be called up as the situation permits, but not necessarily in the order listed:

S. 1443, to authorize the furnishing of defense articles and services to foreign countries and international organizations;

S. 440, the war powers bill;

S. 1435, the District of Columbia home rule bill;

S. 1081, to authorize the Secretary of the Interior to grant rights-of-way across Federal lands;

S. 343, to designate the Treasury after the first Monday in October as the day for Federal elections.

Other measures, as they become cleared on the calendar, may be called up at any time.

RECESS UNTIL 10 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move in accordance with the previous order, that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and at 6:17 p.m., the Senate recessed, in accordance with the previous order, until tomorrow, June 20, 1973, at 10 a.m.

NOMINATION

Executive nomination received by the Senate June 19 (legislative day of June 18), 1973:

IN THE 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 general

Lt. Gen. Richard Giles Stilwell, [redacted] Army of the United States (major general, U.S. Army).

EXTENSIONS OF REMARKS

LAWLESSNESS—A THREAT TO OUR WAY OF LIFE

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 19, 1973

Mr. SCOTT of Virginia. Mr. President, certainly, all Members of this body would agree that reducing the Nation's crime rate is one of the most pressing problems facing all levels of government. Lawlessness is a threat to our very way of life. It threatens the ideals upon which a free and democratic society functions.

As the ranking Republican member of the Senate Judiciary Committee, our friend and colleague, ROMAN L. HRUSKA, has long been a leader in the fight against crime. His untiring service in committee and on the floor of the Senate has resulted in the passage of a vast number of major pieces of legislation to combat the forces of crime.

Recently, my State was honored to have the annual meeting of the National Sheriff's Association in Richmond and to have Senator HRUSKA to speak before the association.

I believe Senator HRUSKA's speech is valuable reading for all of us. I, therefore, request unanimous consent that the text of his speech be printed in the RECORD.

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

ADDRESS BY THE HONORABLE ROMAN L. HRUSKA, U.S. SENATOR, BEFORE THE NATIONAL SHERIFFS' ASSOCIATION, RICHMOND, VA., JUNE 18, 1973

My first statement this morning is a hearty greeting with congratulations and commendations to you—the National Sheriffs' Association—as you gentlemen met for your 33rd annual convention here in Richmond.

It is the sheriff of every county courthouse in America who forges a vital link in the chain of law enforcement which protects the people of our nation.

It is you at the local level, closest to both the fears and the aspirations of the citizens, who can best insure safety and security to the individual American.

Your labors and concerns are noted. There is appreciation for them. And as time goes on, both the notation and appreciation will rightly broaden and intensify.

I would like to take this oportunity to discuss with you rather briefly two items of legislation which are currently pending in the Congress and which should be of great import to those of you on the cutting edge of law enforcement.

PROPOSED NEW FEDERAL CRIMINAL CODE

The first item which I would draw to your attention is the proposed new Federal Criminal Code.

In 1966 Congress created the National Commission on Reform of Federal Criminal Laws for the purpose of recodifying our current federal criminal laws.

The product of nearly three years of deliberation by the commission was submitted to the Congress and the President two years ago.

In 1971 and 1972, the Senate Subcommittee on Criminal Laws and Procedures conducted an ambitious program of hearings on the Final Report of the Commission, and in January of this year Senator McClellan, Senator Ervin and I introduced a bill—S. 1—the massive Criminal Justice Codification, Revision and Reform Act of 1973, which represents one alternative in search of a rationalized penal code on the federal level.

During this same period of time, the Department of Justice labored diligently in a related effort which culminated in S. 1400, the Criminal Code Reform Act of 1973, which I introduced on March 27th. These two bills—S. 1 and S. 1400—now provide the Congress with two major legislative items upon which to build a new Federal Criminal Code.

To be sure, there are a number of differences between S. 1 and S. 1400—some minor, others more substantial—but even a cursory comparison demonstrates their essential similarity of conception and execution.

Regardless of differences, it must be emphasized that neither bill is partisan in nature.

The reform, revision, and codification of the federal criminal law is universally conceded to be mandatory.

For far too long, our efforts to protect life, property, human rights, and domestic tranquility have been crippled by the most basic element of the criminal justice system—the law itself.

We need a rational, integrated code that is at the same time workable and responsive to the demands of a complex contemporary society.

There are those who say that this legislation drastically encroaches on areas of state sovereignty. But I submit to you that, although the bill does reflect a modest extension of federal jurisdiction in certain instances, extreme caution has been taken to limit expansion to areas of compelling federal interest not adequately dealt with now.

Moreover, as they have in the past, federal prosecutors, under guidelines issued by the Justice Department, can be expected to continue to exercise discretion by deferring to local authorities in cases of primarily state concern.

It is my hope that by the end of 1974 the Congress and the President will have approved a bill which will modernize and standardize all aspects of federal criminal law.

This is an essential effort addressing all of the tough questions that confront criminal law today—capital punishment, gun control, narcotics abuse, obscenity—and beyond these controversial items, such major improvements as the standardized grading of offenses, systematized approaches to jurisdictional questions, and appellate review.

I would hope that you will recognize this effort for what it is—not a federal grab for more authority in the area of law enforcement, but a reaffirmation of one of the fundamental precepts of a federal system.

Crime control is now, and must continue to be, primarily the function of state, county and local governments.

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

The second legislative item to which I would address your attention is the matter of the authorizing legislation for the Law Enforcement Assistance Administration and the prospects for law enforcement special revenue sharing.

Having recognized the primary responsibility of you and your state and municipal associates in the effort to maintain order and justice in America, the federal government must at the same time recognize the fiscal crunch which the several states are experiencing in attempting to meet their responsibilities.

Crime control dollars are now being made available to state and local groups by the Law Enforcement Assistance Administration through a bloc grant program.

The value of this program to date must be recognized—but at the same time we must not fear to develop the program further—to increase your resources and options and thereby allow *you* to develop your efficiency even beyond current bounds.

This past year was a rewarding one for law enforcement personnel. For the first time in decades, the country experienced a net reduction in crime.

Now this was not the triumph of those of us who serve on the banks of the Potomac. It was yours and I congratulate you.

The federal government plays only a supportive role in our various criminal justice systems—you—ladies and gentlemen—are the troops.

Although this tremendous progress has been made however, there is still no greater need in America today than that of safe streets.

If we cannot feel secure in our own homes, then all other pleasures are lessened and government has failed in a basic obligation to the electorate.

In 1968, Congress enacted the Omnibus

Crime Control and Safe Streets Act. It was realized at that time that crime had become a plague that posed an enormous threat to our survival as a free and democratic nation.

To the Congress, it had become apparent that our law enforcement and criminal justice agencies faced a bleak future—and the people an even more dismal one—unless they could be given prompt and substantial support.

Congress felt that there was an urgent need for a new, vigorous, and forceful iniative in the area of law enforcement. The time had come for restructuring and modernizing our response to crime.

However, we did not want to move in the direction of a national police force. We did not want to usurp, dictate, or dominate local responsibilities in any part of the criminal justice system. Congress said as much in the Act's preamble which states:

"Congress finds further that crime is essentially a local problem that must be dealt with by state and local governments if it is to be controlled effectively."

You have all heard of the bloc grant concept. Permit me to explain it in a nutshell. Instead of creating a new federal agency to parcel out financial aid to obedient and subservient local recipients, Congress simply resolved to protect our freedom and self-determination by placing the states and localities in charge of their *own* programs.

Now this concept was not popular with a vocal minority in Congress that clung to dangerous theories of federal dictation. Yet, local control is what the people demanded, and this is what the Congress wisely voted.

Thus, in accordance with the principles I have just set forth, the Law Enforcement Assistance Administration was created and authorized to provide technical and financial assistance to the states and local governments for improved methods of law enforcement and crime control.

Do not let anyone mislead you. This self-help program that relies upon local responsibility has been a success. I will give you figures shortly to prove that.

It has created a dynamic new leadership at both the state and local level in criminal justice—and that includes *you*.

It has done much to erase old rivalries and instill a renewed spirit of cooperation.

What I have just described is the essence of what President Nixon calls the "New Federalism".

In his Inaugural address this January President Nixon asserted and I quote: 'Ask not what your country can do for you; ask what you can do for yourself." In so saying, he was talking to the individual, to be sure, but he addressed at the same time our state and local governments and institutions. Indeed, the bloc grant concept embodied in the Safe Streets Act was the forerunner or prototype of the "New Federalism."

Crime is still with us, of course, but we need to acknowledge the great strides forward that have been taken in the race against lawlessness since LEAA was enacted. Not everyone will admit the truth. In fact, many chose to talk while ignoring the facts.

Opponents say that LEAA and the bloc grants concept is oppressive and authoritarian. But, as we have all emphasized so many times previously, what this program is all about is *more* democracy, *more* local control, and *more* responsibility for the people in their own communities.

They say that the innovation is ineffective and useless. But a close look at the latest FBI crime statistics say otherwise:

For the first time since 1955—17 years—there was last year an actual *downturn* of crime in this country.

The number of serious crimes reported in the United States in 1972 was 3 percent less than in the year before.

Declines of from 2 to 7 percent were reported in 1972 for burglary, auto theft, larceny, and robbery.

In the six U.S. cities of a million or more population, the combined decrease for all crimes was 12 percent; in cities of 500,000 to one million, it was 7 percent; in cities of 100,000 to 500,000, it was 2 percent.

Of the 154 cities having 100,000 or more population 94 of them reported a decline in serious crime. This compares with decreases reported by 53 cities the year before, 22 cities in 1970, and only 17 cities in 1969.

Serious crime in our nation's capital declined last year by 27 percent—the steepest drop of any big city in the country.

From San Franicsco, where serious crime dropped 19 percent last year, to New York, where it fell by 18 percent, the forces of law and order are moving to gain the upper hand over the forces of crime and chaos. A few critics have tried to quarrel with the score-keeping. But, the facts speak for themselves. Progress is being made.

LEAA has also played a significant role in the federal effort to curb drug abuse, a menace which threatens the very lives of a great number of our young people.

The Congress will shortly act on a reconsideration of the statutory scheme underlying LEAA. It is my belief that the current scope of federal/state jurisdiction will not be disturbed in this process.

Indeed, I would expect that the Congress will move to further streamline the operations of LEAA and improve the hand of our states and localities, in keeping with the precepts underlying special revenue sharing.

This, in my view, is essential if we are to continue to make inroads against the menace of crime. I believe that we shall.

HARLEM PREP

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. RANGEL. Mr. Speaker, this spring, Harlem Preparatory School once again celebrated the graduation of a fine class of students, and individuals.

I join with the parents, relatives, and friends of the graduates in congratulating them for their success and wishing them much luck in their future endeavors.

I now submit, for the collective attention of my colleagues, an editorial that appeared in the June 9 New York Amsterdam News entitled, "Support the Prep":

SUPPORT THE PREP

So far as we are concerned the Harlem Preparatory School, located in the heart of Harlem has higher educational standards than any other high school in the country, because no student can graduate from Harlem Prep until he is admitted to matriculation at some college or university. Therefore, every graduate at Harlem Prep goes on to college. No other high school in the United States can make that statement.

The valedictorian of Harlem Prep's graduating class this year is 19 year old Clifford Thomas Jacobs, who has been notified that he has been accepted to Columbia University, Boston University, Adelphi University, New York University, Fordham University, Brown University, and the University of Wisconsin!

That list of accepting universities gives one a pretty good idea of what kind of scholars Harlem Prep is turning out.

And one of the amazing parts of the Harlem Prep story is that it is educating such students at a much lower cost than what we are spending to educate youngsters in our City Universities.

This week as New York salutes another graduating class at Harlem Prep, we heartily join in that saluate. But we offer another salute to Dr. Ed Carpenter, headmaster at Harlem Prep, and his small faculty of educators who are accomplishing so much with so little.

Harlem Prep was born in poverty, has never had adequate funds to operate as it should and is in dire need of money right now to keep its doors open.

We urgently solicit public support for it with the assurance that there is no better investment—both in our community and in America.

LEAA IS NEEDED TO FIGHT HIGH CRIME RATE IN METROPOLITAN AREAS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. LEHMAN. Mr. Speaker, today the House unanimously passed the law enforcement assistance amendments. While I consider these amendments a substantial improvement over the present law, the bill as passed still does not give special preference to urban areas having high crime rates, unfortunately.

Crime is among the most serious problems facing our Nation. In our cities, people are subjected daily to personal assault and loss of property. Older and younger persons alike are becoming fearful of leaving the safety of their homes.

I had hoped that the committee would favorably consider targeting resources to those metropolitan areas where the high rates of crime are a threat to the everyday existence of law-abiding American citizens.

Nonetheless, LEAA has been of service to south Florida. Through LEAA, south Florida has received assistance in such areas as drug rehabilitation centers and special safe streets projects.

I am particularly pleased that the bill includes rehabilitation in the list of purposes of LEAA. Recidivism only makes the crime rates climb, and without rehabilitation, we cannot expect to see a significant decrease in the incidence of crime.

The bill will help to streamline the flow of assistance to the States and local governments, by requiring that time limits on consideration of grants be met.

The bill also contains language to strengthen civil rights enforcement powers and responsibilities. LEAA will be required to use enforcement procedures which include the ultimate sanction of funding cutoffs in the case of noncompliance.

I am certain these amendments which we passed today will have the effect the House desires—sufficient assistance to bring about a reduction in crime, an increase in successful rehabilitation, and a better system of criminal justice.

STUDENT AID AND THE NATIONAL STUDENT LOBBY

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Ms. ABZUG. Mr. Speaker, representatives of the National Student Lobby recently appeared before the Labor-HEW Subcommittee of the House Appropriations Committee to present the lobby's position on student aid for fiscal year 1974.

The NSL has received the support of numerous colleges across the Nation for its stand in favor of increased funding for student financial aid, and I include the text of the NSL resolution and a listing of schools expressing their support for it at the conclusion of my remarks:

NATIONAL STUDENT LOBBY RESOLUTION

Whereas: Students must take an active role now in stating the critical financial needs of students to Congress during the Fiscal Year 74 (academic year starting Sept. 1974) appropriations process for Federal student financial aid programs, and

Whereas: President Nixon has pledged that "no student will be denied access to post-secondary education for financial reasons," and Congress has also authorized such a goal in the Education Amendments of 1972, and

Whereas: Amounts appropriated in April, 1973 or Fiscal Year 73 (academic year starting Sept. 1973) are totally insufficient to meet the needs of students (as little as 50% of the Office of Education panel-approved requests for aid), and

Whereas: Current funding for the new and crucial Basic Opportunity Grant program is grossly insufficient ($12 million instead of $622 Million requested by Administration), and so low as to necessitate restriction of BOGs to freshman for fall 1973, and

Whereas: Additional eligibility of proprietary and vocational school students for Federal student aid monies means an *additional* 25 percent increase in funding is needed for 2-yr. and 4-yr. college students simply to remain at the current level of aid,

Therefore, be it resolved that, students from the colleges listed below support substantially increased funding for student financial aid for FY 74 (NSL support $596 million increase to $2,137 million), as follows:

[In millions]

Basic opportunity grants (BOG, new program)	$959
Supplemental opportunity grants (current EOG)	200
National direct student loans (NDSL, 3% loans)	293
Federally insured student loans (FISL, 7% bank loans)	$350
College work-study	270
College work-study for veterans (new program)	15
State scholarship incentive grants (new program)	50
Total	2,137

SCHOOLS HAVING PASSED FINANCIAL AID RESOLUTION

Name of School and Authorized Signature

Oregon State, University, Kerby Anderson, ASOSU 1st Vice-President.

Marian College of Fond du Lac, Harlan D. Swift, Student Body President.

University of Pittsburgh, Regis F. Kaufman, Student Body President.

Concordia Teachers College, Timothy G. Miesner, Student Body President.

Georgia Institute of Technology, Greg Williams, Student Body President.

Birmingham-Southern College, Brenda Montgomery, SGA secretary.

Sam Houston State University, Lang Zacharias, Student Body President.

Indiana University, Steve Damig, Student Body President.

University of Virginia, Larry J. Sabato, Student Body President.

University of Wisconsin-Milwaukee, Michael DeLonay, Special Asst. to President.

Southern Colorado State College, Elaine Stefanic, SGA President.

Henderson State College, Freddie Lookadoo, Student Government President.

Pomona College, Ian Campbell, Student Body President.

University of Missouri at Rolla, Michael Ragan, Student Body President.

Mary Baldwin College, Susan E. Baughman, Student Body President.

University of Wyoming, Steve A. Miller, Student Body President.

Manchester Community College, James W. Sorensen, Student Body President.

St. Francis De Sales, Michael Chimielewski, Student Body President.

Northeastern State College, Jerry Donley, Student Body President.

Upper Iowa College, Stephen C. Worester, Student Body President.

Ashland College, M. L. Duff, Student Body President.

Tabor College, Roger Gossen, Student Body President.

Friends University, David Hawthorne, Student Body President.

Alma White College, Donald K. Hansen, Student Body President.

University of Dayton, Francisco J. Torrado, Student Body President.

Muhlenberg College, Kent J. Rossmiller, Student Council.

New York State University at Oneonta, Steven Goldenberg,, Student Body President.

Financial Aid Petition—Muhlenberg College. Signatures of 86 students supporting the National Student Lobby position on student aid appropriations.

THE FUEL SHORTAGE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. DERWINSKI. Mr. Speaker, a recent editorial on WGN, a Chicago broadcasting company, very thoroughly discusses the fuel shortage. More specifically, the question of an increase in the Federal tax on gasoline.

At this point, I insert it into the RECORD. I associate myself with the reasoning therein:

THE FUEL SHORTAGE

The Nixon Administration has hoisted a trial balloon on the gasoline-shortage front. Treasury Secretary George Schultz says the administration is considering . . . just considering . . . asking Congress to increase the federal tax on gasoline. The increase under consideration . . . a dime a gallon . . . amounts to 250 per cent of the four-cent-a-gallon tax already imposed.

Such a tax would do several things. First, it might cut the demand for gasoline, considering that a 20-gallon fill-up would cost an extra two dollars. Second, according to Schultz, it might accelerate the trend toward smaller cars . . . those that can go farther on a tank-full. Third, it would provide an estimated $10 billion a year to the treasury, always welcome with a deficit budget. And fourth, any tax increase is viewed as dampening inflation, taking dollars out of the market-place where they compete for goods and services, thus pushing up prices.

It's been said that the economy of this country, at least in peace-time and at least for the last-half century, that the economy is geared to the auto industry . . . not only the manufacture and sale of autos, but the raw materials used to make the cars, the highway construction industry and the hundreds of thousands of service businesses which keep the cars rolling. So, any significant change in driving habits could have an even more significant effect on the economy.

Then, there's the question of who will be affected the most. As with any price increase on a necessity or near-necessity, those who can least afford the added burden will suffer the most . . . at least in terms of percentage of income. And, we'll all pay more, for everything else, as truckers pass on their increased cost of delivering the other things we buy.

At this point, we think an increase in the gasoline tax is wrong. Certainly, there must be better and more equitable ways of overcoming a gasoline shortage if there really is a shortage. Of course, we're still not sure whether there is a REAL gasoline shortage. That's what we'd really like to know . . . before we undertake a mass correction. We'd like to know that we're sick . . . before we're asked to swallow some distasteful medicine.

THE 100TH ANNIVERSARY OF THE THOMASTON EXPRESS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mrs. GRASSO. Mr. Speaker, in March 1873, George Grille started a single sheet newspaper from his home in Thomaston, Conn. This first edition of the Thomaston Express is celebrating its 100th anniversary of distinctive and dedicated service.

Since its inception, the Express has been owned and published by several different men and is presently under the direction of Caesar DelVaglio. The paper has grown considerably since the days of 1918 when the linotype machine was first introduced into its system of production. Today the Express is a newspaper with an average scope of 20 pages covering news of northwestern Connecticut. It has a weekly circulation of about 2,800 residents in Thomaston, Plymouth, Northfield, and Terryville.

During a 100-year history, the Thomaston Express has been the recipient of numerous literary awards which reflect its high standards of journalism. As one of the most important forces in the life of the region, the Express has contributed significantly to the development of the community by means of reliable and detailed reporting about the people and events which have influenced the growth of the region.

The Thomaston Express has plans for a special edition later in the year which will commemorate its anniversary. This centennial publication will review the history of the newspaper as well as the many memorable phases of Thomaston history in the past century.

It is with pride and pleasure that I join so many other residents of the Sixth District and the State of Connecticut in paying tribute to the Thomaston Express on its 100th anniversary.

GENERAL SIMPSON RETIRING TO RESIDENCE IN BRYAN, TEX.

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the residents of the city of Bryan, Tex., recently had the privilege of welcoming a distinguished individual to their community. Lt. Gen. Ormond R. Simpson, who served his country for 37 years, made his residence in Bryan upon retiring from the U.S. Marine Corps. General Simpson and I attended Texas A. & M. University and we share fond memories for our alma mater, which is near the city of Bryan. I am happy to have General Simpson become one of my constituents in Texas' Sixth District.

The local newspaper in Bryan, Tex., the Eagle, carried the good news about General Simpson on June 13, 1973.

The article follows:

GENERAL SIMPSON RETIRING TO RESIDENCE IN BRYAN

Lt. Gen. Ormond R. Simpson, who ended a 37-year Marine Corps career in May, will return to Bryan in July with his wife and family. He was accorded full military retirement honors in Washington, D.C., April 30.

Gen. Simpson's military career began in July 1936 when he was designated Military Honor Graduate upon completing Texas A&M College. His was a career that was to span three wars—two tours overseas in World War II, combat in Korea, and finally, as commanding general of the Corps' 1st Marine Division in Vietnam.

The general and his wife, the former Marjorie Miller of Bryan will move to their retirement home on Quail Hollow Drive July 1. Their son, Rick, works for a computer firm with offices in Washington, D.C., and their daughter, Martha Fields, is pursuing graduate studies at the University of North Carolina.

Gen. Simpson's mother, Mrs. Stanton Fields Simpson, lives in Corpus Christi, where Simpson attended secondary schools. His sister, Mrs. Preston Doughty, also resides in Corpus Christi.

General Simpson has a long list of military credits and is heavily decorated for combat performance. During his second World War II tour, he took part in the planning for and the subsequent invasion and occupation of Japan. In May 1962, when American troops were requested by the government of Thailand, General Simpson was ordered there as the commanding general of the 3d Marine Expeditionary Brigade.

In the past eight years, he has commanded the 2d Marine Division; the Marine Corps Base, Camp Lejeune, N.C.; Marine Corps Recruit Depot, Parris Island, S.C., and the Marine Corps Supply Center, Albany, Ga. During 1969, he commanded the 1st Marine Division in Vietnam, for which he received the Distinguished Service Medal.

Personal decorations have been pinned on him after completion of almost every tour of duty in the Marine Corps. He was presented the Distinguished Service Medal, his second, during retirement ceremonies.

His last assignment with the Marine Corps was as Director of Personnel, Deputy Chief of Staff (Manpower) at Headquarters Marine Corps. He took over that job with his promotion to three-star general July 1, 1971.

THOUGHTS UPON BEING DISCONNECTED

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BROWN of California. Mr. Speaker, a few days ago, in the middle of a telephone conversation with a local government official back in my California district, I suddenly found that I had been disconnected in the middle of my friend's sentence. This is not an unusual occurrence on the FTS—Federal Telecommunications System—but I was not using the FTS at the time. I was calling on Ma Bell's commercial line.

As I called the operator and reestablished my connection, I was reminded of an item I saw several months ago in the Washington Star. Over the weekend I located a copy of this item, a column by Mr. Norton Mockridge, and I would like to share it with our colleagues at this time.

[From the Evening Star and Daily News, Jan. 2, 1973]

HERE IS REAL PHONE SERVICE

(By Norton Mockridge)

NEW YORK.—Val Choslowsky, of Washington, D.C., says he's come across the finest phone book in the world. It's the one in Helsinki, Finland.

"For instance," he writes, "It will tell you a man's name, address, and phone number, but also the name of his current wife. And that little feature, in divorce-prone Helsinki society, is watched with particular interest by various gossips, since surprising developments may be ascertained among the listings from one edition to another.

"Moreover, the book will further tell you the man's position and job in the business community, including the correct and latest title. Promotions and, of course, demotions, are readily available from this source.

Val continues, "In addition to all this, the man's education is listed for all to see—an important feature in a land where a Ph.D. enjoys a considerably higher social status than a mere M.A., not to mention one who has barely scraped through high school, which, at best, compares to our junior college, at that.

"As a matter of fact, to be listed in the phone book at all is a status symbol of sorts, since the ownership of a private residence line (as opposed to a business line) automatically gives one a share in the phone company. The cost of maintaining a line is no sneezing matter.

"While there might be some features of the Helsinki phone directory that escaped me, it's the Finnish phone service itself which has impressed me," adds Choslowsky.

"In addition to the fact that everything works efficiently one can, by dialing 037, get the titles, show times, and locations of all current movies. Dial 008 and you can summon a physician or, by dialing 440477, secure the services of a dentist. A doctor who responds to these calls, incidentally, is referred to as 'doctor de jour.'

"Events of interest for the day in Helsinki may be had by dialing 058, while arrangements with 0152 will get you up in the morning. Summoning a taxi is a phone company service. The number depends on just where in the city you happen to be at the time, and you're never more than five minutes away from one, no matter what the weather.

"If you dial 045, they'll tell you what jobs are available, while 031 gives the latest stock quotations. If you're in a quandary as to what to cook for dinner, 049 will give you the recipe of the day.

"World news comes to you via 017 (033 gives the latest ball scores and other sports news), and the latest news in English can be had by twirling out 018. A sermonette for inspiration is available on 050, but I understand that betting advice (055) and lottery announcements (035) are more popular. Time (061) and weather (038) are mundane enough, of course.

And he concludes, "Desperate alcoholics and potential suicides can get last-minute reprieves by calling special numbers, and, to beat all, there is a number a teen-ager can call for the latest recording hits. And so it goes with the telephone service in a civilized country!"

THE POOR NEED LEGAL SERVICES

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mrs. BURKE of California. Mr. Speaker, it is of grave importance that the legal services program, which has provided legal assistance to poverty-stricken people across this country, continue to survive. The need for such services is great, in my home district in California, in New Jersey, and throughout the other States. I have on many occasions spoken in support of legal services for the poor. There can be no real justice when any portion of this Nation's population is denied free access to the judicial system. I am submitting to this body a resolution of the Sussex County Bar Association of New Jersey, to which I give my full support. The continuation of legal services is imperative if this country is to lead the way in assuring justice for all under the law.

The resolution follows:

RESOLUTION

Whereas, the Sussex County Bar Association recognizes as a prime concern and chief goal of our society the achievement of equal justice under the law regardless of economic status; and

Whereas, the Sussex County Bar Association recognizes the effectiveness of Somerset-Sussex Legal Services in fostering and effectuating this goal; and

Whereas, in the course of day to day dealings between Somerset-Sussex Legal Services and the members of the Sussex County Bar Association it has become evident that the activities of the former have been conducted in a constructive manner and with a high degree of professionalism; and

Whereas, the members of the Sussex County Bar Association consider it imperative that the Legal Services Program in general and Somerset-Sussex Legal Services in particular continue to operate and function;

Now therefore, be it unanimously resolved by the Sussex County Bar Association that it steadfastly supports the continued federal funding of the Legal Services Program in general and Somerset-Sussex Legal Services in particular; and that it strongly urges the President of the United States and all elected officials to support the uninterrupted continuation of the operation of the Legal Services Program.

SALUTE TO DISTRICT OF COLUMBIA NATIONAL GUARD

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. MONTGOMERY. Mr. Speaker, recently it was my privilege to attend an open house at the D.C. Armory designed to give citizens of the community a better insight into the mission of the District of Columbia National Guard. I salute the D.C. Guard for the important role it plays in our Nation's defense and its added burden of being called to active duty during large demonstrations and official Government functions such as the inauguration. For the benefit of my colleagues, I would like to present the following report on the open house:

D.C. NATIONAL GUARD SPONSORS OPEN HOUSE

On Sunday, June 3rd, the District of Columbia National Guard held an Open House at the D.C. Armory from 11:00 a.m. to 7:00 p.m., to which the general public was invited to see its local Army and Air Guard units in training and the varied weapons and equipment on display. According to Major General Charles L. Southward, the Commanding General, the purpose of holding the Open House was four fold:

To show the families and friends what we do as Guardsmen.

To enhance community interest in the National Guard and let the citizens of Washington know what the Guard is, what it does, and how it stands ready to serve the community.

To enhance the morale of our own personnel through their involvement and interest in exhibiting their unit skills and equipment to the public, with the hope that many of our members will continue their participation by reenlistment.

To stimulate interest on the part of young men and women in the community, as well as veterans, by publicizing the many opportunities that membership in the National Guard can offer, including full-time employment.

Attendance at the Open House was estimated at between 12 and 15 hundred, and while this fell short of hopes and expectations, the venture was considered a successful effort that achieved, at least to some degree, its goal in each of the aforementioned areas. Visitors expressed considerable interest in the variety of exhibits on display and in the missions of the varied units represented. The Guardsmen showed keen interest in the event by enthusiastically tackling the job of setting up their exhibits and explaining their equipment and missions to visitors, and finally, at least eight young men were sworn in as members of the Guard during the Open House, with interest in membership expressed by numerous others.

Among the activities on display were an Army Field Hospital in operation, a demonstration of Military Police activities, a completely equipped Maintenance unit, an exhibit of Historical Infantry uniforms and equipment, a field photo lab, helicopters from the Army Guard Aviation Unit, and a variety of exhibits by the Air Guard units, including communications and survival equipment. Also on display was an exhibit by the D.C. Youth Leader Program, one of the many community relations activities sponsored by the D.C. Guard. One Military Police unit provided karate demonstrations, which proved quite popular with the younger visitors.

The public was also given an opportunity to sample some "good-ole" Army chow, and listen to an excellent musical program by the D.C. Guard's own 257th Army Band. The Band is composed of many accomplished musicians, both amateur and professional, and they offered a wide variety of musical selections from light classics to rock, as well as the standard military marches.

Visitors were provided complete information on the many benefits offered through Guard membership—the opportunity to earn extra money, and at the same time build valuable retirement benefits, and also the opportunity to learn valuable skills which can help in obtaining good civilian jobs. Information on numerous full-time employment opportunities was also made available. Most visitors were surprised to learn that the D.C. Guard employes nearly 600 full-time technicians, in countless job skills ranging from supply clerks to jet engine mechanics. The value of such skills to the average young high school graduate is obvious in today's employment market situation.

The D.C. Guard exerted considerable effort to publicize this Open House through the local news media. Most of the citizens of the District of Columbia are probably not even aware of the many activities of their Guard units, and of course, attracting attention from the news media in this rather "sophisticated" community, news-wise, is not easily achieved. Local activities of this type are just not "big news" as a rule. However, the D.C. Guard is community-oriented. It feels it belongs to the community, and the citizens deserve to be informed of its activities.

The drafting of young men into the military service has ended, but the need for a strong, well-trained National Guard continues. The Department of Defense is looking toward the National Guard now more than ever before as its primary back up force. It is hoped that through efforts such as the June 3rd Open House, the community will be made fully aware that the D.C. National Guard is ready, willing, and able to serve the community and Nation, and will offer its full support and encouragement.

SAN JOSE STUDENTS REORGANIZED FOR ENVIRONMENTAL STUDIES

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. EDWARDS of California. Mr. Speaker, for the second consecutive year, Willow Glen High School in San Jose, has been honored by the Environmental Protection Agency for its fine environmental studies program. I am proud that this San Jose school has again been so honored, and I feel that the activities of Willow Glen students deserve the attention of my colleagues here as well.

Twenty-one students have been honored individually, with scholarships, awards, and certificates of merits. Mr. Frank Schavio, the ecology teacher who helps the students with their projects, has been awarded a special Environmental Protection Agency citation for meritorious service to the cause of environmental education. Mr. Schavio, who was named San Jose Teacher of the Year last year, has been awarded a certificate of merit for his teaching excellence this year.

The students' ecology-minded activities ranged from year-round campus landscaping to consumer protection projects. They organized Indian food and clothing drives and have cultivated a half-acre plot of land near the school for an organic garden. Mr. Schavio and his students have also testified at a variety of local, regional, and State hearings on environmental legislation.

The ecology activities of these fine young people are important, not only to their individual educational development, but to the public as a whole. Through their efforts the entire community will, hopefully, become increasingly aware of and sensitive to the environmental crisis that faces us.

With this question, as with other pressing problems that face our Nation, the younger generation must be congratulated for spurring their elders on to action. I have every hope, and, indeed, every expectation, that Willow Glen High School and other San Jose schools will continue their important environmental studies programs. The program at Willow Glen deserves the commendation of all of us and emulation by other educational institutions around the Nation.

IN DEFENSE OF UKRAINIAN INTELLECTUALS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. KOCH. Mr. Speaker, in connection with my testimony before the House Ways and Means Committee on June 14, 1973 in favor of the Jackson/Mills-Vanik amendment to the Trade Reform Act, I would like today to discuss the plight of the Ukrainians. With the visit of Secretary Brezhnev to the United States it is appropriate that we give some attention to certain Ukrainian Soviet citizens now in U.S.S.R. jails who are considered political prisoners by their supporters in the United States.

An organization located in my district, the Ukrainian Congress Committee of America, Inc., 302 West 13th Street, New York, N.Y. 10014, has publicized several cases of more than 100 Ukrainian intellectuals in 1972 alone who were imprisoned for "anti-Soviet agitation and propaganda." Their statement, which appeared in the June 17, 1973, New York Times was printed in the June 18, 1973, CONGRESSIONAL RECORD. While I have no personal knowledge of these cases, I must be concerned about any violation of human rights. In relation to these Ukrainians, as well as to Soviet Jews and all other Soviet refugees, the United States has announced a policy of welcoming to this country all Soviet refugees, without regard to quota restrictions. I am pleased to have been the sponsor of this proposal, which took effect on September 30, 1972.

In my concern for these Soviet citizens who are the victims of oppression I have asked the President to take up the ques-

tion of these Ukrainian prisoners with Secretary Brezhnev as well as the plight of Soviet Jews. Furthermore, we must continue to press for the inclusion of the Jackson/Mills-Vanik amendment in the Trade Reform Act to assist those oppressed people in the U.S.S.R. who seek to emigrate.

THE LITHUANIAN-AMERICAN COMMUNITY OF THE U.S.A., INC., REPORT ON THE UNRESOLVED LEGACIES OF THE BALTIC NATIONS DURING 33D ANNIVERSARY OBSERVANCE

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. ROE. Mr. Speaker, I wish to join with my colleagues here in the Congress today in somber observance of the 33d anniversary of the subjugation of Lithuania as a national independent sovereignty and solemnly reflect upon the courage, fidelity, and dedication to the principles of representative democracy manifested by the long struggle for freedom of the oppressed citizens of Lithuania, Latvia, and Estonia from the Soviet Union.

The people of Lithuania have been strongly supported and their cause for freedom, equality, and justice kept alive and vibrant by many Americans. I take this opportunity to particularly commend on the pages of this congressional journal of history the great contribution that the Lithuanian-American community has made to this noble effort over these many years. In response to a recent communique that I received from the Honorable Vytautas F. Volertas, president of the Lithuanian-American Community of the U.S.A., Inc., I respectfully call your attention to the following statement they have issued in commemoration of the June 15, 1940, annexation of Lithuania into the Soviet Union, which most poignantly and clearly manifests the serious issues that are of deep concern to all Americans and Americans of Lithuanian heritage who continue in the vanguard of seeking to achieve freedom, national integrity, and sovereignty for the people of Lithuania and other "captive nations" of the world:

BALTIC NATIONS: THE UNRESOLVED LEGACIES

Today, the United States stands on the threshold of the most meaningful and potentially rewarding era in the history of mankind. For the first time in the last fifty years, global peace is attainable. However, global peace is only the first great objective of our nation, we must also seek the attainment of freedom and justice for all oppressed nations. For even if the countries of the world cease hostilities toward one another, the unresolved legacies of the Second World War must be confronted; the status of the Baltic Nations must be once and for all—equitably resolved. Furthermore, let us not be fooled that world peace can be attained by offering the inalienable rights of the people of Lithuania and the other Baltic Nations upon the altar of appeasement.

The Lithuanian people have continuously struggled to reject the oppressive communist system from Lithuanian soil ever since the forcible annexation into the Soviet Union on June 15, 1940.

The post-war history of Lithuania bears grim testimony to this rejection of forcible incorporation. From 1944 to 1952, anti-Soviet partisans struggled for freedom against the Soviet military occupation in protracted guerrilla warfare at a cost of over fifty thousand Lithuanian lives. During Stalin's era, over one-sixth of the Lithuanian people were deported to Russia and Siberia in an effort to depopulate and subjugate the Lithuanian Nation. To demonstrate the extent of this depopulation in comparison to the United States, it would mean the elimination of all the people from the thirty largest cities in this country.

To this very day, Lithuanians are risking and sacrificing their lives in defiance of the communist regime. The protests of the Lithuanian people against the denial of the right and national self-determination, continued religious and political persecutions, and the violation of human rights by the Soviet Union reached tragic heights on May 14, 1972, when a Lithuanian youth, Romas Kalanta, burned himself in Kaunas as a martyr in protest to Soviet oppression. This act triggered wide-spread demonstrations in the area and was culminated by two other self-immolations. Such dramatic events demonstrate that the Lithuanian people have not acquiesced to the Soviet occupation, but rather are still striving for freedom and independence.

The United States has never recognized the forceful annexation of Lithuania and the other Baltic States into the Soviet Union. This steadfast policy of the United States gives succor to the Lithuanian people and reinforces their determination to await national independence while it also discourages the Soviet policies of Russification and effective absorption of Lithuania, Latvia and Estonia into the Soviet Union.

The 89th U.S. Congress during its second session was explicit in its determination to forestall any Russification and absorption of the Baltic States by the Soviet Union when it adopted House Concurring Resolution 416, which urges the President to bring up for discussion the question of the status of the Baltic States in the United Nations and other international forums. The European Security Conference is such an international forum. We ask your support in urging the United States delegates to openly state the U.S. policy of non-recognition and raise the Baltic question directly as Congress has specified.

Mr. Speaker, this statement is submitted for congressional recognition and consideration. I know you will want to join with me and our fellow citizens of Lithuanian ancestry in this annual observance and extend renewed encouragement to Soviet Lithuanians in our mutual concern for their national independence and individual well being.

WHEN THE GAMBLER "GIVES" YOU THE CAB FARE HOME THAT'S "REVENUE SHARING"

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. ROUSSELOT. Mr. Speaker, revenue sharing has not yet proven to be a sound method of financing State and local governments. It is neither responsible nor realistic for the Federal Government to establish a mechanism for showering the State and local governments with a "windfall" from funds that do not exist. There are no revenues to share—only deficits—and once again it is the hard-working taxpayers who will ultimately have to bear the burden as the Federal Government goes further and further into debt. It is especially ludicrous that the Federal Government is "sharing" revenues when most cities, counties, and States report that they are accumulating substantial surpluses in their operating capital.

I bring to the attention of my colleagues the following advertisement placed in the June 4, 1973 edition of U.S. News & World Report by Warner & Swasey Co., of Cleveland, Ohio, which points out that a much more honest approach than "revenue sharing" would be to return to the States the taxing power which is rightfully theirs, and to allow the States to decide how much to tax and spend for those programs which they individually need.

WHEN THE GAMBLER "GIVES" YOU THE CAB FARE HOME THAT'S "REVENUE SHARING"

Where does the Federal Government get all the revenue it's going to "share" with the States? From the States—that is, from the pocketbooks of the working taxpayers in the States.

It would be so much more effective and fair if Washington simply reduced its tax take by the 30 billions it is planning to "give" the states. The end result would be better because it all would be locally managed, closely watched. And think of all the millions we'd save by getting rid of those thousands of bureaucrats now busily handling those billions into Washington and (*some* of them) out again!

THIS IS 1973: BRING 'EM HOME

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the editor of the newspaper, the Eagle, in Bryan, Tex., recently wrote an editorial that shows tremendous insight to a problem facing this Nation. He points out that U.S. troop commitments and our foreign relations are due some tedious scrutinizing by Congress. The results over the past decades and today of our foreign commitments have left the American dollar in poor shape.

I think Congress and the general public would benefit by reading the Eagle editorial; then give the points brought out in that article careful thought.

The editorial follows:

THIS IS 1973: BRING 'EM HOME

It's time Uncle Sam stopped being the "fat boy with the candy" in dealing with other nations.

This is the world of 1973. We are still acting like it was the world of 1946.

If we don't stop our way of doing, the American dollar is going to continue to slide down the greased pole into near worthlessness.

President Nixon's meeting with Premier Pompidou furnished a fine example of our lack of toughness and our grandiose gestures.

Before our talks with M. Pompidou started, Henry Kissinger threw into the discards our ace when he announced that we would make no "unilateral decisions" regarding Western

Europe. In doing this he told Pompidou not to worry about our withdrawing our troops from Western Europe—about the only card we can use to bargain with our tough-minded Western European allies.

We are deep in debt and running a deficit year after year. Our dollar is dropping daily. Why should we continue to spend millions of these dollars abroad to pay for a substantial share of Europe's defenses?

We are not going to have to go through the motions of officially devaluing our dollar. The world is doing it for us every day. A big drain on the dollar is keeping about 300,000 troops and their dependents in Europe.

As a starter, we should immediately bring home the thousands of dependents. Then we should start a scheduled withdrawal of the troops themselves.

There was a reason why we put troops in Western Europe in 1946—Western Europe was helpless and broke. But today West Germany is one of the most prosperous nations in the world and many other European nations have a prosperity they never had before. It's time they picked up the burden of their own defense.

There are those who say the withdrawal of our troops would be an invitation for Russia to roll over the West. These 300,000 U.S. troops could scarcely slow down the armed might of Russia. Let's face it—our military deterrent is nuclear.

It was a good idea to go into South Korea in Harry Truman's day. But isn't protecting South Korea, Japan and other nations in the Far East for 20 years long enough?

Granted we brought some of this on ourselves by laying down an ultimatum that Japan's militarism must never exist again, but times have changed. Stricken Japan is now the world's fastest growing nation economically. It should assume a far larger share of its own defense and the defense of other nations in that part of the world.

We should start a scheduled withdrawal of our 45,000 men in South Korea and stop that drain on the dollar.

Of course, we do not want to draw back into isolationism. Of course, we do not want to approach the world with a chip on our shoulder.

But it's time we roused ourselves from our dream of deluded grandeur. Even Rip Van Winkle finally woke up.

CONSERVATION PRACTICES ON RETIRED ACRES

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. ZWACH. Mr. Speaker, over the years in Minnesota, Charles L. Horn of the Minnesota Emergency Conservation Committee, has been one of the most active and knowledgeable practical conservationists in our State.

During the sessions of the Minnesota Legislature, he always has had a representative present to testify at the committee meetings.

I have just received a letter from Mr. Horn in regard to conservation practices on retired acres.

