high office. I believe that history will judge him, after the 50 years' interim period he requested, as one of the greatest and strongest leaders of our time. At this point, 20 years past his departure from office, as a very amateur American politician, I place him among the all-time great American Presidents.

President Truman refused to be bullied about by political opponents at home or abroad and effected more than any other person, the reconstruction of Europe and saved them from external domination.

The name of Harry Truman will not be forgotten in the Owens' household, just as it will live on in millions of homes where stories of unusual men are retold. My repertory of Harry Truman stories is extensive and illustrative of all that is good about the American political system. I am proud, indeed, of having been alive to watch the formation of the Truman heritage.

HOUSE OF REPRESENTATIVES—*Monday, January 22, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is good, a stronghold in the day of trouble; and He knoweth them that trust in him.—Nahum 1: 7.

Dear Lord and Father of Mankind,
Forgive our foolish ways;
Reclothe us in our rightful minds
In purer lives Thy service find,
In deeper reverence, praise.

Drop Thy still dews of quietness,
Till all our strivings cease;
Take from our souls the strain and stress,
And let our ordered lives confess
The beauty of Thy peace.

In all the discussions of these days and the decisions we will be called upon to make keep our minds clear, our motives clean, our hearts confident, our deeds constructive, and our consciences unashamed and unafraid.

God bless America. Stand beside her and guide her through the trying tribulations of these troubled times. And bless our astronauts as they open new doors of knowledge to us this day.

In the spirit of the Pioneer of Life we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

ANNOUNCEMENT

The SPEAKER. The Chair would like to make a statement. The Chair is only going to recognize under the 1-minute rule a colleague to announce the death of a former distinguished Member. The Chair will, after the astronauts have appeared, take 1-minute speeches.

The Chair now recognizes the gentleman from Illinois (Mr. ANDERSON).

TRIBUTE TO LEO ALLEN

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, it is with a deep sense of personal loss that I take these minutes to inform my colleagues of the passing of former Congressman Leo Allen on Friday, January 19. His funeral will be held in the First Presbyterian Church, Galena, Ill., on tomorrow, January 23, 1973, at 11 a.m.

Leo Allen served 14 distinguished terms in the House of Representatives embellished particularly on two occasions by his service as chairman of the House Committee on Rules in the 80th and 83d Congresses. In the 28 years he served the residents of northwestern Illinois as their Representative to the Congress, he achieved a record of consistency and devotion to the principle of government in which he served.

I often had occasion to talk with him during those years after he left the Congress. He continued to remain deeply interested in the affairs of government and of the Republican Party. Leo's wife preceded him in death but he leaves five children, each of whom, I am sure, is imbued with the stamp of his strong personality, high character, and unblemished principles, a legacy matched only by Leo Allen's superlative record and significant place in the history of this body.

Leo Allen will long be remembered as a faithful legislator and outstanding American. Mrs. Anderson and I join Leo's thousands of friends in extending our condolences and deepest sympathy to the members of the Allen family.

I am pleased to yield to my distinguished colleague from Illinois, the minority whip (Mr. ARENDS).

Mr. ARENDS. Mr. Speaker, I, too, was saddened with the notice of the death of our former colleague, Leo Allen. He was a Member of Congress when I first came here, and I had the privilege of serving with him for 24 years. We became fast and warm friends during our tenure together in Congress. As a freshman Member here I often went to him for counsel and advice. I had the greatest respect and admiration for Leo. Truly he was a great American, a dedicated public servant, and one who contributed so much to this House during the time he was privileged to serve here.

I extend to his wonderful family my deepest and sincerest sympathy in this their time of bereavement.

Mr. ANDERSON of Illinois. Mr. Speaker, I am pleased to yield to the distinguished majority leader (Mr. O'NEILL).

Mr. O'NEILL. Mr. Speaker, I join my distinguished colleagues in the House in rising to pay tribute to an eminent Member of this Chamber, Leo Allen.

Though Leo came to Congress before I did, I had the distinct pleasure of serving with him on the Rules Committee following my assignment to that committee in 1955.

As chairman of the Rules Committee when the Republicans had control of the House during the 83d Congress, and later as ranking minority member of that committee, Leo Allen's great talents as a legislator and parliamentarian came to the forefront.

As Representative of the 16th District of Illinois, Leo Allen consistently and vigorously fought for the philosophy and ideals in which he believed. In all ways, Leo served his constituency and his Nation with dedication and purpose.

Leo and I were friends socially as well as colleagues on Rules Committee. Both of us stayed at the University Club for a period. Leo was a very entertaining host and a thoroughly enjoyable person to be around.

I join my colleagues in their expression of bereavement. Mrs. O'Neill joins me in expressing our condolences to Leo Allen's family and friends.

Mr. DERWINSKI. Mr. Speaker, I join my colleagues this afternoon in paying tribute to Leo Allen, one of the truly great Representatives which the people of the State of Illinois have sent to this body.

As a freshman Member, I benefited from the wise counsel and leadership that Leo Allen provided. I will long remember his sage advice and the principles of government and politics for which he so courageously stood. Those of us who remember him from his service here recognize that he was a champion of the taxpayer, a firm believer in the limitation of the powers of the Government, and a man who very effectively understood and served the people of his district.

Leo Allen was a great American and the kind of man that has made the House of Representatives the great institution that it is.

Mr. DELANEY. Mr. Speaker, I was deeply saddened to learn of the passing of our distinguished former colleague, the Honorable Leo E. Allen of Illinois.

It was my privilege to have known Leo as a friend for many years. Having worked closely with him during our joint service on the Committee on Rules, I knew him as a completely honest and forthright legislator, and a man deeply devoted to the best interest of the Nation. While we disagreed on a number of issues, I always yielded to his sincerity of purpose.

Leo served with distinction in the Army's field artillery in World War I. Shortly thereafter, he graduated from the University of Michigan. After teaching school for several years, he developed an interest in law and politics. Following completion of his legal studies, he was admitted to the bar in 1930, and began the practice of law in his hometown of Galena, Ill.

Prior to coming to Congress in 1933, Leo had twice been elected to the posi-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

tion of clerk of the county circuit court in his area.

During his tenure in the House, Congressman Allen became senior Republican member of the Committee on Rules, and served for a time as chairman of that panel when his party was in the majority. He was also a member of the Committee on Committees, and the joint Republican steering committee.

I will always cherish my friendship and association with Leo. We both lived at the University Club here in Washington, and I vividly recall many warm and enjoyable evenings we spent together relaxing at the end of the day.

He served his countrymen to the best of his great ability, and gave unstintingly of himself to preserve and foster the values that have made America great.

I extend my deepest sympathy to his children, and to the other members of his family.

GENERAL LEAVE

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the life, character, and public service of the late Leo Allen.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

APPOINTMENT AS MEMBERS OF COMMITTEE TO ESCORT DISTINGUISHED VISITORS INTO THE CHAMBER

The SPEAKER. The Chair appoints as members of the committee to escort our distinguished visitors into the Chamber: The gentleman from Massachusetts, Mr. O'NEILL; the gentleman from California, Mr. MCFALL; the gentleman from Texas, Mr. TEAGUE; the gentleman from West Virginia, Mr. HECHLER; the gentleman from Illinois, Mr. ARENDS; the gentleman from Illinois, Mr. ANDERSON; and the gentleman from Ohio, Mr. MOSHER.

RECESS

The SPEAKER. The Chair declares a recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 5 minutes p.m.), the House stood in recess.

RECEPTION BY THE HOUSE OF REPRESENTATIVES OF THE APOLLO XVII ASTRONAUTS

The Speaker of the House presided.

At 12 o'clock and 32 minutes p.m., the Doorkeeper (Hon. William M. Miller) announced the Apollo 17 astronauts.

Captain Eugene A. Cernan, U.S. Navy; Captain Ronald E. Evans, U.S. Navy; and Dr. Harrison H. Schmitt; accompanied by the Committee of Escort, entered the Chamber and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. My colleagues in the House of Representatives, I have the very high honor of welcoming, on behalf of the House, the heroic astronauts of Apollo 17—Captain Eugene A. Cernan, U.S. Navy; Captain Ronald E. Evans, U.S. Navy; and Dr. Harrison H. Schmitt—who last month achieved the sixth manned lunar landing and carried out their scientific assignments on the lunar surface and in space with such precision, courage, and skill.

I now have the honor of presenting to the House the distinguished commander of that historic flight, Captain Eugene A. Cernan, U.S. Navy.

[Applause, the Members rising.]

Captain CERNAN. Thank you, Mr. Speaker.

Members of Congress and distinguished guests, ladies and gentlemen: I guess the first thing I have to say is this is certainly quite a tribute and one that I never thought I would personally ever be afforded. I consider this quite an honor to be here and have the opportunity and privilege of addressing probably one of the most esteemed bodies in the world, the Congress of the United States. On behalf of myself and my colleagues I want to thank you very, very sincerely for this invitation and this opportunity.

We are quite limited in time, I know, and you gentlemen are very obviously busy, as I have been told today, so in spite of the fact that we would like to tell you many stories, both technical accomplishments and emotions, and other feelings about our flight, I really do not plan to do that today.

However, I should like to tell you one very quick and short story that probably has not been publicized too much. There was a slight problem we had during our mission, although we did not have many problems. This problem concerned our command module pilot, Ron Evans. We had trouble, as some of you who had the opportunity to follow the flight might remember, getting Ron Evans up in the morning.

In space you really need a three-man crew all the time.

We had known about Ron's problem—and it takes us back to some of his history in the Navy—and we asked Jane, "How do you get him up in the morning? We need a little clue and some help."

She said, "That's easy. All I do is kiss him."

Jack and I seriously considered that after about the seventh or eighth day, but we were not quite sure because we had not checked with Jane about what Ron's reaction was between the time she kissed him and the time he got out of bed.

On a more serious note, we have in the short period of time since we returned, just a little over a month, been paid many tributes and accolades and have accepted them quite reluctantly, I might add, because we firmly believe these tributes belong to gentlemen like yourselves, people like yourselves throughout this country who made the Apollo 17 and who made the Apollo program possible. It is history that has happened in our time, history in which we and our children have lived. It is not something that we have read about that happened 200 years ago or 1,000 years ago, but it is something that you and I are a part of.

I think one of the greatest things personally and one of the greatest personal achievements I could ever have would be to share that history and share those accomplishments and share my feelings with the people throughout this country, with the people who really deserve to know what happened throughout the entire program.

We have heard of the accomplishments of Apollo termed as the legacy of the men of Apollo. I take slight issue with that because I believe this last decade is a legacy of the Nation. It is a legacy I think we can all be very proud of. There are many accomplishments, and I am not really going into any of them, but I just want to say one thing. I feel very strong about this. When Neil Armstrong not too many years ago planted the American flag on the surface of the moon, he did not do it as a conquest of territory. He did not claim the moon for the United States of America. But I look at it rather as a symbol of the courage and the dedication and the effort and self-sacrifice of 200 million people in this country who made that effort possible. I think very symbolically it is typical of the courage and self-sacrifice and that same dedication, that same ambition, that has made America for the last 200 years become the greatest nation that man has ever seen on earth.

I believe it is this same type of effort; it is this same type of forward-lookingness that we have on the part of the people throughout our country today that is going to keep our Nation the greatest nation in the world.

When he made that first step, when Neil Armstrong, an American, made that first step on the surface of the moon he probably gained more pride and more respect throughout the entire world than any one thing that has happened possibly even in the entire 200-year history of our country. This is the same pride and this is the same respect and these are the same friends that throughout my 38 years of life here on earth I have found that we seem to be trying to buy and to barter for, and yet with that one step by an American, that one accomplishment, we are able to gain something that we had never really been able to grab hold of in my lifetime.

