommittee  
To continue hearings on methods to improve shareholders participation in corporate decisionmaking.  
1202 Dirksen Building

10:00 a.m.  
Banking, Housing, and Urban Affairs  
Consumer Affairs Subcommittee  
To continue hearings on legislation to amend the Truth in Lending Act, including S. 1312 and S. 1501.  
5302 Dirksen Building

Commerce, Science, and Transportation  
To continue oversight hearings on the effects of radiation on humans, i.e., health, safety, and environment.  
5110 Dirksen Building

Governmental Affairs  
Energy, Nuclear Proliferation, and Federal Services Subcommittee

To resume hearings on a report of the Commission on Postal Service  
3302 Dirksen Building  
JUNE 29

9:00 a.m.  
Veterans' Affairs  
Health and Readjustment Subcommittee  
To resume hearings on proposed increases in rates of veterans' education benefits.  
Until 2 p.m. 6226 Dirksen Building

10:00 a.m.  
Banking, Housing, and Urban Affairs  
Consumer Affairs Subcommittee  
To continue hearings on legislation to amend the Truth in Lending Act, including S. 1312 and S. 1501.  
5302 Dirksen Building

Commerce, Science, and Transportation  
To continue oversight hearings on the effects of radiation on humans, i.e., health, safety, and environment.  
5110 Dirksen Building  
JUNE 30

9:00 a.m.  
Veterans' Affairs  
Housing, Insurance, and Cemeteries Subcommittee  
To continue hearings on S. 718, to provide veterans with certain cost information relating to the conversion of Government-supervised insurance to individual life insurance policies.  
6226 Dirksen Building

9:30 a.m.  
Select Small Business  
To resume hearings on S. 972, authorizing the Small Business Administration to make grants to support the development and operation of small business development centers.  
424 Russell Building

10:00 a.m.  
Banking, Housing, and Urban Affairs  
To mark up H.R. 5294, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.  
5302 Dirksen Building

Judiciary  
Constitution Subcommittee  
To resume hearings on S. 1393, to authorize actions by the Attorney General to redress deprivations of constitutional rights of institutionalized persons.  
2228 Dirksen Building  
JULY 12

9:30 a.m.  
Human Resources  
Health and Scientific Research Subcommittee  
To hold hearings to evaluate information upon which the FDA based its decision to ban Laetril from interstate commerce.  
Until noon 4232 Dirksen Building

10:00 a.m.  
Foreign Relations  
To hold hearings on the Vienna Convention on the Law of Treaties (Exec. L, 92d Cong., 1st sess.).  
4221 Dirksen Building  
JULY 13

10:00 a.m.  
Commerce, Science, and Transportation  
Communications Subcommittee  
To hold oversight hearings relating to the international telecommunications system.  
235 Russell Building

Foreign Relations  
To review the operation and effectiveness of the War Powers Resolution of 1973.  
4221 Dirksen Building

JULY 14

9:30 a.m.  
Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To receive a report from the National Commission on Supplies and Shortages on materials policy research and development.  
5110 Dirksen Building

Human Resources  
Health and Scientific Research Subcommittee  
To hold oversight hearings on the cost of drugs.  
Until noon 4232 Dirksen Building

10:00 a.m.  
Commerce, Science, and Transportation  
Communications Subcommittee  
To continue oversight hearings relating to the international telecommunications system.  
235 Russell Building

Foreign Relations  
To review the operation and effectiveness of the War Powers Resolution of 1973.  
4221 Dirksen Building  
JULY 15

10:00 a.m.  
Foreign Relations  
To review the operation and effectiveness of the War Powers Resolution of 1973.  
4221 Dirksen Building  
JULY 19

9:30 a.m.  
Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To review a report from the National Commission on Supplies and Shortages on materials policy research and development.  
5110 Dirksen Building

10:00 a.m.  
Foreign Relations  
To hold hearings on the following five tax treaties. Convention with Israel (Exec. C, 94th Cong., 2nd sess.); Convention with Egypt (Exec. D, 94th Cong., 2nd sess.); Convention with the United Kingdom (Exec. K, 94th Cong., 2nd sess.); Convention with the Republic of Korea (Exec. P, 94th Cong., 2nd sess.); and Convention with the Republic of the Philippines (Exec. C, 95th Cong., 1st sess.).  
4221 Dirksen Building  
JULY 20

10:00 a.m.  
Foreign Relations  
To hold hearings on the following five tax treaties. Convention with Israel (Exec. C, 94th Cong., 2nd sess.); Convention with Egypt (Exec. D, 94th Cong., 2nd sess.); Convention with the United Kingdom (Exec. K, 94th Cong., 2nd sess.); Convention with the Republic of Korea (Exec. P, 94th Cong., 2nd sess.); and Convention with the Republic of the Philippines (Exec. C, 95th Cong., 1st sess.).  
4221 Dirksen Building  
JULY 26

10:00 a.m.  
Foreign Relations  
To hold hearings on protocol to the Convention on International Civil Aviation (Exec. A, 95th Cong., 1st sess.), and two related protocols (Exec. B, 95th Congress, 1st sess.).  
4221 Dirksen Building

## CANCELLATIONS

JUNE 14

10:00 a.m.  
Governmental Affairs  
Energy, Nuclear Proliferation, and Federal  
Services Subcommittee  
To resume hearings on a report of the  
Commission on Postal Service.  
3302 Dirksen Building