Because we soon will be debating these matters on the floor of the House, I would like, with your permission, to insert Mr. Horn's letter in the CONGRESSIONAL RECORD so that his thinking on this matter may be available to my colleagues.

The letter follows:

CONSERVATION PRACTICES ON RETIRED ACRES

It seems that we are living in a time of sensationalism. Unless something is dramatic and gets the newspaper headlines we are unconcerned and go our separate ways. This is especially true of our natural resources. For years we have watched the soil erosion on the farm lands get progressively worse without doing anything to correct the situation. In the 50's there were still small farms raising grains and hay and an active soil bank program. Not the erosion problem we have today. Since that time much of the wetland area has been drained, small farms consolidated into larger ones, an increasing amount of land being plowed in the fall, and the retired acres are left without cover crops. In addition, all of these factors have caused the steady decline of wildlife. The farming industry is important to the country and must be supported with many of these changes being necessary for the continued high production of farm products. But we can do something about the millions of retired acres that are left bare each year causing much of the erosion problem.

Now is the time we must act and correct the mismanagement of the soil and water. The Agriculture Act of 1970 expires at the end of this year and a new program will be adopted for 1974. Part of the new program must be that there is an opportunity for long term agreements on the retired acres. These agreements should last three years or more and would require a permanent cover crop. If this is to be a Department of Agriculture Act these stipulations must be included as it is a major soil and water conservation practice. With the nation becoming more urbanized it is necessary that this legislation does more for the city dweller than just control surplus crops. This program will give him both soil and water conservation, as well as better wildlife habitat.

The continuous process of wasting our resources must be stopped. We definitely do not need to have our top soil washed down the Mississippi River into the Gulf of Mexico. It is necessary that we all support the new agriculture bills stipulation that a cover crop is required on all of the retired acres. So, I am asking everyone to give the cover crops on retired acres amendment of the New Farm Bill their support.

I. F. STONE ON IMPEACHMENT—PART III

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Ms. ABZUG. Mr. Speaker, in today's RECORD, I include the third and concluding portion of I. F. Stone's series on impeachment. Part III discusses possible bases for impeachment proceedings against Richard Nixon, including the establishment of such extra-legal agencies as the "plumbers" and the extra-legal acts which they committed, the continued bombing of Cambodia without legal authority, the exercise without legal basis of such "inherent powers" as executive privilege and impounding of duly appropriated funds, and the offer of the directorship of the FBI to Judge Matthew Byrne while he was presiding over the Ellsber-Russo trial.

Part I of this series appeared at page 19931 of the June 15, 1973 RECORD, and Part II appeared at page 20163 of the June 18, 1973 RECORD.

Part III follows:

I. F. STONE ON IMPEACHMENT—PART III

This question will loom up as a crucial point if it turns out that *political* as distinct from *criminal* charges play their part in any effort to impeach Nixon. There are three kinds of political offenses which might be alleged. One might be that Nixon's failure properly to control secret agencies he had himself set up—*and the establishment of such agencies without statutory authority*—constituted a malfeasance of such magnitude and so dangerous to constitutional government as to warrant removal by impeachment even if it could not be proven beyond reasonable doubt that he was personally culpable for the burglaries and their attempted cover-up.

A second type of political allegation would arise if Congress finally passes the Eagleton bill to shut off all funds for continued warfare in Indochina, and passes it again over a Presidential veto, and the President still insists that he can divert funds from other purposes and continue the bombing because he and he alone is the judge of his own war powers as Commander in Chief. Unless he stated a readiness to abide by the results of an appeal to the Supreme Court, impeachment would be the only resort left to enforce the war powers of Congress and its power of the purse.

A third type of political allegation might arise from the sweeping assertion by Nixon of such so-called "inherent" powers as executive privilege and impoundment of funds whose social purpose he disapproves. No other President has ever dared to exercise these powers as broadly as Nixon has. They represent a threat to a government of equal and separate powers, a big step toward Presidential dictatorship.

This last category of possible political charges is the most difficult of all and serves to emphasize in the clearest form the wisdom of a broad consensus before resort to a weapon so grave as the removal of a President. The Constitution wisely requires a two thirds vote of the Senate rather than a mere majority for conviction. Republicans as far right as Goldwater and as far left as McCloskey should be persuaded of the need for trial by impeachment before it is even begun, though that only requires a majority vote of the House. Otherwise the country will be torn apart by controversy, polarized in an atmosphere which will make reasoned debate and equitable judgment impossible. The clearest evidence that so broad a consensus was beginning to take shape came in the joint letter on May 18 by Senators Goldwater and Cranston, usually on opposite sides of the fence, calling on Elliott Richardson before his confirmation as Attorney General to give a special prosecutor power to reach into the White House itself in his investigation not only of Watergate but of the Ellsberg-Russo trial.

To be honest about it, how one feels about the "inherent" powers of the Presidency has been generally determined throughout our history by how one feels about the use to which they are put and the pressing needs of the time. The Presidency is a great office precisely because of its flexibility in emergency. People on the left like myself applauded when Truman and Eisenhower invoked executive privilege to shield government officials against the witch hunt, as waged first by Nixon on the House Un-American Activities Committee in the late Forties and then by McCarthy in the Fifties. We applauded when, in conflicts with the military-industrial complex, Truman, Eisenhower, and Kennedy in turn impounded, i.e., refused to spend, money voted for arms race purposes, including such projects as the 70-group air force and the Nike-Zeus antimissile.

These are but a few of many examples of a double standard which must be faced before one can reasonably decide that abuse of "inherent" powers has grown so serious that it is a clear violation of the Constitution and a danger to the Republic.

But it has yet to be widely realized that the facts coming out in the affairs of Watergate and the Pentagon Papers have short-circuited the old controversy over whether impeachable offenses need be indictable. The main offenses coming to light in the various investigations of Watergate involve a wide range of indictable crimes, all impeachable even under the strictest definition of "high crimes and misdemeanors." These would provide the second and easiest category of charges for a bill of impeachment as more evidence accumulates. Even breaking and entering, normally a crime only under state law, is covered because the original burglary of the Democratic National Committee headquarters took place in the District of Columbia where breaking and entering is a federal offense.

The revelations piling up include violations of federal electoral campaign, banking, and securities laws; federal statutes making it a crime to obstruct justice or conceal evidence of crime; infractions of the laws guaranteeing free trial and of the statutes limiting the jurisdictions and regulating the activities of the CIA and the FBI and possibly also the less well known but equally powerful Defense Intelligence Agency (DIA) and the supersnooper electronic agency, the National Security Administration (NSA).

Also involved are the laws which make it a crime to conspire to violate any of these laws, whether or not the crime itself was finally committed. In prosecutions for conspiracy, circumstantial evidence is usually and necessarily relied upon. So are conspirators ready to turn state's evidence in hope of mitigated sentences. The conspiracy charges beginning to take shape against high officials of the Administration may or may not end by involving Nixon himself. If they do, this would prepare for trial by impeachment in a most far-reaching form.

A third major category of possible charges for impeachment has been almost entirely overlooked, though it consists of one of the two crimes specifically mentioned in the impeachment clause of the Constitution. This is bribery (the other, of course, is treason). This was touched on so lightly in the Goldwater-Cranston letter to Richardson, on May 18, that its significance has not been appreciated.

That letter cited eleven questions arising from the Ellsberg-Russo trial which called for extensive investigation by the Special Prosecutor. The eleventh was "The communication to the trial judge by Mr. Ehrlichman." That communication, made on April 5 at San Clemente and discussed again on April 7 at Santa Monica, was the offer of a high post in the government, the directorship of the FBI, to the trial judge while he was presiding over a trial in which the government's good name was at stake.

Any comparable offer by a private plaintiff would have been regarded as a bribe, and the Ellsberg-Russo defense so characterized it. The offer was made by Ehlrichman, then Nixon's top aide for domestic affairs. When it was first broached at the summer White House in San Clemente, Nixon himself—according to Judge Byrne—entered the room briefly and ostensibly only to meet the judge.

The whole affair and the President's involvement might have been more fully disclosed if the defense had had time to file a motion for appeal with the Ninth Circuit after Judge Byrne refused to dismiss the case on the ground that the secret offer was improper and an interference with the right to free and impartial trial. But this was foreclosed when Judge Byrne dismissed the indictment on other grounds four days later, on May 11.

The circumstances under which Judge Byrne's secret visits with Ehrlichman took place and the circumstances under which news of these visits leaked out have yet to be adequately explored. But enough is now known to demonstrate that this covert attempt to interfere with impartial trial ought not to go unexamined and unpunished.

The sequence of events is itself eloquent. On April 26, after a still unexplained delay, Judge Byrne was given documentary evidence that Hunt and Liddy, working directly under the supervision of Ehrlichman, had burglarized the safe of Ellsberg's psychiatrist in Los Angeles. The judge seems to have angered the government when he read the memorandum about the burglary in open court. Shortly afterward as if in retaliation someone leaked the news of the judge's visit to the San Clemente White House. It appeared in the *Washington Star-News* April 30, just four days after the news of the burglary was made public.

The leak must have come from the White House itself. It was made to the only one of Washington's two newspapers with which the Administration is still on speaking terms, though the conservative *Star-News* and its staff columnists have been as critical as the *Washington Post* of the Watergate affair. The reporter who wrote the story, Jeremiah O'Leary, is a veteran capitol journalist. The visit by Byrne to San Clemente seems to have been entirely a White House affair. "The *Star-News* learned," O'Leary wrote, "that Judge Byrne was brought to the San Clemente White House by the Secret Service from Los Angeles with instructions to take care that the press not learn of the visit."

No mention was made in the story of Ehrlichman. The way it was written, if not the way it was leaked, pointed the finger directly at the President. Indeed the story speculated on Nixon's impropriety. "The secret meeting with Nixon," as O'Leary wrote, "also prompted some question about the propriety of the judge in the Ellsberg-Russo case conferring while the trial was underway with a President who made little secret of his distaste for the turning over of the Pentagon Papers to several newspapers for publication."

The day that story appeared in the *Star-News* happened also to be the day on which the White House announced it had accepted the resignations of Haldeman and Ehrlichman. If the leak was Ehrlichman's, it would have been one of his last acts as the President's top aide for domestic affairs.

The repercussions at the trial were immediate. The first edition of the *Star-News*, an evening paper, hits the streets about 9:30 AM, or 6:30 AM Los Angeles time. Someone must have called defense counsel about it well before 10:00 AM Los Angeles (or 1:00 PM Washington) time when court was scheduled to open. Defense Counsel Charles Nesson phoned Judge Byrne that morning to let the judge know that questions would be asked him about the story in the *Star-News*. The judge arrived twenty minutes late with a prepared statement which he read as soon as court convened. He said he was doing so in response to a telephone inquiry to his chambers from Defense Attorney Nesson. With the jury out of the courtroom, the judge said he was reading the statement because he wanted "no misunderstanding" about the meeting.

Judge Byrne said the meeting took place on April 5 as the result of a phone call from Ehrlichman at the Western White House. He said the latter asked "me to talk with him regarding a subject he said had nothing remotely to do with the Pentagon Papers case." Byrne said Ehrlichman "suggested the possibility of a future assignment in government. During this meeting I was briefly introduced to the President, for one minute or less. We merely exchanged greetings." Byrne said his "initial reaction" to Ehrlichman's offer "was that I could not and would not give consideration to any future position" while the case was pending.

The judge went on to say that he estimated at the time that the trial would last another month. Why make the estimate if the job offer was not left open for consideration later? And was it in accord with judicial ethics to preside over a trial while secretly harboring the possibility of an attractive offer from one of the contestants? Byrne added that he had another brief conversation with Ehrlichman in which he confirmed his initial reaction. Where, when, and how this second conversation took place was not then disclosed.

Not until two days later, and then only in response to a question from defense counsel, did Byrne reveal that he had had not one but two meetings with Ehrlichman about the job offer. This is how the second disclosure came about. On May 1, the day after the San Clemente meeting was admitted by the judge, the defense moved for dismissal, in part because the job offer could be interpreted as a bribe. Defense Counsel Leonard Boudin put the matter with the utmost tact:

Given the extraordinary interest the White House has shown in this case we would, were we to use blunt language, characterize this as an attempt to offer a bribe to the court—an event made in the virtual presence of the President of the United States—which was frustrated only because the judge refused to listen to the offer.

To be less tactful but more accurate the offer was *not* frustrated. It was only postponed. *The judge did not "refuse to listen." He only refused to answer until the trial was over.* A cynical observer might conclude that this put the White House in the advantageous position of not having to deliver on the offer if the judge's performance in the Pentagon Papers case should prove unsatisfactory, as it did.

The judge seems to have felt uneasy. When court opened next morning and before the jury was brought in he made a further revelation. He said, "Having gone through your motion yesterday . . . there are a couple of areas . . . that I want the record to be clear on." He then disclosed that the job discussed was the head of the FBI. The second conversation took place on April 7, and "it was at that *conversation* [italics added] that I confirmed my initial reaction." Then the judge began to bring in the jury. But Defense Counsel Leonard Weinglass stood up and asked:

Q. Was that [conversation] personal or by telephone?

Judge Byrne. That was a direct conversation.

This was how defense counsel and the press first learned that there had been a second meeting with Ehrlichman. It was later learned that this took place in Santa Monica, but how or where or why was never disclosed.

Who asked for the second meeting? What led the judge at that meeting to "confirm" his "initial reaction"? Was the rejection at the first meeting less than firm? Why was the offer left open for later consideration?

As Leonard Weinglass pointed out to the press, defense counsel would be in jail if it had offered a prize job to the judge during the trial. Had Ehrlichman been a private party instead of the President's top domestic aide, it would have been obvious to the judge that the offer had the earmarks of a bribe and that his duty was not just to turn it down but to turn Ehrlichman in.

In the court on May 1, Defense Counsel Boudin, arguing the formal motion to dismiss, put the matter directly on the White House doorstep, as an impeachment inquiry would do:

"We do not see how the effect of the San

Clemente incident can be mitigated. The conduct of the President (who made it clear yesterday that he takes responsibility for the actions of his subordinates) has compromised the judiciary to the point where a fair trial is impossible now or in the future. It would have been infinitely wiser if the Judge had refused to visit San Clemente in the midst of what may be the most important political trial in our time. . . .

That no disclosure was made before the issue was raised by the defense is perhaps an indication that judges, like the rest of us, have human failings. But it is these very human failings which make it improper for this case to proceed. No human being can possibly erase from his consciousness past events which may influence future conduct. The White House, by initiating this meeting has irretrievably compromised the court."

On May 4, the defense submitted a memorandum of points and authorities to support the argument that the San Clemente visit and the job offer alone were enough for dismissal, but Judge Byrne ruled that same day against this part of the motion. He simply claimed that he had not been biased by the offer.

On May 7, newspaper accounts from Los Angeles carried the news that the defense was preparing to challenge the judge's decision by an appeal on mandamus to the Ninth Circuit Court of Appeals. The Ninth Circuit, if favorable to such a motion, could have ordered a hearing on the San Clemente visit and the job offer. It might have ruled that these cast such a cloud over the Ellsberg-Russo trial that it must be suspended for an immediate hearing on this issue. Ehrlichman could have been called as a witness. The President might have been asked for a deposition, or even been subpoenaed.

Such action was rendered moot when Judge Byrne, on May 11, dismissed the case. But he did not cite his visits to San Clemente and Santa Monica to discuss the offer of the top job in the FBI among "the bizarre events" which the judge said in his final ruling had "incurably infected the prosecution." Byrne as a judge and Nixon as a lawyer could hardly have been unaware of the professional ethics the offer violated.

But the fuller significance of these two secret meetings with the judge did not become apparent until several weeks after the trial was over. On May 22, then Secretary Richardson, at the Senate Judiciary Committee hearings on his nomination to be Attorney General, stated that the President had been informed about the Ellsberg break-in "in late March."

It was also "in late March" when the roof began to cave in on the White House. It was on March 20 that McCord sent a letter to Judge Sirica informing him that perjury was committed at the first Watergate trial, and the pressure had been applied to him to remain silent. Dean on that same day asked Nixon for a private interview and next day told him that he, Haldeman, and Ehrlichman had to "tell all" in order to save the Presidency. It was on March 21 that Nixon says he began his own investigation.

By the end of March, therefore, Nixon was on notice that news of the Ellsberg break-in might soon be disclosed either by McCord or Dean, or be both, and that this information might have to be produced in Judge Byrne's court in Los Angeles. (Indeed, Dean told the story to Federal Prosecutor Silbert on April 15, confronting Nixon with the alternative of ordering the submission of this information to Judge Byrne or suppressing evidence. It was the latter course that Nixon seemed to favor, until pressure was applied by Kleindienst and Petersen.)

So when Nixon met Judge Byrne on April 5, the President knew but the judge did not that there had been a break-in, that its disclosure to the judge might lead to a mistrial and dismissal of the case, and that if the judge disclosed the break-in in open court it would be another black eye for the Administration.

Secretly to dangle the offer of a high post before the trial judge while all these decisions were pending was to taint justice irremediably. When the Goldwater-Cranston letter included Ehrlichman's communication to the judge among the "serious questions" left by the Ellsberg-Russo trial, if called for them "to be viewed and uncovered as a totality from start to finish." Such an investigation would have to determine whether the offer to the judge by Ehrlichman constituted an attempt to bribe the judge and obstruct justice. Such an investigation would inescapably confront the question of whether Ehrlichman could take such serious steps without Nixon's prior knowledge and approval.

Had so sharp a lawyer and crafty a politician as Nixon, running the most centralized and closely controlled Administration in history, watchful over the slightest delegation of authority, so suddenly become an absentee landlord in the White House? Was he so stratospherically elevated beyond all mundane matters that at the summer White House on April 5 he could find Ehrlichman in conference with the presiding judge of the Pentagon Papers trial, shake hands with the judge, and not know, *not ask*, what was going on? Could he have been so unaware, so incurious? Only an idiot could believe it. But in this as in other aspects of Watergate only trial by impeachment is likely to be able to get at the truth of the President's complicity.

THE NEED FOR APPRENTICESHIPS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. COLLIER. Mr. Speaker, a letter from a constituent, Joseph A. Pritasil of North Riverside, Ill., discusses the benefits that would accrue from a well-planned program of apprenticeships.

Such a program, operated by business and industry rather than by bureaucrats, would, in the long run, bring in additional revenues to the Treasury, in contrast to the billions that have been frittered away on the numerous governmental training programs of the past decade.

Mr. Pritasil's letter follows:

NORTH RIVERSIDE, ILL.,
May 29, 1973.

HON. HAROLD R. COLLIER,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR MR. COLLIER: The problem on my mind is the young people, teenagers going to and coming out of high school. We have an enormous asset in our young generation; yet it seems to me that many people in a position of inflence do not care much about what direction they are going.

We have had a new frontier era in the early 60's, where everyone was expected to go to college, qualified or not; and unless he did, he was considered just nothing. Then we had a great society where many programs were put through, OEO, special training programs, specialized on-the-job training, etc. Yet, it didn't produce any of the intended and desired results.

I believe what we need today more than ever, in order to cope with technological advances in the world, in industrial competition, in our business and in our well-being, is to encourage through some sort of legislation, if necessary, leaders of our industries, labor, business and leaders of our Government, as well as the schools, to work together and train our young as we were trained in our younger days. By that I mean a regular and thorough apprenticeship training. We have had many on-the-job training systems; but when the jobs are gone and a particular skill no longer necessary, the young people affected are looking for another possible training. All of this costs a large amount of money to the taxpayer, since I know that many of these programs, if not all, were financed wholly, or in large part, by the Government.

In apprenticeship programs, whether it be in manufacturing of products, in pharmaceuticals, in retail, construction, or what have you, the apprenticeship programs would train people for the real future in the industry of their choice.

In industrial manufacturing, we are facing a tremendous shortage of skilled help; and because of this shortage, we are being surpassed in the quality of workmanship everywhere in the world. Today, you cannot buy a domestic automobile, appliance, industrial equipment, or a new home without having problems with corrections, repairs and the agony of getting the new equipment working properly. We have to put pride back into our workmanship, and only through practical education can it be achieved. It is my sincere belief that every industrial and business establishment could absorb at least 1 apprentice for every 10 or 15 journeymen and could teach them the trade, whatever it may be, whether it takes 3, 4 or 5 years to acquire the necessary skills to become a journeyman.

The argument, which I often hear from industry, that people are trained in one place and then leave for another is not very valid if all manufacturers and businesses would do this type of training. Then, obviously, some of the people would stay with the company from which they learned the trade. Those who would leave would be replaced by those who were trained by other companies. The cost of the apprenticeship training must be absorbed by business and industry, not by the Government, because it is business and industry who will benefit most from such training. Therefore, it would not be a burden but a very profitable investment for the future, for economy and for our nation. I do believe we could accomplish great results through good will and some real guidance from our Congress and our Government. It would be an enormous help to everyone.

There is also a critical shortage of technical high schools, where youngsters can learn the metal manufacturing, wood manufacturing, dress making, home economy, etc. As you know, our own Riverside-Brookfield High School has a small program in machine shop, car repair and others. Yet it is nowhere near to what is needed.

Some plants are importing skilled craftsmen from Europe and Asia, simply because we do not have our own.

I would appreciate it very much if you in your contacts with other law makers could discuss it or have a committee on labor or industry possibly initiate and encourage such programs throughout the country. I don't believe we should depend on foreign help in any of our skills as we do now. We could educate and create our own and again be a nation of craftsmen as it was in the not too distant past. The shortage in industry is so critical that I will not be surprised when 10 years from now machinists or skilled technicians will be paid equivalent to an engineer with a Master's Degree; not because it is so

difficult, but because there will be very few who will have the necessary skills.

Sincerely yours,

JOSEPH A. PRITASIL.

SOVIET JEWRY AND TRADE REFORM

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. ROSENTHAL. Mr. Speaker, the Trade Reform Act of 1973 currently before the Committee on Ways and Means is one of the most significant pieces of legislation this Congress will deal with. This is true not only because of its impact on our overall trade policy but also its meaning to East-West détente.

A vital element of the latter factor is the moral question of a citizen's freedom of emigration. This can be seen most clearly in the plight of Soviet Jewry. It is this question to which I have addressed my testimony before the Ways and Means Committee's hearings on the Trade Reform Act of 1973, I am insert-that testimony in the RECORD at this point:

STATEMENT OF THE HONORABLE BENJAMIN S. ROSENTHAL BEFORE THE HOUSE WAYS AND MEANS COMMITTEE ON THE TRADE REFORM ACT of 1973, JUNE 15, 1973

Thank you, Mr. Chairman, for allowing me to testify before this committee concerning those provisions of the pending legislation which would grant most-favored-nation status to the Soviet Union. I am a co-sponsor of the Mills-Vanik legislation which "prohibits most-favored-nation status to any non-market economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens."

As chairman of the Subcommittee on Europe which includes the Soviet Union in its jurisdiction, I have considered these problems carefully and for sometime. I also travelled late last year to the Soviet Union where I discussed the problem of Soviet Jews with Soviet officials, with Americans and other foreign observers, and with Soviet Jews themselves. My conclusion: 1972 was a setback for Soviet Jews despite the record-high emigration to Israel.

Soviet officials seemed determined to treat the status of their Jewish citizens as an "internal" problem. In order to prevent emigration, the Soviet Union has posed a number of barriers and discriminatory practices against its Jewish citizens. These include various forms of harassment and intimidation, and geographical discrimination.

Although the exit tax, directed primarily at retaining the intelligencia, has been suspended as of March, 1973 there is no guarantee that it won't be reinstated or that other equally abhorrent means of limiting emigration will not continue to restrict emigration of various nationalities. Emigration practices still remain discrimnatory and arbtrary. Our greatest error, in my judgment, would be to limit our attention to the education tax which came into existence last August. It would be an exceedingly unfortunate diversion of our attention from the real problems of human rights in the Soviet Union were we to accept a suspension of the tax, whether real or not, as a solution to this problem.

Also, it would be short-sighted were we to believe that this is a problem affecting Jews alone. There are several hundred nationalities in the Soviet Union who face similar or identical restrictions on emigration as do Soviet Jews. The tragedy is that, aside from the Jews and the ethnic Germans whose cause the Bonn government has effectively aided, no one speaks for these other nationalities. Our efforts therefore, are really on behalf of many thousands of Soviet citizens who cannot speak for themselves.

I would like to give the Committee one example of how other forms of discrimination and harassment, more subtle than the exit tax, operate against Jews in the Soviet Union today.

Of those Jews who have been allowed to emigrate over the last year on the basis of "family reunion"—the only legally recognized basis for emigration from the country—about 85% came from border areas of the USSR, where only 15%–20% of all Soviet Jews live. Only 10%–15% of those Jews who were allowed to emigrate came from the Russian "heartland" (i.e., the Ukraine, the Russian Republic, and White Russia. This area includes the main cities Moscow and Leningrad.)

Eighty-five percent of the Jewish population lives in the Russian heartland. This geographic distribution of emigration reflects a policy of Soviet authorities to restrict heavy emigration of Jews from the main centers and direct emigration permission to those areas judged harder to assimilate and control.

I don't believe the Soviets will try to eliminate emigration, but through their discriminatory practices, they will continue to try to limit the exit of highly educated Jews.

University graduates who apply for emigration usually lose their jobs immediately. They are forced to support themselves with part-time menial jobs. They are subject to the Soviet laws against "idleness", even though they have been deprived of their livelihood by the government. Their greater problem is the uncertainty of knowing if they will ever be allowed to emigrate. They also suffer harassment while they wait.

No single issue shows the diversity of history and of social and political values between our country and the Soviet Union as the question of emigration of Soviet Jews.

Although our support of Soviet Jewish emigration serves to widen the gap between western and communist ideology, we cannot turn our backs on a moral conviction which the United States has upheld since as early as 1839 when Ulysses S. Grant intervened with czarist authorities to halt expulsion of Jews—that each individual has the right to freedom of worship.

I believe that the Soviets seriously misunderstand our political system by ignoring Congressional response to the legitimate outrage of groups in America which have taken up the cause of Soviet Jewry. I am convinced that improved trade ties are useful to both countries and to the cause of world peace. But both the President and the Soviets must understand that normal relations between our countries cannot proceed while Jews and others in the Soviet Union are harassed and prevented, by whatever means, from exercising their right to emigration.

An important long-range goal for the United States today is to strengthen ties between the Soviet Union and the West so that channels of communication access (through trade as well as others means) remain open and improvable. It is equally important, however, to represent the proper concern of our citizens about the injustices of Soviet society today, particularly on fundamental issues of human rights. Allowing the Soviet Union, and ourselves for that matter, the luxury of continued isolation from each other may hurt both countries and the cause of world peace. Yet ignoring the legitimate concerns of our own citizens about those policies is a form of political self-isolation in which elected officials cannot afford to indulge.

The Soviet Union today faces severe political pressures from its attempts to enter the modernized industrial and technological world of the late 20th century. Increased trade with the United States is part of this Soviet process of opening its gates to Western ways. This proposed increase of trade is also part of the threat which the Soviet government perceives from this modernization process. The United States must make realistic but hard-headed judgements about how much flexibility exists within the Soviet government for these changes and then pursue policies calculated to maintain and to develop further that capacity for free movement of peoples and ideas.

The most effective means the United States has to deal with the USSR on the problem of emigration is through economic leverage. Not only would the Soviet Union greatly benefit from improved trade conditions but the United States would find such conditions favorable in addition to achieving its goals of liberalized emigration. United States negotiators should propose emigration rights for Soviet Jews to incorporate these principles:

1. The opportunity to apply for exit visas in *all geographic regions* of the Soviet Union without fear of sanction or reprisal by Soviet authorities.

2. The availability of all relevant visa application rules and procedures in published and public form.

3. The maintenance of all normal employment, dwelling, pension, and related economic, social and civil rights and benefits for visa applicants.

4. Amnesty for visa applicants who have been imprisoned or otherwise confined by reason of having applied for emigration.

5. The maintenance of a significant level of permits to emigrate distributed among *all geographic regions and occupational* groups of the Soviet Union.

The Soviet Union is now giving very high priority to widened commercial relations with the US. It would not be an overstatement to say that this priority is viewed as an imperative. The Soviet economy badly needs the advantages of Western technological knowhow, both to improve the capacity of its industrial sector in the long run and, for more immediate impact, to meet the growing demands of its consumers. The US also stands to gain from expanded trade through greater access to the Soviet Union's vast resources in raw materials and energy.

There is also great disparity between the two economies which underscores the urgency felt by the Soviet leadership for more commercial ties with the West. Statistics show that Soviet productivity is lower, their consumption is lower, and the quality of their consumer goods is lower. Soviet consumers are aware of the disparity in quality and therefore seek foreign goods.

Obviously, the situation provides commercial opportunities for the United States. Given the Soviet imperative for more trade with the US, and the considerable American economic advantage, an increase in trade would, according to the Department of Commerce, result in a bilateral balance of trade very favorable to the US for the immediate future, especially in machinery and grains. Access to valuable Soviet raw materials is also important to our country. The prospect for joint ventures for the exploitation of natural gas could reap large benefits to the US, not only to the entrepreneurs in charge but also to the American economic which needs additional energy sources. The impact of increased trade would be greater, however, in the Soviet Union than in the U.S. In our talks in Moscow, Soviet officials expressed a desire to maintain and accelerate the rapid increase in trade between the two countries, and emphasized that both sides will benefit from the increase.

They regard the Soviet trade position as somewhat handicapped now for three reasons: First, the Soivet Union does not have most favored nation status. Second, for more

than two decades, Soviet-American trade has been so minimal that it can be said that little trading experiences now exist between our countries. Developing such experience takes time. Third, the Soviet Union has an unfavorable balance of trade with the United States.

Obviously there is great divergence in views between the US and the Soviet Union. We clearly view the question of freedom of emigration differently. Yet economic involvement has always served to mitigate political and ideological problems. Let's use the Soviet need for American trade as a means to give Soviet Jews that which they so desperately desire and so richly deserve.

SCHOOL INTEGRATION ACTION: CRISIS FOR COMMUNITY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. TEAGUE of Texas. Mr. Speaker, this country's Federal funding for independent school districts was intended to aid education for our children. In Corsicana, Tex., the sad news that Federal funding would not be granted has placed that school district in a serious dilemma.

A recent editorial in the Corsicana Daily Sun points out that the citizens, the school authorities and city government officials have approached the problem with a great deal of concern. They are faced with meeting Federal guidelines and public guidelines which has placed them on a "tightrope."

I recommend the editorial that appeared in the June 11, 1973, issue of the Corsicana Daily Sun to Members of Congress and the general public for their consideration on a dilemma that affects all of us.

The article follows:

SCHOOL INTEGRATION ACTION: CRISIS FOR COMMUNITY

One of the major crises for our city in the coming weeks—and perhaps much longer—came to a head late this week in the form of a letter from the director of civil rights of the federal Department of Health, Education and Welfare. The letter informed Supt. Joe Lindsey of the rejection by HEW of Corsicana's plan for removal of vestiges of racial segregation throughout our 5,000-student school system.

Hearings are scheduled to begin late next week in Dallas to determine acceptability of the plan in the eyes of a federally designated judge.

The rejection comes as a serious blow to our schools already tightening their belts because of major losses in federal funds as a result of federal guidelines reflecting a supposed decrease in poverty-level students here.

But it is also a blow to our community as a whole, because no institution other than the city government itself concerns more of our citizens—and even city affairs seldom have the emotional impact of school troubles.

Frankly, we are in "a heap of trouble" about our schools, and observers of school affairs must have a sense of helpless dread for what seems to lie ahead.

The Daily Sun has voiced what we think is the great bulk of public opinion in prasing the Board of Trustees for straightforward, compassionate, and realistic action toward coming up with an integration plan that would walk the tightrope between acceptability according to federal guidelines and the will of the majority of Corsicanans, black and white.

Our educational overseers listened intently to anyone who wanted to express an opinion or ask a question at the well publicized mass meeting, and the final plan strongly reflected the overwhelming attitude of those present. The three major demands of the public were that Lincoln school not be closed, that early primary graders be kept in their own neighborhoods, and that any plan for integration be fairly applied throughout the city. The proposed plan met those demands and fell within what legal and educational minds considered such precedents as the "Charlotte-Mecklenberg Case" which indirectly precipitated the latest integration impetus.

The future is uncertain but depends, for the time being, on the views of the judge in Dallas next week. If he should decide the Corsicana plan is acceptable, we can go ahead with the slightly more expensive but widely accepted system proposed already.

If he should not accept the plan, we are in for perhaps agonizing and certainly expensive alternatives most or all of which have been opposed by the entire community, black and white. Whatever approach is eventually taken, it is likely to involve the greatest test of community spirit in the history of our town.

We must prepare for it by admitting that it is not a black problem or a white problem or a mere school problem or a mere financial problem or a problem that will go away if we ignore it. (We cannot even avoid it by rejecting federal funds, because our educators have said our schools cannot exist without direct federal funds and the ultimately federally affected funds which come through the State and which comprise the overwhelming majority of operational finances for our schools.)

It is a problem which we must face head-on and with all the good will and common sense and brotherhood we can muster.

A bi-racial committee has been suggested for improving racial relations in our schools. That seems a good idea. But what we really need is a bi-racial committee made up of every white person and every black person in town, committed to transcending whatever problems the federal guidelines or the courts may cause to be built in our path.

THE NEW MAJORITY PARTY, U.S.A.

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. DERWINSKI. Mr. Speaker, it is important that we recognize what the public is thinking in their analysis of the Watergate issue and in so doing, passing judgment on the Nixon administration. I insert into the RECORD at this point, an open letter to the New Majority Party, U.S.A. It was carried in the form of an advertisement in the Chicago Tribune of June 1, and paid for by a conscientious citizen, Mr. Paul B. Shoemaker.

The open letter follows:

AN OPEN LETTER TO: THE NEW MAJORITY PARTY, U.S.A.

EVANSTON, ILL.,
June 1, 1973.

DEAR MEMBERS AND VOTERS:

URGENT

Now is the time for all good men and women to come to the aid of their party and their president. The foregoing historic statement has been paraphrased to alert new majority members to rally round the president. Official 1972 election returns confirm that the president received the largest popular vote in history—47,108,459 votes—60.7% of the total—a landslide.

THE ISSUE

Self-appointed high priests, in and out of government, who manage the news for their own selfish interest, are determined to nullify the landslide mandate given to the president last November. If their objective, to remove the president from office, is achieved during this critical political period, the very sanctity of the ballot box may be at stake. Action of this magnitude would result in irreparable damage to our democratic electoral process. Most certainly a high crime against the republic. We cannot permit a small though powerful group to create such a disastrous impact on the electorate.

Phone, wire or write your senator, congressmen, newspapers and T.V. media. Tell them that our 49 state landslide mandate must be honored. The president who has this mandate must remain in office.

THE PRESIDENT

The presidential missions to Peking and to Moscow are the most significant and far-reaching summits ever achieved by any president. The new open door to China and 800 million people—a U.S. liaison diplomatic office in Peking—and now a new expanding level of trade—a presidential performance beyond that of any other leader in our time.

The miracle mission to Moscow—Haiphong harbor mined—Hanoi bombed—yet Moscow wanted a summit meeting. An American president, speaking via Moscow T.V. to millions of Russians about his crusade for peace is still a memory of achievement that Americans praise and cherish.

The wind down of the war—500,000 G.I.'s back home—our wonderful POW's now with their loved ones—all this in spite of political anti-war opposition during complex and difficult negotiations for a cease fire.

The president has moved on domestic issues with equal courage and determination. His goals for effective programs concluded and to be initiated are well known.

Now the most outstanding leader this country has ever known is in jeopardy because a few powerful elements, politicians and news media with *malice toward one* are attempting to mold public opinion against him.

ACTION NEEDED

Now is the time to come to the aid of your country and your president. No other leader can fill the oval office and perform as he has in the past and will in the future. His crusade for a lasting peace must be fulfilled.

A tidal wave of communications should be directed to the Congress and the news media in protest to the sinister forces who, like Samson of old, are destroying the temple of the electorate. Re-affirm your vote. Insist that the landslide mandate that the president has been given, remains with him in the White House. Phone, wire or write your congressmen, senators and news media now.

Be sure also to write a personal note to President Nixon. Tell him of your support. Tell him, too, that he is the *greatest—because he is.*

Sincerely,

PAUL SHOEMAKER.

LOOPHOLE COSTS NEW YORK $4.5 MILLION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. RANGEL. Mr. Speaker, a loophole in the Social Security Act is costing New

York City and New York State about $4.5 million in Federal funds this year. Today I am introducing legislation to plug this loophole.

Present law prevents Federal reimbursement of two-party payments made by the States and cities to senior citizens, the handicapped, and the blind under the aid to the aged, blind, and disabled program. A two-party check is issued when a client owes money which, if unpaid, will result in the loss of vital services such as rent or utilities. Although there is reimbursement for two-party payments under the aid to dependent children program for the care of dependent children, the cities and States must now finance most two-party payments under the aged, blind, and disabled program. This puts a multimillion-dollar burden on New York which should be taken up by the Federal Government.

Credit for exposing the dimensions of this problem must go to New York State Comptroller Arthur Levitt. Levitt, the top fiscal watchdog of my State, prepared a report which revealed that New York City and New York State face an estimated loss of $4.5 million in 1973 for currently nonreimbursable two-party checks under AABD.

This figure represents 50 percent of the approximately $9 million which will be dispensed this year under these conditions. Because of the requirement that the city and the State must share the expense of these two-party payments, each faces a loss of about $2.25 million.

The problem is not limited to New York. This loophole in the law affects all States and localities which make two-party payments to aid to the aged, blind, and disabled clients.

This type of payment, according to Comptroller Levitt's report, is increasing, resulting in a growing and significant loss of Federal aid. The Federal Government has a moral obligation to reimburse New York for these expenses. Only this costly legislative oversight now blocks fulfillment of that responsibility.

The AABD program is slated to be taken over by the Federal Government in 1974. My bill would authorize reimbursement of two-party payments made by the cities and the States under the AABD program retroactive to January 1, 1973.

It is unfortunate that a legislative loophole has forced this great financial load on the shoulders of the hard-pressed State and local governments. Congress should enact my bill and correct this injustice and let the Federal Government pay its fair share for this program.

THE BALTIC REPUBLICS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mrs. GRASSO. Mr. Speaker, 33 years ago, in June 1940, the Soviet Union forcefully incorporated into the U.S.S.R. the Baltic nations of Lithuania, Latvia, and Estonia. On this sad anniversary, we pay tribute to the spirit of the people of those nations, who have now lived under Soviet domination for more than a generation.

For two decades before the Soviet takeover, the Baltic states lived in freedom regained only in 1918, following the collapse of the Russian Empire. In 1920, peace treaties were signed in which the Soviet government recognized "without reservation the sovereign rights" of the Baltic states. With the treaties, the Soviets abandoned "voluntarily and for all time—the sovereign rights of Russia" over the Baltic people and their territory.

Despite additional Soviet assurances in 1926 and 1933 of the right to independence and self-determination, Lithuania Latvia, and Estonia were placed in the sphere of Soviet influence during the discussions which led to the Nazi-Soviet Nonaggression Pact of 1939. Less than a year later, as Hitler's forces marched toward Paris, the Soviet Government, in blatant disregard of two decades of formal pronouncements, unleashed its Army and snuffed out the independence of these Baltic states. It is this event which we sadly remember today.

The indomitable spirit of the Baltic people has persisted, however, and they have never fully accepted the forcefully imposed Soviet rule. For two decades, revolts, demonstrations, and guerrilla warfare have marked their struggle against oppression. In his appeal to the Presidium of the U.S.S.R. Supreme Soviet, Liudvikas Simutis, an imprisoned Lithuanian liberationist, illustrates the psychology of his people:

> I wanted to live, to study, and to play. But what sort of life is it when already for three days the body of a murdered neighbor lies in the street and no one is allowed to bury him. What kind of study is it when one after another of your school friends stop appearing at the school—together with their families they were transported to Siberia in nailed railroad cars. What kind of play is it when the grown-ups wail.

The struggle goes on today. On May 14, 1972, 19-year-old Romas Kalanta doused himself with gasoline and set himself ablaze in Kaunas, Lithuania. "Do not save me," he cried to his rescuers. "I am dying for the freedom of Lithuania." He repeated these words again and again in the hours before he died at a nearby hospital.

Several months after the Soviet takeover in 1940, the U.S. Department of State declared in a policy statement:

> The people of the United States are opposed to predatory activities no matter whether they are carried on by the use of force or by the threat of force. They are likewise opposed to any form of intervention on the part of one state, however powerful, in the domestic concerns of any other sovereign state, however weak.

Mr. Speaker, today we again rededicate ourselves to these ideals, as we pause to honor the valor and courage with which the Baltic people have fought against Soviet oppression.

Mr. Speaker, I would like to call attention to House Concurrent Resolution 416, which was adopted unanimously by both the House and Senate during the 89th Congress:

> *Resolved by the House of Representatives (the Senate concurring)*, That the House of Representatives of the United States urge the President of the United States—
>
> (a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and
>
> (b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

The principle of self-determination is a basic right of all people. It is not a privilege to be dispensed at the whim of any nation. It is a principle to be respected by the whole world. The time is long overdue for the nations of Lithuania, Latvia, and Estonia to be freed from domination and allowed to choose their own form of government. The denial of freedom in any place in the world is intolerable.

PROPOSED AMENDMENTS TO THE LEGAL SERVICES CORPORATION BILL

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. QUIE. Mr. Speaker, I support the concept of an effective program of legal services for the poor provided through the mechanism of an independent Legal Services Corporation. The only way we can achieve this goal is to pass a bill which contains sufficient safeguards against abuses of the program that it can be enacted.

Accordingly I plan to offer a series of amendments to the committee-reported bill which are designed to strengthen its provisions in a number of respects which I feel need strengthening. In my judgment these will contribute both to the operation of the program—which ought to be focussed directly on the provision of legal services for the poor—and to the prospects of enacting this legislation.

The proposed amendments, with a brief explanation of each, are as follows:

> Page 23, beginning with line 20, strike out everything through the period in line 24 and insert in lieu thereof:
>
> "To participate in any picketing, boycott, or strike, and shall at all times during the period of their employment refrain from participation in, and refrain from encouragement of others to participate in: (A) rioting or civil disturbance; (B) any form of activity which is in violation of an outstanding injunction of any Federal, State, or local court; or (C) any illegal activity."

The committee bill would permit essentially full-time employees of the corporation or of a recipient agency, on their own time, to engage in or encourage others to engage in, any of the activities—including "any illegal activity"—set forth in clauses (A), (B), and (C) of the amendment. I think this clearly is wrong. The amendment permits such employees, on their own time and while not engaged in activities carried on by the corporation or by a recipient, to participate in or to encourage

others to participate in, "any picketing, boycott, or strike." I am told that a complete ban on these activities during the period of employment during their "off" time would raise a serious constitutional issue. But there is no reason at all to permit activities such as rioting, contempt of court, and illegal conduct at any time.