Gentlemen, I submit to you I think that, difficult as it is to put a dollar value on that step, the significance of what it has meant to the United States of America throughout the world and in the decade when the United States of America has needed pride and needed respect, both at home and abroad, the value of that first step is really something that is very difficult to put on paper.

The symbol of our path of Apollo 17 is one that goes far beyond our flight, and it is one that goes far beyond what we really think of the entire mission of Apollo now, but we feel it very symbolic of our country in that we have a bust of Apollo, a gold bust of Apollo, representing not just Apollo but representing mankind, representing his intelligence, representing his wisdom. Uniquely, this bust of Apollo is not looking behind, but he is looking ahead. He is looking into the fu-

ture. He is not turning in upon himself and feeling sorry for his own ills, but he is looking out to the future and accepting the challenge of that future.

To go along with this symbol of mankind is the American eagle that is superimposed upon the moon.

It is not basking in the accomplishments of this last decade in space, but utilizing the information and the experience from those accomplishments and projecting and thrusting out further into the future, leading mankind into that freedom of space as he has led mankind for the last 200 years.

We are very, very proud of that symbology. To go along with that, we pay tribute to the people who really made it possible.

We call our spacecraft America. I cannot tell you how very strongly and how very sincerely we truly feel about that.

I would just like to say in closing that I have had an opportunity to meet some of you and hopefully in the future will have an opportunity to meet more of you here in Congress, and those of you who are in the gallery. I feel very confident that with the ambitions of some of your young contemporaries, tempered with the wisdom and experience of some of the older gentlemen here in Congress, the heritage and the traditions of America will long endure.

I also feel very strongly that the responsibility that we have toward the freedom of mankind throughout the universe will never, never be compromised.

I want to once again thank you for the privilege—and, believe me, it is probably one of the highest honors of my entire life to be here and address you gentlemen. I want to thank you for your support certainly of the space program, and your support and your convictions for what you believe is right for this Nation and, more parochially, if you will, I should like to thank you for your support in allowing the three of us to be part of and do something that we feel very dedicated to, something that we feel means a great deal for our country. I think after looking back at my experiences in the space program over the last 9 years, it has allowed me to be a better American, of which I am very proud. I thank you.

[Applause, the Members rising.]

Gentlemen, thank you. If a man can go home to his children and say that he received a standing ovation from the outstanding leaders of the world, that is something to take home. I thank you.

I would like to introduce the second member, a colleague of mine, who in turn will introduce our third colleague. Ron Evans was our command module pilot and probably the finest that ever flew, as far as I am concerned. He did many things and had many experiences. I think most of all—and the thing he is most proud of—because of the job he did in spacecraft America, we have nicknamed him Captain America.

Ron Evans.

[Applause, the Members rising.]

Captain EVANS. Mr. Speaker, Members of the House, ladies and gentlemen:

It is indeed a great honor and privilege to be able to say hello and relate a little of my experiences on Apollo 17. Those of us who are active in the space program are very much aware of the positive and productive role you gentlemen had in providing the resources so essential to continue our space program. We appreciate that, as well as the positive thinking that goes along with it.

While Gene and Jack were down on the surface of the moon, as I jokingly say, getting their space suits all dirty and picking up rocks, I was fortunate enough to be flying around the moon, and hopefully I developed a capability, that man can perform in space. No matter how well his cameras and his sensors and his instruments operate, man has the capability to observe, describe and then interpret. This is notwithstanding the fact that a lot of instruments also are able to see and look at more than man can. But man as a computer can correlate the two processes together.

From the personal side, I came away from this flight with a very personal experience which, I think, will stay with me for as long as I live. This was a view of the spacecraft earth. It is a small, blue sphere about four times as large as the moon as we see it from down here, but it is right out all by itself in the blackness of space.

This was my home, and I realized it is the only earth we have. Just like the spacecraft I was flying, it only has so much breathable air; so much air space; so much drinkable water, and so much in the way of consumable resources.

It made me realize that somehow the human survival requirement means that we have got to conserve these resources and man must learn to adapt to this environment.

Perhaps in so saying this, I repeat a lot of what men before me in space have said, but if our experience in Apollo contributes anything to the eventuality that we can conserve our own earth, I believe this will dwarf the considerable science and technology that has resulted from the Apollo program.

I think one other experience which I should like to relate is that just as you gentlemen are ambassadors from your various districts and States, we in the astronaut program are also ambassadors. We are ambassadors not only to the people, but we are also ambassadors to history. We have a responsibility. This responsibility is to share with the people not only the excitement and the romance of space flight, but I think we must share the significance of this history to the future of mankind.

Thank you.

Gentlemen, the additional colleague of our crew has been termed the doctor of the crew, the civilian of the crew, the geologist of the crew. However, at this time I would like to introduce Astronaut Jack Schmitt.

[Applause, the Members rising.]

Dr. SCHMITT. Mr. Speaker, Members of the Congress, ladies and gentlemen.

May I also express my appreciation for the privilege of participating in the Apollo program and the honor of being able to report to you briefly on our recent explorations on the Earth's frontier.

I like to think that we follow in the footsteps of some great explorers who have left this city, one in particular close to my heart, being from New Mexico, is Lieutenant Emory, who in the last century helped us to explore the western frontier of this country.

I would like first to tell you about a place I have seen in the solar system. This place is a valley on the Moon, now known as the Valley of Taurus-Littrow. Taurus-Littrow is a name not chosen with poetry in mind, but, as with many names, the mind's poetry is created by events. Events surrounding not only 3 days in the lives of three men but also the close of an unparalleled era in human history.

The Valley, as I think of it now, however, has been unchanged by being a name on a distant planet while change has governed the men who named it. The Valley has been less altered by being explored than have been the explorers. The Valley has been less affected by all we have done than have been the millions who, for a moment, were aware of its towering walls, its visitors, and then its silence.

The Valley of Taurus-Littrow is confined by one of the most majestic panoramas within the view and experience of mankind. The roll of dark hills across the valley floor blends with bright slopes that sweep evenly upwards, tracked like snow, to the rocky tops of the massifs. The Valley does not have the jagged youthful majesty of the Himalayas, or of the valleys of our Rockies, or of the glacially symetrical fjords of the north countries, or even of the now intriguing rifts of Mars. Rather, it has the subdued and ancient majesty of a valley whose origins appear as one with the Sun.

The massif walls of the Valley rise to heights that compete well among other valleys of the planets; but they rise and stand with a calmness and unconcern that belies dimensions and speaks silently of continuity in the scheme of evolution. Still, the Valley is not truly silent; its cliffs yet roll massive pages of history down dusty slopes; its bosom yet warms the Valley floor and spreads new chapters of creation in glass and crystal; its craters yet act as the archives of their Sun.

The Valley has watched the unfolding of thousands of millions of years of time. Now it has dimly and impermanently noted man's homage and footprints. Man's return is not the concern of the Valley—only the concern of man.

The Apollo program, I believe, will be viewed by political history as having established this Nation as the leading spacefaring nation on Earth, a position from which infinite opportunities now lead for us and all men. One such opportunity was the scientific exploration of another planet.

During the few years of Apollo, we have done a truly remarkable thing; we have obtained a first order understanding of the evolution of a second planet, our Moon. For men to be able to stand with confidence and claim such an understanding and back it up with an increasingly detailed battery of fact is a historical event in itself without parallel.

The ultimate origins of the Moon and the Earth are still illusive although our choices are more limited than before. However, we are now confident that the Moon and the Earth formed as coherent bodies in the same orbital region of the Sun. This formation took place about 4.6 billion years ago and apparently occurred over a very short timespan, possibly as little as a few tens of thousands of years.

The rate at which the final accumulation of material took place was high enough that energy released as heat appears to have melted the outer 200 or so kilometers of lunar crust. For the next few hundred million years this melted crust cooled and crystallized with the light minerals rich in calcium and aluminum floating and the heavy minerals rich in iron and magnesium sinking. All the while the outer portions of the cooling crust were being splashed and pulverized by the continuing rain of debris.

About 4.4 billion years ago the crust was apparently largely cooled and firm. The next 200 to 300 million years were marked by continuing saturation by large violent impacts of debris, though at ever decreasing rates. Many of the large basins formed during this time were filled with smooth light-colored materials, presently of undetermined nature.

Between 4.1 and 3.9 billion years ago—and I use these dates in general terms; and I personally cannot imagine a billion years, but I hope you can—but in that time period, 4.1 to 3.9 billion years ago, the intense cratering of the Moon's crust decreased rather abruptly, although its culmination was in the formation of the large circular basins that dominate the front face of the Moon. Relatively strong magnetic fields existed at this time which indicate the probable previous formation of an electrically conducting core and internal dynamo within the Moon.

About 3.8 billion years ago and continuing to about 3 billion years ago, the vast basins of the near side of the Moon were flooded with flow upon flow of basaltic lava. These lavas were formed by the partial melting of the lower crust or mantle of the Moon through the accumulation of heat from radio activity. At the completion of this period of the evolution of the Moon, most of the surface features visible today were present. They have been modified slightly since only by relatively small cratering events and by the effects of melting and thermal convection deep within the Moon.

Thus, most of the active history of the Moon's evolution took place before that portion of Earth history familiar to us; namely, prior to 3 billion years ago. There remain many studies, many disagreements and many surprises in our study of lunar samples and data, but this is the context in which we now view the Moon. It is a window, albeit a pitted and dusty window, into our own past which was beyond our expectations only a few years ago. Now we have insight into events in the early history of the Earth, events that may have established the major distribution patterns of elements within our planet's crust.

I have spoken of just one facet of the revolution in knowledge that your Apollo program brought to the world. Possibly more important than factual knowledge, however, was the overall act of obtaining that knowledge. In doing so, man has evolved into the universe. Although the nature of that evolution was technological, I believe, it will be marked a thousand years from now as a single unique event in human history. This event will appear more distinctly even than history's record of our use of atomic energy. In its at times unseemly, at times shortsighted but always human pathway through time, mankind found that its reach could include the stars.

Thank you again.

The SPEAKER. Our distinguished visitors have agreed to present themselves in the Rayburn reception room in order that they may greet all the Members of this body.

Will the committee of escort now accompany our distinguished visitors to the Rayburn reception room.

AFTER RECESS

The recess having expired at 1 o'clock and 2 minutes p.m., the House was called to order by the Speaker.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess of the House be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DISCIPLINARY PROBLEMS IN U.S. NAVY

(Mr. HICKS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HICKS. Mr. Speaker, as chairman of a Special House Armed Services Subcommittee on Disciplinary Problems in the U.S. Navy, I address my colleagues today concerning our report which will be made public. I was joined in this inquiry by my esteemed colleagues, the Honorable W. C. (DAN) DANIEL of Virginia and the Honorable ALEXANDER PIRNIE of New York.

During the course of the 92d Congress, there was increasing concern in the House Armed Services Committee over the development of more relaxed discipline in the military services. Substantial evidence of this trend reached us directly through subcommittee investigative reports and messages from concerned service members, as well as indirectly through events reported in the news media.

While generally our men have performed in an outstanding fashion during battle and other extreme circumstances, on occasion there has been an erosion of good order and discipline under more normal operating conditions. Most disturbing have been reports of sabotage of naval property, assaults, and other serious lapses in discipline afloat. Recently, lawful orders have been subject to "committee" or "town meeting" proceedings prior to compliance by subordinates.

Capping the various reports were serious incidents abroad U.S.S. *Kitty Hawk* and U.S.S. *Constellation*—aircraft carriers of vital importance to our Navy.

Immediately following air operations abroad the *Kitty Hawk* on the evening of October 12, 1972, a series of incidents broke out wherein blacks, armed with chains, wrenches, bars, broomsticks, and perhaps other instruments, went marauding through sections of the ship seeking out white personnel for senseless beating with their fists and with those instruments they had seized upon as weapons. The result was extremely serious injury to three men and lesser injury requiring medical treatment of many more, including some blacks.