JUNE 28

10:00 a.m.  
Judiciary  
Improvements in Judicial Machinery Sub-  
committee  
To resume hearings on the jurisdiction  
of U.S. Magistrates.  
2228 Dirksen Building

JUNE 29

10:00 a.m.  
Judiciary  
Improvements in Judicial Machinery Sub-  
committee  
To resume hearings on the jurisdiction  
of U.S. Magistrates.  
2228 Dirksen Building

## SENATE—Thursday, June 9, 1977

(Legislative day of Wednesday, May 18, 1977)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

## PRAYER

Rabbi Chaim U. Lipschitz, D.D., Mesivta Talmudical Seminary, Brooklyn, N.Y., offered the following prayer:

Let us pray:

To be born means to go into partnership with the Creator. He places us into existence with the ability and the instruction to improve ourselves, to finish, to conclude the act of creation. The completion, the perfection of man is man's commission, man's mandate is upon him. He can rise mountain high or bring about his own downfall.

Our God, and God of our Fathers, be Thou with the mouths of the deputies of this worthy Senate of the United States who stand in Thy presence. Teach them what they shall say, instruct them what they shall speak, answer their request, and cause them to know to glorify Thee. May they walk in the light of Thy countenance; they bend the knees unto Thee, and with their mouths bless the people. O bless them together with the blessings of Thy mouth. Amen.

## THE JOURNAL

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the Journal of the proceedings of yesterday, Wednesday, June 8, 1977, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the Senator from Alaska desire recognition?

Mr. STEVENS. No, Mr. President.

The ACTING PRESIDENT pro tempore. Under the previous order the Senator from Delaware (Mr. BIDEN) is recognized for not to exceed 15 minutes.

The Senator from Delaware.

Mr. BIDEN. Mr. President, the Senator from Delaware (Mr. ROTH) will proceed first, if that is all right with the Chair.

The ACTING PRESIDENT pro tempore. Under the previous order the Senator from Delaware (Mr. ROTH) is recognized for not to exceed 15 minutes.

## SCHOOL BUSING

Mr. ROTH. Mr. President, I rise today to discuss one of the most difficult and perplexing issues before the American people—and to offer legislation that will help remedy perhaps the most divisive social problem of our time.

Throughout this decade, court-ordered busing has confused and frustrated Americans—black and white—from every strata of our society. It has stirred strong and oftentimes violent emotions in communities across the Nation.

At the heart of the matter lies this simple but incontrovertible fact: Both opponents and proponents believe that busing bears directly on the American ideal of self-determination. Self-determination of families and communities to nurture and convey their culture to their children.

In the past decade, the delicate line between the judiciary and the legislative branches has been dangerously blurred. Certain social scientists, along with the courts, have reached deep into the once private confines of family life to engineer social change that has separated families from their communities and children from their families in order to achieve a supposedly "ideal" racial mix in our schools.

The folly of this adventure has become evident to all. While I want to make it clear that I strongly support the goal of a society free from racial prejudice, my conscience demands that I stand and speak out to end this unworkable social experiment.

My legislation is designed to insure equal protection before the law as guaranteed by the 5th and 14th amendments to the Constitution of the United States. I believe that all children enrolled in public schools are entitled to equal educational opportunity without regard to race, color, or national origin. I abhor the maintenance of dual school systems and am fully supportive of desegregation efforts to abolish such systems. On the other hand, I do not believe that the Constitution requires busing to achieve some racial mix where no discriminatory intent is found. It is wrong to bus to maintain a dual school system just as it is wrong to have court-ordered busing for the purpose of enforcing racial quotas in the public schools.

Many bills to end busing including amendments to the Constitution have

been introduced in the past several Congresses. But these measures have failed to gain sufficient support to become law. I have introduced four measures in the current session.

The real tragedy is that, while the debate over busing continues, national attention and energy are diverted from the urgent problem of educating the Nation's youth. The quality of public education, as we are only too aware, has declined precipitously. School tests demonstrate that children no longer learn the basic skills that have sustained this Nation's growth and development for two centuries. And the results of the scholastic aptitude test taken by college-bound seniors have been steadily declining since 1963.

During consideration of the judgeship bill I was prepared to offer an unprinted amendment pertaining to court-ordered busing. I was dissuaded by the distinguished senior Senator from Mississippi who gave his commitment to hold hearings in Judiciary on court-ordered busing. The hearings have been scheduled for June 15 and 16 and I express my appreciation to the distinguished chairman of the Judiciary Committee.

With all these factors in mind, the Delaware delegation has met over the past several weeks to work out a reasonable solution to this most difficult problem.

We concluded the essential elements of such a bill were, first, it must be constitutional and, second, it should minimize court-ordered busing without sacrificing progress toward the elimination of discrimination in our public schools.

Today I am pleased to introduce, with my distinguished colleague from Delaware, Senator BIDEN, a bill which represents a reasonable solution to the problem of court-ordered busing. Mr. EVANS of Delaware is introducing an identical bill in the other House.

The bill poses no constitutional difficulties and in five brief sections provides as follows:

Section (1) requires the courts find that a discriminatory purpose in education was a principal motivating factor in the constitutional violation for which busing is proposed as a remedy.

Section (2) requires busing orders be determined by a district court of three judges.

Section (3) (a) requires busing be lim-