Page 24, line 24, strike out "provided pursuant to this Act".

The language of the committee bill could be interpreted to permit the corporation or a recipient of assistance from the corporation to contribute or make available funds and program personnel and equipment to a political party, political association, or candidate for elective office, if the funds came from a non-Federal source. Removing the words "provided under this Act" makes clear that neither the corporation nor a recipient of Federal funds shall permit any of its resources to be used for these purposes.

Page 25, strike out lines 3 through 13 and insert in lieu thereof:

"(4) Neither the corporation nor any recipient shall contribute or make available corporate funds or program personnel or equipment for use in advocating or opposing any ballot measures, initiatives, referendums, or similar measures."

This amendment should be read in conjunction with amendment No. 7 which deals with limitations on lobbying. Paragraph (4) is rewritten to remove any reference to "legislative proposals"—which is already covered—"Executive orders, or similar enactments or promulgations"—which are then covered under the section amended by amendment No. 7—and to absolutely prohibit the use of any resources to advocate or oppose "any ballot measures, initiatives, referendums, or similar measures." Prohibition against support for political parties or candidates is covered in the section amended by amendment No. 2. Taken together, they would now represent a complete ban against involving the program in political issues.

Page 25, lines 17 and 18, strike out "in accordance with the Canons of Ethics and Code of Professional Responsibility of the American Bar Association".

At first glance, this amendment might offend attorneys. But the Canons of Ethics and Code of Professional Responsibility of the American Bar Association—even though it is the product of a private organization—is written into the bill in another place where it has general application—section 6(b)(3) on page 23, lines 3 through 8. Section 7 to which this amendment applies deals with the terms of grants and contracts made under the act and contains a number of important limitations on activities—including lobbying and political activity by employees. It is not appropriate to suggest that these limitations are in some manner to be vitiated by a document which is subject to change without congressional review. That is the undeniable effect of leaving in the phrase which would be stricken by this amendment, and I think it would both weaken the limitations placed in the act and create needless ambiguities with respect to the intent of Congress.

Page 26, beginning in line 16, strike out everything after "assistance" through line 20 and insert in lieu thereof:

", except that no individual, capable of gainful employment, shall be eligible for the receipt of legal assistance if his lack of income results from his refusal or unwillingness, without good cause, to seek or accept employment;".

This language prohibits the furnishing of legal assistance to the "voluntary poor" who freely choose that particular life style. There is a similar prohibition in the Economic Opportunity Act, which was incorporated in the committee bill. However, it reads in terms of refusal to "seek or accept employment commensurate with—"health, age, education, and ability," which seems to many of us to be extremely subjective criteria. The language of the amendment reverts to the original introduced bill language, but adds the clause "without good cause" which leaves the discretion to the corporation to determine "good cause." Even though the language is less explicit, I feel it strengthens the hand of the corporation to deal with the problem.

Page 27, line 2, insert a semicolon after "law" and strike out everything that follows through line 6.

The committee bill would prohibit full-time attorneys paid in whole or in part under the act to engage in compensated outside practice of law but would permit uncompensated outside practice as deemed appropriate by the corporation. My amendment prohibits all outside practice by full-time attorneys. While my amendment does not seek to prohibit an attorney from performing such customary work as drawing a will for his own family, it would prohibit any pro bono publico work on the assumption that he is engaged fulltime in such work under this act and that is where his full energies should be concentrated.

Page 27, strike out lines 7 through 16 and insert in lieu thereof:

"(5) Insure that no funds made available to recipients by the corporation shall be used at any time, directly or indirectly, to undertake to influence any executive order or similar promulgation of any Federal, State, or local agency, or to undertake to influence the passage or defeat of legislation by the Congress of the United States, or by any State or local legislative bodies, except that the personnel of any recipient may (A) testify or make a statement when formally requested to do so by a governmental agency, or by a legislative body or a committee or member thereof, or (B) in the course of providing legal assistance to an eligible client (pursuant to guidelines promulgated by the corporation) make representations necessary to such assistance with respect to any executive order or similar promulgation and testify or make other necessary representations to a local governmental entity;".

This amendment would rewrite the committee bill prohibition against legislative advocacy to include administrative advocacy. Like the committee bill, it permits testimony or other representations upon request of an agency or legislative body—but unlike the committee bill the request must be made "formally," thus restoring that requirement of the introduced bill. Unlike the committee bill, it limits the testimony or other representations which the legal services lawyer may make to those made before local governmental agencies. This is quite deliberately intended to concentrate limited resources where they are most needed—upon legal representation. However, it is recognized that this may require extensive and often informal contact with a wide range of local agencies, so no limitation is placed upon such contacts except that they be made in the course of providing legal assistance to an eligible client.

Page 28, strike out lines 3 through 8 and insert in lieu thereof:

"And insure that attorneys receiving more than one-half of their annual professional income from legal assistance activities supported in whole or in part by the corporation refrain at any time during the period for which such compensation is received from the activities described in clauses (B) and (C) and from taking an active part in partisan or nonpartisan political management or in partisan or nonpartisan political campaigns".

The committee bill would have permitted attorneys employed essentially full-time in the program to engage, on their own time, in political activities such as providing voters with transportation to the polls—the reference in clause (B) in the amendment—voter registration drives—clause (C), and "any political activity"—clause (A), page 27, line 20. The amendment preserves these rights for part-time employees—those receiving less than one-half their annual professional income from the program—but forbids the activities set forth in clauses (B) and (C) at any time during the course of their employment. However, I feel that you could not prohibit "any political activity"—which could include even voting—to a full-time employee in his time off the job. Accordingly the prohibition adopts the mode of the Hatch Act, except that it is applied to both partisan and nonpartisan activities, and forbids "taking an active part in—political management or—political campaigns." This, together with the other amendments previously described, would take this program out of politics.

Page 29, line 15, strike out "75" and insert in lieu thereof "50".

This section 7(b)(3) is intended to prohibit grants to or contracts with so-called "public interest law firms" which are defined in the committee bill as those which expend 75 percent or more of their resources and time litigating issues either in the broad interests of a majority of the public or in the collective interests of the poor, or both. The amendment changes the 75 to 50 percent, thus making it more difficult for such firms to qualify. The basic assumption is that these firms already are adequately financed by foundation and other private funds, and that such funding ought not be replaced by the limited resources available under this act.,

Page 30, line 19, strike out "a majority" and insert in lieu thereof "at least two-thirds".

The committee bill—as did the introduced bill—required that the corporation insure that "any recipient organized solely for the purpose of providing legal assistance to eligible clients is governed by a body a majority of which consists of lawyers who are members of the bar of a State in which the legal assistance is to be provided." The amendment would

raise a majority to "at least two-thirds." The purpose is to make even more certain that the program is tied closely to the legal profession. A simple majority of lawyers fit better in the context of services run by community action agencies, with all the attendant requirements for representing various interests. This program is meant to move away from that mode and to be firmly imbedded in our system of justice. It should, therefore, have a greater degree of professional direction.

Page 36, strike out lines 7 through 11 and insert in lieu thereof:

"(b) Non-Federal funds received by the corporation, and funds received by any recipient from a source other than the corporation, shall be accounted for and reported as receipts and disbursements separate and distinct from Federal funds, but shall not be expended by recipients for purposes other than those authorized by this Act (except that this provision shall not be construed in such a manner as to make it impossible to contract or make other arrangements with private attorneys or private law firms for rendering legal assistance to eligible clients under this Act)".

The introduced bill had a prohibition against the commingling of Federal and non-Federal funds by the corporation or a recipient of assistance. The committee bill did not use the term "commingled" but rather spelled out the essence of the prohibition, which is to maintain separate accounts. The amendment adds all of the language following the comma after "Federal funds." The purpose is to assure that non-Federal funds of a recipient shall not be used for a purpose prohibited under the act. However, in the instance of grants made to private attorneys or law firms, or in the experiments with the use of private attorneys or firms, it is recognized that such a prohibition would not be feasible. For example, private attorneys or firms typically would be using non-Federal resources for representation in criminal cases—an activity prohibited by the act.

LEGAL SERVICES PROGRAM

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. WILLIAM D. FORD. Mr. Speaker, the provision of free legal services to persons unable to afford them is basic to the realization of justice in this country. A person's wealth should not dictate his opportunity to obtain the benefits of our judicial system. Because this is so, I support the continuation of the legal services program after the proposed cutoff date of June 30 through passage of the Legal Services Corporation Act of 1973. The municipal council of Jersey City, N.J., shares this support. Because it adequately presents the pressing need for the continuation of the legal services program I submit to the RECORD at this time a resolution adopted by the Council.

RESOLUTION URGING THE CONTINUATION OF LEGAL SERVICES TO INDIGENT PERSONS

Whereas, there is a continuing need for legal services for the poor, not only in Jersey City, Hudson County and the State of New Jersey but also throughout the nation; and

Whereas, there are, at present, federally funded Legal Services Programs to meet this need in Hudson County, the State of New Jersey and each of the states of the United States; and

Whereas, the Hudson County Legal Services program provides legal services to three thousand indigent Jersey City residents each year which represents 57% of the total number of cases it handles each year; and

Whereas, these federally funded Legal Services programs provide counsel for the everyday legal problems facing the poor including family, consumer, housing, employment, social security and veterans matters; and

Whereas, these legal services will not be available to the indigent residents of Jersey City, Hudson County, the State of New Jersey and each of the states of the United States if the Legal Services program is terminated; and

Whereas, the continuation of these Legal Services program has been seriously threatened by the federal government; now, therefore,

Be it resolved by the Municipal Council of the City of Jersey City that it continues to support the need for adequate legal services to the poor of Hudson County, the State of New Jersey and each of the other states of the United States.

Be it further resolved, that the President of the United States be and he is hereby urged to continue the Legal Services program after June 30, 1973.

Be it further resolved, that copies of this resolution be sent to Richard M. Nixon, President of the United States; Mr. Howard Phillips, the Acting Director of O.E.O.; William T. Cahill, Governor of the State of New Jersey; Senator Harrison A. Williams and Senator William P. Case, the United States Senators from New Jersey; Congressman Dominick V. Daniels and Congressman Henry Helstoski, the two U.S. Congressmen whose districts encompass Hudson County; Mr. Martin L. Haines, President of the New Jersey Bar Association and Mr. Martin J. Brenner, President of the Hudson County Bar Association.

WHITE HOUSE BUGGING

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. MICHEL. Mr. Speaker, in an editorial appearing in the June 9, 1973, edition of the Peoria Journal Star, the editor, Mr. C. L. Dancy, expresses his surprise that so little attention has been given by the media here in Washington to the memoirs of former diplomat, Charles E. Bohlen.

While I have not read the memoirs, apparently Mr. Bohlen relates to instances of phone tapping of Presidential assistants which was apparently going on as long ago as 1943 during the administration of Franklin D. Roosevelt. I thought my colleagues would be interested in this editorial comment and I place it in the RECORD at this point:

NOT A NIXON INVENTION: WHITE HOUSE BUGGING

I can't understand why Washington, D.C., is not totally rocked by the just-published memoirs of Charles E. Bohlen.

The famous professional foreign service officer, who rose from interpreter for presidents to advisor and ultimately ambassador to the Soviet Union, has casually reported that the "wiring-tapping" technique of checking on the internal security of White House aides has been going on apparently for over 30 years.

Recently the Washington press and others professed surprise and outrage that Mr. Nixon's "plumbers" checked on some of his aides to prevent leaks. All seemed convinced that this was shameful, paranoid and certainly invented by Richard Nixon. Surely, it must then come as a much greater shock for the critics to learn that it has been routine for more than a generation.

Instead, Bohlen's "revelation" has passed unnoticed.

Bohlen, a career officer in the State Department bureaucracy, trained as a Russian specialist, vaulted from the ranks to intimate association with President Franklin D. Roosevelt because of the indiscretion of a Harvard professor.

During Foreign Minister Vyasheslav Molotov's visit here in 1942 the president brought in Harvard professor Samuel Cross as his interpreter. However, the White House soon learned that Prof. Cross was entertaining Cambridge dinner parties with little stories of "what Roosevelt said to Molotov" and "What Molotov said to the President."

Furious, FDR called upon the Department of State to provide him with a sensible and discreet, inservice interpreter as he headed for Tehran. He got Charles E. Bohlen.

Bohlen later learned from good friends in government that from then on his phone was tapped—as a standard security precaution.

It didn't upset him in the least, apparently, and he regarded it as a perfectly sensible and prudent action.

That was in 1943—thirty full years ago!

It was done by Franklin D. Roosevelt, five presidents back!

Isn't it odd that so many in Washington have professed to be shocked and scandalized that President Richard Nixon took similar precautions amid the very delicate secret negotiations to end our war in Vietnam and bring our prisoners back? Isn't it odd that after 30 years this practice abruptly becomes "an attack on traditional American values?"

I confess to considerable confusion about many "reports" in the orgy of suggestions and pure innuendo, treating inevitable associations and long-standing governmental practices as if they were scandalous, suggestive, and newly-minted since Nixon came to office.

If the President has done some wrong, at Watergate or elsewhere, why is there not a tight focus on developing the "case," producing the evidence, and nailing it down? Responsibility demands it and the President should certainly be accountable for any misconduct.

Why, instead, are the spacific matters delayed, dragged out, and left inconclusive, while an orgy of irrelevant and ordinary facts of life are trumpeted forth as if they were significant discoveries? Why instead are we subjected to what has long been known in the business as a continuing "hatchet job?"

If Nixon has really done some misconduct, this political whoop-de-do all around the mulberry bush merely distracts from the real process and the real evidence.

And if such evidence doesn't exist, then we are witnessing the dirtiest and most irresponsible game of "a-charge-a-day" based on flimsy associations and interpolations—or

pretenses that normal precautions are somehow new and sinister—since Joe McCarthy played that same game.

I wonder which?

DR. JEROME KAGAN, COMMENCEMENT ADDRESS, ASSUMPTION COLLEGE, MAY 27, 1973

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, Dr. Jerome Kagan, Professor of Human Development at Harvard University, delivered a very moving and highly significant commencement address at the 56th graduation exercises of Assumption College in Worcester, Mass.

While I was privileged to receive an honorary degree from this outstanding institution, it was an additional delight to hear Dr. Kagan's remarks which called for us all to make the realization that in these days of tribulation and restlessness, man must seek his direction by holding to a rational and sensible set of high moral values.

For the benefit of my colleagues, I place a copy of Dr. Kagan's speech in the RECORD:

DR. JEROME KAGAN, COMMENCEMENT ADDRESS, ASSUMPTION COLLEGE, MAY 27, 1973

We face two great crises on your commencement day—a frightening division between rich and poor Americans that tears at the increasingly frail cohesiveness of our community, and a dissolution of the basic values that have guided the direction of many lives for many centuries. Both themes are profound and I could speak to each for many more minutes than we have this afternoon. I have decided to speak to the second for I cannot add any more facts or generate stronger emotions on the first issue than probably exist in your minds and hearts at this moment. The mutual suspicion that exists between our urban ethnic minorities and our suburban white majority is dangerous, and the elimination of poverty is a goal we must effect. More members of ethnic minority groups must assume positions of responsible power so all can see that there is no organized cabal sitting in responsible offices plotting their subjugation; no sinister plot, just typical human incompetence, shortsightedness, and narcissism. However, despite the present seriousness of this tension, I am optimistic about its successful resolution, perhaps sooner than any of us dare believe. Many nations have survived periods of domestic strife. During the last quarter of the seventeenth century, England was afflicted with epidemic plague and a social conflict as severe as the one we are experiencing today and members of the Royal Society were certain that the nation was on the verge of collapse—but she did not destroy herself. What makes the contemporary scene especially threatening is not our economic problems but a less frequent social phenomenon; namely, a loss of faith in fundamental values with no immediately obvious ethnic to replace it. Many of the young and middle aged in our society are, temporarily I hope, ideologically naked. In an attempt to deal with the uneasiness that such a state produces, many have chosen to emphasize the style or quality of a life, rather than a specific content.

This attitude is reasonable for there are only a handful of dialectics whose polarities compete for the loyalty of the social community. Each holds the stage for about a century before yielding to its counterpart who demands equal opportunity to direct man's life. One of these guiding ideas pivots on a distinction between form and content; the style of a message in contrast to its meaning, or speaking more euphemistically, music in contradistinction to words. When we live under the unquestioned reign of one, the other rests in shadows, and ordinarily we do not regard it as a serious possibility for directing a life. But when it creeps out of the darkness and challenges the persuasive power of its rival, parading its intutitive attractiveness, we become acutely aware of the choice each of us had but did not recognize. Since the changing of polarities rarely occurs more than once every five or six generations, it is an unusual experience to witness the conflict; and to feel its pull—an event not unlike the excitement accompanying the infrequent but predictable visits of Halley's comet. We live in a time when many of you are given a choice of following the piper of commitment to a particular idea or to join one who sings primarily of the quality and honesty of the act. The forces that have led to this ideological assymmetry are the same ones that have eroded the heavy sounding words that were the bulwark of the 19th century American ethic. These standards have their most simplistic representation in the Boy Scout code I recited when I was about 10 years younger than you are this day. They were a catechism that gave certainty and direction to each day and set the compasses of motivation and action on an unerring course. The themes of this catechism spoke rather plainly about the inherent rightness of loyal friendships, a thrusting and accommodating posture to authority, hard work, and a delay of immediate pleasures for the sake of later, but as we were told, potentially more tasty ones. These ideas served earlier generations well. But the dense parade of events in the two decades behind us has sullied some of these homely directives. Adults began to tire of them when they discovered that catastrophe did not follow close upon their violation. What is perhaps more central is that dramatic changes in our theory of human nature led to an intellectual analysis of our values and the inevitable weakening of the particular collection of standards that guided human conduct for so long a time.

Some commentators have blamed the wars, others technology, and still others population density as the villains who have fogged the clarity of our earlier ethic. But the chief villain—and some of you may not view this secular change as unfortunate—is man's insatiable need for consistency in thought and action. We cannot easily hold a belief that does not make sense, and beliefs lose their rational appeal when we see too many duplicates of ourselves holding opposite standards with the same conviction we hold ours. This encounter with dissonance is fatal to fixed beliefs and, much like the water that dissolved the wicked witch of the East, it erodes our confidence in the direction we should take. Your values have been sculpted in a culture that does not give unequivocal priority to one set of rules, a time that applauds Emerson's dictum that consistency is the hobgoblin of small minds; a time that has fathered the catchy phrase "situation ethics." We have become suspicious of absolute goods; of values with a clear and hard content line. Such an ethic, your generation wisely notes, has produced a contemporary condition of living that is unfriendly to body and spirit. We grapple with the bizarre paradox that creative intellectual analysis, persistence and hard work—the backbone of the 19th century morality—have produced a social creature that is toxic to the creator—a psychological form of the auto-immunological reaction physiologists believe to be the culprit in several serious, indeed often fatal, human diseases. You are therefore appropriately suspicious of values with a hard core of content, suspicious of the usefulness of absolute rules. But to live a life with no rules is impossible and many have adopted, or perhaps we should say adapted to, the other pole of the music-words dimension. They have selected to emphasize the style of a life rather than a particular virtue. The dictum is to do "your own thing". There is no particular competence that draws special grace. Whatever you do, do it with elegance, with beauty, with honesty.

Two personal experiences brought this home to me in dazzling clarity. I was wandering through the State Museum in Amsterdam one August afternoon, enjoying room after room of Dubuffet's work. One room attracted me more than the others. It contained a dozen paintings, each about three by four, entitled "Hair." It was clear what Dubuffet was up to. He had tried for over a year to create such a faithful replica of hair that a viewer could not resist touching it. He won. For I was compelled to place my hand on one particular canvas, convinced that it had to be hair, not paint. He had painted hair more faithfully than any artist I knew. But he could have painted a shoe, the bark of a tree, or a piece of broken glass. The choice of content was secondary to the style of the performance. On another occasion I was watching the Royal Danish Ballet perform Carmen in Symphony Hall. In the second act, Don Jose executed an elegant dance in the gypsy cafe, and the thieves, who were initially hostile and unfriendly, immediately accepted him. They disagreed violently with his values, class membership, and intentions, but he was a masterful dancer and this was sufficient to persuade them of his acceptability. The artist—be he writer, poet, or painter—must always attend to style, but when he combines style with content, when he marries music and words, then we are predisposed to award him the privilege of greatness. We all agree that the 19th century placed too much priority on the message and not enough on the style, while the 20th gives privileged emphasis to form. I suspect that one reason for our contemporary friendliness to personal style is the belief that it more faithfully reflects honesty. Modern man has divorced style from content because he has developed a deep distrust of words—the current Watergate affair acts to strengthen that distrust. Our very human need to trust others seeks gratification in the sincerity of a man's thought and behavior rather than his goals, be they proclaimed or inferred.

Your generation seeks the honesty of being and feeling. It is said that you trust only the evidence of your eyes, ears, and heart. You are suspicious of too many well posed arguments, for you have seen how often they deceive. Thus, some of your generation are turning against rationality and seeking verification in feelings; trusting ideas that feel correct, as if you believe that the poet has the inside track to truth. The Portuguese novelist DeQuerioz lived this idea, for a beautiful sentence always pleased him more than an exact one; but Auden, whom I much prefer, insists that one must never sacrifice what one knows to be true in order to promote what one would like to be true. Let me quote Auden directly. "When I began to write poetry I found that I could not accept the doctrine that in poetry there is a suspension of belief. The poet must never make a statement simply because it sounds poetically exciting. He must also believe it to be true."

At a time when emotional rhetoric is rampant from both left and right, this simple proposition should be celebrated. Many of

you think that style seems more representative of a man than his words, because style seems to capture all, rather than part, of a person. Remy de Gourmont has noted that a bird's song is conditioned by the shape of the beak, implying that any performance that is characteristic of a creature should be a reflection of a whole system. We are depressed by the realization that man alters the shape of his beak, and his song is not a faithful reflection of the structure of the source; not a true mirror of the man. When you declare, "Don't trust a person over 30," you are venting your anger on an adult generation that told stories they neither believed nor composed. Your attraction to style is adaptive, and I rejoice in the honest vitality it has imparted to your character. But life is long and it is difficult to navigate by style alone.

An undergraduate who had just come out of an LSD trip wrote, "Even during the darkest moments of the experience, I must have held on to a hope that out of the chaos some fragment of worth might be retained. If this hope had not been present, I never would have recovered. We must all hold on to something, even if it is unpleasant."

A relish for beauty of experience is most happily realized around a mission, around a story line. It is not clear yet what this storyline will be, or what it should be, in the closing decades of a much too complex century. But none of us should deceive ourselves into thinking that we do not require any direction, or that we can find it in the newspaper headlines each day. In science an elegant style with no problem to solve, no questions to ask, elicite the dubious classsification, "methodologist." If we are fortunate enough to combine a substantive direction that is outside the style, with an elegant form we are blessed indeed.

I have come to develop a great affection and admiration for your generation. I sense your uneasiness in the lack of mission that describes our society, your tension in a community that says, "Pick a goal, any goal, which one today." The loss of a consistent and intuitively attractive set of standards for your generation was made most clear to me in the hushed silence of my undergraduate seminar one Tuesday morning several springs ago. The twenty of us were a bit stunned when I asked what standard each of them held so dearly that they would be threatened if it were attacked. Initially they could think of more. Finally, after 5 long minutes, they agreed on one—an attack on their usefulness; on their instrumental role in shaping a better society; on their capacity to contribute something to the community. Each felt an obligation to make a salutary contribution to the culture. I interpret their remarks as a sign that the bud of a morality is forming. The chant that I detect across campuses everywhere says "Have a healing effect upon society." There is some acknowledgement that any one of a number of paths will do, and no one way has yet acquired a privileged position.

One reason for this ambivalence stems from a conflict over whether all loyalty should be to the self or whether one should lend part of oneself to people and institutions outside the self; to collective endeavors. Your generation seeks—indeed needs—individual differentiation, and a Peace Corps year in a New Guinea village is as much an attempt to sculpt the self as it is an act of service. Many young adults regard the self as a mural. The mission of a life is to perfect the mural, and the vicarious excitement we all share in a man's solitary voyage around the world reflects the delight we take when any person comes closer to perfectibility. This form of individualism is refreshing and gives the word its nicest connotations. But as with all choices, it exacts a price: The total commitment to self can leach the connective fibers that binds one to another. If we do not place part of ourselves in someone else, in some entity, if all the investment is in the local body, then we lose interest in the other and each becomes expendable. We touch but do not adhere; an atmosphere of alienation perfuses the social space. Your generation clearly senses this danger and your attempts to cope with this conflict are promising. There is a desire to shape, direct and minister to the society; to effect its institutions and to nurture its disadvantaged.

These intentions are reminiscent of the words of St. Paul in Chapter 13 of his first letter to the Corinthians:

"Love is patient; love is kind and envies no one. Love is never boastful, nor conceited nor rude: never selfish nor quick to take offense. Love keeps no score of wrongs: does not gloat over other mens sins, but delights in the truth."

I have a deep faith that your generation will sculpt a better morality for your children than the one you inherited. When it is combined with your appreciation for style, we will see a renaissance, only seven centuries after the last one. I wish you all well, and will borrow from a favored poem of Robert Graves to convey my hope that you marry style with standard.

When a dream is born in you
With a sudden clamorous pain,
When you know the dream is true
And lovely, with no flaw nor stain,
O then, be careful, or with sudden clutch
You'll hurt the delicate thing you prize so much.

Dreams are like a bird that mocks,
Flirting the feathers of his tail
When you seize at the salt box,
Over the hedge you'll see him sail
Old birds are neither caught with salt nor chaff:
They watch you from the apple bough and laugh.

Poet, never chase the dream
Laugh yourself, and turn away.
Mask your hunger; let it seem
Small matter if he comes or stay;
But when he nestles in your hand at last,
Close up your fingers tight and hold him fast.

LEGAL AID TO POOR FACES THE AX

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. LEHMAN. Mr. Speaker, an editorial appeared in the March 23, 1973, Miami News regarding the legal services corporation proposal of the administration.

In light of the fact that the House is scheduled to begin consideration of H.R. 7824, Legal Services Corporation Act, on Wednesday, I would like to commend the attention of my colleagues to this article:

LEGAL AID TO POOR FACES THE AX

Eagerly dismembering the antipoverty Office of Economic Opportunity, the Nixon hatchetmen appear keenest to get at the legal services program. That program is being cut back not because it has been ineffective—the standard excuse for this blood-letting—but for exactly the opposite reasons. The Office of Legal Services has been successful—too successful, in fact, for the President's comfort or for the comfort of some of the special interests he champions.

The program employs 2,400 attorneys in 900 neighborhood offices. They are aided by "backup" centers, often based in universities and law schools, that do legal research and advise the front-line attorneys. The whole program has been watched, and was meant to be insulated from political interferences, by and advisory committee sponsored by the American bar association.

Mr. Nixon is willing, he says to leave some federally paid lawyers scattered around urban areas in a program that would amount only to an expansion of the old legal aid to the poor, lawyers who could help the poor when they get caught in the personal legal tangles that go with poverty.

The administration, however, wants the legal services program to stop trying to make life substantially better for the poor. It should be forbidden, Mr. Nixon says, from engaging in class action and test-case suits that seek lasting, across-the-board improvements for the poor.

Legal service offices have been most effective at that and, of course, most bothersome. They have won cases against commercial practices that abuse consumers, especially the poor. They have forced bureaucracies to live up to their own regulations when dealing with poverty families. They have expanded the rights of tenants and of workers.

An administration memo is specific about Mr. Nixon's aim: The poverty lawyers should not be allowed to engage in litigation aimed at bringing about "fundamental social change."

Despite Mr. Nixon's promise to send the Congress a bill for an independent corporation, supporters of the program are apprehensive about the structure and mission of an administration-sponsored legal service. Sen. George McGovern (D. S.D.) said the administration "seems to be seething with antagonism toward legal services" and Sen Jacob Javits (R. N.Y.) expressed his "profound concern" about the program, which he calls one of the most gifted developments in the anti-poverty program.

But John D. Ehrlichman, chairman of the President's Domestic Council, notified the House Subcommittee on Equal Rights more than two weeks ago that an administration bill was in the final stages of preparation. And Howard Phillips acting director of OEO, charged by the President with dismantling most of the poverty programs, says the bill "will prevent the diversion of legal services funds into political channels and away from the priorities of disadvantaged citizens."

Under the plan on the Administration's drawing board, a national corporation whose directors would be appointed by the President, would set policy guidelines and parcel out the funds to the states. State corporations would be operated by a board of directors, to be chosen by either a legislature, a state bar association or a governor.

Supporters of legal activism fear that such an approach would undermine law reform and class action pursuits because poverty lawyers might have to step on the toes of those who appointed them.

The President has said he wants to end costly and ineffective programs. Few would argue against that. In the case of legal services, however, as in many of the antipoverty and public-service projects that are being axed, the rule doesn't apply. Mr. Nixon is hitting hardest at the programs that work best.

STATE BAR SUPPORT FOR LEGAL SERVICES

HON. BARBARA JORDAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Miss JORDAN. Mr. Speaker, this week the House will consider legislation to re-

organize and continue the legal services program first established as part of the Economic Opportunity Act. This is a vital program which deserves to be rescued from the ruins of the Office of Economic Opportunity. It has provided access to the legal process for thousands of citizens who had never before been able to use the courts to achieve justice. It has been of immeasurable assistance in making the rights and protections of our laws and Constitution applicable to every citizen, regardless of whether they can afford to hire lawyers.

Despite the opposition from those who think the legal services program has tried too hard and achieved too much, it has retained the support of major community, citizen and professional groups across the country, including professional bar associations. I would like to call the attention of my colleagues to the endorsements of the legal services program by two state bar associations, those of Nevada and Texas. The State Bar of Nevada has adopted a resolution encouraging the continuation of the legal services program because of the "grave problems to the indigent clients and ethical and practical problems to all members of the State Bar" which the demise of the program would cause. The State Bar of Texas has adopted a position report "On Legal Services to the Poor in Civil Matters" which bears directly on the questions presented by H.R. 7824. Further, the president of the State Bar of Texas, Mr. Jim Bowmer, has consulted with the State Bar Standing Committee for Legal Services to the Poor in Civil Matters and indicated that, in his opinion, the State Bar of Texas would accept and support H.R. 7824 as reported by the House Committee on Education and Labor.

I welcome this support from the distinguished members of the legal profession in Texas, and urge my colleagues in the House to support this worthy legislation.

I include the State bar association statements at this point in my remarks:

RESOLUTION

Whereas, certain pronouncements of national import have raised serious questions with respect to the funding of legal services programs in Nevada and throughout the Nation; and

Whereas, the elimination of the Washoe and Clark County Legal Services Programs and their resultant withdrawal from all pending cases presents grave problems to the indigent clients and ethical and practical problems to all members of the State Bar, both immediately and on a continuing basis; and

Whereas, it is recognized that the best interests of the Nation, State and the Nation's poor coincide in insuring equal access to the legal process as a forum for the redress of grievances and the preservation of life, liberty and property;

Now, Therefore, the State Bar of Nevada urges the President of the United States and the Nevada Congressional Delegation to act promptly to maintain Nevada's legal services programs; and

Hereby resolves that Legal Services programs be maintained in Nevada and the Nation, to promote equal access to the legal process as a forum for the redress of grievances and the protection of life, liberty, and property for those truly in need, who deserve and seek its shelter, and that federal funding of said programs in Nevada and the Nation be provided, and this resolution be made public and herewith communicated to the President of the United States and each member of the Nevada Congressional Delegation.

Dated this 30th day of March, 1973.

HERBERT M. JONES,
President, State Bar of Nevada.

POSITION REPORT OF THE STATE BAR OF TEXAS, ON LEGAL SERVICES TO THE POOR IN CIVIL MATTERS

"I was a father to the poor; and the cause which I knew not I searched out."—Job 29: 16.

PREFACE

This Position Report is intended for the aid and guidance of the Bar, but is not to be construed or considered as an inflexible or unchanging policy. Certainly in this fast-moving field, we contemplate, and hope, that as the Bar gains knowledge and experience and as conditions alter, the Bar will both enlarge its own role in Legal Services to the Poor, and will also adjust its positions accordingly. This Report does, however, incorporate into one report both certain positions already taken by the State Bar and the Board's present views.

It is the policy of the Bar that the poor are entitled to legal representation and that to the extent possible, legal services to the poor should be rendered through the private practicing Bar. This Position Report is made in the light of that policy, and in the hope that it will be helpful in implementing and enlarging it.

REPORT

1. Commitment

The State Bar of Texas is committed to the proposition that adequate and competent legal services by qualified lawyers shall be made available to the poor in civil cases in Texas, despite their inability to pay a fee.

2. Inadequacy of present services

Legal aid is now available to a very small percent of our population. There is practically no legal aid available in the rural areas. There are numerous cities which have no legal aid and there are other cities where the legal aid projects are completely inadequate. The Bar is cognizant of this inadequacy and one of the top priority objectives of the State Bar of Texas is to do everything possible to make legal services available to all of the poor.

3. Two methods of rendering services

The State Bar of Texas recognizes that legal services to the poor can be rendered through two basic methods. One is through private practitioners and the other is through "legal aid offices." The State Bar recognizes the value and necessity of each.

The State Bar is of the opinion that the overall legal aid program should be handled both by the Wisconsin type of Judicare and the conventional legal aid office staffed by career legal aid lawyers who are specialists in the problems of the poor. Much has been written on the two methods of handling legal aid and the many pros and cons will not be discussed in this report. It is recognized that in the metropolitan areas a substantial part of the legal aid work consists of brief matters which can be handled more efficiently by a staffed office. In sparsely settled rural areas involvement of private attorneys is almost a must. Even in the metropolitan areas some of the legal work can be farmed out to private attorneys.

4. Action by the Bar

In order to pursue these objectives, State Bar has created the State Bar of Texas Standing Committee on Legal Services for the Poor in Civil Matters. According to the "Policies of the State Bar of Texas Relating to All Sections and Committees," it is the responsibility of this Committee to encourage and assist in the creation and expansion of legal aid projects throughout the State and to cooperate and actively work with local bar associations, the Office of Economic Opportunity and Department of Health, Education and Welfare and other appropriate groups.

5. Proposed Corporation

The State Bar has authorized the creation of a nonprofit corporation, one of whose purposes is assisting and coordinating, but not assuming responsibility or control of, legal aid projects and work throughout the State. It is visualized that such a corporation backed up by a strong Board of Directors and staffed by qualified lawyers, will be a tremendous boon to legal aid in Texas. The respects in which this corporation could help in the field of legal aid are numerous and will not be set out in this report, but it is anticipated that such a corporation would be of material assistance in some of the projects and problems which are set forth in this report.

6. Recognition of necessity for local bar support

(a) In order for legal aid to be successful, is it important not only that the officers and directors of the State Bar of Texas, but also the local bar associations, be interested in legal aid to the extent of realizing that a strong legal aid program is essential to every community. The State Bar is not blind to the fact that many local bar associations are indifferent to the program, but an effort will be made to correct this weakness.

(b) It is obvious that if legal aid is to be successful in a community, it must have the wholehearted support of the local bar. If such support does not exist, then a legal aid Project in that community will not succeed. High on the agenda of the next meeting of the Presidents of local bar associations, will be the subject of legal aid. A program for such meeting should be carefully planned and executed so as to emphasize the fact that a legal aid program is conducive to a peaceful and stabilized community.

7. Legal aid offices

(a) The Directors on April 24, 1971 (by a resolution) adopted as a policy its support and endorsement of maximum representation by the legal profession on the Board of Directors of all local legal aid projects in the State. At least a two-thirds majority of licensed attorneys is required for such Boards. It is only right that local bar associations have a voice in the operation of local legal aid projects and the two-thirds membership on the Board will give them the opportunity to fulfill their obligation and responsibility. It is the position of the State bar that the operation of a legal aid office is similiar to the operation of a conventional law office and that lawyers are, therefore, better qualified to oversee the operation of such legal offices.

(b) The State Bar is of the opinion that the governing Board of a local legal aid project has a moral and ethical obligation to the community to determine such broad policy matters as the financial and similar criteria of persons eligible to participate in the legal aid program, selection of the various services which the project will make available to such persons, setting priorities in the allocation of available resources and manpower, and determining the types or kinds of cases staff attorneys may undertake to handle and the type of clients they may represent. Obviously, the local Bar would be obligated to insure that its policies are being faithfully carried out by the project's director (who, of course, has no more latitude than the Board he represents) and staff attorneys. After a staff attorney has accepted a client or case of the nature and type sanctioned by Board policy, the local Board must take special precaution not to interfere with its attorneys independent professional judgment in the handling of the matter.

(c) There has been a great amount of

complaining by public officials and others, both in and out of Texas, about some of the law reform cases handled by some local legal aid projects. Without in any way attempting to pass on any individual past instances, an effort should be made to avoid frivolous suits which are not definitely related to the welfare of the poor. Local Boards should establish in advance policies concerning the filing of suits. They may also consider a screening committee to work in cooperation with the Director of the local project in order to curtail the filing of improper suits which are contrary to such advance policies, always being careful to maintain the validity and the integrity of the attorney-client relationship.

In a local office, primary consideration should be given to work which is required in order to help the individual client and the vast amount of legal work required to file and prosecute complicated and involved law reform cases should always be secondary to this purpose. The individual client should not be neglected.

8. Licensed Texas attorneys

Staff attorneys of local legal aid projects must be licensed to practice law in Texas. The staff of legal aid projects may make use of properly certified law students as provided in accordance with Senate Bill 66 of the 62nd Legislature (Acts 1971, 62nd Legislature, Chapter 706, Page 2336.)

9. National Legal Services Corporation

The State Bar is not opposed to the passage by Congress of a Bill to create the National Legal Services Corporation, but takes the position that any Bill to create such a corporation should include in it provisions which would:

(a) Require that two-thirds of the National Legal Services Corporation Board of Directors be attorneys.

(b) Require that two-thirds of the governing bodies of local legal services organizations be attorneys.

(c) Prohibit collection of any fee or part thereof from clients of legal services organizations for services rendered by an attorney or paraprofessionals, including the National Legal Services Corporation.

(d) Provide for reasonable notice to the State Bar of the State concerned of an application by a legal services organization for a grant or funding.

(e) Provide for reasonable notice by the National Legal Services Corporation to the State Bar of the State concerned of any intent to make a grant to or to fund a legal services organization or a legal services program to be conducted in the State concerned.

(f) Allow payments from National Legal Services Corporation funds to independent practicing attorneys who perform legal services for persons who can afford to pay *no fee*, or only a part of the usual fee, for such services under standards and guidelines to be established by the Board of Directors of the National Legal Services Corporation.

(g) Prohibit rendition of legal services for any federal agency or any local or state government body.

10. Funding

The principal source of money for the establishment of legal aid projects is appropriations made by Congress for OEO. At present there is no money available. Many other sections of the Nation have been more alert in requesting money, hence most of the money appropriated by Congress has gone into projects in other sections of the Nation. Texas is drastically under-funded. In order to remedy this situation, it is necessary to demonstrate to Congress and OEO in a realistic manner that additional funds are necessary. This can be done by having local communities prepare and file applications for the establishment and funding of legal aid projects. Also, applications should be filed to expand existing projects. Such applications will show a real need. This procedure should be pushed with the Presidents of the local bars. United Fund and Community Chest types of funding should be sought when practicable.

The extension of legal services to the poor is in many instances provided by non-profit corporations which have their own Board of Directors and which set policy regarding the needs and desires of that autonomous body. Any policy passed by the State Bar should be in the form of recommendation only and the integrity of local boards is in no way diminished by such policy.

CONCLUSION

The State Bar of Texas recognizes that it is its responsibility to do everything possible to make certain that the legal aid projects throughout the State of Texas function in such manner that there shall be not only EQUAL JUSTICE UNDER THE LAW, but that in the bar's effort to accomplish this noble objective, the voice of the bar be heard to the end that the program be conducted according to the high standards of the legal profession.

THE STATE BAR OF TEXAS.

LAYMAN'S BANQUET—THE THIRD ANNUAL CONFERENCE OF THE AME ZION CHURCH, CLEVELAND, OHIO

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. STOKES. Mr. Speaker, it is with a feeling of pride that I stand here today and tell my colleagues about the layman's banquet of the third annual conference of the AME Zion Church which will take place in Cleveland, Ohio on June 23, 1973. This banquet will be dedicated to the memory of the late Rev. Albert L. Fuller, a fine man who had a lifelong interest in the activities of his church, and particularly in the layman's organization. He was proud of this organization and I know that he would have enjoyed its third annual banquet.

Mr. Speaker, the layman's banquet is not just a frivolous social gathering. The members of the organization have arranged this occasion in order to raise the necessary funds to prepare the Viola Spottsworth Camp in Grovesport, Ohio. The money which the layman's organization raises on June 23d will be used to clean up the camp and get it ready for the summer months.

I would like to take this opportunity to pay tribute to some of the individuals who have made this occasion possible. Mr. Albert Davis, the general director of the Third Ohio Annual Conference; Ms. Joyce Booker, chairwoman of the banquet; Ms. Gertrude Montgomery, co-chairwoman; Mary Taylor; Rose Alexander; Betty Johnson; Ernestine Longino; and Thelma Fraser— each of these concerned men and women deserve our tribute today.

Mr. Speaker, the AME Zion Church has long been a place of social consciousness and concern in this society. The Third Annual Ohio Conference takes its rightful place in this long tradition.

LEGAL SERVICES CORPORATION

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. WILLIAM D. FORD. Mr. Speaker, we will soon be considering the Legal Services Corporation Act—H.R. 7824—which was recently reported with overwhelming bipartisan support by the Committee on Education and Labor on which I serve.

This bill would remove the legal services program from the Office of Economic Opportunity and establish an independent legal services corporation. This idea was originally conceived by the President's Commission on Executive Reorganization which was headed by Roy Ash, the present Director of the Office of Management and Budget, in response to what the Commission felt was the threat of outside political interference with the program.

The legislation was drafted with close cooperation from the American Bar Association and has its unqualified support. It is also supported by various other legal organizations throughout the country.

I have recently received a communication from the State bar of Michigan in which they express their continued support for the need for adequate legal services to the poor and the need for vital and independent programs to provide this representation.

Mr. Speaker, at this point, I would like to insert into the RECORD this resolution, which was unanimously adopted by the Board of Commissioners of the State bar of Michigan on March 17 of this year:

STATE BAR OF MICHIGAN—RESOLUTION

Whereas: There is a continuing need for legal services for the poor.

Whereas: There are twelve federally funded Legal Services Programs to meet this need in Michigan.

Whereas: These programs are facing an expanding demand for legal services and increased operating expenses.

Whereas: The funding for these programs has not increased since 1970 in spite of the increase in demand and operating expenses.

Whereas: The State Bar of Michigan continues to support the need for adequate legal services to the poor and the need for vital and independent programs to provide this representation.