Aboard the U.S.S. *Constellation*, during the period of November 3–4, 1972, what has been charitably described as "unrest" and a "sit-in" took place while the ship was underway for training exercises. The vast majority of the dissident sailors were black and were allegedly protesting a number of grievances they claimed were in need of correction.

These men were subsequently offloaded as a part of a "beach detachment." An effort was made to determine what their problem might be and how it might be resolved. When the sailors were ordered to return to the ship, they refused. They were then transferred from the ship to the Naval Air Station, North Island, near San Diego and processed only for the minor disciplinary infraction of 6 hours unauthorized absence.

With that backdrop, the chairman of the Armed Services Committee appointed a special subcommittee to attempt to determine the circumstances that gave rise to the *Kitty Hawk* and *Constellation* incidents. During the course of the hearings in Washington, D.C., and in San Diego, we talked to witnesses of every level, from the Assistant Secretary of Defense for Manpower and the Secretary of the Navy—to young seamen in the Navy but a few months. We spent some 74 hours in taking testimony, ending with 2,565 pages of reporter transcript. We had only one major disappointment in our quest for evidence in these matters. We invited the accused from the *Kitty Hawk* to give us the benefit of their testimony. They refused, despite the fact that the hearing was closed and the testimony would have remained secret pending their trials.

We have now completed our report and before it is made public, I want to list for the House some of our findings, opinions, and recommendations interspersed with a comment or two of my own.

The vast majority of Navy men and women are performing their assigned duties loyally and efficiently. The cause for concern rests with that segment of the naval force which is either unable or unwilling to function within the prescribed limitations and up to established standards of performance or conduct.

However, we did find that permissive-

ness, as defined in our report, exists in the Navy today. Although we were able to investigate only the specific incidents involving the *Kitty Hawk* and the *Constellation*, the total information made available to us would indicate that the condition could be servicewide.

The generally smart appearance of naval personnel, both afloat and ashore, seems to have deteriorated markedly from past years.

Failure in the middle management area to utilize the command authority inherent in those positions probably as much as anything was responsible for the state of discipline existing aboard the *Constellation* and *Kitty Hawk*.

We believe that insufficient emphasis has been given formal leadership training, particularly in the ranks of petty officers and junior officers.

The recruiting advertising utilized by the Navy often appears to promise more than the Navy is able to deliver, especially to personnel who are unable to qualify for school training. This would seem to make greater the normal frustration of shipboard life and add to the difficulty of maintaining good discipline and morale among that segment of the personnel.

The subcommittee did not find any instances of institutional discrimination on the part of the Navy toward any group of persons, majority or minority.

We were unable to determine any precipitous cause for the rampage aboard U.S.S. *Kitty Hawk*. We found no case where actual racial discrimination could be pinpointed, and only one or two where the testimony indicated that racial discrimination was perceived, but certainly nothing of a nature to justify a belief that violent reaction was required.

The riot on *Kitty Hawk* consisted of unprovoked assaults by a very few men, most of whom were of below-average mental capacity, most of whom had been aboard for less than 1 year and all of whom were black.

We believe the incident aboard U.S.S. *Constellation* to be the result of a carefully orchestrated demonstration of passive resistance where a small number of blacks, probably less than 20 to 25, fostered and encouraged among other blacks the idea that white racism was of wide extant in the Navy and particularly aboard the *Constellation*.

One common complaint of the young blacks was that punishment meted out at captain's mast was harsher on blacks than whites. We were advised that an in-depth review, conducted by Naval Personnel Research Activity, San Diego, found no racial discrimination in the punishments awarded by the Commanding Officer, U.S.S. *Constellation*. Nothing was furnished to us that indicated to the contrary.

It is our view that discipline, requiring immediate response to command, is absolutely essential in any military force. Particularly in the forces afloat there is no room for the "town meeting" concept or the employment of negotiation or appeasement to obtain obedience to orders. The Navy must be controlled by command, not demand.

We believe the procedures utilized by higher authority to negotiate with *Constellation's* dissidents and, eventually, to appease them by acquiescing in their demands to be detrimental to the best interest of the Navy.

Black unity, the drive toward togetherness on the part of blacks, has created a tendency on the part of the younger black sailors to polarize. The result—the grievance, real or fancied, of one of these young men becomes the grievance of all.

Statements that riots, mutinies, and acts of sabotage in the Navy are a product of "the time" does not seem valid to the subcommittee. Those in positions of authority who profess such beliefs, it would seem, have been negligent in not taking proper precautionary action to prevent the occurrence of such acts or to be prepared to deal with such actions once they did occur.

We fully support the idea of equality of opportunity in the military and naval forces of the United States for all persons serving in them. Since there may still be individual attitudes of discrimination among some persons serving in those forces—discrimination directed toward blacks or whites, or any other ethnic or racial groups—human relations programs are essential. There is no place in our military for a bigot, particularly in a position of authority.

We commend the Chief of Naval Operations for those of his programs which are designed to improve Navy life and yet maintain good order and discipline through the traditional chain of authority.

That having been said, I wish to make a few comments on the investigation. I reemphasize that we did not look at the entire Navy. We did see enough, however, to suggest that the conditions as we observed them and the opinions and recommendations drawn therefrom could have application servicewide.

We have attempted to restrict our comments to the testimony and related materials made available to the subcommittee. We have resisted, I hope successfully, the temptation to generalize beyond the overall record.

The report has been carefully constructed by all three members of the subcommittee in all-day sessions, over a period of several days, with staff assistance. In essence, that means that no one is completely happy with it, but it is our best effort at consensus. We recognize the importance of what we have to say, particularly in view of the nature of the incidents which triggered the inquiry. Dissension aboard ship, accompanied by mass disobedience of orders and terrorism has been rare in the entire history of our Navy. It has troubled many people across and up and down the United States and many of those people—in and out of the military—have been in contact with us. So, too, have Members of Congress who are troubled by the incidents as reported in the news media.

We are and have been critically aware of our responsibilities and we sought to present the most straightforward findings and concomitant recommendations consistent with the necessity for dispatch if our efforts were to be meaningful. Many will be disappointed that we did not lay the problems at the doorstep of racial discrimination. But that just was not the evidence and I invite those Members who have strong feelings to the contrary to review the transcript of the testimony before condemning our report.

The report contains some 43 findings, opinions, and recommendations and I commend it to your attention.

FORMER REPRESENTATIVE LEO ALLEN

(Mr. MADDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MADDEN. Mr. Speaker, I was grieved yesterday to learn of the passing of our former colleague, Representative Leo A. Allen, of Illinois. I served on the Rules Committee with Congressman Allen for 12 years. He was chairman of the Rules Committee in the 80th and 83d Congresses.

Leo Allen was one of the first Members I met when I came to the 78th Congress as a freshman Member. During our years of association on the House Rules Committee, I learned of his outstanding ability, personality, and capabilities as a top legislator. He had a host of friends in the Congress during his long legislative service.

He also held a top position as chairman of the Special Republican House Patronage Committee during the 80th and 83d Congresses. His great capacity as a public official and legislator can best be evidenced by his long service in Congress from 1932 until his retirement in 1961. I join with his many friends and colleagues in the House in extending to his family my deepest sympathy in their bereavement.

NURSING HOME REPORTS ARE PUBLIC BUSINESS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, our colleagues will recall my interest during the 92d Congress in obtaining reports on nursing homes which are filed with various governmental agencies and in particular, with the Department of Health, Education, and Welfare. In the CONGRESSIONAL RECORD, volume 118, part 8, page 10297–8, and part 10, pages 10361–2, information on this general subject was inserted together with the text of a bill designed to provide for the release of information concerning certain aspects of the medical programs authorized by the Congress under the Social Security Act and its amendments.

On January 11 of this year, I reintroduced the measure which now carries the number, H.R. 1917, in the 93d Congress.

It will be recalled that a suit was brought against the Secretary of HEW for the release of reports on 14 nursing homes. The U.S. District Court for the District of Columbia ruled in favor of

the plaintiff, Malvin Schechter, and ordered the release of the information sought. The time for appealing this decision has expired but the Department is not giving full implementation to Judge Joseph C. Waddy's order. In attachment No. 1 to this statement, I have appended copies of the "Complaint for Injunctive Relief and an Order for Production of Records" dated November 21, 1972, and the accompanying documentation of that action.

The Department of Health, Education, and Welfare has adopted the position that the only thing settled in the case brought by Mr. Schechter was that the named nursing home reports; namely, 14, had to be made public and that section 1106 of the Social Security Act would still provide the Department with authority to suppress the reports filed with the Department, in accordance with law, regarding other nursing homes.

The attitude and action of the Department indicates, unfortunately, that that "public" agency is not going to release public information without a prolonged legal fight, or unless the Congress of the United States acts to force the Department to live up to the statutes under which it is supposed to operate. Because of the stubbornness of the Department in this matter and because of its highhanded flaunting of the orders of the courts of the land, my bill, H.R. 1917, will further amend the Social Security Act to clearly specify the intent of the Congress with regard to the release of information on nursing homes.

The Department narrowly interprets Judge Waddy's decision to apply only to specific cases, alleging that section 1106 of the Social Security Act provides blanket protection for departmental secrecy regarding other nursing homes. How could section 1106 cover nursing homes? That section of the act was law a long time before the Federal Government became involved in the nursing home programs. This is another one of those all-too-frequent instances where the Congress gave an inch, and the Federal bureaucracy has taken the proverbial mile.

To give the Devil his due, I must bring to your attention a court case which supports the Department's position. In attachment No. 2 of this statement, our colleagues will note a copy of the order of the U.S. District Court for the Northern District of California.

Before one decides that the matter is unresolvable in the courts based on a 1-to-1 decision ratio, I bring to your attention yet another court decision on this matter which was handed down by the U.S. District Court for the Southern District of Florida and, interesting enough, on the same day as the decision from northern California, to wit: November 28, 1972.

In the Florida example, the Department again tried to block the release of public information. The case was brought to the bar under the provisions of the Freedom of Information Act, title 5, United States Code, section 552, and I must quote just one portion of the judge's reasoning about the scope and intent of that act. Judge Hay said:

Initially, adjudication of the instant controversy requires appreciation of the requirement of the Freedom of Information Act's being liberally construed so as to effectuate the purpose of the Act to guarantee the public's right to know how the government is discharging its duty to protect the public interest. Such liberal disclosure requirement is limited only by specific statutory exemptions, which are to be strictly construed, the governmental agency bearing the burden of proof of justifying the requested information as within the ambit of the specific statutory exemption.

And later:

This Court can conclude that the interests of the public in general in being apprised of the manner in which the government is protecting their interests, should prevail over private interests of the scrutinized facilities if, in fact, disclosure would jeopardize any such interest. Further, the amendment to the Social Security Act permitting future disclosure of the survey reports only evinces the Congressional conviction that such reports should be available for public disclosure.

Mr. Speaker, the relevant laws—section 1106 of the Social Security Act; the Social Security Act Amendments of 1972; and the Freedom of Information Act—seem perfectly consistent and obvious in their intent to permit the public to monitor those programs financed by that same public. Nevertheless, an overweening, powerful executive branch bureaucracy seems determined to undermine the intent and the will of the U.S. Congress and I submit, we must not allow this type of action to go unchecked.

In a recent speech on a related matter pending before the Congress with respect to another aspect of HEW's overweening power over our citizens, I said:

The fact that such control has become arbitrary, capricious, without legal foundation, and naturally, contrary to the spirit of the laws enacted by then Congress, should serve as another warning to all in this House that we must radically curb the discretionary power we have granted to the Executive Branch of the Government.

I urge your support and that of our colleagues in the enaction of H.R. 1917. It is not the full answer to the problem of controlling the Frankenstein-like monster the Federal bureaucracy has become, but it is a start.

The attachments follow:

ATTACHMENT No. 1

[United States District Court for the District of Columbia]

COMPLAINT FOR INJUNCTIVE RELIEF AND AN ORDER FOR PRODUCTION OF RECORDS

Malvin Schechter, 6529 Elgin Lane, Bethesda, Maryland 20034, Plaintiff, v. Elliot L. Richardson, Secretary, United States Department of Health, Education and Welfare, 330 Independence Avenue, S.W., Washington, D.C. 20201, Defendant.

1. This is an action under the Freedom of Information Act 5 U.S.C. § 552 to obtain copies of documents which are in the same class of documents already made available by Judge Joseph C. Waddy of this Court in a prior and related Freedom of Information Act action. The documents sought by both actions are documents prepared pursuant to the certification of medical facilities for Medicare.

2. This Court has jurisdiction over this action pursuant to the Freedom of Information Act, 5 U.S.C. § 552(a)(3).

3. Plaintiff is Senior Editor of Hospital Practice, a national magazine with its Washington office located at 1230 National Press Building, which is concerned primarily with the practice of medicine in hospitals, nursing homes, extended care facilities, and related other institutions and in the community.

4. Defendant Elliot L. Richardson is Secretary of the United States Department of Health, Education and Welfare, and under 42 U.S.C. § 1395(kk) has the chief responsibility for the administration of the Medicare Program and has custody of the documents sought by this action. In order to insure compliance with these requirements, survey reports are compiled on each institution receiving Medicare payments. These survey reports are the general class of documents sought by plaintiff in both this and his prior action.

5. In a letter dated October 16, 1972, a copy of which is attached hereto as Exhibit A, plaintiff requested access to the current and past survey reports concerning United Medical Laboratories, Portland, Oregon and the survey report completed in 1970 of Boston City Hospital after its disaccreditation by the Joint Commission on Accreditation of Hospitals (the "Requested Documents").

6. By letter dated November 14, 1972, a copy of which is attached hereto as Exhibit B, plaintiff was finally denied access to the Requested Documents.

7. In a previous and related action between the same parties, Civil Action No. 710–72, the District Court for the District of Columbia, Waddy, J., granted access to fifteen Extended Care Survey Reports as requested by the plaintiff. The defendant did not seek to appeal that decision, and the survey reports were finally made available to plaintiff.

8. The Requested Documents should be made available in this action for the same reason that documents of the same class were made available in the prior and related case referred to in paragraph 7.

Wherefore, plaintiff prays that this Court (1) issue a permanent injunction to the defendant, his agents, and subordinates enjoining them from further withholding the class of documents sought by this action, (2) order the immediate production of Requested Documents for inspection and copying at the office of defendant in Washington, D.C., (3) award plaintiff reasonable attorney's fees incurred in connection with this action, (4) provide for expedition of proceedings on this complaint, and (5) award such other and further relief as the Court may deem just and proper.

Dated: Washington, D.C. November 21, 1972.

Ronald L. Plesser, Suite 515, 2000 P Street, N.W. Washington, D.C. 20036 (202) 785–3704
Attorney for Plaintiff.

EXHIBIT A

HOSPITAL PRACTICE FOR THE STAFF AND COMMUNITY PHYSICIAN,
October 16, 1972.

Commissioner ROBERT M. BALL,
Social Security Administration,
Baltimore, Md.

DEAR COMMISSIONER BALL: Pursuant to the Freedom of Information Act, I ask to be permitted to inspect and copy all current and past survey reports concerning United Medical Laboratories, Portland, Ore., a Medicare independent clinical laboratory.

In addition, I ask to copy and inspect the 1970 survey made of Boston City Hospital after its disaccreditation by the Joint Commission on Accreditation of Hospitals.

As you undoubtedly are aware, an action regarding public access to Medicare inspection reports was completed recently in U.S. District Court here (Schechter v Richardson).

In view of the fact that I am now asking for the same type of record, I would expect that the Boston City and UML inspection reports would be made available rapidly.

May I have a response within 14 days?
My thanks for your consideration.
Sincerely,

MAL SCHECHTER.

EXHIBIT B

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, SOCIAL SECURITY ADMINISTRATION,
Baltimore, Md., November 14, 1972.

Mr. MAL SCHECHTER,
Hospital Practice,
National Press Building,
Washington, D.C.

DEAR MR. SCHECHTER: Commissioner Ball has asked me to reply to your request for access to Medicare survey reports on the United Medical Laboratories and the 1970 report of a special survey of Boston City Hospital.

We must decline to comply with your request. The United States District Court, in the case to which you refer, directed the Department to make available to you Medicare survey reports on 15 named nursing homes, and this order was obeyed. The Department has not acquiesced, however, in that ruling, and continues to be guided by the provisions of section 1106 of the Social Security Act and Social Security Administration Regulations No. 1, subject to the changes in statutory law resulting from the recent enactment of the Social Security Amendments of 1972, Public Law 92–603.

Proposed amendments to the Department's regulations, published in the Federal Register on September 2, 1972, would permit the release of information on survey reports prepared in the future. The Congress, in enacting the Social Security Amendments of 1972, has given legislative support to the prospective release of information from surveys as to the presence or absence of deficiencies in such areas as staffing, fire safety, and sanitation.

When the proposed regulations are published in final form, information from all future surveys of any institutions participating in the Medicare program will be made available on a systematic basis through social security offices all over the country.

We appreciate your continued interest in the administration of the Medicare program and assure you of our cooperation in providing you with information covered by the law and regulations.

Sincerely yours,

RUSSELL R. JALBERT,
Assistant Commissioner for Public Affairs.

[In the United States District Court for the District of Columbia]

MOTION TO EXPEDITE PROCEEDINGS

Malvin Schechter, Plaintiff, v. Elliot L. Richardson, Defendant.

Plaintiff moves to expedite proceedings in this action by reducing the time of the defendant to answer or otherwise plead from 60 days to 20 days.

RONALD L. PLESSER,
Attorney for the Plaintiff.

November 21, 1972.

CERTIFICATE OF SERVICE

I certify that I have served this Motion, the attached Memorandum of Points and Authorities and proposed Order upon the defendant by personally delivering a copy to the office of the United States Attorney for the District of Columbia on November 21, 1972.

RONALD L. PLESSER.

[United States District Court for the District of Columbia]

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION TO EXPEDITE

Malvin Schechter, Plaintiff, v. Elliot L. Richardson, Defendant.

Plaintiff moves this Court to expedite the proceedings in this action by reducing the time for defendant to answer or otherwise plead from the 60 days provided for government defendants in Rule 12(a) of the Federal Rules of Civil Procedure to 20 days, which is normally allowed all litigants other than government defendants. This is an action under the Freedom of Information Act, 5 U.S.C. § 552 and the Act specifically states that any litigation under it shall be expedited in every way. 5 U.S.C. § 552(a)(3). Since all actions under the Act are against federal agencies, Congress must be considered to have contemplated that the District Court would have authority to reduce the 60-day period provided in Rule 12(a) where justice so requires.

Justice requires a reduction in the time the government has to answer because this is the second time that the facts and legal issues presented in this case have been presented to the United States District Court for the District of Columbia. In a prior decision in related case between the identical parties entitled *Schechter v. Richardson*, C.A. No. 710–72 (copy of the decision is attached hereto as Exhibit A) the Court per Waddy, J. granted access to plaintiff under the Freedom of Information Act to certain records of extended care facilities which receive payment under Medicare, 42 U.S.C. § 1395. In the prior action plaintiff requested 15 reports to constitute a test case. The defendant has not and will not appeal the decision of the District Court granting access to the extended care facilities reports to plaintiff. This current action was brought because the defendant has refused to make any but those 15 reports available as well as the reports sought by this action.*

The Social Security Administration now contends that the legal basis for access has been altered by the recent passage of P.L. 92–603, which amends the Social Security Act to release prospectively the types of documents sought by this and the prior action. However, the report of the Senate Finance Committee generally concerning the amendments stated the following:

It is the committee's intent that the requirement of disclosure of such evaluations and reports not lessen the effort of the Secretary [defendant] in his present information gathering activities nor is the provision in any way to be interpreted as *otherwise limiting any disclosure of information* otherwise required under the Freedom of Information Act. S. Rept. 92–1230, p. 306 (emphasis added).

The amendments serve as a legislative mandate for the orderly disclosure prospectively of the class of documents sought by this action. They do not affect the public availability of them as previously determined by Judge Waddy. The law as to the public availability of the documents has not changed since the issue was decided in this Court.

Defendant has no justifiable grounds to demand the full 60-day time to answer. The nature of the request, the appeal proceedings, the determination of the prior case and the preparation of the memorandum of Mr. Barrett referred to above has required the agency to formulate its position and its reasons for its denial of the requested records before this action was filed. To allow the government 60 days to answer this complaint would be to further subject the plaintiff to arbitrary and capricious delay in the final adjudication of his rights to receive access to the documents sought both by this and the prior related case.

CONCLUSION

Plaintiff therefore requests that defendant shall be required to answer or file a Motion for Summary Judgment in this action within 20 days of the date of the service of the summons on his attorney, the United States Attorney for the District of Columbia.

Dated: Washington, D.C., November 21, 1972.

Respectfully submitted.

RONALD L. PLESSER,
Attorney for Plaintiff.

[United States District Court for the District of Columbia]

ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Malvin Schecter, Plaintiff, vs. Elliot L. Richardson, Defendant.

Upon consideration of the defendant's motion to dismiss or in the alternative for summary judgment, and the points and authorities thereto, and the opposition thereto, and upon consideration of the plaintiff's cross motion for summary judgment, and the points and authorities thereto and the opposition thereto, and the Court being of the opinion that the documents sought to be produced, i.e. the Extended Care Facility Survey Reports, are not specifically exempted from disclosure by virtue of the provisions of 42 USC 1306, and that these sought after documents are therefore not exempt from disclosure under the provisions of the Freedom of Information Act, 5 USC 552(b)(3), and that there is no genuine material issue of fact, and that plaintiff is entitled to a judgment in his favor as a matter of law, it is this 17th day of July, 1972,

Ordered that the defendant's motion to dismiss, or in the alternative, for summary judgment, be and the same hereby is denied, and it is

Ordered that the motion of the plaintiff for summary judgment be and the same hereby is granted, and it is

Ordered that the defendant produce the Extended Care Facility Survey Reports for the plaintiff's inspection and copying, within 20 days from the date of this order or such other time as the parties hereto may agree upon.

July 17, 1972.

JOSEPH C. WADDY,
U.S. District Judge.

OCTOBER 19, 1972.

For response to inquiries:

In accordance with an order of the U.S. District Court for the District of Columbia, entered on July 17, 1972, the Social Security Administration has made available to Malvin Schechter, the plaintiff in the action in which the order had been entered, copies of extended care facility reports relating to 15 nursing homes. The U.S. Attorney for the District of Columbia in a related action is withdrawing a notice of appeal from the July 17 order which his office had previously filed.

The Solicitor General of the United States determined that the Government should not pursue the appeal in the Schechter case for two reasons. First, the Social Security Administration, after the entry of the District Court order, prepared and published in the Federal Register a proposed amendment to its regulations concerning disclosure of information, which amendment would provide for public disclosure of reports such as those sought and obtained by Mr. Schechter in his lawsuit, where such reports were prepared in the future according to procedures adequately assuring fairness to the nursing homes reported on. Second, Congress has passed and sent to the White House for the President's signature the welfare reform bill, H.R. 1, which contains a provision for public release of any of this type of report prepared six months or more after H.R. 1 is enacted. This measure, if it becomes law, would be determinative of questions such as those involved in the Schechter case.