Now, therefore, it is resolved:

1. The United States government should increase the level of funding of Legal Services programs to enable them to provide adequate legal services to eligible clients and to prevent a serious deterioration of the quality and quantity of service because of increased expense and mounting caseloads.

2. Government at all levels and lawyers from both the public and private sectors should take every step necessary to insure that legal services lawyers remain independent from political pressures in the cause of representing clients.

3. The Congress of the United States should create a legal service corporation of a design consistent with the foregoing principles and the need to maintain full and adequate legal services for the poor.

DIMENSIONS OF THE ENERGY CRISIS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BRADEMAS. Mr. Speaker, in the last several months an estimated 1,500 independent gasoline stations in the United States have gone out of business because of what is said to be a shortage of fossil fuels, an "energy crisis."

Against this background, some have claimed that there is no energy crisis, others that there is a crisis and it is the fault of environmentalists, and others that the crisis was caused by the giant petroleum producers.

These conflicting points of view are discussed in a perceptive article by a respected colleague, Congressman MORRIS UDALL of Arizona, chairman of the Subcommittee on Environment of the House Interior and Insular Affairs Committee, in the June 16, 1973, New Republic. In the article, Mr. UDALL describes what he calls an "energy binge" in the United States, why in his opinion a recent Presidential energy message is replete with "nonsolutions," and what some of the real solutions are. I highly commend Mr. UDALL's article to the reading of our colleagues and insert it at this point in the RECORD:

ENDING THE ENERGY BINGE

(By MORRIS K. UDALL)

That fantastic machine, the U.S. trillion-dollar economy and America's unprecedented living standard have largely been built on energy extracted from oil, gas and coal. These "fossil fuels" heat our homes, cook our food, run our factories, mills and railroads. They gave us the auto age and the space age. For decades we have been led to believe that supplies of these fuels would last almost indefinitely at low cost. Working on that assumption, national policy since World War II has discouraged imports of foreign oil so that production of our own "unlimited" reserves would not be stifled. In the 30 years we were locked into that policy, our population burgeoned by some 60 million and each American increased his energy intake by *three* times.

WRONG ASSUMPTIONS

It is now clear that our assumptions were wrong. We have been on an energy binge, and the hangover could be protracted and painful.

First, a few statistics: Americans, six percent of the people on this planet, last year consumed 40 percent of all energy used.

Since 1950, when we led the world in energy consumption, we have tripled (our) electrical demands.

By 1970, our production of gas and oil began to peak out, so that now we are using more gas than we find and more oil than we refine.

If energy demand were to level off today, the story would be alarming enough; but every study and projection tells of an even more frightening future. This year we'll have to find new energy for the 11,000,000 gas burning autos Detroit will produce and the 2,500,000 new homes constructed. Moreover there are the undeveloped countries with their rising expectations, the exploding Common Market, the inventive Japanese, the Chinese looking for new trade relationships, and the development-minded Russians—all of whom will be looking for more gas, oil and coal, and some of it from the same markets we will seek to tap.

And when they compete with us it will be with fire in their eyes because they know that much of the world's precious oil reserve is spent moving big American cars, sometimes three to a family, currently accounting for 48 percent of the world's autos and 55 percent of all the gas consumed; that the British and Germans are getting along with approximately half as much per capita, and their standards of living aren't so bad; and that the lion's share of the additional energy demanded by Americans will be for uses others view as outrageous luxuries like air conditioning, for which 210 million Americans consume as much energy as 800 million Chinese use for every purpose! One additional bit of bad news is that most of the world's remaining known petroleum reserves lies in the nations of the Mideast whose current demeanor toward the United States is less friendly than to many of our major energy competitors.

Most of us were asleep at the switch when all this happened and we're in for some tough adjustments. The Midwest oil shortage last winter was not a one-shot accident, but rather, in all probability, a minor preview of the years just ahead. For unless I miss my guess, gasoline shortages and electrical blackouts will be our regular companions for the rest of the 1970s.

THE PRESIDENT'S SOLUTIONS

Everyone in Washington has "solutions" for the energy crisis. Two of them, the centerpieces of the President's recent Energy Message, I find highly questionable, and, when tied together as an exclusive package, totally unacceptable. They are nonsolutions.

The first is to simply buy more oil from the Arabs. It won't work. The United States has been the world's greatest trader and producer of modern times. But in 1971 we sold fewer goods abroad then we bought—the first time that happened since 1892. One big reason: we paid out $7 billion for foreign oil, a sum that almost exactly matched our trade deficit, itself a major culprit of inflation at home. Analysts claim that our 1971–72 dollar devaluations were in no small part due to the large dollar balances in the hands of oil-producing countries and were used to make a "run" on US currency in international markets. If we accept unbridled consumer demand for energy as a fact of life, we can count on buying $14 billion of Mideast oil by 1975 and some $30 billion a *year* by 1980. What will these kinds of purchases do to the dollar and where will we find the American exports to pay for them?

But if the economic implications of such a dependency are worrisome, the political considerations are downright frightening. How would it affect our commitment to Israel? Even if a political solution were found to current Mideast divisions, could we really plan on a constant supply of energy transfusions from countries whose policies can be reversed on a day's notice by a coup d'etat or by a sheik who turns unfriendly?

A second nonsolution is the all-out dig-dam-drill approach. As blackouts and gas station shortages begin to hit more and more, we'll hear advice whose effect, though tucked into nice euphemisms, will be this: forget all environmental and health considerations and get on with strip mining for coal, both on private and scenic public lands of the West, After all, coal is cheap and accessible. We'll also be advised to get more gas and oil by drilling from the fishing waters of Maine to the beaches of North Carolina and off the coast of California. And before this chorus has ended, there will be persuasive arguments for building hydroelectric dams on every last river site.

For a few years we'll have no choice but to buy *some* Mideast oil. And there is *some* digging and drilling we should and can do without environmental damage. But neither solution is tolerable in the long run. For sooner or later (20-60 years depending on how pessimistic you are) mankind is out of gas and oil. In a few centuries or less, you can scratch coal.

THE HARSH TRUTH

The harsh truth is that eventually we need permanent, renewable, clean, large-scale energy sources, like the Windmill or the old waterwheel that *consume nothing and pollute nothing*. We have some cushions that will let us overdraw our energy bank account for a time, but we should aim right now at a balanced energy budget before the year 2000. The question is how do we do it? Part of the answer lies in the experience of the 1960s when we spent $25 billion for a crash program that harnessed the brains and enthusiasm of the scientific community and put a man on the moon; we desperately need, now, that kind of program for energy research and development, and we ought to give it that kind of money and that sense of urgency.

While we search for long-range solutions, we can buy time in several ways. First we should zero-in on the incredible and wasteful way we use our fossil fuels. Even assuming—as I do not—that every kilowatt burned and every auto mile traveled is essential, we could find ways to provide those same kilowatts and miles with far less gas, oil and coal. For example conventional electric power stations extract only 30 percent of the potential energy in each unit of coal or oil they burn. We can make substantial improvements here and have more electricity from the same quantity of fuel. In addition, we have too many home appliances. But without reducing the number, we can better design appliances to do the same work using far less current. We waste immense quantities of heat and light in our homes, offices and factories. We can have nearly the same levels of comfort if we will design and insulate buildings and heating and cooling machinery to operate in less wasteful ways. Finally, coal requires great energy to transport, and it is the worst polluter when it burns. We should perfect promising new processes that may enable us to turn coal into pipeline gas, solving both problems at one stroke.

This short-range program, plus the energy conservation efforts discussed later, will help buy time; it may take two decades to prove out the permanent power sources needed for the long haul. Legislation now pending, and a new bill I will offer, will create government-industry development corporations to go to work on such possibilities as these:

LONG-RANGE SOLUTION

The fast breeder nuclear reactor. We are running out of nuclear fuel, uranium, but the breeder reactor creates more nuclear fuel than it burns. The Nixon administration is already fully committed to its development. However, there are serious health, safety and environmental hazards that have yet to be solved.

Nuclear fusion. This is a much more complicated and hence dubious source of electricity directly converted from atomic energy. It is held out by respected scientists as the ultimate answer, with none of the environmental demerits of the breeder, but its mysteries may not be worked out for decades, if ever.

Geothermal power. This is the heat of the earth that man has always seen in volcanoes and geysers. The US is far behind in this technology.

Ocean tides and currents. There is power here if we harness it. The windmill provides the cleanest mass-produced energy known to man; like methods lending themselves to more universal use must be pursued.

Solar energy. Harnessing and transmitting the heat of the sun into everyday energy production by using massive reflectors and other devices.

Long shots. While we're at it, we ought to look at every other possible lead. One German scientist makes an impressive case for large, 400-foot high windmill farms as a supplement to other power systems.

SHORT-RANGE SOLUTIONS

While the scientists and engineers are at work, there are things we can do in 1973. They involve new attitudes and habits of energy thrift and conservation. For the fact is Americans have been energy glutton champions. We could keep most of the comforts and conveniences of our present high living standards and "the American way of life" and still cut home and personal energy consumption by one-third. For in time, we could help head off higher gasoline prices and/or rationing by cutting back on our extravagant use of the motor vehicle. Does your family really need that third car, the new snowmobile or motor home? Can you cut your monthly driving miles by 15–25 percent?

We can get commuters out of cars and into mass transit or car pools or neighborhood bus pools. Government can give this effort a big boost by opening up the Highway Trust Fund to help cities pay for subways, new buses and so on. The Senate approved such a plan this year, but once again the House, under pressure from established highway construction and automobile interests, turned it down. We have to find ways to encourage commuters to live closer to the places where they work.

But while we are cutting down on auto miles, we have to recognize that under the best of circumstances, our living patterns will always require millions of private autos for point-to-point travel. Thus we must insist on government policies that encourage *smaller cars with smaller engines.*

Public attitudes and life-styles are affected by our friends in communications and advertising. With industry and government, they did their part to get us into this mess and they can help get us out. The electric industry should spread the message of energy thrift with the same vigor they taught us energy gluttony. Things like turning down the thermostat by five degrees in the winter and up five in the summer, buying smaller cars and fewer gadgets. But if each of us takes some steps so that personal per capita energy consumption declines by one-third, we'd jointly be striking a blow for a sounder dollar, a cleaner environment, and a stronger, self-sufficient America.

President Nixon has suggested a new office of energy conservation to spark voluntary programs in the private sector and, more importantly, coordinate and direct the efforts of the disparate and far-reaching federal government, the most gluttonous energy user of them all. We need a hardboiled energy conservationist leading this office who will show us the way toward requiring the kind of insulation and heating and cooling units in new homes that are efficient in saving energy, informing us what appliances burn what quantities of electricity, and placing stiff luxury taxes on the wasteful ones; making war on loud, garrish neon signs. They contribute nothing to our country and they burn enough energy to bring on some shortages we can avoid; reforming our cockeyed electrical rate structures, a crazy system that rewards waste. If my home and your home are the same size and I burn twice as much electricity, the local utility company will penalize your thrift and reward my extravagance. The same is true of industry. Rate structures now decrease charges as use goes up—it ought to be the reverse.

HERB KLEIN—A GOOD GUY LEAVES THE GOVERNMENT

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. VAN DEERLIN. Mr. Speaker, Herbert G. Klein, a fellow San Diegan, is returning to private life at the end of this month, after more than 4 years of distinguished service as the first director of communications for the executive branch.

Mr. Klein has been a true and good friend of the working newsman while operating in the highest councils of an administration not particularly noted for its cordial relations with the press.

Although Herb and I differ in our politics, we do have a solid basis for mutual understanding stemming from our many years of toil in San Diego's journalistic vineyards. Herb, in fact, through his exemplary performance on the San Diego Union, probably helped hasten the demise of at least one of the two local dailies which at various times employed me.

Mr. Klein stands out as one of the "good guys" in this administration, and particularly so in the close circle of advisers around the President.

For those who might have missed it, I include at this point a splendid tribute to Mr. Klein by Hugh Sidey that was carried last week in Time magazine:

SO LONG TO OLD HERB KLEIN

He is really not that old (55) nor is he vanishing from view. He is leaving the White House as Communications Director for a job in television, which will keep him in public matters.

But for 27 years he has been a considerable chunk of Richard Nixon's better nature. And that role is coming to an end.

His is a rather remarkable story. He was, these last years, abused and downgraded and ignored by Nixon and his supermen and yet he has stayed loyal, kept his honor, and goes off as one of the President's few remaining displays of decency and good humor.

He wasn't as efficient as the iron man H.R. Haldeman. Herb Klein kept his files in his coat pocket or somewhere, and like most ex-reporters he ignored flow charts and organization tables. What he had was an understanding that democracy and its government are untidy and considerably inefficient, and there isn't a hell of a lot you can do about that without destroying their soul.

Old Herb would listen to conflicting views, now and then admit mistakes had been made and take phone calls from critics as well as friends. He always figured it was a big wide world out there and a lot of people had something to say. The know-it-alls like John Ehrlichman found that sort of notion close to heresy.

When they finally pushed him farther and farther from the Oval Office he hardly complained. He took to the road supporting Nixon in the editorial offices and the newsrooms around the country. He brushed up against a lot of people in those journeys, and he made a lot of friends. Now when one travels and comes across these men and women, whether in the big metropolitan dailies or those dusty one-horse shops where the editor can be found feeding the presses, they ask with some concern if Herb got caught in Watergate. When they are told no, they almost always smile and say quietly, "I didn't think so. I like Herb."

He was no saint. Nor was he the best White House aide in all history. But he was an oasis of consideration and sympathy in a Teutonic desert of heel clicks and "Yes, sirs."

There are not many men on the beat here who haven't had a thoughtful moment or two and a few good laughs with Herb. Up in Alaska campaigning with Richard Nixon in 1958, he joined in a little dog-sled race and ended up in the snow, much to everybody's delight. In 1960 he knew that most of the men he had to deal with were a lot more sympathetic to John Kennedy than to Richard Nixon. He took it with good grace and for the most part kept his temper as he tried to get a fair shake on the front pages.

Once he sent out letters of complaint about the treatment Candidate Nixon was getting, and then he had second thoughts and called them back. At the Waldorf Astoria bar he bought the drinks for all those offended and went back to his old rut of being decent to people.

Once when Lyndon Johnson was doing a little campaigning out in California and had stopped at El Toro Marine Corps Air Station to send more troops off to Viet Nam. Herb showed up in the stands just to look over the President, the likely opposition for Nixon, who was gearing up to go again. Herb wrangled a handshake with L.B.J. like any tickled tourist, wished the President good luck and went off with a smile.

He had peddled the old Nixon propaganda with a straight face and given some of the dullest speeches on record, but he has always been there to listen when people, small as well as big, needed somebody to talk to when the rest of the White House was buttoned up, which was most of the time.

Herb still has some political mileage in him. But he probably has seen the pinnacles. Last year some of us were standing in the magnificent Hall of St. George in the Kremlin on the final day of Nixon's Moscow summit. All Russia's elite were there, cosmonauts and marshals, diplomats and artists, the Politburo and the KGB agents.

They played *The Star-Spangled Banner,* and then Nixon and his Soviet hosts walked down the length of the huge hall. It was a splendid moment.

As the President passed, there in view across the room was Herb Klein. He looked like he had slept in his suit, or maybe hadn't slept at all in those frantic days. But his face had the same kindly look, and there was a smile and a lot of pride and warmth beneath the surface. The thought occurred to us then, and again last week, that here was one of the few men around Nixon who gave more than he took.

INFLATION

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. FRENZEL. Mr. Speaker, in the Washington Post of Sunday, June 17, Joseph R. Slevin had an editorial on the subject of inflation. In my judgment, it is one of the few public statements which

describes the problem in other than simplistic terms.

Slevin quotes Irving Friedman, professor in residence at the World Bank, who has pointed out that inflation now is quite different, and obviously more persistent, than ever before.

According to Friedman, the difference is that inflation is now worldwide—no single country can cure it—and it continues through good times and bad—business slowdowns cannot cure it.

Slevin and Friedman are to be congratulated for trying to open the eyes of the world about inflation. In this country we have not had the devastating experience with inflation that most countries of the world have endured. What seems to be intolerable inflation to us is pretty standard for others.

I do not believe that this country is going to learn very quickly to tolerate the current inflationary levels, but I think it is time that economists and politicians begin to explain that simple programs of single governments are not going to have the substantial and sudden effect of ameliorating a worldwide problem.

If we continue to be dedicated to a strong and growing economy, full employment, strong cradle-to-grave social welfare programs, and unlimited education, we are certainly not going to stop inflation very quickly. Given the choice between inflation and prolonged unemployment, any country, including ours, will opt for a little inflation.

I believe we should take a closer look at the inflation rate of our country, its favorable relationship to the rates of other countries and our other national economic goals and then set a target for limiting inflation which is more realistic than the inflation target contemplated when phase II was established.

PRICE FREEZE

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. KEATING. Mr. Speaker, the price freeze is continuing to cause severe problems for wholesalers and retailers and employees who are employed in the field of agricultural products. I have been notified by the president of one firm in my district that he intends to close his plant this Friday because they cannot purchase vegetable oil at prices low enough to produce margarine at the "freeze base period" prices. This company is also closing a plant in Minnesota effective today and over 350 employees will immediately lose their jobs.

The basic problem faced by this particular firm is that it cannot purchase vegetable oil at a price low enough to sell its finished product, margarine, so they have no choice but to close down.

I do not believe that the current freeze is intended to displace employees and terminate the operation of companies dealing with agricultural products.

Another constituent of mine has informed me that the freeze level of fruits and vegetables will force sellers to stop purchasing these commodities because they cannot make them available to the consumer at the freeze base period price without selling them at significant losses.

The inevitable result will be shortages of many fruits and vegetables during the next 2 months and the unavoidable black markets which will appear to the detriment of the American consumer and the legitimate wholesalers and dealers in agricultural products.

I am urging the Cost of Living Council to immediately adopt a flexible approach in the implementation of the freeze concerning agriculture products to prevent shortages, black markets, and especially, to prevent the closing of plants and the loss of jobs by firms in this field.

It is admitted that the regulation of the agricultural products is a very difficult matter and the Cost of Living Council should be prepared to give immediate attention and responses to all jobs involved with these perishable products because the products must be sold and answers must be obtained immediately.

NORTH VIETNAM USES SLAVE LABOR TO CONSTRUCT NEW ROAD

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. HUBER. Mr. Speaker, the use of forced labor in Communist countries is by now getting to be a time-honored tradition that dates back to the creation of the first camps by Lenin. So, it is not unusual to have the Daily Telegraph of London report this story, but it should remind my colleagues that not only does North Vietnam use forced labor, but our eminent visitor Leonid Brezhnev is reported to hold some 5,000,000 people in forced labor camps, including thousands of Russian Jews and religious dissenters of various beliefs. Therefore, I commend this article to the attention of my colleagues.

The article follows:

SLAVES CONSTRUCT NEW HO CHI MINH TRAIL

(By John Draw in Saigon)

Using thousands of slave labourers, the Communists are building a road from the Demilitarised Zone to Viet Cong sanctuaries 100 miles north of Saigon, according to intelligence officials in Saigon.

The route, which runs parallel to the Ho Chi Minh Trail, starts at the former American Marine Base, of Khe Sanh, and pushes south and south-east to Viet Cong controlled areas all over South Vietnam.

Intelligence officials say the northern portion of this road, called by the Communists Route 14, has already been opened to cars.

WINDING THROUGH JUNGLE

"This road will be very difficult to close," said an official. "It winds its way through jungle and pushes to the outskirts of quite a few important cities."

Saigon officials viewed this second Ho Chi Minh Trail as an effort by Hanoi to continue to feed the fighting in South Vietnam, even if forced to leave Laos and Cambodia alone as a result of some arrangement between the big powers.

According to headquarters sources the Communists have been using 20,000 troops and "countless thousands" of civilan labourers, especially those living in Viet Cong controlled areas, in this undertaking.

Prisoners of war and civilian detainees who have not been released by the Communists have also been used as "slave labourers."

AGRICULTURE, ENVIRONMENTAL, AND CONSUMER PROTECTION APPROPRIATIONS, 1974

HON. JOEL PRITCHARD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. PRITCHARD. Mr. Speaker, I regret that I was unable to be present last Friday to vote on the bill (H.R. 8619) making appropriations for agriculture, environmental, and consumer protection programs for the fiscal year ending 1974. I had to give three major speeches that day in Seattle, including a major address to the Municipal League of Seattle and King County at their annual civic awards luncheon. These speech commitments were made prior to the scheduling of Friday sessions by the House leadership.

I would have voted for:

The amendment forbidding funds for payment of salaries for "Cotton Inc.";

The amendment reducing the farm price support limit from $55,000 to $20,000 per crop—other than sugar and wool; and

Final passage of the bill containing the amendment reducing the price-support limit.

Taxpayers are unhappy with the present agricultural price-support system because of the high costs. In 1971, total costs of the farm programs were about $4.3 billion, which was about 5.0 percent of the total revenue from personal income tax. If this cost is prorated among individual taxpayers, we find that a family of four with an income of $8,000 contributed $26 toward the operation of price-support programs in 1971. A similar family making $12,000 paid $63, and the contribution from a single individual making $10,000 was $72.

In 1972, the cost of price supports was $4.7 billion; in 1973, $6.1 billion. The 1974 proposed budget would spend $3.9 billion for these programs.

Consumers should be dissatisfied because of the much higher food costs that they have to pay as the result of the price-support programs, in addition to the costs that they assume as taxpayers. This is an especially important consideration among the poor, who spned a much higher proportion of their incomes for ation among the poor, who spend a much higher proportion of their incomes to-

ward farm price supports than do the more affluent.

In most years, average farm prices are raised about 60 percent by the supply restriction and price-support programs. This is an average value, of course, and in the case of some commodities it is much more. Those products which are highly processed before reaching the consumer have relatively small proportions of their value represented by raw farm products, and for the most of these goods the retail price is only about 10 to 20 percent higher than it would be in the absence of price supports. Other goods, however, are marketed in much the same form as when they leave the farm—milk, eggs, meat, and grain products, for example—and the retail price of these would be almost as much higher proportionately as the farm price is, that is, the retail price could drop almost 50 to 75 percent if price supports were eliminated.

I was pleased that the House adopted the amendment to limit individual farm subsidies to $20,000 per crop. Three times in the past this reform has passed the House only to be rejected in the Senate. If we had limited payments to $20,000 in 1972 the taxpayers would have saved roughly $655.8 million. As consumers they would have saved even more.

THE BUDGET AND THE DRAFT

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BENNETT. Mr. Speaker, my good friend and colleague, Congressman WILLIAM A. STEIGER of Wisconsin recently wrote an article which appeared in the Wednesday, June 13, 1973, Christian Science Monitor in the Opinion and Commentary section. I think it well expresses the relationship between the new volunteer military and the budget. I would like to include the article herein:

THE BUDGET AND THE DRAFT

(By William A. Steiger)

With the impending expiration of the draft, June 30, those who would regiment the young and militarize our foreign policy are making a last ditch effort to extend the power of conscription. Their chief vehicle is a campaign to blame the increase in defense spending on the volunteer force.

The facts do not support this claim. It is true the defense budget as a whole has risen $4.1 billion over last year; but less than one-tenth ($400 million) of that increase is attributable to volunteer force costs. Moreover, by placing Selective Service on a standby basis, we will save $45 to $50 million that we have been spending every year on classification and registration, without impairing our ability to mobilize in an emergency.

An important side benefit from the end of inductions will be a return of the Justice Department to the fight against such real threats to our security as organized crime, drugs, and crime in the streets. This past year, when only 25,000 men were inducted into the military, U.S. attorneys handled 10,444 draft cases—11 percent of the Justice Department's entire criminal case load.

During the same period, the FBI investigated 17,853 draft cases and 26,591 desertions—15 percent of their criminal investigations. These cases accounted for a startling two-thirds of the FBI's total apprehensions. With the volunteer force, there will be few, if any, draft evasion cases, and desertions should decrease considerably as men join the armed forces out of free choice rather than coercion.

Under compulsory military service there are further unmeasured social costs. An estimated 35,000 people have worked full-time as draft counselors. More than 750 attorneys who specialize in draft law have spent a substantial amount of time handling selective service cases. Ironically, the major result of this enormous effort is simply that some youths were exempted from service, while others were forced to take their place. For the most part, those involved in draft-related activities are able, bright, and committed to reform. In view of the wide variety of social problems which could have benefited from citizen involvement, the draft has caused a serious drain of talent from productive activity.

When we compare current military personnel costs with those in effect in 1969 (the year in which the program to end the draft was initiated), it becomes clear that the military's budgetary problem stems from expenses that bear no relation to the volunteer force. Miscellaneous payments enacted long ago account for 77 percent of the military pay appropriation increase since FY (fiscal year) 1969; only 23 percent is attributable to the volunteer force. Critics also forget that the bulk of the "volunteer force" pay increase would have been necessary even under conscription to eliminate the disgrace of forcing young men to serve for wages below the poverty line.

The greatest culprit in increasing personnel costs has been inflation. Even if no steps had been taken to end the draft, an armed force of 2.3 million men today would cost $5.5 billion more than a force of the same size in FY 69, simply due to cost-of-living increases. Another nonvolunteer force item, retired pay, has skyrocketed by $2.3 billion since FY 69. The phenomenon of "grade creep"—too many individuals in the higher grades—counts for an added $1 billion this fiscal year.

The budgetary cost of retirement, grade creep, and the pay schedule can be reduced through careful and comprehensive planning. Long-term savings can be generated through prompt congressional passage of the Special Pay Act. The selective reenlistment provisions, for example, eliminate a bonus which is currently paid to every individual who signs up for a second tour, whether or not his skill is in short supply. Nearly $125 million will be saved by FY 78 through this action, and the institution of a system which is directed only at skills in demand.

In addition to the reduction in outlays which will result from a more efficient program, even greater savings will accrue through increased retention of skilled personnel. Experience with the nuclear incentive (the one special pay authority which was signed into law last year) demonstrates the potential of the Special Pay Act. Before Special Pay was instituted, the reenlistment rate among nuclear qualified petty officers in the critical 6–9 year retention period was just 14 percent. Use of the incentive more than doubled the rate to over 30 percent—and reductions in training costs for the few men involved in this limited skill produced an annual savings of nearly $10 million.

Applying the same principle to nuclear officers has led to even greater cost avoidance. For each $13,000 spent on incentive pay, the Navy avoids the expenditure of at least $26,000 which would otherwise have been budgeted for training costs. When the Special Pay authority is expanded beyond the nuclear field to the many skills where there are manpower shortages and high training costs, the savings will be dramatic.

The volunteer force presents defense planners and budget specialists with a unique opportunity to reform military personnel policies and save the taxpayers billions of dollars. That opportunity will be lost if those responsible for change insist on focusing their attention on the extension of the executive's induction authority, rather than on a comprehensive overhaul of the military compensation system.

PRESIDENT'S ENERGY MESSAGE

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. SHOUP. Mr. Speaker, previously I inserted into the RECORD remarks relating to the work of my science advisory council at Montana State University in Bozeman, Mont. The members of that group have over the past months given much of their valuable time to a study of the energy crisis and one of the most recent efforts has been to formulate a response to the President's message on the energy crisis. The study group's statement is, I feel, constructive in its general import and thoughtful in its particulars, some of which are disputable points but all of which are basis for further dialog:

COMMENTS ON THE PRESIDENT'S ENERGY MESSAGE

President Nixon's energy message to Congress is timely. We have little disagreement with its general content. Our concern is more with his balance of emphasis and some important omissions. In order to better explain the following remarks, we wish to outline the energy crisis as we see it.

In its clearest form, the energy crisis results from too many people wanting too many things which require more energy than we can supply, or which require energy at a rate we cannot sustain. For example, in the case of fossil fuels, it isn't that coal and oil are not being produced today on the earth. It is simply that some time back, probably in the last several hundred years, we passed the point where these resources were being produced at a rate to match our consumption. Our exponential growth rate now puts that point far behind us and beyond our capability to retreat to.

Today, at current demand and growth rates, we can see the end of known oil and natural gas resources in the next few decades. Coal resources may last a few hundred years, depending on the uses to which they are put. Our exponential growth rate brings these deadlines toward us in an accelerating way which is hard to visualize. Worst still, long before these deadlines arrive, we can expect some probably severe problems with energy shortages. It is not clear that energy sources alternative to the conventional uses of fossil fuels are being or can be developed rapidly enough to avoid this situation. That is what we see today, and it is only the beginning of problems we must face in the next few centuries.

The President devotes the thrust of his energy message to: (1) the discovery and development of more oil and natural gas supplies; (2) rapid expansion in the exploitation of domestic coal resources; (3) conversion to fission (fast breeder) reactors and fusion as the ultimate source of energy in 30 to 50

years. We are much less enthusiastic than the President about the safe and successful development of nuclear energy. Most of the measures he suggests relating to fossil fuels, while perhaps necessary to some extent in the immediate future, attack only the symptoms of the energy problem and not its basic causes. At best, these measures may help us to go on doing what we are doing for the next few years, namely to expand our per capita consumption of energy. The worst aspect of these measures, in our opinion, is that they invite Americans to help deepen the present crisis and to hasten the day of reckoning when we run out of conventional fuel resources. In the end, such actions will not only aggravate the energy problem and complicate the possible solutions, but they will decrease the vital grace period in which scientists and engineers are expected somehow to find solutions.

We wonder whether the President sees the true size of the monstrous problem facing us or only that annoying portion of it which has surfaced in the past few years.

The President's message seems to us to attach only minor importance to the energy-consuming habits of the American people. It is relatively certain that these habits *will* be changed, and within our lifetime, either by decision or by default. Our feeling is that if rational decisions are made to effect change now, we will be attempting to meet the energy crisis intelligently and with some freedom of choice. If we wait for circumstances to change our habits for us, we opt for a situation which favors social chaos and possible economic collapse.

Throughout his message, the President refers to our energy "needs." The word should be changed to "wants." We don't really know what our needs are—this subject could stand some serious research. As a people, we have demonstrated that our wants are virtually unlimited. How to back away from this unsupportable position is politically, sociologically and even psychologically very difficult, yet extremely urgent. In our opinion, this problem should have received first priority in the President's message. Instead we find the suggestion—both explicit and implicit—that we should forge ahead, increasing both our consumption and our appetites in the same old groove. This kind of "progress" cannot fail ultimately to increase the seriousness of our problems related to energy.

The President's message says nothing about the relationship of population growth to the energy crisis—yet our growth and increasing appetites constitute a considerable part of the problem. We see the recent decline in birth rate in this country to be a quite favorable development regarding long range planning. However, we note that this decline is not sufficient to solve our short range problems. Worldwide, particularly in the developing countries, the situation is not at all favorable.

The President's message does not mention the petrochemical industries, which make use of petroleum and coal as their basic sources of raw materials. In our haste to use up our remaining fossil fuels, we should pause to consider whether various medicines and vitamins, cosmetics, paints, plastics, fabrics, lubricants, asphalt, etc., deserve some of our attention with regard to long term conservation measures to ensure adequate supplies for the future.

In terms of research and development, the President's message places a great deal of faith and money in developing our ability to convert to nuclear energy, both fission and fusion. We consider fission so fraught with as yet unsolved radioactive waste disposal problems that instead we would rather see future energy source development take place utilizing even high sulfur coal, with its reasonably well understood environmental problems. We note also that the primary fuel supply for fission reactors is so limited that it may not even outlast oil and natural gas. The solutions to the very difficult problems of harnessing the fusion process require a series of scientific breakthroughs which may never happen, much less happen in time to be of practical use in solving our energy problems. In short, the safe and successful use of nuclear energy is to some extent a dream, and nuclear energy may well provide a path leading to self-destruction at the end.

Normal caution and a reasonable choice of alternatives should dictate that research efforts at least comparable to those in nuclear energy should be directed toward the development of solar and geothermal energy sources. These sources are relatively nonpolluting, they provide a steady energy income which can be budgeted, and they are sources to which the earth and its life forms are already well adapted. The President's proposed 1974 energy research and development budget allocates 73 per cent of the total funding for nuclear energy and only 2 per cent for solar and geothermal energy. We consider this to be a gross imbalance. We also wonder whether the direction and thrust of energy R and D may not be lost in a somewhat diffuse federal bureaucracy. We think it would be advisable to have a single government agency responsible for the entire energy research area.

In summary, we think that the view expressed of our energy problems in the President's message is much too limited. The message does not attack a very important aspect of the energy crisis, which is too many people wanting too much. It lays too much stress on faster development of our remaining fossil fuel resources, a course which hastens the onset of the crisis and decreases our chances of solving it. The message does not consider the resource problems of our petrochemical industries, and it places too much faith on the development of nuclear energy—to the virtual exclusion of other sources such as solar energy.

A crisis need not lead to a catastrophe, but it certainly implies the proximity and possibility of a catastrophe. Dealing with the energy crisis is going to take all the wisdom, foresight and luck we can muster if our civilization is to avoid catastrophe. Presently we seem to be depending mostly on luck.

HERBIE SCHWARTZ

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. CLARK. Mr. Speaker, on this coming Friday, June 22, 1973, a gathering will be held in Boston for an outstanding American and it is a tribute in which I would like to join. Herbie Schwartz is known in Boston as "Mr. Marine Corps." A wounded and decorated veteran of the Guadalcanal campaign with the 1st Division when he returned after World War II, he took over proprietorship of the Atlantic Tavern, better known as "Herbie's," from his father.

In the years after the war, "Herbie's" became the legendary home for marines and former marines and in a few short years included hundreds of others who were simply friends of Herbie Schwartz.

A quiet, unassuming man he provided a warm hostelry for thousands of Bostonians—and always in a manner that somehow combined Marine Corps discipline with the warmth of a colonial hearth.

In these somewhat trying days when so many things about our country are being questioned it is refreshing indeed to find a man who no one has ever questioned. War hero, warm friend, concerned citizen for the veteran—America and his friends can be proud of Herbie Schwartz.

GAO ENJOYS "RARE ESTEEM AS ACCURATE, OBJECTIVE, AND EFFECTIVE"

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. EVINS of Tennessee. Mr. Speaker, the Washington Post in an article on Sunday last commented favorably on the excellent work of the General Accounting Office as the fiscal watchdog of the Congress.

Certainly I concur in the view of the writer—Lucia Mouat—that GAO reports—

Enjoy rare esteem as accurate, objective and effective.

I want to point out further that Elmer Staats, the able and genial Comptroller General of GAO, is highly regarded in Congress and the executive branch for his superb leadership of this great agency that has saved the American taxpayers millions of dollars.

Because of the interest of my colleagues and the American people in this most important work, I place in the RECORD herewith the article from the Washington Post.

The article follows:

CONGRESS GENERAL ACCOUNTING OFFICE BECOMES FISCAL FBI

(By Lucia Mouat)

After a half-century of near anonymity, the General Accounting Office—Congress' fiscal FBI—has begun to wield enormous influence on the performance of government agencies.

Last year the investigating auditing agency saved taxpayers $263 million. In more than 1,000 fact-finding reports, it exposed Executive Branch wrongdoings ranging from military cost overruns to unsanitary food processing.

Couched in discreet language and always accompanied by the criticized agency's own view of the facts and comments, these reports enjoy rare esteem as accurate, objective and effective.

Technically, GAO's enforcement power is almost nil. However, in a city where information is often tightly guarded, the agency's influence extends far beyond its legal powers.

Often fact-finding alone spurs reform. In the GAO's annual finger-pointing at hundreds of specific cases of wasted taxpayer dollars, one exposure to the spotlight is usually enough for an errant federal agency.

Among the many savings last year were more than $1 million when the Department of Defense switched to buying surplus American butter (rather than buying its European counterpart) and more than $131 million when the Army followed GAO's suggestion to reduce heavy-equipment purchases and instead repair equipment already on hand.

Over the years, GAO has slowly but steadily been extending the scope of its probes—all with Congress' approval.

Formally set up in 1921 to keep close watch over congressionally appropriated funds, GAO at first assumed a clerical preoccupation with whether or not agencies balanced their books and spent what they said they did for declared purposes.

Twenty-three years ago, Congress authorized the GAO to look beyond mere fiscal accountability to efficiency and, three years ago, to delve even deeper—into the sensitive area of program effectiveness.

This ever-broadening interpretation of auditing is implicit in the original legislation, in the view of Elmer B. Staats, GAO's comptroller general, and well within the bounds of at least the Latin definition of oversight—the word he prefers to use.

Strict fiscal accounting now takes 10 per cent of the 4,800-member staff's time. Establishment of internal audits in various federal agencies and departments (about half of them so far) has helped to lighten this load.

Also, as the prospect for more lump sums of federal money going directly to state and local governments grows, the GAO has been working with these governmental units to establish sound, uniform audit standards.

The comptroller general, a tall, red-haired Kansan who has a Ph.D. in public administration from the University of Minnesota and enjoys the independence of a 15-year presidential appointment (he is midway through), is openly eager to move the office into areas in which the GAO is "more uniquely equipped" to serve Congress and which are more "relevant" to the national legislature's needs.

He envisions the GAO's role not as that of a "think tank" for Congress, assessing national program priorities and advocating one solution over another, but rather as one pointing out areas of waste, inexpensive alternatives, and of assessing whether specific programs meet their legislative objectives.

At a time when the legislative branch has been rapidly losing ground in its tug of war with the executive branch, the scope and clout of the auditing agency's role as a congressional helpmate are considered crucial.

Accordingly, an effort is reviving on Capitol Hill to strengthen the GAO's legal muscle as a fiscal instigator. One such effort passed the Senate in 1969, but was never reported out by the House Government Operations Committee.

One of the GAO's major problems in collecting data for Congress is the stone wall of noncooperation it meets in some agencies.

Two of the biggest withholders of information are the Treasury (though Staats stresses that the situation is improving) and the Internal Revenue Service.

In the case of Treasury's refusal to provide the working papers behind the Lockheed transaction with the Emergency Loan Guarantee Board, congressional committee intervention secured the data, but as Staats says, "They (Treasury officials) still contend officially we have no legal right to it."

The crux of the difficulty here is that when the GAO has a difference of legal opinion with an executive-branch agency, the Justice Department in effect becomes the counsel for both sides. Almost invariably, according to GAO officials, the executive-branch version of the law gains the upper hand.

One current case in point involves GAO's relatively new job of gathering data on presidential campaign contributions and monitoring campaign media spending. Several times the GAO came across failures of finance Commitees for the Re-election of the President to report certain contributions. Although the Justice Department has, as a result, levied fines in a few instances, Staats repeatedly has called on the office of the attorney general to "take the initiative" in prosecuting more of the many alleged violations.

"How can you get separation of powers under such conditions?" asks Staats, "We think it's essential not to have to depend on the executive branch to say whether or not we can bring a case to court."

The GAO also seeks power to subpoena records of the many contractors who supply goods and services to the government. Although the law is quite clear that such records be provided, reluctant contractors often opt for delays to stave off the GAO. "They don't say 'no' but they don't say 'yes,'" says Paul Dembling, GAO's general counsel.

Bills introduced by Sens. Abraham A. Ribicoff (D-Conn) and Sam J. Ervin Jr. (D-N.C.) would provide the GAO both of these valuable legal tools.

In GAO's view, the mere possession would be a deterrent. As Dembling puts it, "Having a club in the closet could prove to be very useful."

The House, in which no such legislation has been introduced, is considered less likely to vote the GAO the new powers. However, as one GAO staff member says, "The House voted to cut off funds for the U.S. bombing of Cambodia this year—who knows what they'll do on the GAO?"

As GAO auditing functions have broadened at least in theory, so has the nature of the staff. In the last four years, more lawyers, engineers, sociologists and the like have been hired than accountants. In addition to a headquarters and 50 on-site audit offices in various governmental agencies in Washington, there are 15 field offices around the United States and four overseas. The GAO network operates on a $90-million a year budget.

About 70 per cent of the legislative agency's reports are self-initiated. Congressional requests from both individuals and committees have quadrupled in six years and now keep about 25 to 30 per cent of the staff fully occupied.

A few on Capitol Hill think the GAO is too friendly with the executive branch. "I don't think they're really digging as much dirt out as they should be," says one Republican committee aide.

And some who commend the non-partisan nature of GAO's reports criticize the politics involved in the follow-through, if any, by Congress. On the House Government Operations Committee in the mid-1960s, says Rep. Robert McClory (R-Ill.), the Democratic majority "deliberately sidestepped investigations of discrepancies and irregularities which might reflect on the (Democratic) administration."

The timing of GAO reports is a universal concern. Everyone would like to see them come out faster and be more closely timed to congressional appropriations and authorization decisions. With access delays a substantial factor, the average GAO report takes six to nine months before the agency's printing office (it has its own) puts out the final version.

However, as Staats points out, so-called "letter" reports, a few pages long, often can be issued within a week or two, and GAO staff members can always brief congressional committee members well before any GAO report is finished.

DRINAN SUPPORTS VETERANS' LEGISLATION

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. DRINAN. Mr. Speaker, I was very happy to have the opportunity to testify before the Veterans' Affairs Committee last week when the Subcommittee on Pension and Compensation held hearings on the reductions in veterans' pensions as a result of the 20-percent increase in social security benefits enacted last year. Following are my remarks to the committee which I would like to share with my colleagues at this time:

STATEMENT OF CONGRESSMAN ROBERT F. DRINAN

Mr. Chairman:

I welcome this opportunity to stand before this Committee on behalf of the many veterans and their dependents within my Congressional District who have suffered a reduction in pension as a result of the 20 percent increase in Social Security benefits enacted last year.

We are all aware of the fact that some 1.2 million pensions were affected by this action. Since by law an increase in income becomes effective on the last day of the calendar year during which the increase occurs, veterans' pensioners did not experience this reduction which averaged out to between $9.00 and $14.00 per month, until January of this year. Needless to say, most of these pensioners were relying on these few extra dollars. Though this amount may not seem critical, we must keep in mind that 76 percent of the persons receiving veterans' pensions are also receiving Social Security pensions and that these persons rely on these two sources of income to meet the ever escalating cost of living. The majority of them are elderly and fall within a low income bracket.

In addition to our concern for these persons, we must be mindful of the fact that 21,000 persons were dropped from the pension rolls as a result of this increase in Social Security benefits. We must also realize that these are the effects that can be identified at this time and that there will be another category of individuals affected by this increase as of 1974—widows. Since the provision of H.R. 1, which allows a widow who files at age 65 or over to obtain 100 percent of her husband's benefits, did not become effective until May of this year, it will not be reflected in the reduction in veterans' pensions statistics until 1974. Many of these widows who have already sustained a reduction in their pensions by reason of the 20 percent increase in Social Security benefits will be subject to a further reduction in 1974, unless some action is taken to off-set these increases. I am confident that it is not necessary to impress upon this Committee the hardship that will be placed on this category of widows.

Foreseeing this repercussion of the Social Security increase, I joined last year in sponsoring legislation, H.R. 100, to amend the United States Code to make certain that recipients of veterans' pensions and compensation do not have such pension or compensation reduced because of increases in monthly Social Security benefits. This measure was again introduced in the 93rd Congress as H.R. 1492.