The Solicitor General has advised the Department of Health, Education, and Welfare that his determination not to pursue the ap-

---

*See memorandum of St. John Barrett, Deputy General Counsel of Health Education and Welfare attached hereto as Exhibit B.

peal in the Schechter case does not indicate the Government's acquiescence in the ruling of the District Court or any agreement that it correctly states the rule of law applicable to requests for disclosure such as that by Mr. Schechter. Rather, it was a determination that the Schechter case, in light of the considerations just described, was not an appropriate vehicle for raising the issues in the appellate court. Accordingly, the Department of Health, Education, and Welfare, in responding to future requests for disclosure of similar documents, will be guided by its present regulations prohibiting disclosure, subject to any amendments that may be adopted in line with the proposed amendments already published for public comment, and subject to any change in the statutory law resulting from possible enactment of H.R. 1. This means that for the present, the Department of Justice will oppose any further efforts to obtain court orders for the disclosure of nursing home survey reports that have already been prepared.

ATTACHMENT No. 2

[U.S. District Court for the Northern District of California]

ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUUDGMENT

People of the State of California, et al., Plaintiffs, vs. Elliot L. Richardson, et al., Defendants, No. C–72–1514 AJZ.

In this suit the California Attorney General, on behalf of the people of the State of California, and two senior citizens organizations seek an order pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (a) (3), requiring the Department of Health, Education and Welfare to produce for copying certain identifiable records. The specific records sought are the Extended Care Facility Reports (Form SSA–1569) concerning California nursing homes that receive Medicare reimbursement. These annual reports certify whether nursing homes comply with various requirements of the Medicare program; plaintiffs argue that they are the only comprehensive records by which Medicare patients can determine which nursing homes provide safe, sanitary, and humane care.

The parties have made cross-motions for summary judgment, agreeing that there are no material facts in dispute. The court concludes that defendants' motion will be granted and the plaintiffs' denied.

The starting point for the court is the express command of 5 U.S.C. § 552(c) that records shall not be withheld by public agencies except as authorized by the Freedom of Information Act. *See Bristol-Myers Co. v. FTC*, 424 F. 2d 935, 938 (D.C. Cir. 1970), *cert. denied*, 400 U.S. 824 (1970). The Department argues that the Act does allow the withholding of these records in § 552(b) (3), because the records are "specifically exempted from disclosure by statute" The statute the Department relies upon is 42 U.S.C. § 1306(a), which provides:

"No disclosure . . . of any file, record, report, or other paper, or any information, obtained at any time by the Secretary or by any officer or employee of the Department of Health, Education, and Welfare in the course of discharging the duties of the Secretary under this Act . . . shall be made except as the Secretary may by regulations prescribe. . . ."

Plaintiffs suggest two arguments why, despite its broad language § 1306 should not be held to authorize withholding the requested records.[1] First, they argue that the legislative history of § 1306 demonstrates that this statute was not intended to encompass the reports they seek. The evidence of legislative intent they refer to is a paragraph in the House Report, H.R. Rep. No. 728, 76th Cong., 1st Sess. at 3, and the testimony of Mr. Altmeyer, Chairman of the Social Security Board before the House committee. Hearings Before the House Ways and Means Committee, 76th Cong., 1st Sess. at 2418–19. This legislative material, plaintiffs argue, shows that the sole intent of Congress in enacting § 1306 was to protect the privacy of social security applicants and recipients.

The court rejects this argument. The legislative material is not so unambiguous or substantial that it justifies overlooking the unequivocal language of the statute. Moreover, if plaintiffs are correct, the court cannot understand why Congress would have used such broad language in § 1306 when in a parallel statute enacted at the same time Congress only required that states "provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of aid to the blind." 42 U.S.C. § 1202(a) (10). This difference of treatment is strong evidence that Congress acted intentionally when it employed the broad language of § 1306.

Plaintiffs' more substantial argument is that 5 U.S.C. § 552(b) (3) does not encompass § 1306, because no material is *"specifically* exempted from disclosure" by § 1306. Citing three recent cases holding that 18 U.S.C. § 1905 does not "specifically" exempt materials from disclosure, *Grumman Aircraft Eng'r Corp. v. Renegotiation Bd.*, 425 F. 2d 578, 580 n. 5 (D C. Cir. 1970); *M. A. Shapiro & Co. v. SEC*, 339 F. Supp. 467, 470 (D.D.C. 1972); *Consumer's Union, Inc. v. Veterans' Administration*, 301 F. Supp. 796, 801–02 (S.D. N.Y. 1969), Plaintiffs question the specificity of § 1306. Certainly § 1306 does not itself single out for nondisclosure any specified documents, as does, for example, 26 U.S.C. § 6103. But § 1306 is considerably more specific than 18 U.S.C. § 1905 which only forbids the disclosure of certain information when disclosure is not otherwise authorized by law. Thus, the court cannot rely on the cases cited by plaintiffs.

This precise problem is considered in K. Davis, *The Information Act*, 34 Chi. L. Rev. 761, 786–87 (1967). As Professor Davis notes, several statutes employ the method of § 1306 and allow agency heads to determine by regulation whether specified information shall be made public. While a respectable argument can be made that such statutes do not spefically exempt the information from disclosure, that interpretation would defeat the intent of these various statutes. It is unlikely that Congress intended such a wholesale repeal of these nondisclosure statutes. Therefore, the court agrees with Professor Davis that these statutes ought to be considered sufficiently specific for purposes of § 552(b) (3).

It is therefore ordered that defendants' motion for summary judgment is granted and plaintiff's motion for summary judgment is denied.

Dated: November 28, 1972.

Evelle J. Younger, Elizabeth Palmer, Richard M. Meyers, Attorney General, State of California, 6000 State building, San Francisco, California 94102, Telephone: (415) 557–2013.

Of Counsel: Peter D. Coppelman, Phil Neumark, Senior Citizens Law Center, 942 Market Street, San Francisco, California 94102, Telephone: (415) 989–3966.

Laurens Silver, Patricia Butler, National Health and Environmental Project, University of California, 2477 Law Building, 405 Hilgard Avenue, Los Angeles, California 90024, Telephone: (213) 825–7601.

Fred J. Miestand, Jo Ann Chandler, Public Advocates, Inc., 433 Turk Street, San Francisco, California 94102, Telephone: (415) 441–8850.

Richard McAdams, A. Keith Lesar, Senior Citizens Legal Services Unit, Legal Aid Society, 1835 Soquel Avenue, Santa Cruz, California 95060, Telephone: (408) 426–8824.

ATTACHMENT No. 3

[U.S. District Court, Southern District of Florida]

FINAL ORDER OF SUMMARY JUDGMENT

Max Serchuk, Plaintiff, vs. Elliot Richardson and Robert Ball, Defendants, No. 72–1212–Civ–PF.

This cause, brought pursuant to the Freedom of Information Act, Title 5, United States Code, Section 552, came before the Court on the defendants' Motion to Dismiss or in the alternative for Summary Judgment, and on plaintiff Max Serchuk's Motion for Summary Judgment. The relief sought by plaintiff would require defendant, Elliot Richardson, Secretary of the United States Department of Health, Education and Welfare, statutorily charged with the chief responsibility for the Medicare program, and defendant, Robert M. Ball, to whom, as Commissioner of the Social Security Administration, administrative duties relevant tc the Medicare program have been delegated, to grant access to plaintiff, of all "Extended Care Facility Survey Reports" (Form SSA–1569), submitted since January 1, 1970, applicable to facilities located in the State of Florida. Such reports form the basis upon which the administrative determination is made as to whether facilities in question comply with the statutory requirements imposed on Medicare provider institutions by the Social Security Act and regulations issued pursuant thereto, satisfaction of which requirements is prerequisite to the facilities being reimbursed under the Medicare program for services rendered citizens covered by the Medicare program. Hence, such survey reports are the administrative tool utilized to accord or foreclose continued participation of facilities in the Medicare reimbursement program.

Initially, adjudication of the instant controversy requires appreciation of the requirement of the Freedom of Information Act's being liberally construed so as to effectuate the purpose of the Act to guarantee the public's right to know how the government is discharging its duty to protect the public interest. Such liberal disclosure requirement is limited only by *specific* statutory exemptions, which are to be strictly construed, the governmental agency bearing the burden of proof of justifying the requested information as within the ambit of the specific statutory exemption.

Defendants seek to invoke one of such specific exemptions to avoid disclosure of the reports sought by plaintiff. The relevant statutory language relied upon by defendants provides that the Freedom of Information Act does not mandate the disclosure of "matters that are—specifically exempted from disclosure by statute." Title 5, United States Code, Section 552(b) (3). It is the defendants' position that the survey reports are "specifically exempt from disclosure by by statute", specifically Section 1106 of the Social Security Act, which provides:

(a) *No disclosure* of any return or portion of a return (. . .) filed with the Commissioner of Internal Revenue under Title VIII of the Social Security Act or under subchapter E of chapter 1 or subchapter A of chapter 9 of the Internal Revenue Code of 1939, or under chapter 2 or 21 or, pursuant thereto, under subtitle F of the Internal Revenue Code of 1954, or under regulations made under authority thereof, which has been transmitted to the Secretary of Health, Education and Welfare by the Commissioner of Internal Revenue, or of any file, record, report, or other paper, or any information, obtained at any time by the Secretary or by

---

[1] In addition to these arguments, plaintiffs rely upon the decision of Judge Waddy in *Schecter v. Richardson*, Civil No. 710–72 (D.D.C. July 17, 1972), ordering that records of this type be produced for copying. Because that decision consists solely of a bare order, which states no reasons for the conclusion reached, it is of no assistance to this court.

any officer or employee of the Department of Health, Education, and Welfare in the course of discharging the duties of the Secretary under this Act, and no disclosure of any such file, record, report, *or other paper, or any information, obtained at any time by the Secretary or by any officer or employee of the Department of Health, Education and Welfare* in the course of discharging the duties of the Secretary under this Act, and no disclosure of any such file, record, report, or other paper, or information, obtained at any time by any person from the Secretary or from any officer or employee of the Department of Health, Education, and Welfare, shall be made except as the Secretary may by regulations prescribe. . . .

Rather than "specifically" exempting the survey reports from disclosure, however, the foregoing statute relied upon by defendants is a blanket exclusion of "any file, record, report, or other paper, or any information, obtained at any time by the Secretary or any other officer or employee of the Department of Health, Education and Welfare. . . ." That the blanket exclusion of the provision of the Social Security Act is in blatant contravention of the liberal disclosure requirement of the Freedom of Information Act, the exemptions of which are to be narrowly construed, is patently obvious.

Further, the conflict which has existed since the enactment of the Freedom of Information Act is in no way alleviated as to those survey reports, sought by plaintiff, which were and will be, submitted prior to April 30, 1973, the effective date of Section 299D(c) of the Social Security Amendments of 1972, P.L. 92-603, enacted October 30, 1972, which amendment permits disclosure of survey reports submitted after the effective date of the provision. While the defendants resist disclosure of past survey reports out of apparent concern for the reputational interests of the heretofore investigated institutions, this Court can only conclude that the interests of the public in general in being apprised of the manner in which the government is protecting their interests, should prevail over private interests of the scrutinized facilities if, in fact, disclosure would jeopardize any such interests. Further, the amendment to the Social Security Act permitting future disclosure of the survey reports only evinces the Congressional conviction that such reports should be available for public disclosure.

Accordingly, the Court being satisfied that plaintiff has complied with all procedural requirements of the Freedom of Information Act and the applicable regulations for seeking disclosure of the survey reports, but being denied the requested access under no lawful basis, no genuine issue as to any material fact remains, and summary judgment is hereby entered in favor of the plaintiff.

Done and ordered at Miami, Florida, this 28th day of November, 1972.

PUBLIC TRANSIT IS NECESSARY NOW

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. BELL) is recognized for 5 minutes.