We are all familiar with Public Law 92–198, The "No-Loss" Pension Formula, which was signed into law in December 1971, to off-set the March 1971, 10 percent increase in Social Security benefits. This law created a new and more responsive formula for determining veterans' pensions by providing an average cost of living increase in pension of 6.5 percent and an increase of $300 in the income limitation to establish the current limits of $2,600 for a single pensioner and $3,800 for pensioners with dependents.

Yet, in spite of this action, the 20 percent increase in Social Security benefits affected the total aggregate income of pensioners in such a way that the formula of Public Law 92–198 was not expansive enough to off-set the increase.

This Committee has before it for consideration a number of measures to deal with this situation. I do not feel that Social Security benefits should be counted in computing veterans' pensions. They are both incomes which

the recipient has earned for two different reasons. I empathize fully with the thousands of pensioners who feel that they have been cheated. What has been given to them by one hand of the government has been taken away by another. These people have worked for many years and have looked to this assistance, which they have earned, in their retirement.

I urge this Committee to move forward in responding to this problem. I remain hopeful that the 93rd Congress will not forget them and will act to restore their pensions.

FDA VITAMIN CURBS

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. MOORHEAD of California. Mr. Speaker, on June 7, 1973, the Star-News of Pasadena, Calif. in my district published an editorial on legislation before the House on which I am a cosponsor. The legislation would amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements and I feel the editorial is well done and would be of interest and benefit to all citizens who come in contact with it.

As a cosponsor of this legislation, I urge that hearings be scheduled as soon as possible in the House Interstate and Foreign Commerce Committee and that the legislation be brought to the Congress where, hopefully, it will be enacted.

The text of the editorial is as follows:

FDA VITAMIN CURBS

Another example of Big Brotherism—the federal government forcing its omniscient will upon the people of the land, ostensibly to protect them from themselves—is aborning in the sanctimonious halls of the Federal Food and Drug Administration.

Those vitamins and minerals you may have been taking for years as a supplement to your diet, if they happen to exceed what the FDA considers to be the recommended daily allowance, are about to be considered drugs, which would subject their sale to various restrictions, even the requirement of prescriptions.

The FDA proposes new definitions of "food" which would classify vitamins and minerals as "drugs" if the dosage is more than the recommended daily allowance. Also proposed are restrictions on the dissemination of information about vitamins and minerals: "No statement can be made that the storage, transportation, processing or cooking of a food is or may be responsible for an inadequacy or deficiency in the quality of diet."

Reasoning behind the proposed regulations is that somehow vitamins and minerals can be injurious to your health, even vitamin C.

Not only are the proposals of the FDA an infringement on the right of choice in the food a person eats, but they constitute usurpation of the legislative powers of Congress which has already recognized that vitamins, minerals and other food supplements are within the statutory definition of foods.

There is, perhaps, some justification for saying certain vitamins or minerals taken to great excess could be harmful to health, but chances of that happening are rare indeed and require no regulation. As a practical matter, the proposed regulations amount to the federal government telling the individual how much and what kinds of food he can eat.

Some 145 congressmen have joined in sponsoring legislation which would prevent the FDA from carrying out its proposals to regulate vitamins and minerals as drugs. The Star-News joins with them in opposition to this unwarranted invasion into the private lives of individuals. The FDA is justified in regulating matters which are injurious to the health. It is a far stretch of the imagination, however, to conclude that vitamins and minerals are injurious to the health. And if they might be, it is still the individual's choice.

The FDA is using the recommended daily allowance for a purpose for which it was never intended. There is no scientific basis for interfering with the constitutional right of the American consumer in exercising his freedom of choice in the food he eats. Neither the U.S. Pharmacopeia, the Homeopathic Pharmacopeia, nor the National Formulary define vitamins or minerals as drugs by reason of a percentage of U.S. recommended daily allowances.

A bill submitted by Congressman Tom Rees of California, H.R. 6044, defines vitamins and minerals specifically as food under food supplement categories and then mandates that a supplement has to be injurious to health before the FDA may place restrictions on it.

"They (the FDA) are putting restrictions on Vitamin C, for example," Rees said. "There is absolutely no proof at all that it's injurious to health. In fact, it's the other way."

Under FDA proposals, for instance, a 90 milligram tablet of Vitamin C would be classified as a vitamin, while a 100 milligram Vitamin C tablet would be defined as a drug. Similar restrictions are proposed down the line on vitamins and minerals. Adhering to this ruling, will a cup of fresh orange juice containing 120 mgs. of vitamin C (over 1½ times the recommended daily allowance for Vitamin C) be labeled as a drug?

The question is ridiculous, and so is the regulation. But that is the effect of the FDA's proposals.

Under its new proposal to restrict dissemination of information, the FDA would prohibit labels, for instance, which indicate that pure flour is unprocessed flour, or prohibit advertising which indicates that some food items are reinforced with vitamins because the processing has removed the food value from them.

The FDA has overstepped its bounds in its attempt to regulate vitamins. Congress must step forward and prevent this unwarranted usurpation of authority and invasion of privacy.

FARM FAMILY OF THE YEAR

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. STUBBLEFIELD. Mr. Speaker, as one who is proud to represent a congressional district referred to as a part of rural America, I am delighted to bring to the attention of the readers of the CONGRESSIONAL RECORD a farm family's achievements recognized by the Farmers Home Administration of Kentucky and making them eligible for the coveted award of Farm Family of the Year for Kentucky.

The Edward M. Ayer family of Calhoun, Ky., was awarded the outstanding Farm Family of the Year by the judges who considered the family's progress in financial matters, improvements of the farming operation, contributions to a better community, and generally doing the most with what it has—financial and human resources.

As a member of the House Agriculture Committee and one who has a great deal of respect for the family farm operation, I want to include for the readership of this daily RECORD the McLean County News article on the Edward M. Ayer family as it summarizes the excellent accomplishments of this dedicated farm family that I am privileged to have the benefit of representing here in the Congress:

EDWARD M. AYER FAMILY SELECTED BY FHA AS 1972 FARM FAMILY OF YEAR FOR KENTUCKY

The Edward M. Ayer family of Route 3, Calhoun, is the 1972 FHA Farm Family of the Year for Kentucky. The choice of the judges made from winners of the nine Kentucky districts was announced today by John H. Burris, State Director of the Farmers Home Administration.

The able panel of judges consisted of Barney Arnold, Farm Service Director of station WHAS, Louisville; Jack Crowner, Farm Service Director of WAVE, Louisville; and Don Davis, Public Information Director of Dairymen, Inc., Louisville.

The judges determined the family to be "outstanding" rather than using the concept of "best", "biggest," or "most successful." They considered the family's progress in financial matters, improvements of the farming operation, better living, contributions to a better community and doing the most with what it has—financial and human resources. This covered such things as appearance of the farm, quality of livestock, herds and crop production, efficiency, record keeping, net income, conservation practices, cooperation with agnecies, participation in community activities, and accomplishments of the children.

The Ayers operate a 589 acre swine, beef, and crop farm in McLean County, located seven miles northeast of Calhoun. Mr. Ayer, age 39, and his wife, Lula, have two children, Kathy, age 14, and Keith, 10, who are actively engaged in school activities, and the farm.

Both Mr. and Mrs. Ayer were born and reared in McLean County. Each graduated from Calhoun High School. Both had farm backgrounds, and farming has been their life work. In 1961, they obtained their first loan from the Farmers Home Administration. At that time they owned seven acres of land and had a one-third interest in 70 acres. They currently own 285 acres and rent an additional 339 acres. They operate the farm to produce corn, soybeans, tobacco, and forage crops. A swine herd of 55 sows is farrowed in a modern farrowing house, and currently eight pigs per litter is reared. A beef herd is well managed, and a good calf crop record is achieved.

Since obtaining supervised credit from FHA, Mr. Ayer has increased corn production from 75 to 130 bushels per acre. Soybeans have gone from 25 to 35 bushels an acre. Land and buildings have been constantly improved. Mr. Ayer firmly believes a farmer must continually use better farming practices if he is to achieve success. This theory is proven sound by the Ayers when a $100,000 net worth gain is shown for the period since 1961.

Mr. Ayer has made good use of other agricultural agencies. He makes use of current research, and adopts it to his program. Land is fertilized to need, and it is used according to its capabilities. Full use is made of lime and cover crops. Pastures are improved and clipped as needed. The Soil Conservation Service recognized Mr. Ayer in 1971 by awarding him a Master Conservation Certificate.

The Ayers are skilled in money manage-

ment. They have a home food program which produces their vegetables, fruit, and meat. Productive resources have taken precedent over spending for luxury items. Careful record keeping and detailed financial and production records are maintained. Membership in the Ohio Valley Farm Analysis has assisted their program.

The Ayer family is also interested in their community. Mr. Ayer is a member of the Oak Grove Methodist Church where he serves on the Administrative Board and the Board of Trustees. He is a member of the Farm Bureau, Ohio Valley Farm Analysis Group, Vice-President of the McLean Planning and Zoning Board, and a director of Southern States Petroleum Board. Mrs. Ayer is a member of the same church and teaches the Junior High Class. She is active in local homemakers and 4-H Clubs.

Kathy, a high school freshman, is active in 4-H work and has won numerous ribbons for sewing, photography, cooking, floral arrangements, and modeling. She is a cheerleader at school. She serves as secretary of the Oak Grove Sunday School.

Keith, a fifth grader, is interested in sports, 4-H competition, and his church. His projects include tractor driving, a horse project, and beef calf production. He won the county beef calf ribbon at this year's fair.

Operating loans provided by FHA have been repaid in full. Land loans are ahead of schedule. FHA is proud to have provided capital to this family when they could not borrow from commercial sources at reasonable rates and terms. At present most lending institutions would gladly take their business. Their success to date is a tribute to their sound judgment, willingness to work, and strength of character. The family farm still has a great place in America when managed by a family like the Ayers.

LEGAL SERVICES CORPORATION

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, in recent weeks public attention has been directed considerably to the President's submission of a bill to create a Legal Services Corporation; and to the bill which will come before us for consideration as the means to continue legal services to the poor. Unfortunately, attention to the unrelated activities of the Office of Economic Opportunity has perhaps prevented many from considering the moderate and conservative position in support of a substitute program with strong safeguards and controls. Robert R. Stone, Jr., a local northern Virginia and District of Columbia attorney, has offered some well-reasoned comments on both past abuses of the legal services programs as officially documented, and some suggestions for guidelines he feels should be included if we are to have a good legal services program.

I call Mr. Stone's informative and well reasoned comments to the attention of our colleagues, in the hope they will be useful in determining the course of legal services for the future:

COMMENTS ON LEGAL SERVICES PROGRAMS

It is a pleasure as a private citizen to offer comments on the activities of the Office of Legal Services, and indirectly on proposed legislation to create a Legal Services Corporation.

Over the past several months it has been a distinct pleasure to serve on a consultant basis; as Special Counsel to the Acting Director of the Office of Legal Services (OLS), Mr. J. Laurence McCarthy; and his fine staff. It is from that vantage point, as well as from the viewpoint of a practicing attorney that observations are offered. Allow me to point out that preparation of this letter has been accomplished as a private citizen; and the remarks are intended to be the expression only of the undersigned. At the same time, it is useful to acknowledge discussions with the executive level OLS staff; with many fine attorneys who serve poverty level clients across the nation, and with past leadership of the Office of Legal Services, including two past Directors of that office.

The operating history as well as the legislative history of the legal services program is intertwined with the history of O.E.O.

The lack of controls which caused the many and well documented abuses in OEO, attached also to the programs of the Office of Legal Services.

In 1969 such deficiencies were documented in an official GAO report, dated August 7, 1969, "Effectiveness and Administration of the Legal Services Program, Title III, of the Economic Opportunity Act, 1964 (B–130515).

Attention is respectfully called to the following criticism by GAO:

"On the basis of our review of 34 annual evaluation reports, we (GAO) concluded that achievement of these objectives had been limited partly because OEO had neither clearly defined program objective and priorities nor provided the essential direction and guidance to program grantees on how to engage in activities directed toward law reform and economic development. Accordingly, we recommended to the Director of OEO that he more clearly define program objectives and priorities and instruct grantees on how to engage in these activities."

"OEO disagreed with our conclusion. It informed us in 1969 that it viewed its immediate objective as one of increasing its law reform and economic development activities without neglecting basic client services and that it had consciously refrained from issuing guidelines, monographs, and formal policy statements on priorities and methodologies because it believed that such determinations could not be made at that time on the basis of the program's limited experience" . . .

"We also recognize the difficulties inherent in establishing precise objectives and priorities for all Legal Services program grantees. We believe, however, that for Legal Services program grantees to adequately plan, program, and budget their resources to meet the major program goals, it is essential for program grantees to have clearly defined objectives and priorities and a plan for achieving these objectives."

In addition to the lack of controls, in a recent Report to the Congress; titled "The Legal Services Program—Accomplishments of and Problems Faced by its Grantees (B–130515); the GAO pointed to the difficulty (in) interpreting and analyzing the results (i.e., the achievements and problems of local services programs) because, quote "(1) grantees had not defined their objectives in operational terms, (2) grantee records were inadequate, and (3) the confidentiality of the attorney-client relationship precluded our review of certain grantee records.

"Adequate data was not available to determine the actual number and types of cases handled". The report continues:

"We believe that emphasis should be placed on developing better operational, managerial, and administrative techniques that will enable program grantees to better serve their intended beneficiaries and provide more reliable data on grantee accomplishments". (end of GAO quotes)

With this background, it is most important that the concept of legal services *not* be judged on the merits of its past history; or on the activities past or present of the Office of Economic Opportunity.

At the same time, it would appear that the need for reasonable guidelines, restrictions, and establishment of policy priorities are long overdue—if legal services are to be delivered efficiently and intelligently to eligible clients in the best tradition of the practicing Bar.

While *no* significant OEO/OLS response developed from criticisms of the loose operating structure and lack of controls over activity of local "grantees" (legal services projects) from 1969 until most recently; it can be stated that the most recent past Directors saw the need, and offered various suggested regulations, to OEO.

Currently, such earlier proposals, together with proposals prepared by attorneys on the staff; or consulting OLS have been offered as OEO "guidelines", or proposed regulations.

Without the necessity of concurring with each proposal it is suggested they offer a vast improvement over the "unfettered do your own thing" approach which often characterized the former operations of Legal Services.

Based upon discussions with a number of dedicated "poverty lawyers" the principle of this moderate client oriented direction is welcomed; as is an enlarged role for local Bar Associations.

Basically, the OLS proposed regulations offer restrictions which are imposed upon their fellow practicing attorneys by economic considerations.

In this connection, a recent ABA Journal article "English Legal Aid System at the Crossroads" by Michael Zander, a reader in law of the London School of Economics, offers a criteria for determining whether and how the legal aid (project) attorney should proceed to represent his client.

The article points out that legal aid in civil cases is granted or refused by the Law Society, the solicitors' professional body, acting through committees of private practitioners. (This is after the initial "means" or eligibility test is met.)

Then, the committee (of practicing lawyers) applies the case "merits" test.

To quote the ABA Journal article "The committees apply the merits test, which in civil cases is whether a solicitor would advise a reasonable client who had the means to spend his own money in pursuing or defending the proceedings."

It is suggested that such a test curtails many of the activities of over zealous or radical attorneys which are justified causes of criticism.

Hundreds of hours have been devoted by current OLS attorneys to the construction of regulations which mandate this "merit"-oriented reasonable man tests; with committees selected by local Bar Associations carrying heavy weight in policy matters and with one main goal in mind—quality legal representation of individually eligible clients.

If the controversy over O.E.O. has resulted in an unwillingness or incapacity to look at the independent actions of OLS, this is most unfortunate at a time when the merits of the concept of Legal Services are before the Congress.

Both the concept and the question of building in reasonable tests for policy and performance deserve careful attention. Passage of "bad" legislation offering little direction to attorneys delivering legal services would be unwise; and a great disservice to those who need help in this fight for equal justice. Conversely, condemning the concept of legal services without attention to the question of providing legal services to those who need and cannot afford such services could create untold problems.

Lacking unique wisdom to offer more specific advice on legislation, and moreover restrained by even the role of an OLS consultant, it is nevertheless offered that those who seek a legal services program within a framework which discourages abuse and en-

courages legal representation of the highest quality should now unite to ensure that legal services become an integral part of our judicial system.

A permanent and well considered mechanism once in operation will hold the best attorneys now in legal services and continue to attract able attorneys; and likewise eliminate those not primarily concerned with quality legal efforts. It will be an inspiration to all concerned for the poor and will add a new dimension to the fight for "equal justice for all."

While mindful of abuses, and sharing in many concerns that have been expressed, it would be fair to characterize this analysis as strongly supportive of ACTION designed to create a constructive means to lessen the economic barriers to adequate legal assistance.

Government cannot do it all, but neither can the private practicing Bar. I reach the conclusion, however reluctantly, that government has a role to play in helping the legal profession in meeting its responsibility to serve all citizens. In that spirit, I respectfully invite consideration of these comments, which I would be pleased to elaborate on more fully.

SECOND THOUGHTS ON WATERGATE

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. ZION. Mr. Speaker, the talented editor of the Vincennes Sun-Commercial has penned some relevant thoughts on Watergate and I believe he lends some proper perspective to this whole affair. I commend Mr. Brooks' remarks to my colleagues:

WATERGATE

(By William E. Brooks, Jr.)

The human element is beginning to play the part that should have been considered all along in what will be known as the Watergate scandal.

Too much of the early reporting and commentary was about abstract ideals and lofty principles, generally those which should be followed by someone else. Statements which now are open to doubt were accepted as engraved verities. The good, the pure, the noble and the virtuous were invited to draw up a bill of particulars against the evil, the impure, the ignoble and the devious. The American people were treated to reams of what purported to be revealed truth.

Then, one day, other voices were heard. The chief witness against the Nixon White House staff was invited by his former attorney to join in a lie detector test. Curiously, the chief witness has said neither Yes, No nor Maybe. The hired gun was a familiar and less than reputable figure in the Old West. The hired bug may be part of the new Washington.

There has been a lot of talk about the failure of President Nixon to open his doors to newsmen who work on the big scene. What has not been asked in terms of human relations is a simple question: "Why should he?"

The reporters and editors who made a career of criticizing, ridiculing and opposing the man who now sits in the White House want more than they are willing to give themselves. The two major newspapers which opposed President Nixon's election have carried the burden of the Watergate story.

The thrust of their effort has been to prove that the American people were wrong when they re-elected the President. If anyone wishes to discuss human arrogance, a learned debated might begin on the mental inflexibility of newsmen who refuse to believe the election returns of November, 1972.

If a small group of reporters and editors are unable to grasp that fundamental fact of the democratic process, why should Mr. Nixon throw open the doors of his office, smile, and wave them inside for advice and counsel? What they have advised is that the election is a fraud, that the President either should quit or be impeached, or that the entire government be thrown away for some vague leadership not provided for by law, nor approved by vote of the people.

Then there is the all-the-world's-a-plot theory.

As it has been outlined, vaguely, it seems that a shadowy group of powerful men picked out George McGovern as the easiest Democrat for President Nixon to beat. Whereupon, they began doing dirt to other, better Democrats to make certain that McGovern got the nomination. This was successful that President Nixon was elected by a landside, whereas he might have been elected by only a cave-in against some other candidate.

Somewhere in the hereafter, Joe McCarthy must be slapping his leg and throwing his hat on the floor. This plot to outdo McCarthyism at its worse is seriously discussed in what are said to be liberal, intellectual, enlightened, and progressive circles of our land.

Did the White House gang also pick out Tom Eagleton? Did someone fake the voices of McGovern and Mankiewicz when Eagleton got that famous and much delayed call from above? How silly can the whole business become?

I don't know the whole story nor any of the answers about Watergate.

I do know it involves human beings, not philosopher-kings nor voices crying in the wilderness. It makes me much more comfortable to be convinced that the discussion involves human judgment, frailty and error. That's the kind of conversation I can get into on a basis of personal experience.

TRADE BILL

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. DENT. Mr. Speaker, last week, I had the privilege of appearing before the House Ways and Means Committee to present my views on the proposed trade bill, as well as to address myself to the additional issues of imports that displace American workers; trade adjustment assistance, and U.S. and foreign multinationals. I would like to insert my remarks for the information of my colleagues:

TESTIMONY OF HON. JOHN H. DENT, 21ST DISTRICT, PENNSYLVANIA, BEFORE THE COMMITTEE ON THE WAYS AND MEANS, HON. WILBUR MILLS, CHAIRMAN, JUNE 14, 1973

Mr. Chairman and Members of this Committee:

I appreciate very much the opportunity to be able to present to you today some views that I have on the matter of international trade and the proposal for new legislation, now before this Committee, made by the President of the United States.

This testimony is in opposition to the Administration proposal on trade and tariff as presented.

Mr. Chairman and Members of this Committee, I came to the U.S. Congress, sixteen years ago, an avowed free trader. In my early days in Congress, I came upon a report put by the Committee chaired by the Honorable Thomas Steed, entitled the "Impact of Imports on American Employment and Unemployment". After reading the report, I was amazed to find that my long belief in free trade was shaken to the roots. On my own, I made a list of all of the witnesses who appeared before the Steed Committee. Five years later, I requested and was given an *Ad Hoc* committee assignment and I was made Chairman of the same title committee. That particular committee is currently under the jurisdiction of the General Labor Subcommittee, which I am privileged to chair. From 1963 thru the present year, my committee has traveled to the four corners of the world, has put hundreds of pages of reports and testimonies on record; has made on sight inspections both inside and outside the United States. It is thus with considerable study that I present this testimony.

I hope to be able to summarize briefly some of the matters that I think are of the gravest importance. I believe that it is very necessary, with regard to the kind of legislation, to discuss imports that displace American workers; trade adjustment assistance and U.S. and Foreign multinationals.

It is well known to the Members of the Committee that I opposed the enactment of the 1962 Trade Act, and I think the current bill is the same wolf in sheep's clothing I said then, and I think history has proven me to be right, that, with the passage of the 1962 Act, this nation would find itself in a more serious position in ten years than it had ever been, with the exception of the Great Depression. That time has come—ten years later—in spite of all the built in props that Congress has seen fit to put into the economy—Social Security, unemployment compensation, government spending programs, aid to education, and similar programs. In spite of these well intentioned efforts, we in the Congress have not addressed ourselves to the one blow that could wreak havoc upon this economy of ours.

I take a very narrow view, my critics say, because I lay the great portion of the blame for our present condition on antiquated, outmoded, and outdated international policies. For some unknown reason, men and women, intelligent toward every other kind of a problem that we face, seem to have a blank mind when it comes to considering the real dangers and the grave impact of excessive imports on the American economy. The great danger to the production facilities themselves is that they are being closed down and phased out. The loss of jobs deprives Americans of an opportunity to earn a living in the kind of work that they would like to do and have been doing for years. George Ball conjectured that this nation should dispense with the so called "unsophisticated" industry. Well, we phased out those "unsophisticated" industries, throwing the baby out with the bath, and destroyed hundreds of thousands of American jobs, for that great number of Americans who need that type of work the most, and in whose numbers are high percentages of unemployment. In my humble opinion, this nation cannot survive on distribution and consumption. We must have first and primary production of goods and services.

There is a large group in America, or at least a group speaking as though they were representing a large group, that has admitted satisfaction in seeing this country become a service oriented economy. You will note that this same group also stresses very heavily that we must correspondingly become a greater agricultural exporting nation. It is all very well, except for the fact that economic history, not only of this country, but for other countries, dictates that an agriculture economy cannot satisfy the needs of great nations and their peoples. In fact, we were the first to stand out and start a foreign aid program with the avowed purpose of developing countries that depended on

agricultural output. It was our ultimate goal in establishing their self-reliance to provide an industrial base; to help these countries become independent of other nations by making them capable of manufacturing, mining, and producing. We have helped many nations become self-reliant and become exporting nations.

At the same time we have allowed ourselves to become a nation of raw materials, agricultural products, and finances to feed the industrial might of other nations. The result of such actions is reflected not only by the unemployment in the industrial sector, but in the great national debt that we have created both here and abroad. The nation has allowed itself to be logically mesmerized into a situation where it honestly believes that it can survive without production. What kind of logic can dance to a swan song? To wit: the so called energy crisis. We have *allowed* our oil supply to become scarce; we have not fully researched the many uses of coal. The current situation is a Sunday school picnic compared to what will come in the very near futre, particularly if the oil producing nations suddenly decide to put a high dollar price on a barrel of oil. And which of us wants to guarantee that will not happen? Yet, who of us is determined to deal with that problem with foresight?

Despite the optimism of the President's recent Economic Report (Jan., 1972), domestic employment as it relates to U.S. trade remains a problem. First, recent import increases are largely in those industries which are labor-intensive from the standpoint of skill levels and man-hours (e.g., footwear, electronics assembly, various consumer goods . . .). Second, the continuing shift toward service-producing industries in the U.S. economy aggravates this situation. And third, U.S. imports are increasingly originating from the Far East where labor costs are significantly lower than elsewhere. These disruptions in the employment patterns have, to a large degree, been brought about by changes in both the volume and composition of U.S. imports. These changes have displaced domestic resources faster than the nation has been able to transfer these resources elsewhere. Excess production capacity has complicated the resource transfer.

On June 28, 1962, four different sources of support for the Kennedy Round Trade Agreements made their respective predictions regarding the number of jobs that would be created under that particular Agreement. These predictions were made by the following in my own Committee, the Ways and Means Committee, and the Joint Economic Committee.

1. The Department of Labor predicted an additional 3,000,000 jobs.

2. Secretary of Labor Goldberg forecast 4,000,000 additional jobs.

3. Secretary of Commerce Hodges predicted the number would be nearer 6,000,000.

4. And the Importers Council hoped for a wopping 12,000,000. At the same time, Mr. Charles Percy, then of Bell and Howell, now a U.S. Senator, speculated that an additional 15,000 positions would be created. Unfortunately, none of these speculations bore fruit.

At that time in 1962, there was a total of 16,800,000 persons engaged in manufacturing, with a payroll of $90 billion a year, and with a total population of 160,000,000 people. Today, with a total population of 208,000,000 there are 14,127,000 persons employed in the manufacturing sector. I point this out because, in spite of all their predictions, there has been a loss of jobs in the manufacturing sector, in the face of a production consumption increase of 50–60%. According to a report prepared by Stanley Ruttenburg for the IUD, between 1966 and 1969, U.S. foreign trade produced the equivalent of a new loss of half a million American jobs.

Among the most severely hit domestic industries are those manufacturing consumer products.

Imported products sold in the U.S. now account for 37 percent of all TV sets; 63 percent of all phonographs; 92 percent of radios; 96 percent of tape recorders; 15 percent of steel products; 20 percent of textiles; 53 percent of shoes.

The advance in electronic imports is startling. In just two years, between 1968 and 1970, the U.S. annual production of television receivers declined by 2,350,000 and radios by 6,000,000. In the same span, imports of TV sets increased by 1,790,000 units. Radio imports jumped by four million.

Imported parts and components, as well as finished products, are replacing U.S. production in many industries.

From these figures, it is not hard to figure out where the work is going—and who is losing it.

But this tells only a part of the story. Other domestic industries and their workers are also being hit hard by the rising tide of imports.

Non-rubber footwear: Imports in 1960 amounted to 26.5 million pairs. In 1971, imports rose to 268.6 million pairs.

Hardwood plywood: Imports in 1950 came to 58 million square feet—about 7% of the U.S. total. By 1971, hardwood plywood imports had risen to 5.03 *billion* square feet—about 71% of the U.S. total.

Toys and games: Imports increased from 568 million in 1960 to 1,032 million in 1969 and almost 100% increase.

Auto: Imports amounted to 21,000 in 1950; 444,000 in 1960; and 2,600,000 in 1971.

Pottery and china: Imports increased from 2 million dozen in 1947 to 34 million dozen in 1970—a 1,600% increase!

These examples of skyrocketing import totals show why the United States is now in a trade deficit situation. That deficit would be worse—much worse—if it were not for the fact that we have an export surplus in some of our domestic products to help offset the overall gain in import totals.

Jobs go down the drain by the thousands. Once thriving communities now lie in despair, the men and women out of work, the tax base shattered. The imports have taken over. We are talking about Monessen, Pa. (steel); Brockton, Mass. (shoes); Utica, N.Y. (radios); New Bedford, Mass. (textiles); Elmira, N.Y. (typewriters); Memphis, Tenn. (televisions); and on and on and on.

The electrical manufacturing industry has been particularly hard hit. The 1972 Convention of the International Union of Electrical, Radio and Machine Workers heard these situation reports:

In early 1970, the Standard Kolman Plant in Oshkosh, Wisconsin, closed down, laying off the last of 1,100 workers. The jobs went to Mexico.

On July 1, 1970, Emerson's Jersey City, N.J. plant closed down. There were 1,000 people working there then, but several thousand worked there in years past. The work went to Taiwan.

On July 1, 1970, Sessions Clock, Forestville, Conn., shut its doors, Fifty people were made unemployed. The work went to Japan.

On September 1, 1971, Bendix closed its York, Pa. plant. Six hundred IUE employees worked there, making electrical equipment for the Navy. Now, Mexican workers supply our Navy at wages of 42c an hour.

On October 1, 1971, Warwick Electronics in Zion, Illinois, closed down. It had once employed 1,600 people. The work went to Mexico and Japan.

On November 1, 1971, RCA shut down a Cincinnati plant, laying off the last of a workforce which had once numbered over 2,000. The semi-conductors and transistors once made in this plant are now being made in Belgium and Taiwan, among other locations.

In February, 1972, McGraw-Edison ended production at its Voicewriter Division in West Orange, N.J. Some 700 people lost their jobs.

The message is the same, Mr. Chairman, in industry after industry, as unions in their working jurisdictions report on what is happening.

In the steel industry, imports of raw steel rose from 10.3% of U.S. consumption in 1965 to over 18% in 1971. It is estimated that this rise in imports means U.S. steelworkers have lost 75,300 job opportunities during the six-year period.

In the rubber industry, imported tires cost 8,900 job opportunities in 1970 and 10,000 in 1971.

In the electronics industry, imports of home-use electronic products (radios, TVs, tape recorders, etc.) resulted in 32,800 jobs lost between 1966 and 1971. In electronic components, the job loss was 84,200 over the same period. This represented a total drop of 117,000 U.S. production workers or a 27% decline in employment in the industry.

In the footwear industry, shoe industry employment in the U.S. dropped by 18,700 workers.

The President has posed to us in this Body a partial solution—trade adjustment assistance. I would like to respectfully suggest that the American people want JOBS—not assistance, and while Trade Adjustment Assistance is imperative, it in no way directly addresses the problem of imports. It merely serves to mend the harm done by them. I am talking about jobs that Americans *need!* One estimate shows 900,000 work opportunities lost because of imports into the U.S. That surely calls for more than Trade Adjustment Assistance! This Administration's inclusion of Trade Adjustment Assitance in it bill is, of course, a long overdue recognition that imports *do* indeed adversely affect jobs. I repeat—and I do not at all intend to minimize the importance of trade adjustment assistance—American workers would prefer jobs to assistance any day of the week!

Since it has finally been recognized that imports adversely affect the labor market, it is imperative to provide for a better way of adjusting our manufacturing system. Any adjustment must be done with the welfare of the worker and firm in mind—in a way that mitigates the injury to both. Adjustment assistance should pay for itself, in part, since the U.S. economy would be made more competitive, through the enhancement of the skills of the work force.

It is essential to improve current standards of trade adjustment assistance and to further liberalize the standards of award. It is incredible that between 1962 and December 1969, *not one* worker petition was approved by the commission. In the four years between December 1969 and May 1973, after the regulations were "liberalized", 35,000 workers were covered. In light of these fairly conservative awards, it would seem that liberalizing the trade adjustment assistance standards would be an integral part of any Trade package. Such is not the case in the current Administration proposal. It is to say the least—retrogressive. The Administration bill is the only one I know that proposes to decrease worker benefits, both in *level* and *duration*—a proposal that is in direct conflict with the general purpose of trade adjustment assistance—that being, to provide those workers, who lose jobs so that the larger majority may benefit from freer trade, a reasonable level of compensation.

The proposed bill places new and increased demands on already seriously inadequate state unemployment compensation programs, which are not required to meet any minimum federal qualification or duration standards. It was these very state inadequacies that resulted in the enactment of federal standards for Trade Adjustment Assistance in the 1962 Act.

One cannot discuss the loss of jobs in America without discussing, at the same time, the recent and dynamic growth of the

multi-national corporation, the modernized version of the "runaway plant." For example:

—If a multinational does not like a U.S. minimum wage of $1.60 an hour, it may simply close its plant and move across the border to Mexico and pay workers 16 cents an hour.

—If a multinational does not like our National Labor Relations Act, it may remove its facilities to some land where unions are either non-existant or legally disapproved.

—If a multinational does not like America's Fair Employment Practices Laws, it may set up shop in South Africa.

—If a multinational does not like America's long overdue concern for the environment, it may move and pollute some other country's natural resources.

—If a multinational does not like U.S. taxes, it may structure its accounts to show little profits here while recording huge gains in other countries with little or no corporate taxes.

—If a multinational does not like our safety codes, our Social Security, our child labor laws, or our unemployment compensation, it may move and avoid all social costs.

American-based multinationals, by moving to another part of the world, shun the laws of this country, just as they shun the flag of this nation—a flag they refuse to carry on the high seas. American flag ships carried only 4.7 percent of our country's oceanborne foreign trade in 1970. While U.S. multinationals had a runaway flag fleet large enough to be the world's fifth biggest maritime power, the fleets of these non-Americans are more than four million deadweight tons larger than the American flag fleet.

While U.S. based multinational operations blanket the world with nearly 12,000 overseas operations, they are most heavily concentrated in the industrialized, well-developed and prosperous nations—1,255 in Canada, 923 in the United Kingdom, and 559 in Japan. Direct overseas investment involves the transfer of capital, technology, and management expertise from this country to some other country. But more important, these overseas operations represent an international trade-off, in which the average American citizen gets the worst of the bargain.

It is a trade of American jobs for jobs in France, Australia, South Africa, the Far East, and anywhere in the world.

It is a trade of revenue dollars for the U.S. Treasury for unrepatriated and untaxed dollars.

It is a trade of exports and a healthy balance-of-trade deficit.

It is a trade of balance-of-payments surplus and a sound American dollar for a balance-of-payment deficit and a dollar that is still shaky despite devaluation.

It is trade of the skills and livelihood of American workers for the stock dividends of a privileged few.

In the past ten years, major American corporations have focused less on exports than on building plants and producing goods overseas. Between 1960 and 1970, for example, the value of American investment abroad has risen from $32 billion to $78 billion, and almost 3,600 American companies now have at least one plant overseas. According to AFL-CIO Research Director Nat Goldfinger, "Fully 25 percent of all U.S. trade today consists not of transactions between a U.S. company and foreign nationals, but transfers between divisions of these multinationals—with the type of goods and their prices determined by the company's internal needs and tax considerations, rather than by the dictates of international competition."

The U.S. Department of Commerce's Studies on U.S. Foreign Investment lists the following as motives for investing abroad:

A need to get behind tariff walls to safeguard a company's export markets.

Greater efficiency and responsiveness by producing in the local market as compared with exporting to it.

The possibility of lower production costs which make it cheaper to produce components abroad.

The fear that competitors going abroad may capture a lucrative foreign market or may, by acquiring cheaper sources of supply, threaten the domestic market position of the company.

The need to diversify product lines to avoid fluctuations in earnings.

A desire to assist licensees abroad who may need capital to expand operations.

A desire to avoid home country regulations, e.g., anti-trust laws in the U.S.

Mr. Chairman and Members of this Committee, it is imperative that we in this Body address ourselves to this problem—before it becomes totally unmanageable. We are talking about companies without countries. It is imperative to establish a trade policy that deals with the realities of today—not the realities of yesterday. It is imperative to do so for the worker, for our economy, for our stability as a nation, and for our very freedom as a democracy.

Thank you.

TIME TO BREAK THE PLOWSHARE

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. RONCALIO of Wyoming. Mr. Speaker, the Plowshare program's development of nuclear stimulation techniques of freeing natural gas locked in tight, deep, formations in the Rocky Mountain west has proceeded far enough. This technology, while demonstrating relative technical success in test wells, remains highly questionable for use in full field production.

Any consideration of the Plowshare program must be taken in the context of its objective, developing a technique of nuclear stimulation for application in full field production. The Lawrence Livermore Laboratory projects the stimulation by nuclear devices of 5,680 wells [1] with three to four devices of 100 kiloton in each [2] in order to recover 300 trillion cubic feet of natural gas. That is 17,000 to 22,000 100-kiloton devices over a 35-year period. While preliminary test wells have subdued some concern by successful detonations and increased gas production, we must consider those questionable aspects of nuclear stimulation in the context of these full field figures compounding increased probability for serious consequences.

Concern continues over possible contamination of ground water. Water did enter the Gasbuggy cavity in New Mexico through a cementing port in the emplacement well casing. There remains the possibility that water could enter cavities in succeeding wells through defects in the casing or from other sources. The half lives of strontium-90 and cesium-137, 28 and 30 years respectively,[3] mean that they will remain of possible danger beyond the life expectancy of the casings. We are assured that if these nuclides are dissolved, only minor movement will result before decay.[4] There remains, however, the possibility of high salinity content water, under intense depth pressures, leaking into the cavities, dissolving these nuclides, and then moving out from the cavity through created fractures.[5] The movement of such contaminated water, its possible eventual association with other groundwaters contributing to river flow and water supply for human consumption, agricultural and industrial use, remains an item of serious concern.

The U.S. Geological Survey in a 1972 study on Rio Blanco and field development of the Piceance Basin, reported its concern over water damage through the mixing of low quality aquifers with good ground water from fracturing of the Mahogany Zone in the Piceance Basin.[6] While spalling apparently did not have such effects at the Rio Blanco test shot on May 17, numerous such shots through full field development amplify cause for such concern.

The same USGS study concludes that full field development would be incompatible with concurrent underground mining of oil shale.[7] The Green River formation contains an estimated 1.8 trillion barrels of crude oil shale. Tracts which are considered the most economically recoverable contain an estimated 54 billion barrels.[8] This is a serious trade-off of energy sources. A substantial increase in cost of extraction, reduction in the amounts extractable, and questionable advisability of extraction given the magnitude and number of nuclear blasts with possible resulting spall affects, formation fracturing, and associated radioactivity below, all give reason for concern.

Dr. Edward Fleming of the Division of Applied Technology stated in a speech before the Gas Men's Roundtable of Washington that 100,000 barrels of tritiated water will be produced by each well.[9] Extended to full field production, we are thinking in terms of 568,000,000 barrels of water that must be disposed of in such a way as to insure its containment until decay has rendered the tritium harmless. Three main proposals have been set forth for disposal, to inject it into deep wells, to inject it into the cavity from which it came, or into cavities created for disposal purposes. The USGS in its Rangely study, near Rangely, Colo., has effectively shown the relationship between ground movement and the injection of large quantities of water into lower formations. These studies demonstrate that the injection of water can cause slippage along existing faults. If such large quantities of water are to be induced into wells, or into cavities with their extending fractures, there indeed appears to be cause for concern and for further investigations of possible effects.

Plutonium may be used in future stimulation devices, however, if uranium is used, the quantities required for full field production would detract considerably from our reactor program. There is already a need for an acceleration of exploration and extraction of uranium to continue development of nuclear power at the pace required to meet our power needs. Any diversion of uranium to nuclear stimulation should receive thorough examination.

I am by no means opposed to extraction of this natural gas. We should go after it—but not by nuclear stimulation. If natural gas had been allowed to reach a more realistic price earlier, and if Plowshare hadn't offered its expecta-

Footnotes at end of article.

tions of nuclear stimulation, private industry might be further along in developing conventional techniques. Likewise, the Bureau of Mines has requested and desires massive funding for development of hydrofracturing techniques applicable in these tight formations. It is working with chemical explosives and studying existing geological fracture systems. Yet, its efforts along these lines have been limited to $437,000 in fiscal year 1973.

Conventional methods would induce propping agents into created fractures to hold them open under the great depth pressures. Conventional methods produce no radioactivity in the gas or loss of quality in initial gas. The numerous concerns which I have mentioned, as well as others, would not be a part of conventional, nonnuclear, recovery of these gases.

We have witnessed the third test of nuclear stimulation of trapped natural gas. Yet, to date, there has been no usable gas marketed from any of these wells. The technology seeks permeability, but produces only a glazed chimney with closing fractures.

I contend that that portion of the $4.6 million proposed for funding of nuclear stimulation under the Plowshare program, somewhat less than $3.8 million, should be stricken and used for higher priorities in the AEC's reactor development efforts. Given the serious concerns and doubts surrounding Plowshare, with the flurry of activity to meet our Nation's energy needs, is Plowshare worth $3.8 million which could be put to effective use elsewhere?

FOOTNOTES

[1] "AEC Comments on Statement of Opposition to Project Rio Blanco by David M. Evans," April 27, 1973, p. 1.

[2] B. Rubin, L. Schwartz, and D. Montan, "An Analysis of Gas Stimulation Using Nuclear Explosives," Lawrence Livermore Laboratory, Rept. UCRL—51226, May 15, 1972, p. 20.

[3] Harris B. Levy, "On Evaluating the Hazards of Groundwater Contamination by Radioactivity from an underground Nuclear Explosion," Lawrence Livermore Laboratory, Rept. UCRL—51278, September 18, 1972, p. 9.

[4] "AEC Comments on Statement of Opposition to Project Rio Blanco by David M. Evans," April 27, 1973, p. 5.

[5] David M. Evans, "Statement before the Subcommittee on Public Lands of the Senate Interior Committee," May 11, 1973, p. 3 of statement.

[6] "Study Group Report Project Rio Blanco," United States Department of the Interior Geological Survey, September 1972, p. 32.

[7] Ibid, p. 4.

[8] *Guide to National Petroleum Council Report on United States Energy Outlook*, Presentation made to national Petroleum Council, December 11, 1972, p. 20.

[9] Dr. Edward H. Fleming, Jr., "Another Gas Supply Alternative," Speech before the Gas Men's Roundtable of Washington, March 6, 1973, p. 6.

FEDERAL HOUSING PROJECTS

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. PREYER. Mr. Speaker, in the May 15, 1973, issue of the Christian Science Monitor there is an article concerning the efforts of the housing authority in Greensboro, N.C., to improve the total environment of Federal housing projects. The Greensboro Housing Authority is one of only 13 housing authorities in the Nation funded for a research effort to find ways to improve housing management. Of these 13 authorities Greensboro is the only authority experimenting in the area of innovative furniture components for the residents of public housing. If the research in this area proves successful, Greensboro's accomplishment could literally affect limited-income housing throughout the country.

As Mr. William C. Gordon, executive director of the Greensboro Housing Authority, notes in the Monitor article, public housing in the United States has too often failed because "not enough attention has been paid to helping public housing residents adapt to their new environment." I would like to commend the Greensboro Housing Authority for turning their attention to improving the total environment of public housing residents and would like to share with my colleagues the Christian Science Monitor article which follows:

DESIGNER FURNITURE FOR PUBLIC HOUSING

(By Conrad Paysour)

GREENSBORO, N.C.—Milo Baughman is to furniture design what the name Christian Dior is to women's fashions. They are both involvements with glamour and elegance, far removed from the world of the ghetto.

So it's a little more than surprising to find Milo Baughman working with former residents of the ghettos, which is exactly what he's doing in Greensboro.

Mr. Baughman, who lives in Utah, is a consultant to the Greensboro Housing Authority, the agency that administers federal public housing in Greensboro.

He is helping to design furniture to meet the special needs of public-housing residents, many of whom were former slum tenants.

Mr. Baughman's work with the Greensboro Housing Authority is a labor of love. He has spent many hours in the city, without a fee, and the consultant fee he will get in the future will be nominal.

"TOTAL ENVIRONMENT"

"I've long been interested in this matter of 'total environment,' " he said during a visit to Greensboro. He once tried to establish an organization in New York to do some of the things he will do for the Greensboro Housing Authority.

As everybody knows, public housing in the United States has too often failed to accomplish what it is designed to do.

William C. Gordon, executive director of the Greensboro Housing Authority, attributes some of the failures to the fact that not enough attention has been paid to helping public-housing residents adapt to their new environment.

Mr. Gordon noted that when many people move into public housing projects, from the slums, they bring their old and battered furniture with them.

"We have also noticed that many of our clients go heavily into debt buying new furniture for their new apartments," he added. "The new furniture is often of low quality, and the people often pay high interest rates for credit."

Mr. Baughman cited an example of how furniture can play a big part in the attitude of public housing residents. He said a group of Harvard students once conducted a survey of residents of high-rise public housing apartment buildings to see what they thought of their new homes.

"Surprisingly, many of the people said they would have preferred fewer windows," Mr. Baughman said. The reason they wanted fewer windows was that they were ashamed for their neighbors to be able to look in and see their furniture.

FIVE STYLES PLANNED

Mr. Baughman's work with the Greensboro Housing Authority is a part of a contract that the housing authority has with the United States Department of Housing and Urban Affairs (HUD). HUD is interested in finding new ways to solve public-housing problems.

If the furniture project is successful, HUD could use the Greensboro study as a pilot for public housing throughout the U.S.

Mr. Baughman said the furniture he and others will design will not be a simply "government issue" furniture.

"We feel that residents should have a choice in selecting their furniture," he declared. To prepare for the design project, residents of public-housing projects in Greensboro were interviewed to see what kind of furniture they liked.

As a result, five basic furniture styles were chosen for the Greensboro experiment: early American, Mediterranean, provincial, contemporary, and modern.

The goal is to come up with furniture that will be stylish but sturdy, economical but practical.

SPECIAL PROBLEMS FOUND

Mr. Baughman mentioned some of the special problems in designing furniture to meet the needs of public-housing residents.

For example, elderly residents of public-housing need one type of furniture, whereas low-income younger families need another type. Furniture for the elderly has to be easy to move, and chairs have to be made differently than chairs made for younger people.

Among other things, Mr. Baughman is designing funiture that has replaceable parts, so that people don't have to replace a whole piece of furniture when only part is damaged.

"The arms of sofas can be replaced so that you can buy a new arm just as you can buy a new fender for your Volkswagen," said Mr. Baughman.

SUPPORT SOUGHT

He is busily getting support from furniture manufacturing companies.

The residents of public housing will pay for their own furniture. A special fund is being set up so that people can buy the furniture on the installment plan. When a person makes a payment on his furniture, that portion of his payment immediately becomes available for another public housing resident to borrow against.

Mr. Baughman says that furniture manufacturers might be able to use techniques they pick up in the project for mass-producing furniture for sale to the general public.

And Greensboro Housing Authority executive director Gordon says that if the idea catches on, the public housing market could, in itself, be profitable for furniture manufacturers. "The potential is really tremendous,"

he declared. "The potential is for up to 400,000 new units of subsidized housing a year."

VOTE TO TERMINATE TUNG NUT PROGRAM IS MILESTONE IN FARM LEGISLATICN

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. FINDLEY. Mr. Speaker, yesterday, when the House approved by unanimous consent my bill, H.R. 2303, to terminate the mandatory price support program for tung nuts, an important milestone was reached in farm legislation.

It had been 25 years since the House approved the termination of any of the price support programs that were approved during the 1930's and 1940's. In short, until yesterday, we have treated these programs as if they were sacred and above careful reconsideration.

Each year, we had appropriated funds for their continuance without subjecting them to a close scrutiny to determine if they were still needed or if they were doing the job they were designed to do.

But the House action yesterday clearly indicates that now we are willing to terminate programs that have outlived their usefulness.

The tung nut program has cost American taxpayers over $12 million during the last 24 years while encouraging production of a commodity that no longer has a substantial domestic market.

Yesterday we recognized that conditions have changed and that this once useful program has become an unnecessary burden to the taxpayer.

Many taxpayers may not even know what tung nuts are, much less that we have for years been appropriating their dollars to subsidize production.

Tung nuts grow on trees in moderate climates. In the United States production is limited to the Gulf Coast States. Tung nuts yield an oil that at one time was popular as a drying agent in paints, lacquers, and varnishes. Before the development of synthetic substitutes, tung oil was an important commodity.

Prior to World War II, the United States was a net importer, largely from China. When Pearl Harbor cut off incoming supplies, tung oil was officially declared a strategic commodity for defense purposes. All available supplies were controlled for use by the military. Although there is a 5-year lag between planting and oil production, tung output in the United States was greatly expanded during this period.

Immediately after the war, an average of 100 million pounds of tung flowed into the United States from China each year, at prices well below American production costs.

As a result, the still expanding United States tung industry appealed to Congress for a mandatory support program. In 1949, Congress granted this request.

All products from Communist China were embargoed in 1950, stopping the heavy flow of tung oil. With supplies available only from South America and United States producers, the support program worked reasonably well.

Since 1959, rising production costs, coupled with a succession of freeze damage and hurricane disaster years, have almost destroyed the tung industry in the United States. Most of the tung groves still in existence are well past their prime. The owners must now decide whether or not to replant the groves. If we continue this program, we will encourage them to do so—at the taxpayers' expense.

In addition, the chemical industry has developed substitutes that have reduced the U.S. market for tung from over 100 million pounds annually to less than 30 million pounds.

The world price for tung oil currently hovers between 12 and 15 cents a pound. The Commodity Credit Corporation, is supporting tung oil at 27.6 cents per pound, which is 65 percent of parity, the lowest level permitted by the 1949 legislation.

As has been the case for the past several years, the Commodity Credit Corporation, assumes ownership of the entire crop by paying the producers the loan rate. Because the producers cannot get even half the loan rate in the market, they keep the loan and give up ownership.

As the Commodity Credit Corporation disposes of this supply of tung oil, it is unable to recover even half the costs, a considerable loss to taxpayers.

Since 1949, the tung nut support program has cost the taxpayers over $12 million.

Clearly, now is the time to terminate this program.

The House action was a major step in that direction. Not only have we taken action to save taxpayers a substantial amount of money, we have shown that we can move decisively and end programs that are no longer needed. This makes our action yesterday somewhat of an historic occasion.

SPORTS—GATEWAY TO INTERNATIONAL UNDERSTANDING

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. HANSEN of Idaho. Mr. Speaker, on May 23, 1973, Deputy Assistant Secretary of State for Educational and Cultural Affairs Alan A. Reich, addressed the General Assembly of International Sports Federations, emphasizing the importance of furthering international understanding. In his remarks in Oklahoma City, Mr. Reich stressed the potential impact of international sports on "people-to-people diplomacy."

I am inserting the speech, "Sports—Gateway to International Understanding" in the RECORD as another example of Mr. Reich's ongoing efforts to bring about total communication among the peoples of the world.

SPORTS—GATEWAY TO INTERNATIONAL UNDERSTANDING

We all have two important interests in common—sports, and furthering international understanding. You represent thirty-seven different sports played in all nations of the world by many millions of people. You personify mankind's continuing commitment to sports. Throughout history—from the Egyptians to the Romans to the Greeks to the Celts to present day—sports have ennobled man's existence. But not until the modern Olympic era began in 1896 have sports, as one kind of cross-cultural, transnational interaction and commmunication, become a significant force for international understanding.

I shall discuss the rationale for this informal communication (I call it people-to-people diplomacy); the interest of the U.S. Department of State in the activity; and our work, in cooperation with the private sector, in furthering international understanding through sports. In my closing, I shall acquaint you with twelve suggestions I offer to U.S. sports groups, when they request them, for contributing toward this goal.

PEOPLE-TO-PEOPLE DIPLOMACY

Technological advances have made nuclear war a threat to mankind's existence. Fortunately, new initiatives and agreements in the disarmament field offer hope that the deadly cycle of weapons build-up may be broken. Prospects for increased government-to-government cooperation look better today than at any time since World War II. The great powers are focusing on areas of common concern and not only on their differences. The results appear promising.

While technology has made nuclear annihilation possible, it also has sparked a revolution in communication and transportation which brings increasing numbers of people in all walks of life into direct, open, and immediate contact. International diplomacy, traditionally the task of men behind closed doors, has gone public. Many foreign offices no longer confine themselves to speaking with other foreign offices for peoples; they help and encourage peoples to speak for themselves across national boundaries. People-to-people communication has become a dominant force in international relations throughout the world.

The geometric increase in citizen involvement in world affairs has special significance for the diplomat. It is a fundamental, irreversible, and irresistible influence for peace. Nations are less likely to deal with their differences in absolute terms when their citizens communicate and cooperate with each other freely and frequently.

When people-to-people bonds and communications networks are more fully developed, there will be a greater readiness to communicate, to seek accommodation, and to negotiate. The likelihood of international confrontation will diminish, and prospects for peaceful solutions will be enhanced. This rationale governs the interest of the State Department in the furtherance of meaningful people-to-people interchange.

In the past few years, social scientists have increasingly studied the relevance of informal nongovernmental communications activities to matters of war and peace. Research scholars such as Dr. Herbert Kelman at Harvard University are developing a more scientific base for these transnational cross-cultural communications activities. Their research suggests that the existence of informal

communications tends to reduce the level of tension when conflicts of interest occur. They contribute to a climate of opinion in which conflicts may be negotiated more effectively. Second, their research indicates that informal relationships create a greater openness in individual attitudes toward other nations, peoples, and cultures. These predispositions also lead to greater readiness to communicate and to resolve differences peaceably. Third, social scientists tell us that international cooperation and exchange contribute to world-mindedness and to an internationalist or global perspective on what otherwise might be viewed either as purely national or essentially alien problems. Finally, international people-to-people relationships help develop enduring networks of communication which cut across boundaries and reduce the likelihood of polarization along political or nationlist lines.

ROLE OF STATE DEPARTMENT IN INTERNATIONAL EXCHANGE

When you think of the State Department's conduct of our international affairs, people-to-people diplomacy and exchange-of-persons program may not come immediately to mind. It is, nonetheless, a significant Department activity carried out with 126 nations of the world. The Bureau of Educational and Cultural Affairs works constantly to improve the climate for diplomacy and international cooperation.

To fulfill the aims of the Mutual Educational and Cultural Exchange Act of 1961, Department-sponsored programs are designed to strengthen patterns of cross-cultural communication in ways which will favorably influence the environment within which U.S. foreign policy is carried out and help build the intellectual and human foundations of the structure of peace.

More specifically, these programs aim to increase mutual understanding and cooperation between the American and other peoples by enlarging the circle of those able to serve as influential interpreters between this and other nations, by strengthening the institutions through which people abroad are informed about the United States, and by improving channels for the exchange of ideas and information.

The exciting, challenging job of the Bureau of Educational and Cultural Affairs is to use its resources to reinforce the work of American individuals and organizations who want to help construct the foundation of better relationships with the rest of the world.

It also coordinates, as necessary, the activities of other government agencies with international exchange programs in such fields as health, education, social welfare, transportation, agriculture, military training, and urban planning.

Having come to the State Department from private business, I have gained great appreciation for what is being done at an investment of $45 million annually. There are several major elements in the Department's exchange program:

Annually, some 5,000 professors, lecturers, and scholars are exchanged to and from the United States. The international visitor program brings to this country about 1,500 foreign leaders and potential leaders annually for short orientation tours. Each year we send abroad several leading performing arts groups and athletic stars. For example, in the past two years, Duke Ellington toured the Soviet Union; several jazz groups performed in Eastern Europe; and Kareem Jabbar and Oscar Robertson of the Milwaukee Bucks visited Africa. (The visit of the U.S. table-tennis team to the People's Republic of China was, of course, totally a private effort.) We also send some 150 U.S. lecturers abroad annually for short lecture tours.

These programs depend on the cooperation of thousands of private individuals and organizations whose response has been outstanding. The Department works closely with a number of organizations that assist in carrying out these activities.

The National Council for Community Services to International Visitors (COSERV) is a network of 80 voluntary organizations in the United States, which enlists some 100,000 Americans to provide hospitality and orientation for international visitors.

The National Association for Foreign Student Affairs, counsels many of the 150,000 foreign students now studying in American colleges and universities.

The Institute of International Education and several private programing agencies help carry out the Fulbright and international visitor programs.

PRIVATELY SPONSORED EXCHANGES

We in the Department of State are aware our programs represent only a portion of the total private-public participation of Americans in exchanges aimed at furthering international mutual understanding. Service organizations, professional associations of doctors, lawyers, journalists, municipal administrators, and others link their members with counterparts throughout the world.

More than 40 national sports organizations carry on international programs involving their athletes in competition, demonstrations, and coaching clinics here and abroad. Several youth organizations conduct international exchanges with nearly 5,000 American and foreign teenage participants each year.

Numerous foundations, businesses, and institutions throughout America facilitate the private studies of many of the nearly 150,000 foreign students who come to the United States annually and approximately half that number of Americans who study abroad each year. Private American performing arts groups tour other countries; reciprocal opportunities are offered to counterpart groups from abroad.

The People-to-People Federation and its committees actively promote and carry out meaningful exchanges; 330 American cities are linked through the Sister City Program with communities in 63 countries of the world.

What may not be quite so apparent yet is the quite logical social and political fall-out of these countless millions of contacts between people and organizations of various nations. Such contacts become ongoing human and institutional interactions. In turn, these interactions develop into the dynamic and largely spontaneous growth of thousands upon thousands of linkages—between towns and cities, clubs and organizations, professional societies, universities and cultural institutions, sports enthusiasts and businesses, government ministries, labor unions, and individuals—all over the world. These linkages in turn become webs of more and more complex relationships. As a result physical, psychological, cultural, and economic interdependence, become an indisputable overarching reality.

But we have not as yet arrived at the millennium. Swords cannot yet be beaten into plowshares. For the foreseeable future there will be much work for my diplomatic colleagues in their customary stocks-in-trade of crisis management, conflict settlement and trade negotiation. But hopefully constructive, cooperative and complementary linkages and webs will become commonplace at every level of society and between every level—and among institutions public and private as well as within each such sector.

At that point there should be less of the traditional political and more of the new functional emphasis in our foreign offices.

As the recent annual Foreign Policy Report of the President stated, "These trends are not a panacea but they are contributing to the climate of international understanding in which governments can pursue the adjustment of official relationships. They also afford the individual citizen meaningful ways to help build the structure of peace which is America's goal."

SPORTS FURTHER INTERNATIONAL UNDERSTANDING

So much for informal, international communication in general; what about sports, in particular? In this decade we have witnessed some of the most significant international sports events in history; some have made history. I should like to comment on the ways in which sports, as a universal language, can further international understanding. (I recognize of course the nature of the contribution of sports varies greatly depending on the countries involved, their relationships, and the particular sport.)

Sports open doors to societies and individuals and pave the way for expanded contact—cultural, economic, and political. The recent table-tennis exchanges with the People's Republic of China are an outstanding example in which U.S. athletes have been involved.

Sports provide an example of friendly competition and give-and-take two-way interchange which hopefully characterizes and dignifies other types of relationships between nations in this era of growing interdependence.

Sports convey on a person-to-person basis and through the media to the broader public a commonness of interest shared with other peoples across political boundaries. This awareness and emphasis can carry over to and influence other kinds of international relations.

Sports enhance understanding of another nation's values and culture, so important but often absent in many forms of international communication. These qualities include determination and self-sacrifice, individual effort as well as teamwork, wholesomeness, empathy, good sportsmanship, and a sense of fair play. Sports thus help to improve perceptions of other peoples and to close the gap between myth and reality.

Organizing and administering international sports are the basis for ongoing, serious communication and cooperation across ideological and political barriers. This is demonstrated here. In this work, sports associations, as nongovernmental groups, are symbols of the freedom of peoples to organize themselves, to travel and communicate across national boundaries, and to work together to carry forward freely their own interests. They further the ideals of freedom.

Your respective sports associations help develop leadership which is needed especially by the developing nations as they struggle to reduce the gap between the have and have-not peoples of the world.

I could illustrate each of these values of international sports with many examples, as I am sure you could. We could cite cases in which negative results were realized. But on balance, the many thousands of ongoing interactions in sports annually are a tremendous force for good in the world. For all these reasons, the U.S. State Department has a serious commitment to international sports.

THE ROLE OF U.S. DEPARTMENT OF STATE IN SPORTS

Since sports in the United States is a nongovernmental activity, the State Department's role reflects this basic concept in international sports. Our interest is in furthering international mutual understanding and communication through sports. As part of the official U.S. cultural relations program, our sports office in the Department carries out, in cooperation with the cultural officers in our embassies, a small, but excellent, and we hope catalytic, program. It includes sending overseas each year 10–20 coaches on request of other nations.

We also send a small number of outstanding athletes abroad to conduct demonstrations and clinics. We are planning to send abroad on request a few carefully selected groups of coaches and athletes to teach the organization and administration of sports. We bring several sports administrators an-

nually to the U.S. for orientation tours as recommended by our embassies. We occasionally arrange to "pick up" a US group participating in a sports event abroad and send them on a goodwill tour into additional countries. Last month, for example, the Coca Cola Company sponsored an AAU international swimming meet in London; we sent four small teams of U.S. participants after London into Eastern Europe and North Africa.

We also make a few small seed money grants each year to help selected organizations raise private funds to carry out their programs more effectively. Reflecting our interest in two-way interchange, we recently assisted the Partners of the Americas to send a group of basketball coaches to Latin America and bring soccer coaches to the United States.

In addition to these programs, we facilitate private efforts, when possible, by providing briefings in the United States or abroad, by offering suggestions for cooperative programming, by assisting with communications, or by furnishing guidance on international affairs. Our Consulate General in Munich provided considerable planning assistance to the U.S. Olympic Committee over a period of months in response to their request.

There are thousands of privately-sponsored international sports activities annually involving trips to and from the United States of athletes, coaches, and administrators. It is in our national interest—in the U.S. taxpayers' interest—to help ensure that these activities do in fact contribute, to the maximum extent possible, to better international mutual understanding. We assist while at the same time seeking to preserve and encourage the private sector initiative vigor, and dynamism which are America's strength. Therefore, our facilitative role in helping U.S. sports organizations carry on their own international programs effectively is our most important one. As the focal point for all these activities, our sports office has a big job to do.

I frequently have been asked by leaders of private U.S. sports organizations what more they might do, beyond what they already are doing, to further international understanding. You might be interested in 12 suggestions I offer to them for their consideration and action:

1. Help strengthen the Olympic movement, including the Olympic development program.

2. Strengthen the ties which bind us with other peoples by actively participating in international sports associations.

3. Increase exchanges both to and from the United States of leaders in sports.

4. Increase the exchange of sports films, journals, and other printed materials.

5. Develop cooperative programming with other private organizations such as People-to-People Sports Committee, Partners of the Americas, Operation Cross-Roads Africa, Sister Cities International, youth, and community service organizations.

6. Seek greater public visibility through the media to expose the maximum number of people here and abroad to the international goodwill generated.

7. Help ensure U.S. participants in international sports interchange gain advance understanding of important cultural differences and political realities.

8. Seek facilitative and financial assistance of U.S. companies operating internationally, since they have an interest in carrying out public service activities abroad as they do in the United States.

9. Develop and carry out international sports events in support of disaster relief, which also serves to dramatize the humanity of sports.

10. Encourage and publicize the participation of international federation representatives at sports events to dramatize the universality of sports and its contribution to international understanding.

11. Assist other nations as requested in building their counterpart sports organizations to ensure ongoing interchange.

12. Provide home hospitality, in cooperation with community organizations, for international sports visitors to the United States.

While we carry out a few programs and facilitate many more, our most important consideration, as a government, lies not in winning but rather in increasing understanding as a basis for cooperation. From the standpoint of the U.S. Department of State, one of the most important sports exchanges in recent years was the visit of the table-tennis team to the People's Republic of China. It didn't matter who won; it did matter that it opened the way for greatly increased two-way communication. In many less spectacular instances sports interchange, whether we have won or lost has contributed greatly over the years to our common objective of furthering international mutual understanding.

It is an honor to welcome officially to the United States this group of distinguished leaders from around the world for your first conference in our country. Together with you, I am grateful to the General Assembly of International Sports Federations, the International Softball Federation, the Amateur Softball Association of the United States, and the dedicated citizens of Oklahoma City for making possible this important meeting.

Thank you for your continuing efforts to further the ideals of sports worldwide and in the process for helping to build the human foundations for the structure of peace.

Thank you.

ENLISTED AIDE PROGRAM: A HOBSON'S CHOICE

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mrs. SCHROEDER. Mr. Speaker, on April 18, 1973, Senator PROXMIRE, with the aid of the General Accounting Office, exposed another example of the wasteful and largely unwarranted practices which seem to abound in the military establishment. The GAO reported to Senator PROXMIRE that approximately 22 million tax dollars are presently expended each year on a program which provides 970 high ranking officers with personal aides.

What is alarming is that in many instances these "aides" perform duties wholly unrelated to any bona fide military activity. Specifically, personal "aides" are frequently called upon to clean house, run personal errands, serve family meals, and perform other duties generally reserved for private domestic help.

One of the bolder apologists for the enlisted aide program, Col. James T. Moore of the Army's Enlisted Aide School, was paraphrased in a recent article in the Baltimore Sun as saying that many of the officers involved could be earning substantially higher salaries in nonmilitary occupations and that those who are proposing to do away with the program ought to give some thought to paying generals $150,000 a year.

But Colonel Moore is not the only one who views the program as a means of compensating the 970 officers presently enjoying the services of enlisted aides. The Internal Revenue Service has recently reported to me that officers utilizing enlisted aides in an unauthorized manner may be in receipt of taxable income. Since such unauthorized usage is widespread according to the GAO report, a large number of officers may now find themselves in a dilemma. If they report such services as income, they simultaneously admit breaking military regulations. If they fail to report such income, they may be violating Federal income tax laws.

I am including for the RECORD a copy of the letter I received from the Internal Revenue Service and a copy of a letter I recently sent to Secretary-designate Schlesinger.

INTERNAL REVENUE SERVICE,
Washington, D.C., June 8, 1973.

Hon. PATRICIA SCHROEDER,
Denver Federal Building,
Denver, Colo.

DEAR MRS. SCHROEDER: This is in further reply to your letter of May 17, 1973, to then Commissioner Walters, regarding the enlisted aide program of the Armed Forces and the Federal income tax consequences to officers who are provided aides. Specifically, you request that we consider whether the value of services performed by enlisted aides for officers could be construed as comprising taxable income to the recipients of such services. You ask that our consideration not be limited to the circumstances under which the services performed are authorized by statute, but also include the situation where the officer utilizes the aide for purposes outside the scope of the statute.

Your letter refers to a recent report of the General Accounting Office (B-177516, "Enlisted Aide Program Of The Military Services," April 18, 1973) that examines various aspects of the enlisted aide program. The GAO report states that enlisted aides are assigned to senior officers holding command-type positions and that, as of December, 1972, aides were assigned to 860 of the 1,317 admirals and generals and to 110 Navy captains.

The GAO report also points out that aides are assigned to relieve officers of minor details that could be performed by the officers only at the expense of their primary military and official duties. Although the exact duties that may properly be assigned to enlisted aides are not delineated by statute, the Department of Defense Directive extracted in appendix VII to the report provides, in pertinent summary, that the duties of enlisted aides must be concerned with tasks relating to the military and official responsibilities of the officers and must further the accomplishment of a necessary military purpose. The directive also prohibits the assignment of duties that contribute only to the personal benefit of officers and that have no reasonable connection with official responsibilities.

Under section 61(a) of the Internal Revenue Code of 1954 gross income means all income from whatever source derived, including compensation for services.

Section 1.61-2(d)(1) of the Income Tax Regulations provides, in part, that if services are paid for other than in money, the fair market value of the property or services taken in paymen' must be included in income.

Generally, in order to conclude that the value of a service provided by an employer to an employee is includible in the latter's gross income under section 61(a) of the Code, the service must be provided primarily to compensate the employee. If the service is provided primarily for the benefit of the employer in his trade or business, the value of the service would not be includible in the employee's gross income.

It appears from the information contained in the GAO report that the purpose of the enlisted aide program is to promote the ef-

ficient performance of the official duties and responsibilities of the officers concerned. It further appears that if an officer utilizes an enlisted aide in the manner prescribed in the Department of Defense Directive referred to in the report, the services of the aide primarily benefit the officer in his official capacity and, necessarily, the branch of the Armed Forces of which the officer is a member. On this basis it is our view that the value of such services would not be includible in the officer's gross income.

In a situation where an enlisted aide is utilized in an unauthorized manner, the officer may be in receipt of taxable income. Such a determination is essentially factual and could properly be made only on a case-by-case basis after analysis of all the relevant facts and circumstances involved.

We regret the delay in replying to your letter and hope that it has not inconvenienced you.

Sincerely yours,

LESTER W. UTTER,
Chief, Individual Income Tax Branch.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 18, 1973.

Hon. JAMES R. SCHLESINGER,
Secretary Designate, Department of Defense, The Pentagon, Washington, D.C.

DEAR SECRETARY: Enclosed is a copy of the Internal Revenue Service's response to my inquiry concerning the Federal income tax consequences of the enlisted aide program.

The IRS determined that an officer who utilizes an enlisted aide in a manner not authorized by DOD Directive 1315.9 may be in receipt of taxable income. In other words, if an officer uses an enlisted aide to accomplish a private purpose rather than a military purpose, such services may be considered taxable income which the officer would be obligated to report on his income tax return.

Since the General Accounting Office Report to Congress, "Enlisted Aide Program Of The Military Services" (B–177516), did indicate abuses in the $21.7 million program, I believe you should upon assuming office issue a directive warning officers of their potential tax liability for the unauthorized use of military servants.

If an officer, however, feels obligated to report the services of his or her enlisted aide as taxable income the officer would, at the same time, be in violation of DOD Directive 1315.9 which prohibits the use of enlisted aides for personal purposes.

Such a Hobson's choice can be avoided, and the public saved $21.7 million, by junking the whole military servant program.

With kind regards.

Sincerely,

PATRICIA SCHROEDER,
Member of Congress.

IS CONSCIENCE "INOPERATIVE"?

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Ms. ABZUG. Mr. Speaker, there is an interesting dichotomy between the concept of conscience discussed at the Watergate hearings and that applied to discussions of amnesty.

Janet Neuman of Washington, D.C., has raised most pertinent questions in a letter printed in today's Washington Post which I insert in the RECORD at this point:

REAL QUESTIONS

The following dramatic dialogue between Sen. Howard Baker and Herbert L. Porter at the Senate Watergate Hearings on June 7th raises some very basic questions.

Senator Baker, after chastising Mr. Porter for taking part in the "dirty tricks" against his better juudgment, said: ". . . I really expect that the greatest disservice that a man could do to a President of the United States would be to abdicate his conscience."

Is it, in fact, a possibility for a citizen to follow the dictates of his own conscience or is he committed to the law of the land, or orders emanating from the President, who is also the Commander in Chief of the Army and Navy? And if Senator Baker's admonition is valid, what about the war resisters and the CO's who abided by that philosophy and who are now paying dearly for having done so?

Is there one set of rules? Or do the rules change according to circumstances?

These are not hypothetical questions. They are real, and these questions, as much as others not being explored, need a clear and definite answer—and a fair one.

JANET N. NEUMAN.

WASHINGTON.

DAYTON DAILY NEWS PROPOSES FEDERAL OVERSIGHT OF PROFESSIONAL SPORTS

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. WHALEN. Mr. Speaker, the Dayton Daily News, a daily newspaper in my congressional district, has concluded a lengthy series on the operations of the Emprise-Sportservice conglomerate.

The informaton developed by the News in this enterprising journalistic undertaking points to what might be restrainedly termed "unholy alliances" in the world of professional sports. In addition, in its June 13 editorial, the News concluded that the problems illuminated by reporters Gene Goltz and Jay Smith probably could not be corrected by actions on the part of individual States. The News said:

It is probably necessary that professional sports be brought under federal protection in an agency specifically developed for their regulation and security.

There is serious reason to fear that organized crime is playing private games with the public's games.

Mr. Speaker, I believe that the data assembled by the Dayton Daily News are significant and worthy of the attention of the Members of the House and the other body. Fortunately, the News has been sending Members complimentary copies of the issues of the paper containing the stories and any who might not have seen them may obtain copies from the newspaper upon request, I am sure.

For the purpose of the RECORD, however, I would like to insert at this point one article from the June 12 issue of the News and the editorial on the series which appeared on June 13:

PROTECT PROFESSIONAL SPORT WITH FEDERAL REGULATION

The Daily News series about the Emprise-Sportservice conglomerate has charted some of the potent dangers that can result from the association of a seemingly aboveboard business with the figures and resources of organized crime. And the series has revealed, too, the pitiful naivete and incapacity of state agencies to cope with the potential challenges—indeed, their inability even to recognize the challenges.

Technically just a company that contracts to huckster hot dogs and drinks at stadiums and racetracks, Emprise-Sportservice in fact is deeply involved in the financing and operations of professional sports in this country. Behind the entering wedge of loans to money-troubled teams and facilities, the company has forced its way to the ownership and control of team franchises and arenas.

That might be shrugged off as merely sharp practice—perhaps even charitable interest, when a failing sport effort is propped up—were it not for Emprise-Sportservice's long, frequent and intimate dealings with men who are known to law enforcement agencies as members of the Mafia and of other crime syndicates.

In such a situation, professional sports could be made vulnerable to use and manipulation by organized crime.

Emprise-Sportservice has been directly involved in the operation, for example, of racetracks that are now known to have been owned at least in part by Mafia figures. Nor does the involvement end at the boundaries of the sports fields or the doors of the rooms where receipts are counted. The company is reported to have made large contributions to politicians who, in some states, were in a position to aid the firm with grants of racing permits and favorable dates.

Ohio, also, is a classic example of the inability of most states. The juxtaposition of Empire-Sportservice operations and of hoodlum involvement in Ohio sports goes back into the 1930s. The company has been intimate in the operations of several racetracks in this state since then. It further has held state licenses to sell beer and liquor at its installations.

The best that can be said of the Ohio Racing Commission and the Ohio Department of Liquor Control is that they have been massively indifferent to the situation. Many states acted quickly to force Emprise Sportservice operations into trust management when the company was convicted in a federal court in 1971 of conspiring to hide the real ownership, by Mafia figures, of a Las Vegas casino.

Incredibly, the State of Ohio has not yet acted. Ohio remains one of few states where the company has not drawn a second glance from agencies charged with protecting the public interest. Other states at least managed to act when knowledge virtually was forced on them by the company's conviction and by testimony last year at hearings of the U.S. House Select Committee on Crime.

It is doubtful that the obvious challenges to professional sports and to the public's interest in them could be handled successfully state by state, even if the states were to beef up—as they should in any case—their enforcement agencies. It is probably necessary that professional sports be brought under federal protection in an agency specifically developed for their regulation and scrutiny.

There is serious reason to fear that organized crime is playing private games with the public's games.

UNBRIDLED POWER, MONEY FORM PORTRAIT OF FIRM

(By Gene Goltz and Jay Smith)

Emprise Corps., its chief subsidiary, Sportservice Corp., and their nation-wide complex of subsidiaries and affiliates form a conglomerate colossus with a gigantic invisible web of influence in American sports, business and politics.

On the surface, the congiomerate appears

merely to be the world's largest operator of food and drink concessions at sports events.

But its widespread power in the fabric of American life, is also based on a shadowy network of unregulated money-lending activities, loan shark tactics, financial manipulations, business alliances with organized crime figures, political payoffs, and violations of law from one end of the United States to the other.

Several conclusions about Emprise-Sportservice's activities emerged from The Daily News' 10-month investigation on which the series of articles that concludes today has been based. These include:

A lot of money has passed between Emprise-Sportservice and organized crime. The conglomerate has a well-documented history of dealings and business alliances with underworld figures, including loans that helped crime figures take control of racetracks. One law enforcement official says Emprise-Sportservice is part of organized crime operations in America.

A lot of money has passed from Emprise-Sportservice to public officials in many states. Top officials of the conglomerate have admitted making numerous political contributions to protect their interests. In many cases, law enforcement officials have accused the conglomerate of bribery and promoting conflicts of interest among public officials.

Emprise-Sportservice is extremely powerful in the sports world. It controls large segments of horse racing in America and may well be the most dominant influence. It also has tremendous clout in professional sports, especially baseball, basketball and hockey—through loans, financial manipulations and its extensive concession operations that often get special benefits because of lending activities.

Emprise-Sportservice is also very powerful in court. The conglomerate shares no expense in hiring the best legal and financial talent it can find to fight its many court battles and represent its corporate interests.

Emprise-Sportservice may be the first documented example of links between big business and organized crime elements, as well as between sports and the underworld.

Emprise-Sportservice, as a key method in its operations and influence, engages in money-lending operations that bear similarities to loan sharking and which, despite the big business scale and antitrust aspects involved, are not subject to governmental laws or regulation the way conventional lending institutions are.

Despite all this, there are no audit controls or other checks on concession sales figures to guard against illegal skimming at publicly owned sports stadiums, arenas and other facilities where Emprise-Sportservice operates concessions under contracts with governmental bodies.

Also despite all this, federal, state and local governments have done very little about it, or even much to learn about the conglomerate's operations, except for the racing commissions and liquor departments in a few states and the Metropolitan Crime Commission of New Orleans, and almost no effort has been made to coordinate various investigations. Professional sports has done almost nothing.

Only once in its 58-year history has any part of the concession empire been convicted of a criminal act. That was on Apr. 26, 1972, when Emprise Corp. was found guilty in a Los Angeles federal court of conspiracy to conceal the ownership of a Las Vegas gambling casino.

Three Mafia figures—two from Detroit and one from St. Louis—were also convicted in the same case.

Since this was a felony conviction and many states prohibit convicted felons from holding racing permits or the liquor licenses which concessionaires need for their operations, it posed the threat of potential disaster for the conglomerate.

Some states began or stepped up their investigations because of the conviction and a few forced Emprise-Sportservice to put their interests in trust until the conglomerate's appeal of the conviction is resolved.

Immediately after the conviction announcements came from the world of professional sports that investigations of Emprise-Sportservice would be undertaken.

The commissioners of major league baseball and the National Basketball association were among those who announced investigations. Sports Illustrated magazine said the announcements came "after conspicuous hestitation."

What has resulted from these investigations?

Not much.

Security chiefs of the four major professional sports associations for baseball, football, basketball and hockey were contacted recently by The Daily News.

All conceded they have not been pursuing in-depth investigations. They said, however, that they were keeping abreast of developments from other investigations by government agencies and newspapers.

NBA Commissioner Walter Kennedy had previously written letters to the Arizona and Arkansas racing commissions vouching for the character of the Jacobs family, the owners of Emprise-Sportservice.

Now Kennedy faced the problem of what to do about the Jacobs family's ownership of the Kansas City-Omaha Kings, formerly the Cincinnati Royals basketball team.

If the conviction of Emprise Corp. on the conspiracy charge were to be upheld on appeal, it would not look good.

Kennedy handled the problem by saying he would wait until Emprise exhausted its appeals before considering any action on their ownership of the Kings.

Then, on May 29, 1973, the sale of the Kings to a Kansas City group was announced. Kennedy's problem was eliminated.

He never did disclose what his investigation had uncovered.

Emprise Sportservice also has removed some of the racing permit and liquor license problems with some corporate shuffling.

In Arizona and Louisiana the conglomerate transferred its holdings to a new corporation called Sportsystems Corp. or its subsidiaries.

This new company also is owned by the Jacobs family, but the name-changing appears to create legal barriers to action against the concessionaire on the basis of that Las Vegas casino conviction even if upheld on appeal.

Sportsystems Corp. is not guilty of anything, and in fact did not exist at the time of the conviction. In most states it cannot be held accountable for previous actions by Emprise, Sportservice or any subsidiary.

In Louisiana, liquor and beer permits held by Emprise-Sportservice and its subsidiaries were revoked. But Emprise-Sportservice challenged the action in court. Before the matter was decided, the permits were transferred to Louisiana Sportsystems Corp. in the conglomerate's continuing practice of corporate maneuvering and manipulation that confounds and frustrates authorities.

"The same reasoning used in revoking the permits could not be used with this new company," said Robert L. Roshto, attorney for the commissioner on Alcoholic Beverage Control in Louisiana.

"Emprise's name is eradicated from the ownership," Roshto explained. "Emprise, of course, was the entity that was convicted of the felony."

By such laws and such reasoning, the concession colossus has been able to slip away from trouble whenever any of its operations have run afoul of the law.

New York State, however, has a law under which new companies are responsible for the actions of predecessor firms. Federal authorities used this law to keep Emprise from slipping out of the Las Vegas casino case.

The original indictment was dismissed on the ground that the alleged illegal acts were committed by an "old" Emprise Corp., which had by then been replaced by a "new" Emprise Corp., even though the same Jacobs family owned both. But the government then secured a new indictment of the "new" Emprise based on that New York law.

Authorities of some states are trying to keep up with developments and new revelations about Emprise-Sportservice.

The Louisiana attorney general's office decided last week to send an investigator to Dayton to check out the documentation behind The Daily News' series on Emprise-Sportservice where non-confidential material is involved.

Charles Blackmar, a St. Louis University law professor who has been appointed trustee by the state to oversee Emprise-Sportservice holdings in Missouri, has requested complete information on The Daily News investigation and series.

In a letter to The Daily News Blackmar wrote, "The purpose of my office is to report to the (state liquor control) supervisor as to the fitness of these corporations to hold beer and liquor licenses in the state of Missouri."

In contrast to other states, the Ohio attorney general's office has expressed no interest in Emprise-Sportservice.

Meanwhile, some public agencies and investigators have been studying ways to achieve tighter control over the world of sports.

Aaron Kohn, who was an FBI man for 17 years before becoming director of the Metropolitan Crime Commission of New Orleans, does not believe local or state governments are equipped to adequately regulate sporting events across the country and the concessions that accompany them.

Kohn told the U.S. House Select Committee on Crime last year that he favors some federal supervision.

"I believe it is possible for the states, including Louisiana, to do a better job if the people demand a better job, and are watchful enough of governmental processes," Kohn testified.

"But I also believe that the organized crime problem in every one of its aspects, including the impact on sports, is now at such proportions that the checks and balances value of federal, state and local involvement is needed in order to deal with its scope."

Kohn said he believes that professional sports groups cannot effectively police themselves. They have effective fact-finding staffs, he said, but their self-interest stands in the way of effective action.

"Athough efforts are being made for self-regulation within some of the sports groups, I am convinced that the money managers of sports are more concerned with maintaining a good image than they are in protecting a character and integrity.

Kohn said there were some exceptions, but they were "inadequate and spotty."

"The security personnel of the National Football League are apparently effective fact-finders," Kohn said.

"But team owners, and the administrators whom they employ, do not make decisions consistent with the facts, in the public interest.

"State racing commissions, empowered to keep the sport clean, too often fail to do so."

Kohn said the powers of Congress are needed to regulate those who make a business of sports.

"Federal restrictions should be extended

also to concessionaires and others providing services for, or engaged in contracts with, sports enterprises.

"The vast nature of Emprise Corp.'s national financial manipulations, with its pattern of deception, clearly indicates that localized controls are inadequate.

"Food and beverage concessions handle a substantial part of the money spent at sporting events. The concession business is all cash. The concessionaire, Emprise-Sportservice for example, can make arbitrary reports of income, if so inclined.

"Opportunities for tax cheating are great. Only completely reliable and ethical management can be depended upon to not abuse such opportunities."

Kohn recommended three corrective measures:

1) A federal data pool, which would collect information from all local and federal agencies and make it available to law enforcement and sports-security agencies everywhere.

2) A federal law requiring licensing of nearly everyone financially involved in professional sports. This would include owners, trainers and jockeys in horse racing, and owners, managers, coaches and trainers in football, baseball, basketball and other sports. About the only persons Kohn excluded were the players. He would also license concessionaires and owners and operators of sports stadiums.

3) Liberalization of the United States Code to enable federal prosecution of anyone who moves across state lines to carry out corrupt schemes.

The House Select Committee on Crime incorporated Kohn's suggestions in a final report that is to be released by June 30, when the committee is phased out of existence.

The committee, which conducted hearings last year on the influence of organized crime in sports, added several other recommendations.

Among these are the appointment of a federal commissioner of racing, a National Racing commission to set down racing rules, and a federal Track Security office to conduct investigations.

The committee will also recommend to the states with pari-mutuel racing that they adopt strong conflict-of-interest statutes. The committee would make it a crime for racing officials and political figures to "make a gift, contribution, enter into a contract or give anything of value to each other."

The adoption of such a statute would hit directly at Emprise-Sportservice, whose officers have admitted giving money and gifts to numerous governors, legislators and other public figures.

When the recommendations of the crime committee will ever be made into law is conjectural. The record centers in Washington and state capitals are filled with copies of reports containing innumerable recommendations, and all they are doing is gathering dust.

Aaron Kohn: "I believe it is possible for the states, including Louisiana, to do a better job if the people demand a better job and are watchful enough of governmental processes."

DOCTORS CRITICIZE FDA ON COMBINATION DRUGS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. CRANE. Mr. Speaker, recently, the Food and Drug Administration has taken steps to remove fixed combination medicines from the market. It has based its actions upon amendments passed by the Congress in 1962 requiring it to determine the existence of substantial evidence of effectiveness of all drugs marketed between 1938 and 1962, as well as those approved since the amendments were adopted.

Needless to say, all of us are concerned with making certain that drugs which are marketed are both safe and effective. There seems to be significant evidence, however, leading to the conclusion that combination drugs are not only safe and effective but, in addition, are far less expensive.

In a statement presented to the FDA, the Congress of County Medical Societies pointed out the following illustration:

A six month old baby, under the care of a local health department, had been prescribed four different medicines, separately packaged, each with a prescribed dosage of one-half teaspoonful every four hours. As parents, as well as physicians, we know how difficult it is to get this much medicine into a child orally. Today, all four medicines are available in a single combination, greatly increasing the chance that the baby will, in fact, receive all of the prescribed medicine. What's more the fixed combination product can be purchased for $1.75, compared to $6.00 total cost for the four separate medicines.