Mr. BELL. Mr. Speaker, I am today introducing a bill to permit a portion of the highway trust fund to be used to create and improve public transit systems in our Nation's cities.

My native city of Los Angeles has recently been warned that gasoline may be rationed in 1977 to bring the pollution of the air to tolerable levels. The recent proposal by the Environmental Protection Agency would force an 82 percent decrease in the use of automobiles in the Los Angeles area from May through October. This step is so drastic as to strain credibility—but the fact that the pollution in Los Angeles' air exceeded Federal health standards on at least 250 days in 1970 is equally horrifying. A mass transportation system is the primary means available to prevent massive economic and social upheaval in southern California.

Though Los Angeles may be an extreme case, its need for an improved and expanded public transportation system is by no means unique in the United States. The existing public transit facilities in our major cities are all in need of modernization and upgrading if they are to be made attractive enough to compete successfully with the automobile as a comfortable mode of transportation.

Although the abatement of pollution alone would be sufficiently compelling, it is not the only argument in favor of a radical increase in public transportation. Transportation patterns are to a degree both a reflection and a cause of patterns of social interaction within urban areas. Improved public transit means improved opportunity for the residents of the decaying and disadvantaged areas of our cities. Finally, our current and projected shortages of energy provide an additional reason to encourage a more efficient means of transporting our citizens.

Mr. Speaker, the bill I am introducing today would directly address this need for mass transit by permitting sums apportioned from the highway trust fund to be used for a wide range of mass transportation projects. No money will be removed from the road-building programs unless requested by local officials, who must decide that financing of mass transit projects will increase the efficiency of the entire Federal-aid system.

While there is clearly a need for efficient road systems in the United States, the principal task of the highway trust fund—the Interstate Highway system—is almost completed, and funding of the remaining portions is assured. The Trust Fund is a logical source of funds for mass transportation projects, since highway users will benefit from the decrease in congestion and traffic which mass transit provides, and since highway users have imposed external costs on the population at large in the form of air pollution, noise, and consumption of limited natural resources, such as fossil fuels.

Finally, my bill specifically encourages the development of imaginative public transit systems. There is no reason why American cities should rely today on the basic principle of public transportation—the fixed-route system—as they did nearly a century ago when the first subway systems were established. Modern technology is fully able to develop comfortable, efficient, inexpensive and fast transit systems capable of transporting city dwellers from one point directly to another. Though cities with established systems will doubtless prefer to improve on their existing facilities, other localites embarking on a major public transit effort should be encouraged to devise the most modern and effective system possible.

Mr. Speaker, the arguments in support of mass transit are overwhelmingly persuasive. This House must now join the Senate in providing extensive Federal funds for public transportation.

RECYCLED PAPER PRODUCTS

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing a bill today which expresses the sense of Congress that the Federal Government should use recycled paper products to the fullest extent possible. As many of my colleagues know, there have been several bills introduced in the past calling for the CONGRESSIONAL RECORD to be printed on 50 percent recycled paper. My bill differs from these bills in two important respects.

First, my bill seeks the use of recycled paper in all Government publications and in all paper used by the Federal Government for any purpose. My investigation has revealed that the CONGRESSIONAL RECORD makes up only a small fraction of the total paper used for governmental printing. I see no good reason to restrict our efforts to this one publication, thereby overlooking paper on which bills, committee reports, pamphlets, and books are printed, not to mention the countless other governmental uses of paper.

Second, my bill does not set an arbitrary percentage for recycled paper. In checking with the Joint Committee on Printing, I find that it is not possible at this time to set a realistic percentage of recycled paper to be used in governmental printing. The committee notes that many questions remain as to the speed and quality of production of recycled paper such as that needed for the printing of the CONGRESSIONAL RECORD. But in the meantime governmental agencies should take the lead in converting to recycled paper. Advocates of recycled paper assert that unless and until the market for recycled paper expands, the recycled paper industry will not develop its full capability. So every effort should be expended to increase the use of recycled paper in all governmental endeavors.

We are all aware of the pressing need to recycle our waste. Recycling can alleviate some of our most serious pollution problems. It can conserve those valuable natural resources which will be depleted if recycling does not occur. And recycling can save millions of dollars in disposal costs and can earn millions of dollars from the value of the recycled products.

I do not say that my bill is the whole story in increasing the use of recycled paper. It may be that the present tax policy works against development of recycled products and should be changed. It may be that more reasonable freight rates are needed for recycled materials. It is likely that the procurement policies of our various agencies should be changed to equal the efforts of the General Services Administration, which has taken positive steps to change its procurement policy for paper products by

removing restrictions and by instituting specified recycled paper requirements.

But my bill is, I think, a good start toward increasing the use of recycled paper. Certainly the Federal Government should set the example in pursuing the goal we all share of cleaning up America.

HEALTH CARE

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 10 minutes.

Mr. RAILSBACK. Mr. Speaker, the 93d Congress must dedicate itself to finding the best possible means of providing adequate health care to all Americans at a reasonable cost.

In the last Congress, I had the privilege of serving as a member of the Republican Task Force on Health, chaired by my able colleague from Kentucky Dr. TIM LEE CARTER. I heard numerous statements on all aspects of our present medical system presented by doctors, nurses, associated health personnel, and representatives from Government agencies, health insurance companies, and medical publications groups. The issues which were raised time and time again during the proceedings of the task force convinced me that we must redouble our efforts to fulfill President Nixon's stated goals: First, to assure that no American be barred from adequate health care because of inability to pay; second, to avoid unnecessary expenses of acute medical care by developing a better system for health maintenace and early rehabilitation, and third, to build on the best elements of our present medical system and reform those elements which are not effective.

First of all, it is quite clear that there is need for basic reforms of our current health care system. Many Americans do not have medical care available to them. A health insurance program must be developed to assure equal access to medical care at a cost citizens can afford.

One serious problem with present insurance coverage is its failure to reach the poor. The House Ways and Means Committee reported that less than 40 percent of the nearly 20 million poor people in this country have any form of hospital insurance at all, and only a third had any type of surgical insurance.

A serious consequence of insufficient access to medical care is the shocking fact that poor people have a 50-percent higher rate of disability than people in higher income brackets. Some method must be provided to bring medical care to the poor. Multipurpose clinics located in poverty areas and expanded public health services may be part of the answer.

Second, every year thousands of Americans are exposed to unusually large medical expenses which can—and often do—result in financial bankruptcy. A rapid rise in medical care costs coupled with scientific gains in medicine and medical technology has increased the possibility that medical expenses will exceed the limits of even major medical and comprehensive health plans. Although some plans do give protection against the costs of catastrophic-type illnesses, the majority of the plans have very limited benefits—generally less than $20,000.

For the patient with terminal cancer, kidney disease, diseases of the heart and circulatory system, annual medical expenses can easily exceed the limits of such policies. The cost of kidney transplants can range from $3,000 in uncomplicated cases to $40,000 if complications arise. Intensive care for a cardiac patient can cost as much as $800 per day. For the patient and his family the agony and suffering of such a disease or disability is intensified by the unrelenting burden of health costs. I not only support that feature of the administration's health insurance proposal which requires coverage of catastrophic costs under employer-employee plans of up to $50,000, but believe we must also review that figure and determine whether it should be set higher.

Third, rural areas have an especially difficult time attracting doctors. In Nauvoo, Ill., a small town in my congressional district, I remember seeing a huge sign hanging over the main street for years: "Nauvoo Needs a Doctor." A pediatrician in another Illinois town tried for 7 years before successfully attracting another partner to his clinic. Many rural communities must depend upon medical help which is miles away. The few doctors in rural areas must work strenuously long hours just to fulfill the basic health needs of people in their communities. An expansion of the "Doctor Corps" which has induced some individuals in the medical profession to serve in rural areas by authorizing the Government to repay portions of their medical school loans and other similar programs must be encouraged.

Fourth, drug abuse is one of the Nation's most serious medical problems. There are at least 500,000 heroin addicts in this country, and their numbers are increasing. Research must continue to find a nonaddictive chemical that will block the effects of heroin, and much more must be done to get at the underlying social causes of drug abuse.

Fifth, more attention must be directed toward the welfare of the nearly 20 million persons—50,000 of whom are children—in our country who suffer from mental or emotional illness. At least 50 percent of all surgical and medical cases involve an emotional disturbance or mental illness complication. Since three-fourths of all mentally retarded persons are living in rural and urban slums, special emphasis on finding and treating them is essential. Also, since in only 15 to 25 percent of the cases can the cause of the illness be ascertained, additional research in this area must be encouraged. Finally, the health institutions which now serve the mentally and emotionally disturbed must be assured of proper staffing and equipment.

Mr. Speaker, there are no easy answers to our many health problems. However, I am convinced the 93d Congress will make every effort to solve them. We must do so if we are to retain the confidence of the people and our own integrity. I will be sponsoring legislation this year I hope will improve our present health care system, and urge my colleagues to do so also.

NIXON ADMINISTRATION CRIPPLES EXCELLENT HOUSING PROGRAMS—TIME TO IMPOUND OMB

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. DRINAN) is recognized for 30 minutes.

Mr. DRINAN. Mr. Speaker, one of the most popular and successful Federal programs in my congressional district of Massachusetts has been the "312" housing rehabilitation loan program administered by the Department of Housing and Urban Development. This program, which provides low-interest Government loans to individuals seeking to improve their property and homes, is essential to the success of neighborhood improvement and urban redevelopment efforts in my district and in urban areas throughout the country.

Actions taken by the President's Office of Management and Budget and by HUD have effectively crippled this important program. These actions are typical of this administration's shortsighted determination to frustrate the will of Congress and to deprive the people of Government services they want and deserve.

As a result of these actions, on-going redevelopment and neighborhood improvement programs in two towns in my district, Brookline and Fitchburg, have been stopped dead in their tracks.

The fact is that available funds for the "312" program are exhausted. This past year only $50 million in "312" funds were dispersed throughout the country—$4,750,000 to the Boston area. This sum has proven to be grossly inadequate. I have received numerous letters and complaints from citizens and local housing administrators in my district about the lack of funds. Individuals have applied for loans, had their applications approved by the local housing authorities, and then rejected by HUD because the money has run out.

The sad irony of this situation is that Congress has appropriated enough money—but the all-powerful President's Office of Management and Budget has defied the congressional mandate for this program. Over the past 2 years Congress has demonstrated its confidence in the 312 program by appropriating $160 million for it. But OMB has released only $90 million of this amount—$40 million for fiscal 1972 and $50 million for fiscal 1973. Thus $70 million remains frozen in the OMB coffers, in violation of the will of Congress, and in neglect of the needs of the people.

I have recently written to Mr. Caspar Weinberger, Director of OMB, and to his designated successor, Mr. Ash. In my letter I wrote the following of the impoundment action:

In my view this action is unwarranted and of questionable legality. There is no question that the $50 million thas has been spent on the "312" program this year is woefully inadequate, and it is my view that this proven program is being effectively sabotaged by the action of OMB. In my Congressional District alone, more than 18 individuals, whose

loan applications has been approved by the local housing authority, have had their applications returned unfunded as a direct result of the OMB withholding action.

I urge you in the strongest possible way to release the funds for the "312" program immediately.

Mr. Speaker, I am sure that many of our colleagues in Congress have written similar letters to OMB on this and other programs. But OMB continues to violate the constitutional prerogatives of the Congress by withholding appropriated funds. As of June 30, 1972, the late date of an accounting of all funds impounded, OMB had impounded a total of $9.1 billion. Since that date many additional programs and more funds have been added to this shameful list—including $6 billion for cleaning up the polluted waters of this country.

OMB IGNORES THE LAW

These actions of the OMB—a few men in the White House and the Executive Office Building—continue to frustrate the will of the people as expressed through their 535 elected Representatives. Nowhere in the Constitution is the executive branch empowered to review the laws of the United States and reject or accept these laws as it sees fit. But this has happened. In too many cases, the months of study and debate in Congress that accompany each appropriations bill have gone for naught.

It is time for Congress to reassert its rightful power of the purse. Otherwise we will become a third-rate, fifth-wheel debating society with nothing more than the trappings of power and responsibility.

We must pass legislation to curb these encroachments by OMB. This long overdue legislation should, I believe, take two forms. First, we must enact legislation that would make the Director of the Office of Management and Budget subject to Senate confirmation and to congressional questioning. Given the enormous policymaking responsibilities of this position, it is necessary that the Director of OMB be accountable to Congress.

Second, we must enact laws that insure that Congress will be kept fully informed of every action taken by OMB and that will set forth the authority of Congress to require the President to cease impounding funds. A bill to this effect which I have already sponsored is H.R. 1760.

In the case of the "312" housing rehabilitation loan program, impoundment is just part of the problem. On December 4, the Department of Housing and Urban Development issued new regulations, under section 221D3, establishing income ceilings governing eligibility for "312" loans. These ceilings were enacted, according to HUD officials, to direct the limited resources available to those with lower incomes. The ceiling in the Boston area varies from an income of $6,950 for a family of one to $12,000 for a family of seven.

MISTAKE MADE RETROACTIVE

In addition, these ceilings were made retroactive to July 1, 1972. As a result, loan applications filed before July 1 are not governed by the ceilings. But applications filed after July 1—even though the regulations were not issued until December 4—are restricted.

As I wrote to HUD Secretary Romney on January 18:

Even more lamentable are the income ceilings announced on December 4 and made retroactive to July 1. These ceilings have had the effect of virtually killing a promising urban renewal effort that was being accomplished in the Washington Square area of Brookline in my District.

One homeowner in Brookline had engaged in 18 months of negotiation with the housing authorities. He had spent $1,200 to have architectural plans prepared. He put over 500 hours of his own time into the project, had his property surveyed at considerable expense, and went to the trouble of having 15 copies of his blueprints made. All of this time, effort, and money was for nothing—because the income ceilings, unbeknownst to him at the time of his loan application—which was approved by the Brookline Neighborhood Improvement Program—were applied retroactively.

Another resident of Brookline, a teacher, wrote me about a similar problem. In his moving letter he wrote:

We who live here love it. My family has a house, which we can more or less afford at the moment, and we'd like to stay here forever. But we can't afford the repairs it needs. Many of our neighbors are in the same boat. So what all of this comes to is saying that the actual dollars of our incomes are above the poverty line and perhaps in some cases above the median for the Boston area; but in my case at least those dollars are not adequate so that I can do my part in rehabilitating a neighborhood we all cherish.

This man, who needs a $5,500 loan for the repairs necessary to his home, who wants to see his neighborhood improved and is willing to do his part, has seen his hopes crushed. Is it any wonder that more and more people simply refuse to believe in their Government?

Let me give another example of the problems caused by these new ceilings. The Fitchburg Redevelopment Authority received HUD approval for a neighborhood development program—NDP—in the College Neighborhood Area on July 6, 1972. Initially the renewal effort was to focus on 3 acres of residential area. In a letter dated December 13 to Mr. M. Daniel Richardson, Jr., area director of HUD, and Mr. Porter Dickenson, chairman of the Fitchburg Redevelopment Authority, described the 3 acres as being located "in the heart of the greatest blight and deterioration in the overall area to be developed under the NDP."

The intent was to rehabilitate 92 percent of the existing dwelling units in the area, units that are occupied primarily by low-income families. Specifically, the plan called for the rehabilitation of 23 structures containing 92 dwelling units, the acquisition and demolition of four structures containing eight dwelling units, and the relocation of eight families and individuals.

The rehabilitation plans depended on the "312" program loans. While it would seem that the low-income families dwelling in the units to be rehabilitated would be prime candidates to qualify for the loans under the new income ceilings, this has not been the case. For these dwelling units are not owned by the low-income families—rather they are owned by absentee landlords whose high incomes disqualify them from receiving the loans under the new guidelines.

While it could be naively hoped that these absentee landlords would obtain private financing for the necessary rehabilitation simply out of the goodness of their hearts, the realities of the situation are different. The experience of the Fitchburg Redevelopment Authority is that even with low-interest loans it is extremely difficult to obtain the cooperation from the absentee landlords necessary for a redevelopment program to work. Without the incentive of low-interest loans, it is virtually impossible to commit the absentee landlords to the rehabilitation program. This has been the real effect of these new income ceilings.

HOMES CANNOT BE FIXED

In the Fitchburg case, of the 23 structures that were to be rehabilitated, only seven appear to be eligible under the new income ceilings, and there are only 14 dwelling units in these seven structures. This means that 85 percent of the dwellings which need to be rehabilitated are now ineligible.

Three landlords control approximately 45 percent of the units that were to be rehabilitated, but they cannot qualify for the loans. Chairman Dickinson wrote about this situation as follows:

And to add to our dilemma, these structures constitute the heart of the blight and deterioration in the first action year area.

The rehabilitation effort in Fitchburg has been thwarted. Once again the Federal Government has pulled the rug out from under local officials trying to improve their communities. It is little wonder that Chairman Dickinson wrote:

The Redevelopment Authority and the residents of the urban area feel that they have been misled once again in their attempts to redevelop the College Neighborhood Area. To make matters worse this on-again-off-again condition has been going on in this area for over five years.

It is clear that these retroactive ceilings are both unjust and ineffective. Citizens hoping to rehabilitate their own homes have, in essence, been deceived—usually at considerable cost to themselves. And those people with lower incomes, least able to afford home improvements and most needful of them, are being victimized by a situation which they are powerless to control. The absentee landlords have to agree to finance the rehabilitation, and given the loss of the low-interest loan incentive it is probably fair to say that they could not care less.

These income regulations should be repealed immediately. The income ceilings are too low and the people who would qualify under the guidelines simply do not exist—"312" loans should be made available to all who need them, including those who rent their homes. And, the program must be adequately financed.

If these regressive income ceilings are not repealed, then I believe that HUD is responsible for the costs incurred by those who are denied loans because of the implementation of the income ceilings.

Congress has allowed its actions to be subverted far too long. The "312" program is further evidence that this administration has contributed little to the people of our country but broken promises and frustration.

Congress must recapture its lost authority. We must not allow the Nixon administration, under the ruses of "reorganization" and "fiscal responsibility" to cut the heart out of those programs that millions of Americans need. For the sake of these people—and for our own sake—we must act now. It is time to impound OMB.

THE NEED FOR LEGISLATION TO LIFT OIL QUOTAS

The SPEAKER. Under a previous order of the House the gentleman from Illinois (Mr. ROSTENSKOWSKI) is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, in the brief time that this Congress has been in session much has been said in this Chamber in regard to the acute shortage of heating fuels which currently plagues the Nation. Today, I do not intend to enumerate further instances of where this shortage of fuel has caused closings and cutbacks, but rather I would merely like to add my thoughts to those of my colleagues who believe that the administration's announcement of last week was indeed too little, too late.

Last Wednesday, the Office of Emergency Preparedness announced that the administration was eliminating import quotas on heating oils for 4 months and raising the quotas on crude oil imports 65 percent for the remainder of the year. Heralding this as the answer to the shortages of fuel now plaguing New England and much of the Midwest, was in my opinion, both premature and shortsighted. For this is not the first time that this administration has made minor adjustments in the oil quota system as a belated response to a major shortage.

In September, and again in December of last year, the administration made minor adjustments to the quota program with negligible changes resulting each time. On December 18, 1972, the administration announced that the quotas for 1973's first few months would be the same quotas that had proven to be so inadequate in the cold autumn of 1972. On January 8, and finally last Wednesday, the administration again made changes in the oil quota system. Each of these announcements concerning the import program has been billed as the ultimate answer to the present "crisis." Unfortunately, none of them have proven capable of solving the immediate or the long-term fuel shortages presently faced by much of the country.

Mr. Speaker, in the summer of 1970, I took a special order on the floor of the House to discuss the projected shortage of No. 2 heating oil that was anticipated for that year in my own city of Chicago. That year's shortage was predicated by an abnormally low supply of fuel, coupled with new antipollution ordinances for the city—ordinances which required many industries to convert from their old fuel to the low sulfur residual fuel.

The predicament that was Chicago's in 1970 has now come to trouble the Nation as a whole. The Clean Air Act of 1970 has increased the demand for No. 2 fuel, and this increased demand, when coupled with increasingly small reserves, has led to the present shortage.

The only way to adequately prevent a reoccurrence of this problem next fall and winter would be to allow domestic suppliers to build up sufficient reserves now to see them through the 7-month period from September 1973 through April 1974. A longer period than the 4 months provided by the Office of Emergency Preparedness seems necessary in light of traditional reluctance of European refineries to engage in short-term contracts and the increased need for this low-sulfur fuel as more communities adopt tough antipollution statutes.

House Joint Resolution 200, introduced by Congressman JAMES BURKE and me would provide for the suspension of the oil import quota on No. 2 heating oil through April 1, 1974. We feel that a year's suspension is necessary to give suppliers sufficient leadtime to make contracting and shipping arrangements to meet the demand of this winter as well as the next one. Also, our legislation would remove completely the quota restrictions on the importation of crude oil for 90 days. This would allow domestic refineries to replenish their supplies of crude which have, to a large degree, been expended in the effort to produce larger quantities of No. 2 heating oil. The lifting of the restriction on importation of crude will help us avert a possible shortage of gasoline and other refining products in the months ahead.

At this point in the RECORD, I would like to insert a list of the cosponsors of House Joint Resolution 200 and its Senate counterpart, Senate Joint Resolution 23, introduced by Senators KENNEDY and STEVENSON:

HOUSE SPONSORS AS OF JANUARY 22, 1973

Dan Rostenkowski, James Burke, Frank Annunzio, Herman Badillo, Edward Boland, Frank Clark, James Corman, William Cotter, George Danielson, James Delaney, and Frank Denholm.

Harold Donohue, Daniel Flood, Donald Fraser, Robert Giaimo, Ella Grasso, William Green, Michael Harrington, Margaret Heckler, John Kluczynski, Peter Kyros, Torbert Macdonald, and Ray Madden.

John Moakley, William Moorhead, John Moss, Thomas O'Neill, Otis Pike, Mel Price, Albert Quie, Henry Reuss, Donald Reigle, Peter Rodino, Robert Roe, Fernand St Germain, Sam Stratton, Gerry Studds, Robert Tiernan, Lester Wolff, and Sidney Yates.

SENATE SPONSORS

Edward Kennedy, Adlai Stevenson, Abraham Ribicoff, Thomas McIntyre, Claiborne Pell, Jacob Javits, William Hathaway, George Aiken, Edward Brooke, and Edmund Muskie.

Harrison Williams, Clifford Case, Robert Stafford, Norris Cotton, Lowell Weicker, Stuart Symington, George McGovern, Richard Clark, Quentin Burdick, and Walter Mondale.

Gaylord Nelson, Birch Bayh, William Proxmire, James Abourezk, John Pastore, Hubert Humphrey, Harold Hughes, Philip Hart, Frank Moss, and Charles Percy.

MR. O'NEILL WISHING ERNEST PETINAUD A HAPPY BIRTHDAY

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, when most Americans think of Saturday, January 20, 1973, the first thing that comes to mind is Inauguration Day.

Another thought comes to my mind and to the Members and employees of the House of Representatives. Saturday marked the 68th birthday of Ernest Petinaud, maitre d' of the House restaurant for 36 years.

One rarely enters the House restaurant without being warmly greeted by Ernest. Ernest Petinaud gives every Member equal service. He does not differentiate between senior and freshmen, black and white, Democrat and Republican, Southern and Northern Members.