A major area of disagreement between the FDA and practicing physicians is the difficulty of evaluating what is "substantial evidence of effectiveness." The private physician's clinical experience with drug products is radically different from that of the academic physician—to say nothing of the nondoctors who occupy positions of importance in the FDA.

The Congress of County Medical Societies declared that—

We have become concerned about the small number of practicing physicians who are selected to serve as members of the FDA's panel on drug efficacy . . . it appears that fewer than two per cent of the members of such panels are physicians in active private practice, with the remaining . . . drawn largely from the academic world or the staffs of large teaching hospitals, where many of the problems faced in daily office practice are simply not confronted. We urge the FDA to seek out the judgment of physicians in private practice, who are familiar with the safety and effectiveness of drug products used on their many patients every day.

The movement toward bureaucratic medicine, decided by Government administrators in Washington offices, is a dangerous trend. In their appearance before the FDA, the doctors of the Congress of County Medical Societies—those in attendance were Francis A. Davis, M.D., M. Robert Knapp, M.D., John C. Hawk, Jr., M.D., Marshall F. Driggs, M.D., Lawrence Tilis, M.D., and Marvin Edwards, editor of Private Practice, the journal of the Congress—set forth many of the reasons why with regard to the question of combination drugs.

I wish to share with my colleagues the statement which these distinguished doctors presented to the FDA on May 24, 1973, and insert it into the RECORD at this time:

STATEMENT TO THE COMMISSIONER OF THE FOOD AND DRUG ADMINISTRATION BY THE CONGRESS OF COUNTY MEDICAL SOCIETIES, MAY 24, 1973

We are here today not only as representatives of private physicians, whose practice is very much affected by the decisions and policies of the FDA, but primarily as spokesmen for our patients, who are directly affected by the removal of drug products which they have used safely for years to relieve their illnesses.

We are here, frankly, to urge the Food and Drug Administration to review its present policies, which we believe have led to the recall of medicines which are both safe and clinically effective.

As physicians, we have found that public confidence in medical treatment has been seriously undermined by FDA recall of medicines prescribed for a patient by his doctor, by FDA statements about drug product ineffectiveness, and even by the now-common knowledge that American physicians are often unable to prescribe products which have been used successfully in other nations. As the physician loses the right to prescribe the best medications available, his effectiveness is reduced.

We are primarily interested in two subjects—the delay in approval of new drug applications and the removal of drugs from the market—but because of limited time available to us today, we want to discuss in detail only one area of concern: the FDA's apparent intent to preclude the availability of fixed combination medicines.

We are aware, of course, that the 1962 amendments require the FDA to determine the existence of substantial evidence of effectiveness of all drugs marketed between 1938 and 1962, as well as those approved since the amendments were adopted. We have followed FDA policy in the Federal Register, and have reviewed the department's statements on the desirability and effectiveness of fixed combinations.

We are in full agreement that safety and effectiveness are the two prime considerations in prescribing any drug product. We would also agree that a single entity drug product would be preferable to a fixed combination if it were possible to achieve the same broad-range therapeutic effect. However, as physicians, we are also concerned about the cost of that medicine—especially when the money comes directly out of the patient's pocket—and about means of reducing the inconvenience of taking medicines, so we can induce the patient to carefully follow the entire regimen of treatment for maximum effectiveness.

To illustrate the importance of cost and convenience, I point to a recent case in which a six-month old baby, under the care of a local health department, had been prescribed four different medicines, separately packaged, each with a prescribed dosage of one-half teaspoonful every four hours. As parents, as well as physicians, we know how difficult it is to get this much medicine into a child orally. Today, all four medicines are available in a single combination, greatly increasing the chance that the baby will, in fact, receive all of the prescribed medicine. What's more, the fixed combination product can be purchased for $1.75, compared to $6.00 total cost for the four separate medicines. That is a significant cost difference to a low-income family; multiplied by many thousands of prescriptions a month, it is also a significant factor in total health care costs.

If the FDA removes fixed combination products, many physicians, to retain the effectiveness made possible by convenience, will ask local pharmacists to prepare mixes, as they did a hundred years ago. Not only will this be more costly, the finished product will be inferior to the fixed combinations available today simply because the local pharmacist will not have the expensive equipment and quality control procedures to prepare the mixtures most effectively.

The one big area of disagreement between the FDA and those of us who practice medicine is in the difficulty of evaluating what is "substantial evidence of effectiveness". Obviously, such findings are difficult at best,

but we believe they have been complicated greatly by adding a comparative element in the evaluation of combinations. In addition to determining effectiveness of a product, there is now added the requirement that each ingredient enhance the total effectiveness.

Demonstrating efficacy is difficult enough, whether in a clinical setting or in the laboratory; it is often impossible to prove or disprove *enhanced* efficacy. It is our experience that such findings cannot be reliably drawn from double blind studies.

In many aspects the practice of medicine still remains an art, rather than an exact science. There are some scientific diagnostic procedures and scientific treatments, but the patients' therapeutic response to many drugs and to some surgical procedures is highly individualized. There are some complaints for which a specific cause may not be immediately found, such as dizziness, backache, headache, dysuria, dysmenorrhea, etc. To afford prompt relief, a doctor frequently will have to use drugs on a trial basis. Needless to say, his experience with drugs and his knowledge of his patient's personality are the main criteria that determine the selection of treatment.

Since much of medicine is an art, there is very little chance that we can develop tests that could accurately predict effectiveness, or prove to what extent efficacy is enhanced by the individual components of a fixed combination drug. Yet the physician in private practice needs the availability of safe and useful drugs, both as single entities and in fixed combinations, to treat his patients. Safe drugs must be considered potentially useful, not worthless, until there is proof otherwise.

The private physician's clinical experience with drug products is quite different from that of the academic physician. The private physician sees many patients whose illnesses can be effectively treated by use of available drug products. In addition, he sees some patients whose illnesses cannot be scientifically diagnosed in the usual clinical setting; therefore, he has to use drugs to relieve symptoms. The academic doctor, on the other hand, usually sees only patients who have previously been seen by a physician in private practice and subsequently referred to him for treatment. The patient usually has a disease which *can* be diagnosed and treated scientifically, although frequently only after exhaustive studies. In addition, the private physician has a more intimate knowledge of his patients and is more familiar with the economics of illness. He also knows, empirically, which medicines are convenient to take and which medicines relieve the symptoms of "everyday illnesses".

We have become concerned about the small number of practicing physicians who are selected to serve as members of the FDA's panel on drug efficacy. From our information, it appears that fewer than two percent of the members of such panels are physicians in active private practice, with the remaining 98 percent drawn largely from the academic world or the staffs of large teaching hospitals, where many of the problems faced in daily office practice are simply not confronted. We urge the FDA to seek out the judgment of physicians in private practice, who are familiar with the safety and effectiveness of drug products used on their many patients every day.

The private physician handles the total medical needs of 90 percent of the American population, as well as acting as the primary physician for most of the other 10 percent, and his clinical judgment of efficacy is drawn from long personal observation. We believe this clinical experience with products which have been used millions of times offers a valid source of information in determining drug product safety and efficacy.

We are aware that the FDA favors use of double-blind, controlled, cross-over, comparative data; on the other hand, most of the data in package inserts is drawn from clinical impressions, and the FDA frequently accepts recommendations made by NAS/NRC panels on the basis of clinical impression. In fact, it has been our observation that little valid data is available today as a result of double-blind study, and what double-blind data *is* available is seriously questioned as to its validity both by practicing physicians and medical academicians. One example is the controversial "Diabetes Study".

We know the FDA does believe some drug combinations should be left on the market; for example, oral contraceptives. Yet, we as physicians believe the effectiveness of our practice will be compromised, and our value to our patients reduced, if the FDA removes those fixed combinations which now appear to be in danger of removal, such as the more than twenty cough mixtures covered by a notice in the Federal Register of February 9. We would hope, for the sake of our patients, that the FDA will delay taking any action to remove combination cough medicines until private physicians have had an opportunity to consult with the department's scientists and present evidence of clinical experience with their millions of patients. Along this line, we would also like to urge the FDA to reconstitute its physician committees to include more physicians in active private practice.

We believe your decision to review FDA policies toward fixed combinations, with an eye toward increased emphasis on clinical experience, will result in a major benefit to our patients who will thus be able to retain the use of high-quality medicines at lower cost and with greater convenience than if such medicines were to be prescribed individually.

NEW PRICE FREEZE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BIAGGI. Mr. Speaker, with the new price freeze now in effect, gas and fuel prices will not rise for at least a 60-day period. However, what will be happening behind the pumps during this temporary period? For the last few months, oil companies as well as officials of the Department of the Interior have been preparing the Nation for an "energy crisis."

Their actions have been so successful that there have been no major uprisings by the consumers to protest price hikes of as much as 12.5 percent in 1 week. Instead the public has taken an apathetic, "What can I do?" attitude due to the successful publicity the oil industry has generated about an alleged fuel shortage. They realize you can substitute chicken for meat but what can you substitute for gas?

If we hold the future in our hands, as our President claims, then why is not anything being done? Why do we feel helpless concerning the energy shortage? The answer might be public deception by both a vital industry and one's own government. Is it a coincidence that the shortage has appeared right after the major oil companies were being threatened with numerous lawsuits by environmentalist groups? The oil moguls were being attacked by environmental protectionists in two major areas. The first being the lack of concern demonstrated by the industry for oil spills caused by both offshore drilling and shipping methods, while the second consisted of the controversial construction of the now supposedly "vital" Alaskan pipeline.

The industry's lack of concern for the project's imposing environmental dangers was particularly irritating to most environmentalists. There were also recent attacks by tax reformers concerning the "generous" depletion allowances the Government was providing for the oil industry. Under such fierce criticism something was needed to get Americans and the Government behind the oil interest instead of against it. An "energy crisis" seems to be the industry's solution.

While the "crisis" is most effective on this front, it also serves another purpose—that of eliminating competition. This is being achieved by supplying fuel only to major oil company affiliates while denying full deliveries to independent wholesalers and retailers. This is very dangerous. The Federal Government has the responsibility to step in and prevent the destruction of a competitive market in the oil industry or else be faced with the need to establish permanent price controls on oil products. Mr. M. B. Holdraf, founding member of the Independent Gasoline Marketers Council stated to the Senate Antitrust and Monopoly Subcommittee that unless the Government intervenes within the next 6 months the independents will "pass from the scene solely because he will be squeezed out of business."

It therefore must be concluded that unless the Government does not step in to provide an adequate supply of oil and to preserve a free competitive market, consistent with our free-enterprise system, regular fuel shortages and a completely regulated oil industry is inevitable.

Let me say that I am aware of a need to find new energy resources and to develop new means of providing energy to the consumer market. However, the shortages and crises we are now experiencing are nothing more than a smoke screen to hide the collusive practices of the oil industry and its allies in the Department of Interior. I have warned that such was occurring in the past several years, as has many of the independent oil products distributors and wholesalers. Now, we are reaping the disastrous results of our past inactivity.

Nevertheless, this Congress still has an opportunity to assure an adequate supply of oil and other energy resources, by eliminating all barriers to the importation of oil, by permitting a rapid expansion of mining for oil in the Gulf of Mexico under proper Federal supervision and by establishing a special unit, similar to the Manhattan atomic bomb project, to develop and implement a safe method to obtain the oil from Alaska's North Slope. The time for action is now.

EDUCATION OF HANDICAPPED CHILDREN

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BRADEMAS. Mr. Speaker, I want to bring to the attention of my colleagues the first of a two-part series, written by Bart and Andrew Barnes, on the problems of providing educational services to handicapped children as mandated by several recent court decisions.

The article, "Special Education: A New Storm Center," appeared in the Washington Post on May 29.

As the authors say, Mr. Speaker:

In courthouses and statehouses across the nation, it is being argued increasingly that America's handicapped children are entitled, as a matter of basic constitutional right, to just such an education. In a landmark decision, a federal judge in the District of Columbia has ruled precisely that. There is similar litigation pending in at least 20 states.

Educators say the impact of that decision and of legislation at the Federal and state level affecting handicapped children is potentially as great as the Supreme Court's 1954 decision outlawing school segregation.

Mr. Speaker, I insert the materials at this point in the RECORD so that my colleagues might understand the urgency of providing increased support for special services to handicapped children:

SPECIAL EDUCATION: A NEW STORM CENTER

(By Bart Barnes and Andrew Barnes)

For 13-year-old Kenny, his early years in the public schools of Prince Georges County were successful, despite a visual handicap that made it hard for him to see anything at a distance or outdoors in daylight.

There were times when his vision problem made it difficult for him to keep up with the rest of the class, particularly when blackboard instruction was being used. But overall his grades were satisfactory. School officials assured his parents that he was a bright child.

That was until a year ago this month. In May, 1972, a school psychologist, the director of special education for the Prince Georges schools and the director of pupil placement called Kenny's parents in for a conference.

They were terribly sorry, they said, but Kenny's handicap was such that he could not benefit any more from the public schools of Prince Georges County.

No longer would there be a place for Kenny in the school he'd been attending and there was no program of special education that he could benefit from. Kenny's parents were told to send him to a private school, but he was denied admission at the two Virginia schools to which he'd been referred. One said it had no program suitable for him and the other said it could not assure his safety.

For the last year, Kenny has remained at home and has received no formal education at all.

Throughout the United States, there are an estimated 1 million children of school are, who, like Kenny, have been excluded from the public schools because of a physical, emotional or mental handicap.

They are among an estimated 7 million handicapped children of school age in the United States, one in every 10. They suffer from impairments ranging from profound mental retardation to minimal learning disabilities.

It's estimated that to educate all of them to their fullest potential would cost up to $10 billion a year for highly specialized teachers, equipment and programs.

Yet in courthouses and statehouses across the nation, it is being argued increasingly that America's handicapped children are entitled, as a matter of basic constitutional right, to just such an education. In a landmark decision, a federal judge in the District of Columbia has ruled precisely that. There is similar litigation pending in at least 20 states.

Educators say the impact of that decision and of legislation at the federal and state level affecting handicapped children is potentially as great as the Supreme Court's 1954 decision outlawing school segregation.

Of America's 7 million handicapped children, an estimated 40 per cent are now receiving some form of specialized educational service; the remaining 60 per cent are not, according to Alan R. Abeson, of the nonprofit Concil for Exceptional Children.

Hundreds of thousands of them are confined to institutions where they receive little or no training, not even in such basic functions as feeding and clothing themselves.

There are people like Milbert, 16, confined at Rosewood State Hospital outside of Baltimore since he was 10 years old, the victim of minimal brain damage at birth, deafness and hyperactivity.

At the age of 6, he was classified as "educable" at the University of Maryland Hospital. For one academic year, the Baltimore public schools set a teacher to his home periodically for tutoring. But after a year, the teacher decided that Milbert was "not ready to be taught" and stopped coming.

Over the next few years, Milbert's mother was able to teach her son to print his name, address and telephone number, but because of a family crisis the boy was sent to Rosewood in 1966.

After one term at the school there, he was ruled "disruptive" and once again "not ready to be taught . . ."

His parents were informed that he would receive no further instruction. Three years later, his mother took leave without pay from her job to visit Milbert on a daily basis at Rosewood to try to teach him herself. She found he had regressed substantially, could no longer write at all and, despite repeated efforts, she was unable to teach him.

There are people like Andy Cowin, 23, with a keen mind, but afflicted by a condition of cerebral palsy that makes it almost impossible to control the muscles in his right hand and arm. Crown is a college graduate but he remembers others he went to school with at a school for the handicapped in Massachusetts who simply withdrew, as he says, "into the world of the crippled."

"Handicapped" can mean a variety of things: blindness, withered limbs, emotionally disturbed to the point where a child is unable to function in a normal classroom. It can mean an inability to communicate or to understand and carry out directions for reasons ranging from an organic defect to brain damage at birth.

It can mean mental retardation, so profound that a child has no measurable intelligence quotient and is barely able to lift his head, or so slight that with extra help at school a child can be taught to be a functioning and contributing member of society.

But no matter how severe or slightly the handicap, it's the opinion of people like Abeson and the Council for Exceptional Children that all people with handicaps are entitled as a matter of right to whatever education will best equip them to cope with their environment. That can mean, Abeson says, learning how to read or learning how to feed yourself—but whatever it is, it must be provided at public expense.

"We hold," says Abeson "that there is no such thing as an ineducable child."

For Kenny of Prince George's who suffers from cataracts in both eyes, and Milbert of Baltimore, the issue is heading toward a resolution in federal court. They and 18 other handicapped children are asking the court to order the state to provide them at public expense with an education suited to their needs.

In his decision in Washington last August, U.S. District Judge Joseph C. Waddy bluntly informed the D.C. Board that lack of money was not an excuse for failing to provide special education for any child needing it.

"The inadequacies of the District of Columbia public school system," the judge said "whether occasioned by insufficient funding or administrative inefficiency, cannot be permitted to bear more heavily on the exceptional or handicapped child than on the normal child."

In addition to the lawsuits on behalf of the handicapped pending throughout the nation, there were 800 bills introduced in state legislatures during 1971–72 dealing with education for handicpped children.

Approximately 250 of those measures were enacted.

At the federal level, legislation is pending in both the House and Senate to require the federal government to underwrite 75 per cent of what it costs to educate a handicapped child over and above the cost of educating a nonhandicapped child.

What it boils down to, said August W. Steinhilber, director of Federal and Congressional Relations for the National Association of School Boards, a group that looks after local school interests at the federal level, is that the "local school boards could have the legal obligation to provide specialized services for children based on their needs."

This, he said, would be a substantial departure from the basic philosophy, underlying most school systems today. That philosophy, he said, has been "you teach to the mean, to the median of the class; you're teaching to the average student. But as part of your regular program you don't necessarily provide specialized services."

Traditionally, says the Council for Exceptional Children's Fred Weinraub, "schools have been for those students who fit in. The ones who don't fit in have to fend for themselves."

It was in 1969, 15 years after the Supreme Court decision outlawing racial segregation in the public schools, that the parents of two retarded children in Utah took the state to court when it refused to provide a public education for them.

In handing down his decision, Judge D. Frank Wilkins adopted language virtually identical to that used by the Supreme Court in Brown vs. Board of Education.

"Today it is doubtful that any child may reasonably be expected to succeed in life if he is denied the right and opportunity of an education."

Segregating the two retarded children from Utah's system of public education, the judge said, "can be and usually is interpreted as denoting their inferiority, unusualness and incompetency. A sense of inferiority and not belonging affects the motivation of a child to learn. Segregation, even though perhaps well intentioned, under the apparent sanction of law and state authority has a tendency to retard the educational, emotional and mental development of children."

There have been similar outcomes in lawsuits in Pennsylvania and Michigan as well as the Waddy decision last summer in Washington.

In Pennsylvania, the state agreed to a court order in the fall of 1971 stipulating that no

laws would be applied "which would postpone, terminate or deny mentally retarded children access to a publicly supported education, including a public school."

That order followed the filing of a suit by the state's Association for Retarded Children and a trial before a three judge panel.

Central to the argument at the trial was the contention that education "must be seen as the continuous process by which individuals learn to cope and function within their environment. Thus, for children to learn to clothe and feed themselves is a legitimate outcome achievable through an educational program."

Last October in Michigan, others amounted to denial of "equal protection" under the 14th amendment.

Children with learning, social, mental or physical handicaps, he said, have a right to a public education.

Partially for children who are poor and black, the consequences of being misdiagnosed as retarded or handicapped when they are not can be as severe as being excluded from school, says Stanley Herr, the lawyer who argued the suit against the D.C. School Board that resulted in Judge Waddy's decree last summer.

Cultural biases built into standardized testing and unilateral on-the-spot diagnoses by teachers have, in part, been the causes of such misdiagnoses, Herr argued. The result is that children who are not retarded are assigned to "inferior special education programs which tend to propel children toward the self-fulfilling prophecies of failure.

Under Judge Waddy's decision of last summer, children who are assigned to special education classes are now entitled to certain procedural safeguards, including independent testing and a hearing.

There are other children, argues the Council for Exceptional Children's Weinraub, who do have learning disabilities that could be corrected. The problem is they are never diagnosed.

"You remember the kid in school you knew wasn't dumb but somehow couldn't learn to read?" Weinraub said. "He was one of the gang in the first grade. By the third grade he was a little bit behind everybody else. By the fourth grade, he was getting into trouble and by seventh grade, he was spending most of his time in the principal's office. It could be a learning disability, maybe one that reverses the letters 'b' and 'd' or one where he sees a five-letter-word as five separate letters, not a single word. But a kid like that needs help, not necessarily for all 12 years, maybe only for two years or six months."

And, says Herr, there have been others in Washington and elsewhere who are simply diagnosed as handicapped and excluded from school because they are discipline problems. (Under the Waddy decree, such children are entitled to a hearing and due process before being excluded.)

It was just such a child, an 11-year-old named Gregory that got Herr into the case in the first place. When Herr first met him, Gregory had been out of school for three years, expelled by his principal for throwing spitballs. He had an IQ of only 39, the principal said. He could come back to school only when he behaved himself—and when there was a class small enough to accommodate him.

For the next three years, Gregory's mother heard from the school once. A secretary called to announce Gregory would be graduating next week from sixth grade. Wouldn't his mother like to come? After informing the secretary that Gregory had not been attending classes for three years, she didn't hear from the school again.

"I began to wonder just how retarded he really was when he could take three buses across town to get to my office," Herr said. "So I had him tested. He was reading at his grade level."

Gregory is now back in school.

PAY RAISE FOR FEDERAL EMPLOYEES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. WALDIE. Mr. Speaker, I am introducing today a bill which would, in effect, give most Federal employees a one-half percent pay raise on September 1, 1973.

This legislation would reduce from 7 to 6½ percent the employee payroll deduction currently paid into the Civil Service Retirement Fund.

The present figure of 7 percent is based upon a 1970 actuarial projection that "normal costs" of the system would require a total contribution rate of 14 percent of the salaries of those people covered by the fund—7 percent from the employees, to be matched, under the law, by an equal contribution rate of 7 percent by the employing agency.

However, experience over the past 3 years has shown that the normal costs have not approached 14 percent. Indeed, they have been below 13 percent for much of the recent past.

This overpayment into the fund has resulted in a $400 million surplus which the Civil Service Commission has applied toward the unfunded liability—a debt which is clearly not in any way the responsibility of Federal employees.

I believe that the time is overdue for the Congress to redress this inequity.

This is particularly true in view of the fact the present administration is on record as opposing virtually any liberalization of retirement benefits on the sole grounds of increased costs. I, for one, will continue to push for needed changes in the retirement system, even if there might be some increased costs involved. But until such legislation is passed and signed by the President, and normal costs do, in fact, approach 14 percent, I do not think that Federal employees should continue to subsidize the retirement system.

In this time of runaway inflation, perhaps one-half percent does not seem that much—but I believe that the $150 million dollars that is currently being overpaid each year by Federal employees should be in their pockets and not Government coffers.

Finally, Mr. Speaker, this bill would allow the administration to reduce its budget by a similar amount of money, as the employing agency's matching contribution will also be reduced by one-half percent.

Logically, then, I would expect this legislation should have the support of those who want to limit the Federal budget.

Mr. Speaker, the full text of the bill follows:

H.R. 8817

A bill to reduce the percentage rates of employee deductions, agency contributions, and deposits for civil service retirement purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 8334(a)(1) of title 5, United States Code, is amended to read as follows:

"The employing agency shall deduct and withhold 6½ per cent of the basic pay of an employee, 7 per cent of the basic pay of a Congressional employee, and 8 per cent of the basic pay of a Member.".

(b) The first sentence of section 8334(c) of title 5, United States Code, is amended to read as follows:

"(c) Each employee or Member credited with civilian service after July 31, 1920, for which retirement deductions or deposits have not been made, may deposit with interest an amount equal to the following percentages of his basic pay received for that service:

EMPLOYEE

Percentage of basic pay and service period:
2½—August 1, 1920, to June 30, 1926.
3½—July 1, 1926, to June 30, 1942.
5—July 1, 1942, to June 30, 1948.
6—July 1, 1948, to October 31, 1956.
6½—November 1, 1956, to December 31, 1969.
7—January 1, 1970, to August 31, 1973.
6½—After August 31, 1973.

MEMBER OR EMPLOYEE FOR CONGRESSIONAL EMPLOYEE SERVICE

2½—August 1, 1920, to June 30, 1926.
3½—July 1, 1926, to June 30, 1942.
5—July 1, 1942, to June 30, 1948.
6—July 1, 1948, to October 31, 1956.
6½—November 1, 1956, to December 31, 1969.
7½—January 1, 1970, to August 31, 1973.
7—After August 31, 1973.

MEMBER FOR MEMBER SERVICE

2½—August 1, 1920, to June 30, 1926.
3½—July 1, 1926, to June 30, 1942.
5—July 1, 1942, to August 1, 1946.
6—August 2, 1946, to October 31, 1956.
7½—November 1, 1956, to December 31, 1969.
8—After December 31, 1969.

SEC. 2. The amendments made by the first section of this Act shall become effective at the beginning of the first applicable pay period which begins on or after September 1, 1973.

GREAT NEED FOR EDUCATION ABOUT DRUG ABUSE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BRADEMAS. Mr. Speaker, I want to bring to my colleagues' attention an excellent analysis, contained in a letter, I recently received from the executive vice president of the American Medical Association, Ernest B. Howard, M.D., of the need for drug abuse education.

Says Dr. Howard:

From the broad social viewpoint, the most important aspect of education and information in this field is on the preventive level, because drug addiction and dependence constitute a group of interrelated conditions and represents a form of psychic contagion which is . . . spread by misinformation and misrepresentation.

Dr. Howard goes on to note that programs for the prevention of the drug abuse must, of necessity, be comprehensive and long term, and he adds:

The Drug Abuse Education Act of 1970 was an excellent beginning for such programs. Although programs developed under the limited time of this act vary widely in quality, discontinuing support for such school and community programs would seriously hamper the development and refinement of school and community anti-drug education programs.

Mr. Speaker, the Select Subcommittee on Education, which I have the honor to chair, is presently conducting hearings on H.R. 4715, a bill introduced by the gentleman from Washington (Mr. MEEDS) which would extend the Drug Abuse Education Act for 3 years, and our subcommittee will conclude those hearings on Saturday, June 23, in Lancaster, Pa., and in Washington, D.C., on Wednesday, June 27.

Mr. Speaker, I insert Dr. Howard's letter at this point in the RECORD:

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., June 6, 1973.

Hon. JOHN BRADEMAS,
Chairman, Select Subcommittee on Education, Committee on Education and Labor, House of Representatives, Rayburn Office Building, Washington, D.C.

DEAR CONGRESSMAN BRADEMAS: Presently pending before your Subcommittee is H.R. 4715 which would extend the Drug Abuse Education Act for three years. We would like to take this opportunity to offer our support since education concerning drug abuse is a critical element in our Nation's overall efforts to resolve this serious problem.

The American Medical Association is deeply concerned about the problems of drug abuse and drug dependence. Physicians throughout the country are being called upon increasingly to treat cases of this type. In this context, doctors become involved in various kinds of educational and information-giving activities. They are called upon to provide advice and counsel to alarmed parents of those youngsters who are involved or are suspected of being involved; and as a natural extension of this function, they are often asked to advise the community at large on these questions. Finally, the treatment of the drug dependent person includes a major element of re-education with respect to his attitudes about drugs in general, drug dependence, and drug taking because correction of the mental, physical, and social complications of the drug-life is still insufficient if the victim's attitudes remain unchanged.

From the broad social viewpoint, the most important aspect of education and information in this field is on the preventive level, because drug addiction and dependence constitute a group of interrelated conditions and represents a form of phychic contagion which is, in significant part, spread by misinformation and misrepresentation. Once established through the involvement of enough persons it creates a drug culture which is disseminated and perpetuated by contact in an environment where the folklore of drug-taking is an accepted fact.

It is apparent that drug abuse and its resulting human tragedy continues to be of epidemic proportions in the United States. It is also apparent that drug abuse is a complex social problem with serious medical and legal aspects. Any programs aimed at preventing or ameliorating this problem must, of necessity, be comprehensive and long-term.

The Drug Abuse Education Act of 1970 was an excellent beginning for such programs. Although programs developed under the limited time of this act vary widely in quality, discontinuing support for such school and community programs would seriously hamper the development and refinement of school and community anti-drug abuse education programs. Since the effectiveness of these programs cannot be realized in a short period of time, continued support is needed.

We would urge that greater financial support be available for those drug abuse education programs which are under the leadership and direction of state departments of education and local school districts. Since the impact of school-based programs is seldom confined to the classroom but more often reaches out into the community, and since these programs reach more of the youth in community than does any other program, it is very important that these programs have adequate financial support.

The legislation before you allocates one-third of the funds authorized for programs based in the educational institutions and agencies of the state and two-thirds of the authorized funds for Community Education Project programs. We would recommend that the legislation be amended to provide an equal allocation of funds to each of the two parts of this program. In this way each will have the resources to support a meaningful drug abuse educational program.

The American Medical Association believes that this program of support for drug abuse education should be continued and we would urge its support by your Subcommittee. We are grateful for the opportunity to support an extension of this legislation and we respectively request that our comments be included in the records of your hearings on H.R. 4715.

Sincerely,

ERNEST B. HOWARD, M.D.

THE CONTRIBUTIONS OF VETERINARY SCIENCE TO COMPARATIVE MEDICINE

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. NELSEN. Mr. Speaker, recently a very distinguished paper was presented at the regional meeting of the Hudson Valley Veterinary Medical Society in Albany, N.Y., by Dr. George C. Poppensiek.

Dr. Poppensiek discussed the contributions of veterinary science to the study of diseases in humans. Since comparative medicine is so important to public health, I am placing Dr. Poppensiek's article in the RECORD. My colleagues will be interested in the extent to which diseases of animals are similar to those which afflict humans and the extent to which veterinarians in their study of animal diseases actually make a contribution to the understanding of human illnesses. This article which appeared in the May–June 1973 issue of Veterinary News entitled, "Disease at the Interface of Medicine and Veterinary Medicine," follows:

DISEASE AT THE INTERFACE OF MEDICINE AND VETERINARY MEDICINE

(By George C. Poppensiek)

(NOTE.—This paper was presented at the regional meeting of the Hudson Valley Veterinary Medical Society, held at the DeWitt Clinton Hotel in Albany, N.Y. on February 14, 1973.)

Veterinary medicine occupies a unique position in the broad arena of bio-medical sciences. It deals with animal diseases, but animal diseases have relevance to the health and welfare of man.

The veterinarian is concerned on the one hand with diseases of economic importance in food-producing animals. In this area of professional responsibility he serves the agricultural community, to assure wholesome food of animal origin for the consuming public.

He is concerned with public health aspects of animal diseases; those transmissible to man, such as tuberculosis of cattle and swine. He is concerned with brucellosis, particularly as it relates to the ingestion of contaminated milk, butter or cheese from infected cattle. Brucellosis produces problems of inferility in cattle and goats; infertility and arthritis in swine. Also when it is transmitted from these animals to man it is manifested by chronic, degenerative lesions throughout the body, particularly in the bones, joints, eyes and cardiovascular system. Others of the serious transmissible diseases from animals to man include anthrax, rabies; ringworm. The list is long and impressive. These mentioned are just a few examples.

The veterinarian serves the pet-owning public by ministering to the illnesses of the great number of dogs, cats—and horses—which have become part of the way of life of most Americans. In this service, he identifies a broad spectrum of diseases which are similar to—or even identical to—diseases of man. While the veterinary practitioner is concerned with the diagnosis and treatment of these diseases, he also serves as a vanguard diagnostician who identifies those diseases which provide resources for veterinary researchers in comparative medicine. These include metabolic diseases, such as diabetes, cardiovascular disease, neurological disease; infectious and parasitic diseases, such as toxoplasmosis. They include the malignant-diseases; the cancers. And they include chronic degenerative diseases, such as chronic kidney diseases; pulmonary emphysema; skin diseases; immunological diseases; bone and joint diseases; diseases of the newborn; diseases of aging; endocrine diseases; blood dyscrasias.

Comparative medicine is almost as old as medicine itself. The ancient Greeks understood that information about the process of life could be gained by dissecting and studying animals. During other periods of human history, anatomists and physicians had to rely exclusively on dissection of animals as the only source of information about body structure and function because of a church-imposed ban on dissection of the human body.

Study of the mechanism of disease in animals was one of the cornerstones in building modern medicine in the 19th century. Since that time, comparative pathology has been recognized as a part of medicine, but apparently its importance has not been fully appreciated. Dr. Robert W. Leader,* while on the staff of the Laboratory of Comparative Pathology at the Rockefeller University 'now Head, Department of Pathobiology, University of Connecticut), expressed his thoughts on the concepts of unity in mechanism of disease in the Rockefeller University Review:

"In spite of these early beginnings in medicine and other sporadic observations of the natural diseases of animals by some of the great men in biology and medicine such as Hunter, Pasteur, Koch, and the University's own Carl Ten Broeck and Richard Shope, there has been a consistent and inexplicable neglect in translating knowledge of diseases that affect animal into their possible relationships to man. We retain a pre-Darwinian vestige of the belief that man

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*Leader, Robert W. The Concept of Unity in Mechanisms of Disease, Rockefeller Reviews. No. 1 Jan-Feb. 1967, p. 9–13.

stands alone in his Olympian relationship to that part of the environment that involves disease processes, although we can translate normal functions and structures analogously. This is patently fallacious in terms of phylogeny, because man is one of many animals, and while he may have the most complex nervous system, he certainly is less graceful than the cat, less agile than the gibbon, and less aquatic than the dolphin.

"Near the end of the eighteenth century, Cuvier opened the entire science of comparative anatomy. He so brilliantly pursued structural similarities and worked them into patterns among species that he could demonstrate previously unsuspected relationships among widely divergent animals, from mollusks to mammals. He developed such a reputation that many believed him able to build a body from a few bones by mere inference. In his appreciation of the continuity of structure and function he eclipsed all previous concepts, and gave birth to the science of paleontology, which has filled our museums with reconstructed fossils of mammoths, saber-toothed tigers, and pterodactyls.

ONE RIPPLE IN THE STREAM

"Following the inspiration of Cuvier, Darwin and others, there have been exhaustive studies of phylogenetic relationships by anatomists, zoologists, and physiologists. Analogies among species have been the cornerstone of their work. Somehow, medicine has strayed from this broad concept of unity in the study of disease and has segmented itself into various compartments, the principal of which are veterinary medicine and human medicine. These are artificial divisions and the sooner the borderlines are obliterated, the sooner we will harvest the benefits of the study of diseases of all animals and apply these to advancement of human welfare.

"Most university libraries contain hundreds of books on comparative studies, yet often comparative pathology and comparative medicine do not even appear in the subject catalogues. This is partly because most students of disease have been physicians with an inclination to regard experimental animals principally as tools or test tubes in which diseases could be produced and the results applied by extrapolation to reach solutions to human ailments. This idea was advanced by the immense successes of Pasteur, Koch, and others in diagnosing diseases and preparing vaccines. Such experiments with artificial "models" have been highly productive, for they have lightened the burden of sufferers from diabetes, malnutrition, heart defects, and many other ailments. We have now reached a state of complexity of medicine that resists such direct assault, for arteriosclerosis, rheumatoid arthritis, multiple sclerosis, and cystic fibrosis are not easily related to straightforward simple causes.

"It is my thesis that we must open our minds and our eyes to the potential of comparative studies of organic and psychic diseases in all species of animals. For this purpose, man must cease to regard himself as unique and accept his status as one ripple in the stream of biology. Doctor Dubos has said, "If we look carefully enough, we will eventually find an animal model for every human disease." (Olsson, Sten-Erik, Clinical Orthopaedics and Related Research, Symposium on Comparative Orthopaedics, January-February 1969. No. 62, Guest Editor)

COMPARATIVE MEDICINE

Pertinent Examples of Animal Models for the Study of Disease at the Interface Between Human Medicine and Veterinary Medicine:

1. The cause of multiple sclerosis in man has not been determined. A disease producing the same lesions was found in Icelandic sheep. It is called rida. The same disease was later identified in many areas of the world, including Scotland and the United States. It was named scrapie by the Scots and is most commonly known by that name.

A virus that is highly resistant to heat and to acid treatment has been found to be the cause of scrapie. Its strange characteristics have caused some scientists to call it a "subvirus". It is supposedly devoid of ribonucleic acid, defying biologic understanding.

In a research laboratory in England, four of seven research workers who were studying scrapie in sheep developed signs of illness identical to multiple sclerosis.

2. Visna (from the Icelandic language, meaning "wasting") is a disease of sheep that produces a chronic degenerative demyelinating encephalitis. The disease resembles human disseminated sclerosis, the cause of which is unkonwn.

Visna is a virus disease resembling scrapie in sheep, which, in turn resembles multiple sclerosis in man. The visna virus behaves serologically (immunologically) like another virus disease in sheep called maedi (meaning in Icelandic, "difficult breathing"). Visna affects the central nervous system, maedi, the respiratory system. Yet they are similar serologically.

Maedi causes obstructive respiratory disease by inducing a thickening in the oxygen-absorbing and carbon-dioxide displacing tissue of the lungs (the alveoli). Bronchial infiltrations occur and the disease resembles pulmonary emphysema in man.

To add another point of great interest in these two diseases (visna and maedi), it has been found that the viruses which cause them have a relationship to the avian (chicken) and murine (mouse) leukemia viruses.

3. Rheumatoid arthritis in man has comparable illnesses in animals. Swine suffer from arthritis caused by bacterial infections which produce painful and chronic destructive diseases in joints. For many years erysipelothrix and streptoccoccal infections were known to cause crippling arthritis in swine. More recently a microbe called mycoplasma has been found to cause crippling arthritis in a number of species of animals, including swine and poultry. Its relationship to crippling arthritis in man is not throughly known. Rheumatoid arthritis is also a disease seen in horses. While these animals also serve as models for research on the problem of rheumatoid arthritis in man, the role of mycoplasma infection in the disease as seen in horses has not been determined.

4. Chronic pulmonary emphysema is a debilitating lung disease in man. The horse, which has a lung structured similarly to man, suffers from an identical disease called "heaves" by the laity. Some research workers are studying the developmental process of chronic pulmonary emphysema in horses to gain a better understanding of the cause and nature of the disease in man.

5. The Guillain-Barre syndrome in man (known descriptively as polyradiculoneuritis) is a disease of the spinal nerves causing burning, tingling sensations throughout the body, eventually resulting in paralysis. A disease with identical lesions is seen in hunting dogs and is called "Coon-dog paralysis." Dogs bitten by raccoons often develop this syndrome. It is not known if an infectious agent transmitted in raccoon saliva is responsible for the disease. Studies are under way to make this determination.

6. The first transmissible tumor-producing virus was identified in chickens by Dr. Peyton Rous of the Rockefeller Institute for Medical Research. A virus is a living microbe capable of causing disease. The Rous sarcoma virus produces a cancer (malignant tumor) in chickens.

Since Rous discovery, other cancer-producing virus have been found in animals. The diseases which they produce in animals are identical to many forms of cancer in man wherein the cause has not been established.

Cats are used to study leukemia because the cat has all the varieties of leukemia seen in man. A virus has been identified in cat leukemia. This has also been done in the mouse. Poultry are used to study avian forms of leukemia. Ultimately the cause and pathogenesis of leukemia will be elucidated, most likely through an intensified study of leukemia in animals now in progress at a number of research institutions, including Colleges of Veterinary Medicine.

Recently a herpes virus recovered from a South American black spider monkey apparently cause lymphoma and leukemia in marmosets, similar to Marek's disease in chickens.

7. Periodontal disease is said to be second only to caries (dental cavities) in the dental problems of man. It was believed to be primarily an infectious disease wherein the gums develop inflammatory lesions and the teeth become loose, decay and must be removed. Treatment has involved extensive surgery.

Evidence has been developed by studies of the identical disease process in dogs that the disease is essentially a nutritional disease; an imbalance in calcium-phosphorus metabolism. With an adequate intake of calcium, the disease can be prevented, and in many instances, treated effectively at very low cost.

8. Bladder stones are found commonly in cats. Research in this disease has uncovered a virus which triggers the formation of the stones. The disease has been produced experimentally by inoculation of cats with this crystal-forming virus. The same virus produces calcification in tissue cultures of heart muscle, as well as kidney epithelium. This raises interesting questions about the cause of bladder stones, kidney stones, gallstones and even calcification of blood vessels in cardiovascular disease.

9. Round worms of dogs and other species of animals at one time were not believed to be transferable to man. It is now known that the larvae (newly hatched small worms from the eggs) of the round worm of the dog produce eosinophilic hepatomegaly (liver disease) and cosinophilic pneumonitis (inflammation of the lungs) in young children who swallow the round worm eggs. Later, these same larvae migrate through the retina of the eyes of children, producing lesions that resemble retinoblastomas. Retinoblastomas are malignant tumors of the eye requiring removal of the eye to save the life of the patient.

10. Measles, a common disease of childhood, is caused by a virus which produces a skin rash in children (and sometimes in adults). But in the unborn infant, at about the fourth month of pregnancy, serious birth defects may occur if the mother is infected at that time. The measles virus has strong "first cousin" relationship serologically to the canine distemper virus which causes a common and serious disease of the lungs, intestine and brain in dogs. Also, the measles virus has a strong "first cousin" relationship to rinderpest virus in cattle. Rinderpest does not exist in the United States, but elsewhere in the world, where it does exist, it frequently descimates cattle herds. It is a very destructive virus, while the dog may be a possible reservoir for measles, the cat has similar potential for the mumps virus.

11. Some of the most perplexing of all diseases are diseases of connective tissue (such as that seen in rheumatoid arthritis) and glomerulonephritis, a serious kidney disease in man. In this latter disease, the filter beds of the kidney, called the glomeruli, sometimes develop the deposit of a waxy, glassy substance which destroys the glomeruli. This is called "hyaline" degeneration.

A variety of mink called "Aleutian mink" because of their attractive bluish fur suffer from a connective tissue disease, wherein there are blood-serum alterations and pathological changes in body organs that are similar to:

(a) Rheumatoid arthritis in man.

(b) Plasma cell hepatitis in man.

(c) Multiple myeloma in man, a tumor of bone marrow that also produces an unusual globulin (serum protein) in the circulating blood.

(d) lupus erythematosis in man, a disease of the skin and other organs

12. Dogs suffer from a variety of neurological diseases. There is a disease that has been observed in Coon hounds; dogs that are used for hunting racoons. If bitten by the raccoon, these dogs may develop a paralysis that has remarkable similarity to a paralytic disease in man called the Guillain-Barre syndrome wherein the patient shows paresthesia (burning, itching, numbness) of the limbs and muscular weakness, or a flaccid paralysis. The cause in man is unknown. Some believe it is an auto-immune neurologic disease; others feel that it is due to a demyelinating virus. In the dog the evidence is good that a demyelinating factor is introduced by the raccoon. Some are speculating that it might be a mutation of the canine distemper virus which is not an uncommon infection in raccoons. And canine distemper is related immunologically to measles in man. (Note: this item further elaborated in item 4)

There is a progressive sclerosing panencephalitis of teenagers with early mental deterioration; a degenerative brain disease. It is associated with extremely high levels of measles antibodies. It is quite similar to demyelinating encephalitis, a degenerative brain disease, of dogs following infection with distemper virus. Further, Poodles have epileptiform convulsions, like epilepsy in man.

13. The equine arteritis virus has interesting possibilities in the study of cardiovascular disease. And equine infectious anemia, another virus disease of horses essentially a reticulcendotheliosis, has bearing on the connective tissue diseases. (See item 11)

14. Pulmonary adanamatosis in sheep, a nodular benign lung disease that eventually becomes malignant has relevance to the study of cancer.

15. The baboon is superior to all other primates, even the chimpanzee, for the study of comparative reproductive problems. Also, the baboon is an animal in which epilepsy-like seizures may be created readily. (See item 12)

16. Many of the inherited defects in the human, such as cleft palate, are known to occur in animals, particularly in dogs. Abnormalities in organ neogenesis (newly developing organs in the embryo and fetus) occur in calves in utero when the mother is infected with the bovine virus-diarrhea agent. The cerebellum fails to develop and the newborn animal is unable to stand or walk. This is cerebellar ataxia. It also is seen in newborn kittens if the mother is infected during pregnancy with the feline panleukopenia virus. In both diseases cited, blindness is also observed.

Some kinds of birth defects are caused by toxins. Studies on cyclopedia in sheep at the New York State Veterinary College and at Utah State University have unmasked a phytotoxin that will produce deformaties in lambs if fed at a critical stage in gestation.

17. Bone metabolism in hibernating and non-hibernating bats offers a resource for the study of bone disease and parathyroid disease. During hibernation the metabolic processes are slowed down to a minimum but some anabolic (life maintaining) processes go on at a comparatively stable rate to maintain health. During the six month hibernation period, a bat will lose about ⅓ of its body weight. Calcium is drained from the skeleton to maintain blood calcium levels compatible with life. But the calcium drainage from bone results in a progressive softening of bone. At arousal, the restoration of the skeletal mass begins promptly. Physical-chemical and endocrinological (hormone regulation of calcium metabolism) studies of these natural processes in bats will provide mechanisms for understanding metabolic bone disease in higher animals and man.

18. The prominent calcitonin-rich ultimobrachial bodies of salmon make them excellent subjects for studies on the homeostatic controls of calcium metabolism.

19. Extraction of ammonia by fish gills, rather than kidneys, makes possible the study of kidney damage with ammonia toxicity.

20. The shortage of pancreatic islets in most fish, with resultant limited inability of the fish to metabolize carbohydrates provides the student of diabetes with unlimited cases.

21. Behavioral students traditionally use such species as primates, cats, rats or pigeons. The concept of trained fish is frequently overlooked. Pavlovians would be interested to know that each day on fish farms throughout the southeastern United States thousands of pond-raised catfish react to the sound of a dinner bell.

22. Cystic fibrosis, an inherited disease of the pancreas and other organs is primarily a disease of children. No animal model has been found. However, a factor in one of the blood-serum proteins (euglobulin) of cystic fibrosis patients has been found to cause ciliary dyskinesia (impairment of motion of small hair-like projections) in rabbit trachea (windpipe) maintained in tissue-cultures.

23. Lemurs develop pulmonary emphysema. (See also item 2 and item 4; pulmonary emphysema)

24. The cassowary seems to be predisposed to crippling osteoarthritis. (See item 3)

25. Opossums are prone to subacute bacterial endocarditis and apparently are refractile to some neurotropic viruses.

26. Mink encephalopathy may be related to scrapie in sheep and multiple scelerosis in man, or perhaps kuru in man. (See items 1 and 2)

27. Dogs are satisfactory for studying catarrhal regional enterocolitis but if one is interested in ulcerative or diphtheritic lesions, swine are the animals which should be used.

28. Calves are susceptible to ulcerative gastritis (stomach ulcers) and lesions in the true stomach appear to be related to the effects of the specific fatty acids: acetic propionic or butyric.

29. Dogs suffering from infectious hepatitis (inflammation of the liver) frequently develop a uveitis (inflammation of the pigmentary layer of the eye). This can be related to the study of uveitis in man.

30. Many canine breeds are true acromegiaics (have enlarged bones) such as St. Bernards and Newfoundlands; others are dwarfs with traits of chondrodystrophy) abnormal growth of cartilage at the ends of long bones) such as the Dachshund, Pekinese and Basset Hound. For reasons not fully understood, certain breeds are more susceptible to certain diseases. Cancer is most common in the Boxer, disc degeneration and urinary calculi are most common in the Pekinese and Dachshund. Diabetes, obesity and pyometra (hormone-induced degenerative sloughing of the lining of the uterus) in the Rottweiler. Hip dysplasia (dislocation) is much more frequent in large dogs than in small dogs. Other diseases, such as necrosis of the femoral head (Legg-Perthes disease in man) and luxation of the patella (knee-cap) occur almost exclusively in miniature dogs.

31. For additional examples, see Cornelius, Charles E., Animal Models—A Neglected Medical Resource, New England Journal of Medicine, 281:934–944 (Oct, 23) 1969; and Leader, R. W., Discovery and Exploitation of Animal Model Diseases, Fed. Proc. 28, No. 6, Nov.-Dec. 1969, 1804-1809.

RARICK REPORTS TO HIS PEOPLE: MULTINATIONAL CORPORATIONS, THEIR EFFECT ON THE U.S. TAXPAYER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. RARICK. Mr. Speaker, a number of U.S.-based companies have come under criticism in the press recently because of their growing economic power which many people consider dangerous. These "multinational" companies—large corporations which operate in several countries—have been taken to task by labor groups, foreign governments, and Congress among others.

Multinationals are a fairly recent development on the business scene. Several thousand U.S. companies have at least one foreign subsidiary, but only about 200 U.S.-based companies have extensive foreign holdings covering a wide section of the world. The multinational development is not unique to American business, however. Japanese, West German, British and French corporations are engaged in overseas operations that reach around the globe.

In the time we have today, we will discuss the multinational companies and how they affect the American citizens and taxpayers. We will look into the relation they play in controlling the value of the U.S. dollar in overseas money markets and how they influence the employment picture in this country.

Multinational corporations represent big business at its biggest. It has been reported that I.T. & T. has more employees overseas than the U.S. State Department. The fleet of tankers owned by Standard Oil is said to be half again as large as that of the Soviet Union. The stockholders of General Motors number more than the population of the country of Liberia. The names of the U.S.-based multinations reads like a list of the blue-chip stock on the New York Stock Exchange: General Motors, Standard Oil, Ford, General Electric, IBM, United States Steel, and I.T. & T., just to name a few.

There are also a large number of foreign-based companies that are equally well-known to Americans: Volkswagen, Sony, Unilever, and Mitsubishi among others. Foreign-owned corporations will have a larger affect on Americans within the next few years.

Congress has pending tax-reform and foreign-trade legislation that would curb the growth of these companies and require more rapid payment of U.S. taxes on profits earned abroad.

Why all the sudden interest in these corporate giants? A number of attacks have been leveled at them. Labor claims that job opportunities in this country are reduced when the big companies' production facilities and technology are shipped overseas. Some labor groups say that as many as a half million U.S. jobs have been "exported" to foreign markets by multinational companies.

At the present time, American-based firms are exempt from paying income taxes on the profits made overseas until they are returned to the United States. Some companies have been accused of taking advantage of this "loophole" in order to juggle the would-be tax money to their advantage. Revenues to the Government are delayed by this maneuvering, critics contend.

Some foreign governments see the U.S.-based companies as exploiting their country's resources for profit. In some areas of the world they are feared as "imperialists" and have had their investments "nationalized" by the host countries.

One serious accusation recently leveled against multinationals is that they were instrumental in undermining the dollar overseas by speculating in European money markets. This, critics say, led to the February dollar devaluation.

Free trade arrangements have been worked out between large companies and governments of a number of companies to allow the duty-free flow of manufactured goods or parts. Ford Motor Co. is a good example. Ford's research showed that Asia was a prime target to market a small, rugged, inexpensive vehicle which was a combination of a car and a pickup truck.

Since Asia was to be the primary market, and the car-pickup, called the Asian Ford, would be in competition with similar ones manufactured in Japan, Ford developed a complex interlocking of international conveyor belts that connected many Asian countries.

Singapore was the site of an electric parts and plastics factory. Engine foundries were set up in Thailand and Taiwan. The transmissions and axles were manufactured in Indonesia, and a diesel engine plant was set up in South Korea. A plant is also scheduled for Malaysia, possibly another in India, and even one for Communist China if it should be opened to foreign investment, it is reported. Ford estimates that by 1980 the regional production enterprise to manufacture the Asian Ford will represent an investment of a billion dollars.

Most multinational companies deny that they are fleeing high U.S. wage scales for the cheap labor markets of Asia and some parts of Europe. The multinationalists claim that as a result of their activities, more—not less—jobs have been brought to the Unied States. There was a net increase in the total number of new jobs in the United States during the period 1966–70, according to studies conducted by one multinational lobby group. The majority of new jobs were created by foreign-based companies expanding their operations in the United States, however, not the growth of U.S. companies. Government studies show that actually, during the same period, there was a net loss of potential American jobs resulting from U.S. operations moving to other countries—a reported total of 603,100 jobs.

Labor costs abroad average about 65 per cent of what multinational companies are required to pay for the same skills in the United States. The jobs that are created by multinationals in the United States are not production line positions. These have been largely taken over in manufacturing operations by foreign nationals overseas. Jobs created in the United States by multinationalists were filled by management, research, and service employees—"white collar" jobs.

Many new jobs for Americans have been created by multinational companies, however. During the past 18 months, at least seven Japanese companies have begun setting up new plants in the United States. They involve a wide range of manufacturing activities from soybean processing plants in the Midwest to electronic parts assembly plants on the west coast. Sony and Mazda are two of the Japanese-based multinational companies that have invested in American factories.

The sheer magnitude and economic power of these corporate empires have caused alarm in a number of circles. There is general agreement that the large overseas holding by these companies and the foreign branches of U.S. banks can trigger massive monetary crisis. Experts say that a movement of even a small fraction of their dollar holdings from one currency to another could seriously damage the standing of a weak national currency. It is estimated that about $10 to $12 billion is available quickly to the corporations on any given day to shift from weak currency to strong ones. Excessive speculation earlier this year has been pointed to as one of the factors leading to the 10-percent devaluation of the dollar. A congressional investigation to determine the extent that multinational transactions affected the drop in the value of the dollar in European money markets will soon be undertaken.

Charges have been made against multinationals accusing them of manipulating foreign affairs to suit their business interests. A number of reports have surfaced charging that large corporations have exploited weaker, small countries, have attempted to prevent governments from taking power, or have attempted to oust governments whose policies they disliked. It is difficult to imagine businesses being as powerful as their critics have made them out.

But a listing of countries by gross national product and multinational company by gross annual sales, may put the economic power that these corporations yield into perspective. The first 22 economic powers are countries, ranging from the United States to Argentina. Next on the list is General Motors, with a gross annual sales of $24.3 billion. That is more money than was made by Switzerland, Pakistan, and South Africa. In fact three U.S.-based multinational corporations are in the top 30 economic powers of the world. A total list of the top 100 shows 59 are nations and 41 are multinational corporations.

So it is not difficult to see how some nations would feel intimidated by companies in their country which produce billions of dollars more than their country does. As the British and French empires learned during the earlier days of this century, former colonies which have been nurtured along can quickly turn on their benefactors. Fort Motor Co. in Argentina, for instance has paid off a million dollars in extortion money to Communist terrorists in order to prevent threatened violence. Two months earlier Eastman Kodak paid a reported $1.5 million in kidnap ransom to free a top executive. All told, estimates put the amount paid to the terrorists in that Latin American country by big businesses over the past few years to be about $13 million.

This week the Libyan dictator, Qaddafi, nationalized and took over control of a U.S.-based multinational oil producer. The $140 million Libyan operations of Hunt Oil of Dallas were seized by the north African government. The three other top American oil companies in Libya were put on notice that Qaddafi wants full control of their holdings on his nation's territory.

Shakey as it often is, investment in foreign countries of large sums of American investor's dollars continues at alarming rates. Just last week a massive $8 billion, 20-year fertilizer deal was agreed to by the Soviet Union and the multinationalist Occidental Petroleum Corp.

Multinational corporations have made an impact on big business in this country and the world in recent years. The economic power they exert not only in foreign governments, but within the Government of this country is far reaching. Within the next few months congressional investigators should provide U.S. taxpayers with valuable insight into how his tax money is being manipulated to the advantage of large corporations.

MORE EFFECTIVE ENFORCEMENT OF SEX DISCRIMINATION LAWS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BRADEMAS. Mr. Speaker, Dr. Irene Tinker of the Federation of Organizations for Professional Women testified last month before the Labor-HEW Subcommittee of the House Appropriations Committee on the need to hire additional staff in the Office of Civil Rights at the Department of Health, Education, and Welfare and to strengthen enforcement of a variety of Federal laws and regulations concerning sex discrimination in educational institutions.

Because I believe this testimony would be of interest to a number of my colleagues, I would like, at this point, to insert the text of Dr. Tinker's remarks in the RECORD:

STATEMENT OF DR. IRENE TINKER OF THE FEDERATION OF ORGANIZATIONS FOR PROFESSIONAL WOMEN BEFORE THE LABOR—HEW SUBCOMMITTEE OF THE HOUSE APPROPRIATIONS COMMITTEE, MAY 21, 1973

Re additional postions requested by the Office for Civil Rights, Department of Health, Education and Welfare

I am Dr. Irene Tinker, Presiding Officer of the Federation of Organizations for Professional Women. I am a political scientist, specializing in comparative urban and regional development. Currently I am a Research Fellow at the Bureau of Social Science Research and I have experience as a college professor, administrator, and in curriculum development. I am speaking today in behalf of the Federation of Organizations for Professional Women. The Federation is a newly formed umbrella organization of professional groups dedicated to women's equal rights. Our affiliates include the gamut of organizations for women from all-women professional groups such as the Association of Women in Science or the American Association of University Women through committees, usually composed of men as well as women, of disciplinary associations such as American Economic Association's Committee on the Status of Women in the Economics Profession or the Committee on Women Historians of the American Historical Association or the Committee on Women in Development of the Society for International Development to action groups like the Women's Equity Action League and Caucuses such as the Women's Caucus for Political Science.

I come before this subcommittee to bring to your attention the most important need for additional staff positions in the Office for Civil Rights of the Department of Health Education and Welfare. I would particularly like to stress the personnel shortage in the Higher Education Division which is responsible for administering a variety of federal laws and regulations concerning sex discrimination in educational institutions. These laws and regulations include Executive Order 11246 as amended by Executive Order 11375, Title IX of the Education Amendments of 1972 and Title VII (Section 799 A) and Title VIII (Section 845) of the Public Health Service Act (as amended by the Comprehensive Health Manpower Act and the Nurses Training Amendments Act of 1971. In addition, the Higher Education Division of the Office for Civil Rights must enforce prohibitions against discrimination because of race, color, and national origin such as Title VI of the Civil Rights Act of 1964 with regard to institutions of higher education.

The work of the Office for Civil Rights of HEW is absolutely vital to the effective implementation of the federal laws and regulations concerning sex discrimination in educational institutions. Up to the present, institutions of higher education have not been particularly eager to end their discrimination against women—whether those women are staff, faculty or students. As an example, I cite the University of Michigan which did not devise an acceptable affirmative action plan to end discrimination against women in their employ until the Office for Civil Rights withheld seven and a half million dollars in contract funds from the university.[1] There is also the case in which a graduate school of international relations decided whom they wanted to hire before they began their official search. They then created a job description, using this white male's resume as a basis, and advertised the position. Much to their surprise, a woman candidate's qualifications fit the job description better than those of the male for whom it was designed. Since the female applicant was in London, however, the Search Committee did not offer her an interview on the grounds that they could not afford to pay her expenses to come for the interview. I need not add that the originally selected white male was the person hired.

Helen Astin, Research Director for the University Research Corporation and Alan Bayer, Associate Director of the Research Office of the American Council on Education, reported the results of a survey of 60,000 faculty members at 300 representative institutions last June. They found that—and I quote—"sex is a better independent predictor of rank than such other factors as the number of years since completion of education, the number of years employed at the present institution, or the number of books published"—end quote. The data they collected reveal that men and women with similar academic credentials frequently are not recruited, promoted, or paid on an equal basis. Keep in mind that these findings reflect the massive pattern of discrimination against women in higher education which still existed nearly four years after Executive Order 11246 as amended took force.[2] Alan Pifer, President of the Carnegie Corporation of New York, has reluctantly concluded that "without the threat of coercion it seems unlikely higher education would have budged an inch on the issue [of sex discrimination]. Certainly," he continued, "it had every chance to do so and failed."[3]

The task of enforcement of national policy prohibiting sex discrimination is just beginning. Although the Executive Order 11246 was amended in October 1967 to include sex, and the Office for Civil Rights was given a year's grace for its enforcement, it was not until January 1970—fourteen months later—that the question of sex discrimination was added to the compliance reviews. Yet in November 1972, a Report of the Task Force set up by the former Commissioner of Education Sidney P. Marland, Jr. concludes that the effective implementation of the civil rights policy as applied to women has yet to take place. Let me quote from this report entitled "A Look at Women in Education: Issues and Answers for HEW."

"OCR's work is absolutely critical to the effectiveness of any civil rights law applying to HEW programs . . . Clearly the impact of anti-sex discrimination laws will depend largely on how effectively OCR carries out its job. . . . So far, the record in enforcing equal treatment for women in employment under the Executive Order has been disappointing."[4]

That, from an official report. Clearly, the enforcement of the federal laws and regulations concerning sex discrimination in educational institutions by the Office for Civil Rights has been woefully inadequate.

OCR has received 544 individual complaints of discrimination and nearly 500 class complaints involving patterns of discrimination since it was established. That means that one of every five campuses in this country has had a case filed against them. None of the class complaints has been satisfactorily concluded.

Of the 544 individual cases, 355 involved charges of sex discrimination. According to a letter from Peter Holmes, Director of the Office for Civil Rights, on May 8 of this year, 45 cases of complaints on the basis of sex discrimination have resulted in findings in favor of the complainants, 18 are still being negotiated and 31 have been settled without findings. This means that only 94 of the 355 sex discrimination cases have been dealt with. Some of the remaining 261 cases may be among those 82 cases filed after March 15, 1972 and therefore transferred to the Equal Employment Opportunity Commission. The total backlog of all types of cases under the jurisdiction of OCR is apparently then 361. Why this backlog, this inadequate enforcement?

The Higher Education Division of the Office for Civil Rights was established in July 1972. In January 1973 they reported a staff of 13 in Washington with another 62 professional staff assigned to the ten regions. Last year the staff could not be increased because of the veto of HEW's budget. It seems obvious that this staff of 75 cannot clear up the backlog of 361 individual cases, review affirmative action plans of the 500 universities and colleges already charged, deal with new sex discrimination complaints involving Executive Order violations and student affairs complaints generated by Title IX, as well as continue to enforce Title VI.

The United States Civil Rights Commission report: "Federal Civil Rights Enforcement Effort: A Reassessment," issued in January under its mandate from Congress to investigate civil rights enforcement, puts the problem quite succinctly:

"The Higher Education Division has failed to compel use of goals and timetables by its recipients. Failure to adopt criteria to determine whether discrimination has been eliminated represents a major weakness. In addition, the Higher Education enforcement program receives low priority, the evidence of which is inadequate staff and a correspondingly small number of compliance reviews."[5]

There is a solution to this problem and the solution is to give high priority to civil rights enforcement in higher education institutions. For Congress not to grant OCR's request for 165 addtional positions, 50 of which would be in the Higher Education Division, would indicate that civil rights enforcement has low priority. Surely Congress would not want to do this.

Perhaps this subcommittee may wish to scrutinize the OCR request to see if their estimate of additional staff necessary to meet the workload is low. I suspect that 50 additional positions for the Higher Education Division may well represent a low estimate. The Office for Civil Rights bases its estimate on the person-hours needed to complete the expected number of investigations and compliance reviews. OCR's estimate of the backlog of individual complaints is significantly lower than the Federation's calculation which is based on the figures provided to us by Peter Holmes. I believe the backlog may be 180% of the OCR estimate.[6] If this is so, additional person-hours will be needed to eliminate the backlog. The confusion regarding the exact backlog reveals the insufficiency of current record-keeping practices at OCR. The additional staff are necessary to the improvement of the quality of recordkeeping in the office so that an accurate picture of enforcement activities is available to the Executive, Congress, and the public.

Let me mention at this point the particular staffing problem faced by the Higher Education Division of OCR. Revised Order No. 4 issued by the Department of Labor in December 1971 includes obligations for a complex salary analysis and the validation of tests utilized in the process of hiring and promoting. These provisions and other enforcement provisions in the current HEW Guidelines involve complicated procedures. The Office for Civil Rights needs specialists to evaluate the efforts by institutions of higher education in this field. It must have adequate personnel and adequate funds to train the staff they hire. I can not exaggerate the need for a staff of well trained enforcement specialists. The report of the Commissioner's Task Force, mentioned earlier, points out that enforcement efforts have been weak in the area of compliance review. Specifically the Task force complains that

"OCR has failed to develop uniform standards to guide its own personnel in compliance reviews. Investigations are handled by regional office staff, and procedures and compliance standards vary from region to region, from institution to institution. Not only does an absence of uniform standards frustrate effective civil rights policy, it is unfair to any institution making a genuine effort to comply with the Federal government's equal employment demands."[7]

The need for a well trained staff to avoid problems of this sort is obvious.

Moreover, it should be noted that the Office for Civil Rights has not yet brought a university contractor to hearing, an administrative enforcement mechanism provided for in the Executive Order. I have been informed by reliable sources within HEW that the quality of OCR's investigations has been so poor that the General Counsel's office has been unwilling to proceed to a hearing with-

Footnotes at end of article.

out more sophisticated supporting data and documentation. This will not be possible until the staff of the Higher Education Division of OCR is adequate in size and sophistication to handle the work of enforcing the civil rights provisions under its jurisdiction.

Another area where the Task Force cites the Office for Civil Rights for weak Executive Order enforcement efforts is that of accountability. Under the present regulations, contractors are not required to submit their affirmative action plan to Federal officials. In fact, small contractors (those with contracts amounting to more than $10,000 but less than $50,000) are not required to put their affirmative action plans in writing. Many contractors do not bother to put their plans in writing even if required to do so because federal officials do not verify them unless a compliance investigation is held. To strengthen its Executive Order enforcement procedures, the Commissioner's Task Force recommended that "HEW guidelines require contractors to submit affirmative action plans for approval or disapproval whether or not a compliance review has been made; plans should be accepted or rejected within three months after submission."[8] The Federation wholeheartedly concurs in this recommendation and urges this subcommittee to increase the appropriation for the Higher Education Division of the Office for Civil Rights to allow the necessary additional staff.

There is one further issue which vitally concerns academic women and that is discriminataion against women by many research institutions. A random sample of the employment patterns of several prominent research institutions suggests that there has been no attempt to hold these institutions to the equal employment opportunities requirements of their federal contracts. As a result these bodies are rife with sex and race discrimination. Two examples should suffice to indicate the scope of the problem.

The Brookings Institution, surely one of the most prestigious research bodies in Washington and an outspoken supporter of equal rights in the abstract, is at this moment in contravention of its federal contract obligations concerning equal employment opportunities. As an employer of over 50 persons and as a holder of federal contracts in excess of $50,000, The Brookings Institution is required by law (Executive Order 11246, as amended) to appoint an Affirmative Action Officer within its organization, to develop a written Affirmative Action program, and to publicize these measures for the benefit of employees and potential employees. These steps have not been taken.

The appended statistics indicate why these steps are necessary. Of the 35 trustees, only one is a woman. She was appointed this year. Of the total 177 professional employees as of December 1972, 150 (85 per cent) were men; 27, or 15 per cent, women. The bulk of those women were in the research assistant category. Of the senior personnel and associated staff (those academicians who remain at their universities and consult with Brookings periodically), 12 or 6 per cent were women. While we have no similar body count for minorities, we understand that there are few black professionals.

Gladstone Associates provides a second example of employment patterns among research bodies performing publicly funded studies. Gladstone Associates, a prominent Washington consulting firm in economics, employs fewer women than Brookings and just as few minority members. Of the 14 officers and senior associates none are women and none belong to minority groups. Of the 32 administrative positions, only 3 are held by minority group members.

Similar patterns of discrimination against minorities and women have been found in every research institution we have looked at. While our examination is not complete, it is sufficient to convince us that there exists a pervasive failure to comply with civil rights obligations in federal government contracts throughout the research industry.

Yet despite these statistics and despite these failures to conform to federal law, research institutions continue to receive government contracts—no questions asked. To rectify this situation will require a much-strengthened civil rights enforcement. So far, research bodies have escaped scrutiny of their employment, salary, or promotion practices or any effort to enforce the requirement of developing and publicizing written affirmative action plans. Since the responsibility for enforcing the Executive Order as it relates to research institutions lies with the agency issuing the contract, a given research institution may well have affirmative action obligations to a variety of federal enforcement agencies. Consequently, no one agency has overall responsibility for insuring adequate compliance. In theory the Labor Department which has policy responsibility for the Executive Order, should perform this role. In practice it has not. The Federation recommends that the system of assigning enforcement functions be altered, perhaps by designating one compliance agency such as the Office of Contract Compliance of the Department of State for all research contracts on foreign affairs and defense policy. At the minimum, the responsibility for compliance of research institutions should be changed from the Office of Federal Contract Compliance of HEW to the Higher Education Division, OCR. The reason for this is that research institutions such as Brookings more closely parallel higher education than they do the construction industry, a major industry dealt with by The Office of Contract Compliance. This theory was followed when enforcement of the Title VI as it relates to educational TV was assigned to the Higher Education Division.

In conclusion, I urge the members of this subcommittee to establish civil rights enforcement as a high priority issue for the coming fiscal year. The achievement of equal rights for all people is a goal worthy of this nation's attention. Granting the appropriation requested by HEW for the Office of Civil Rights is the bare minimum necessary to begin the job at hand—indeed the subcommittee should carefully examine the Office for Civil Right's request to determine whether even more adequate allocations for staffing and staff training are not necessary.

FOOTNOTES

[1] Alan Pifer, "Women in Higher Education," Speech before the Southern Association of Colleges and Schools, Miami, Florida, November 29, 1971, p. 12.

[2] Scientific Engineering Technical, "Manpower Comments," June 1972, Volume 9, Number 6, p. 10.

[3] Alan Pifer, "Women in Higher Education," p. 13.

[4] Report of the Commissioner's Task Force on the Impact of Office of Education Programs on Women, "A Look at Women in Education: Issues and Answers for HEW," November 1972, U.S. Office of Education, HEW, p. 43.

[5] U.S. Commission on Civil Rights, "Federal Civil Rights Enforcement Effort: A Reassessment", January 1973, p. 187.

[6] The OCR staff estimated that the backlog of individual complaints was 180 and approximately 200 respectively in two telephone calls.

[7] "A Look at Women in Education," pp. 43–44.

[8] "A Look at Women in Education," p. 45.

FEDERATION OF ORGANIZATIONS FOR PROFESSIONAL WOMEN; FOUNDED NOVEMBER 18, 1972

American Association of University Women.
American College Personnel Association.
American Economic Association's Committee on the Status of Women in the Economics Profession.
American Medical Women's Association, Inc.
American Psychological Association, Committee on the Status of Women.
American Society for Microbiology, Committee on the Status of Women Microbiologists.
Association of Women Mathematicians.
Association of Women in Science.
Committee on Women Historians of the American Historical Assn.
Center for the Continuing Education of Women (U. of Cal., Berkeley).
Intercollegiate Association of Women Students.
National Association Women Deans, Administrators, and Counselors.
National Institutes of Health—Organization for Women.
Project on the Status and Education of Women—Association of American Colleges.
Women's Caucus of the College Art Association of America.
Women's Caucus for Political Science.
Women for Change Center (Dallas, Texas).
Women in Communications.
Women's Equity Action League.
National Women's Political Caucus Center for Continuing Education of Women, U. of Cal., Berkeley.

INSTITUTIONAL FRIENDS

American Association of University Professors.
Association of Asian Studies.
Washington Forum.
Society of Engineers.
Committee on Women, American Society for Microbiology.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., May 8, 1973.

DR. IRENE TINKER,
Federation of Organizations for Professional Women, Chevy Chase, Md.

DEAR DR. TINKER: Secretary Weinberger has asked me to respond to your letter of April 5, 1973, which requested data on the implementation of Federal laws and regulations regarding affirmative action.

It is my understanding that Mrs. Rose Brock, from this Office, has contacted you by telephone and discussed the information you requested. This information is summarized below:

During the past calendar year, the Office for Civil Rights had on hand or received a total of 544 individual complaints; 355 of these charged sex discrimination. In most of these cases, the complainant did not provide ethnic identification. When the complaint was recorded as a sex discrimination complaint, that was determined to be the primary charge.

82 of these complaints were received after March 15, 1972, and subsequently were transferred to the Equal Employment Opportunity Commission.

52 investigations of complaints have resulted in findings in favor of the complainants; 7 on the basis of race discrimination and 45 on the basis of sex discrimination. Settlements of 18 of the sex discrimination cases are still being negotiated. The remaining 31 cases have been settled to the satisfaction of the complainant.

In many cases, the specific details of the settlements are worked out between the two parties after the employers have accepted our findings. Therefore, in many cases the specific nature and detail of the settlement is not on file in this Office.

Many universities voluntarily take corrective action, such as promotions and salary adjustments, after class complaints are filed and without an investigation from this office. In most of these cases, the Office for

Civil Rights lacks detailed information on the changes made. This information could best be obtained from the women's organizations which are present on most campuses today.

The only cases OCR has transferred to another agency, through December 31, 1972, are the 82 cases transferred to EEOC identified above.

Thank you for your interest in the efforts of this Office and I hope the information is helpful to your organization.

Sincerely yours,

PETER E. HOLMES,
Director, Office for Civil Rights.

MALE/FEMALE DISTRIBUTION AMONG PROFESSIONALS AT THE BROOKINGS INSTITUTION

	Total		Male		Female	
	Number	Percent	Number	Percent	Number	Percent
Economics studies	67	100	59	88	8	12
Senior fellows	15	100	13	87	2	13
Research associates	5	100	4	80	1	20
Research assistants	12	100	7	58	5	42
Associated staff [1]	35	100	35	100	0	0
Government studies	29	100	23	79	6	21
Senior fellows	7	100	6	86	1	14
Research associates	6	100	5	83	1	17
Research assistants	2	100	0	0	2	100
Consultants	2	100	2	100	0	0
Associated staff	12	100	10	83	2	17
Foreign policy studies	72	100	60	84	12	16
Sen or fellows	19	100	19	100	0	0
Research associates	13	100	9	59	4	31
Research assistants	20	100	12	60	8	40
Associated staff	20	100	20	100	0	0
Advanced study program	9	100	8	89	1	11
Senior staff	8	100	8	100	0	0
Staff associate	1	100	0	0	1	100
Social Science Computation Center	26	100	14	54	12	46
Director and assistant director	2	100	2	100	0	0
Applications	8	100	2	25	6	75
Operations staff	7	100	5	71	2	29
Systems staff	3	100	2	67	1	33
User services	6	100	3	50	3	50

[1] Associated staff refers to nonresident scholars who are affiliated with Brookings.

GLADSTONE ASSOCIATES (URBAN LAND ECONOMIC CONSULTANTS)

	Total		Men		Women	
	Number	Percent	Number	Percent	Number	Percent
Professional:						
Officers	12	100	12	100	0	0
Senior associates	2	100	2	100	0	0
Associates	18	100	15	83	3	17
Research associates	16	100	3	19	13	81
Administrative:						
Manager	1	100	1	100	0	0
Administrative secretary services	15	100	1	----------	6	(1)
Library, receptionist, travel	4	100	0	0	4	100
Accounting	7	100	0	0	7	100
Computer	4	100	2	50	2	50
Reproduction	1	100	1	100	0	0

[1] 8 unknown.

Note: While this breakdown concerns allocation of positions to men and women, a study of the allocation of jobs to minorities shows an equally blatant picture of discrimination. There are no blacks, chicanos, etc. in officer or senior associate slots. 1 associate belongs to a minority group. No research associate belongs to a minoirty group. Among administrative personnel there are 3 members of minority groups.

Source: Based on Nov. 30, 1972 director.

NATIONAL AIRPORT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 19, 1973

Mr. BROYHILL of Virginia. Mr. Speaker, as many Members of this House know, recent proposals made by the Federal Aviation Agency regarding a reduction of traffic at Washington National Airport have aroused anew the controversy in the metropolitan area over the best use of this facility.

Members of a Committee for National, composed of residents of my northern Virginia district, feel that their views with regard to the National Airport controversy have not been fully aired. They have requested, therefore, that I insert the full text of an address made to them at a luncheon meeting in Arlington on June 6, in which the speaker, Mr. George A. Spater, chairman of the board and chief executive officer of American Airlines, made a forceful case against the new FAA proposals.

Mr. Spater's speech reads as follows:

SPEECH BY MR. GEORGE A. SPATER

I am pleased to have an opportunity to talk to you today, at a time when most organizations that interest themselves in airport problems seem to be taking a negative view. Your Committee for National is one of the few organizations I know that is "for" something, and I want to discuss why I believe this attitude is not only appropriate to your local problems, but constructive in terms of broader national interests.

First, because of its immediate concern to all of us, I want to comment on the proposed policy announced by the FAA in January relating to the future of the airports serving the Washington area.

The new FAA Administrator has been quoted recently to the effect that the FAA is reconsidering its proposal, after reviewing comments from the carriers and from a number of Congressmen. This is welcome news. We can all agree with the general policy that Washington National should be developed for short-haul service and Dulles for long-haul flights; but the FAA's specific proposal prohibiting the use of Washington for nonstop flights of more than 650 miles and one-stops of more than 1,000 miles is not, in our opinion, a good rule.

Leaving aside legal considerations, the 1,000-mile one-stop limitation is wrong for two reasons: First, it would not accomplish that FAA's goal of shifting any substantial amount of traffic to Dulles. Second, it would result in an inferior and inconvenient air service to the public.

Let me give you an example. We operate three daily flights from Washington to Oklahoma City via Chicago. Since Oklahoma City is more than 1,000 miles from Washington, the rule originally proposed would have required us to discontinue these three services.

The total number of passengers now moving from Washington to Oklahoma City on ourselves, Braniff and TWA, on all the flights operated by the three carriers combined, aggregate only 75 per day. These are spread over the entire day so it is not possible to establish a nonstop flight out of Dulles at one single time of the day that will attract enough of these 75 passengers to cover its costs.

Therefore, the only result of the 1,000-mile limit in this case would be to require all Oklahoma City passengers to change planes in Chicago, with the need to move themselves and their baggage between flights, as well as subjecting them to the possibility of missing the connection. In sum: no new service at Dulles, and a vastly inferior service at Washington National.

The same problem would exist for the public and for us between Washington and Salt Lake City (with an average daily movement of 58 passengers, or Washington and El Paso (where the average volume is 34 passengers a day), or Washington and other points more than 1,000 miles away where the traffic is not great enough to support much, if any, nonstop service. Indeed, of the 50 odd flights a day American Airlines operates at Washington National, 24 are one-stop flights with origin or destination beyond the arbitrary 1,000-mile radius.

We do not disagree with the concept that Washington National should be considered a short-haul, high-density airport, but urge that it also be available for multi-stop service to cities where nonstop service cannot be justified or where traffic volume is insufficient to support more than minimal nonstop service.

In reconsidering its proposal, I agree with Mr. Pearson's suggestion that the FAA should also look to the introduction of the DC–10 and 1011 at Washington National to help resolve the problem. These aircraft were specially designed for short and medium haul, high-density routes and to perform at a

noise level far below that of the older jets. Short-haul commuter traffic cannot be served through Dulles, and it seems even more unreasonable to deprive the neighbors of Washington National of the noise relief that would come from the substitution of these new, quieter wide-bodied aircraft for the 727's and DC-9's now in service.

The FAA's restriction on the number of movements at Washington National, together with the growth of short-haul traffic, clearly points towards the need to use these more efficient and quieter wide-bodied aircraft.

The objection has been raised that roadway access and parking facilities at Washington National are inadequate to handle the larger number of passengers carried by the wide-bodied jets. But parking facilities can be added and curbside access improved. This expansion and modification is needed whether or not the wide-bodied aircraft are permitted to operate. Congestion on the highway to and from the airport is part of a broader problem common to almost all cities and is caused by commuter traffic between the suburbs and the city center. This area's mass transit plans, with service to National included, will make a significant contribution to reducing highway congestion.

Some of those who would restrict the normal development of Washington National do so because they are concerned about diversion from Dulles. Yet in the last five years Dulles enplanements have increased by 63.9%, while enplanements at Washington National have increased by only 25.1%. Enplanements at Friendship have also increased at a faster rate than Washington National.

The very existence of your committee and the fact that you call yourselves the Committee for National shows that you are concerned with the benefits that an airport can provide to a community. I would like to add a few thoughts in support of that concept.

This group is familiar, I am sure, with the importance of Washington National Airport as an employer of people and the creator of purchasing power in this area: 8,500 employees with an annual payroll of $86,000,000, according to the most recent study, which covered 1970.

Even more important is the significance of this airport as your convenient access to the rest of the country.

A few years back you may have read a European best seller called "The American Challenge". It was translated into English and had heavy sales in this country after it was published here in 1968.

The book discusses the great industrial strength of our country.

It is notorious that the American industrial plant is the greatest in the world. But this book makes the striking point that the second greatest industrial plant is not that of Russia or Japan or Germany. It is the American-owned industrial plant in Europe. We Americans have the two greatest concentrations of industry in the world: Our own at home and the one we own and operate in Europe.

Our economic influence is far greater than this, however. When I was in London last year, I just happened to notice in one block. A restaurant called "Wimpy's" where American-style hamburgers are sold under a name derived from an American comic strip character, a second restaurant called "Texas Hamburgers" and an American movie involving a story on the American Civil War.

People all over the world are buying American drinks: Whiskey, Coca Cola, and in Paris I recently saw California wine for sale.

They are buying American clothes. They are eating American food. In Weybridge, England, I had a lunch which included American asparagus. I had dinner in Munich where we had California strawberries. And so on without end.

But this too is not the complete story. American businessmen are scurrying all over the world looking for things to buy in foreign countries that they expect to sell in the United States and for things they can make there for sale in the United States or wherever a market can exist.

On my way to the Orient a year ago, I met a man in his late 30s or early 40s who told me a remarkable success story. About 10 years ago, he opened a florist shop in Portland, Oregon. He was just limping along and was constantly bothered by a candle salesman who was trying to convince him that he should stock candle in addition to flowers. The salesman was such a pest that the young florist told the salesman that he would take one dozen of each variety that he was selling. Well this developed into a pretty bulky order because candles, it turned out, come in lots of shapes, sizes and colors.

Then the florist found that he simply couldn't sell the candle in his store. When the bill came in for the candle inventory, it nearly broke him and he went to a local supermarket and convinced them to take on his stock. The supermarket proved to be a good place to sell candles and in a few weeks the manager of the store told the florist he wanted some more. The florist got out of the flower business and went in the candle business. And he turned out to be quite a candle salesman. In a couple of years, he had taken over the complete output of the company whose candles had crowded his flower shop.

When his sales exceeded the capacity of the candle manufacturer, he decided to manufacture himself. He learned how to make candles and then flew to Japan. The Japanese were not making any candles except small spindly ones used for religious purposes. He taught a Japanese manufacturer to make the types of decorative candles he was selling and set up his own source of supply.

At the time I met this industrious fellow in an airplane bound for Japan, he had become the largest supplier of candles in the United States and Canada and was beginning to branch out into foreign countries.

All this is supposed to have a point to it, and the point is this: Air transportation has changed the world far more drastically than any other medium of transportation in the history of man. The great U.S. industrial plant in Europe has been mainly a development of the last 20 years, after the introduction of the jet airplane, which made it possible for state-side management to supervise worldwide industrial companies. My candle-maker friend is an example of what a single individual can do.

That air transportation has changed the economic world is demonstrated by the few facts already given. It has also changed many other aspects of our life.

Take, for example, the field of diplomacy. For generations, it has been conducted by governmental representatives located in far distant places. Air transportation has made possible the diplomacy of Henry Kissinger—a representative of the seat of power who, in a world swing occupying a few days, is able to talk directly to the heads of foreign states and come back and report to Washington.

The role of ambassador is past. To quote James Reston of the New York Times:

"Diplomacy has been transformed by the fast jet airplane . . . When the head of an American mission abroad reports something really important to his capital, the chances are somebody from Washington will be sent out to deal with it . . ."

The airplane has also changed the recreation of the world's people. Before World War II, nobody made a European pleasure trip in less than a month. Today people by the millions go to Europe for one or two weeks. The Gourmet Magazine wrote about a woman from Washington who was so intrigued by an article on a London food shop that she went over one day and back the next to buy fancy groceries for a party she was giving.

The airplane has not only brought you to the recreation, it has brought the recreation to you. The schedules of the National and American Leagues today are based on the use of air transportation. The same is true of hockey, basketball, tennis and golf. The competition that now exists could not have operated with the older system of transportation. One of the ski instructors at Sun Valley, Idaho, where he teaches from November to April each year, is the head of the ski school at Thredbo, the principal ski resort in Australia where he teaches from June to October. Race horses move from New Zealand to Yonkers, New York and back again by air.

The more serious types of recreation: music, the theatre, ballet, are the slaves of air transportation. In late 1970 we sponsored a visit of the Australian Ballet to the United States. This group came to this country, made 69 appearances here and returned to Australia in not much more than the time it formerly would have required to make a one-way trip.

The airplane has also changed the geographic distribution of colleges and universities. Young people in your community are no longer largely limited to education at nearby schools; they are attending institutions of learning all over the country, and in many cases, in other countries.

I have drawn most of my examples from international air transportation because it is so spectacular, but the lesson is equally applicable, although perhaps not so dramatically, to access within our own country for every type of purpose.

In this age of air transportation a community that has a major airport has a geographic, economic and cultural advantage. Any community that voluntarily relinquishes this advantage is dissipating the greatest asset it can have. I admire and respect and support the efforts that your organization has made to keep Washington National open; the benefits are well worth the efforts.

SENATE—*Wednesday, June 20, 1973*

(Legislative day of Monday, June 18, 1973)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou who art eternal and unchangeable, make us followers of the truth. Give us ears to hear the truth, minds to understand the truth, and wills to