I wish to take this time on the occasion of his 68th birthday to thank Ernest for his superb service, and for his gracious dignity in the performance of his duties. Ernest Petinaud has graced the House restaurant with a touch of elegance for 36 years. He has dedicated himself to pleasing all Members and their guests. A conscientious host, Ernest has a phenomenal memory for knowing every Member of Congress by sight.

Thousands of visitors to the Capitol each year leave here with a warm and personal feeling about the House of Representatives thanks to Ernest and his gracious hospitality.

I have known Ernest for 20 years. He has always shown me and my staff every courtesy. I have spent many happy moments conversing with Ernest after a weary day of legislative business. I know that all my colleagues join me in wishing Ernest a very happy birthday.

END-THE-WAR DEMONSTRATION

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 5 minutes.

Ms. ABZUG. Mr. Speaker, last Saturday, over 60,000 Americans—far more than attended the inaugural ceremonies and parade—gathered near the Washington Monument to bear witness for peace. Men and women, young and old, they came to tell Richard Nixon that they will not be satisfied by his implied promises that "peace is at hand," but will only believe that we have peace when they see the black and white of a signed cease-fire agreement.

I was privileged to address that gathering, and I include my remarks at this point in the RECORD:

SPEECH BY CONGRESSWOMAN BELLA S. ABZUG AT INAUGURAL DAY PEACE DEMONSTRATION IN WASHINGTON—JANUARY 20, 1973

Welcome to the Washington-Lincoln inauguration. Would you believe that President Nixon just made his inauguration speech and did not even mention the word "Vietnam." We are here to let him know that we will not stop protesting or start celebrating until a peace agreement is actually signed and until Mr. Nixon takes every American pilot, every

G.I., every bomber, every military advisor in or out of uniform, every anti-personnel and Napalm bomb out of *all* of Southeast Asia.

If he is planning another deception, if once again the interests of President Thieu are to dictate whether Vietnamese and Americans live or die, then Mr. Nixon should know that we are prepared to keep coming back.

We must recognize that those able to come to Washington today to this rally are only a tiny percentage of the millions of Americans who hate and disavow this criminal war.

Possibly Mr. Nixon thought that after a war in which one and a half million people have been killed, three million wounded and seven millions of tons of bombs dropped, nobody would get excited when he ordered another million or so tons of bombs dropped in the most concentrated exhibition of savagery in the history of the world.

He is wrong.

Our protest is not a lonely protest. America's allies have been bombarding Washington with messages of condemnation. Australian longshoremen declared a boycott of American goods. Heads of governments have expressed their outrage. Leaders of the major religious organizations in our own country have denounced Nixon's bombing tantrum. From the Pope—from the head of the United Nations—from Captain Michael Heck, who found his conscience and refused to fly any more B-52's—from the embittered wives and mothers of imprisoned American pilots—the rebellious members of the Philadelphia Symphony—the musicians who played for peace with Leonard Bernstein last night—the Members of Congress who are boycotting the inaugural—from all parts of our Nation, from all over the world comes the demand—stop the war! Sign the peace agreement!

A few of us in Congress who are among the sponsors of this rally were lectured by Jeb Magruder, the head of the president's inaugural committee, who went from merchandising cosmetics and facial tissues to being implicated in the Watergate mess to running the inauguration, which he calls a "Total Marketing Project," issued a public appeal to me and to Congressmen Paul McCloskey and Don Riegle—who happen to be Republicans—to guarantee that there be no violence here today to spoil the President's Inauguration It might interfere with the sales of plaques and their little plaster statues.

I told Mr. Magruder:

"We are peaceful people 365 days a year. I find it ironic beyond words that a spokesman for the President should lecture us about non-violence when Mr. Nixon has just completed an 11-day orgy of violent bombing in Vietnam that horrified the world."

And, I might add, we have never bombed a hospital or burned little children with napalm or tried to destroy an entire land. So don't lecture us about violence.

Some political leaders have urged us to be good Americans and to unite around the inauguration ceremony as a "reaffirmation of America's ideals and promises." We're told that every four years since 1789, American Presidents have taken the same pledge to "preserve, protect and defend the Constitution of the United States."

I respect the Constitution, and that's why I'm here and not on Capital Hill. That Constitution says it is the Congress, not the President that has the power to make war.

That Constitution says we have three co-equal branches of government, with checks and balances, not an autocracy.

We are not a nation built by or for reverence. We were born in revolution against a despotic king. We have elected Presidents, and rejected them, followed them, respected, loved, hated and reviled them. Always we have reserved the right to protest. And this is a time for protest.

Are we supposed to stand up and cheer while Richard Nixon takes the oath of office, even as he is violating it by his actions?

What are we supposed to unite around? His dismantling of programs for the poor, for the cities, even for veterans of his war? His reactionary views on women? His reactionary views on race? Or maybe the Watergate scandal, which was a conspiracy to undermine the presidential campaign of the Democratic Party, to subvert the political process, and which is now being hidden from public view in an outrageous abuse of our legal system?

No, we have no intention of uniting around this President.

No, we are not going to let him turn our democracy into a country ruled by one man.

No, we are not going to let him ignore the people and their elected representatives.

There is real anger in Congress now, and a real willingness to act. We in Congress also take a pledge to "preserve, protect, and defend the Constitution of the United States." It's up to you to make your representative do that.

There has been a small number of us in Congress that have voted against every military appropriation for Vietnam and for every bill designed to get us out. But our numbers are growing. We need just 40 more votes to cut off funds for the war, if that is what we have to do. If once again, Richard Nixon is trying to fool the people, those votes will be much easier to get, and your job is to see that we get them.

Those of us standing here between the Washington Monument and the Lincoln Memorial represent the soul of America's democracy, not its merchants. Our protest here is the true reaffirmation of America's ideals and promises—the right to dissent, the right to free speech and a free press, the right of assembly, the right to live peacefully with economic opportunity, equality and justice for all. This is a rededication to our right to protest and to the power of the American people to change the policies they oppose.

Richard Nixon would deny these rights to any who stand in the way of his pursuit of power for the special interests he represents. We would extend these rights to all Americans. We would turn our Nation from the world's greatest purveyor of death into a nation of peace and friendship and respect for ourselves and other countries. That is our pledge to ourselves on this inaugural day of conscience.

President Nixon said in his inaugural address, "Let us measure what we will do for others by what we will do for ourselves." We will do for ourselves. We will use the energies and resources of democratic government to make sure that the American people will have the ability to live in dignity, security and equality.

CONGRESS MUST HAVE CONTROL OF FUNDS

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. HOWARD) is recognized for 5 minutes.

Mr. HOWARD. Mr. Speaker, the Congress and the executive branch of Government are on a collision course over the way funds which have been authorized and appropriated by the Congress are being impounded.

It is time we met this problem head-on. Some Members of Congress have previously introduced legislation to prevent this practice and others are preparing to cosponsor similar legislation.

The impounding of funds is a direct challenge to the Congress itself and I respectfully urge all of my colleagues to join in cosponsoring such legislation and seeing that we pass a bill which will again put this matter into proper perspective.

Last year we authorized and appropriated $24.6 billion for water pollution control, and my own State of New Jersey would have received more money than any other State in the Nation with the exception of New York.

Now the Executive is saying it may spend less than half of the money authorized and appropriated by Congress.

Each Member of Congress has many badly needed programs in his district, which could have progressed as a result of the Water Pollution Control Act funding. There is a desperate need in most communities for water and sewer moneys; there is a great need for more money for health care, and there is certainly a need for more housing. These, however, are some of the programs which are being further crippled because the funds appropriated by the Congress are being impounded.

It is time we asserted our power and stopped this nonsense.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KYROS (at the request of Mr. O'NEILL) from today through February 7 on account of official business.

Mr. JOHNSON of Colorado for the period Tuesday, January 23, 1973, through Friday, January 26, 1973, on account of official business.

Mr. WOLFF (at the request of Mr. STRATTON) for January 23, 1973, through February 5, 1973, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ABDNOR) to revise and extend their remarks and include extraneous material:)

Mr. DERWINSKI, for 30 minutes, January 23.

Mr. BELL, for 5 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

Mr. RAILSBACK, for 10 minutes, today.

(The following Members (at the request of Mr. THORNTON) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. DRINAN, for 30 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. O'NEILL, for 5 minutes, today.

Ms. ABZUG, for 5 minutes, today.

Mr. HOWARD, for 5 minutes, today.

Mr. REUSS, for 30 minutes, January 23.

Mr. ALEXANDER, for 45 minutes, January 23.

Mr. MITCHELL of Maryland, for 60 minutes, January 25.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SAYLOR and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $637.50.

Mr. GROSS and to include extraneous matter.

(The following Members (at the request of Mr. ABDNOR) to revise and extend their remarks and include extraneous matter:)

Mr. HASTINGS.
Mr. DERWINSKI in three instances.
Mr. ARENDS.
Mr. FINDLEY.
Mr. PARRIS in five instances.
Mr. RIEGLE.
Mr. SCHERLE in 10 instances.
Mr. FRENZEL.
Mr. ZWACH.
Mr. RAILSBACK in three instances.
Mr. HUBER.
Mr. NELSEN in two instances.
Mr. BROTZMAN.
Mr. MINSHALL of Ohio in two instances.
Mr. BURKE of Florida in four instances.
Mr. BRAY in three instances.
Mr. MIZELL in four instances.

(The following Members (at the request of Mr. THORNTON) to revise and extend their remarks and include extraneous matter:)

Mr. SARBANES in five instances.
Mr. CARNEY of Ohio.
Mr. FULTON in 10 instances.
Mr. ALEXANDER in five instances.
Mr. ASPIN in 10 instances.
Mr. GONZALEZ in three instances.
Mr. RARICK in three instances.
Mr. HUNGATE.
Mr. KASTENMEIER.
Mr. WOLFF in five instances.
Mr. HARRINGTON in five instances.
Mr. BADILLO in five instances.
Mr. HOWARD.
Mr. OWENS in five instances.
Mr. DRINAN in two instances.
Mr. RANGEL.
Mr. BRINKLEY.
Mr. BOLAND.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on January 18, 1973, present to the President, for his approval a joint resolution of the House of the following title:

H.J. Res. 1. A joint resolution extending the time within which the President may transmit the Budget Message and the Economic Report to the Congress and extending the time within which the Joint Economic Committee shall file its report.

ADJOURNMENT

Mr. THORNTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes, p.m.) the House adjourned until tomorrow, Tuesday, January 23, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

261. A letter from the Deputy Assistant Secretary of Defense (Inter-American Affairs), transmitting a semiannual report on the implementation of section 507(b) of the Foreign Assistance Act of 1961, as amended dealing with the furnishing of military assistance to American Republics, covering the period July 1 through December 31, 1972, pursuant to 22 U.S.C. 2319(b); to the Committee on Foreign Affairs.

262. A letter from the Secretary of Transportation, transmitting the Third Annual Report on Operations under the Airport and Airway Development Act of 1970, covering fiscal year 1972, pursuant to 49 U.S.C. 1724; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 2555. A bill to amend the Rural Electrification Act of 1936, as amended, to reaffirm that such funds made available for each fiscal year to carry out the programs provided for in such act be fully obligated in said year, and for other purposes; to the Committee on Agriculture.

By Mr. ANNUNZIO:

H.R. 2556. A bill to create the National Credit Union Bank to encourage the flow of credit to urban and rural areas in order to provide greater access to consumer credit at reasonable interest rates, to amend the Federal Credit Union Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 2557. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. BADILLO (for himself, Ms. ABZUG, Mr. ALEXANDER, Mr. ADDABBO, Mr. BAKER, Mr. BARRETT, Mr. BENNETT, Mr. BINGHAM, Mr. BLACKBURN, Mr. BRECKINRIDGE, Mr. BRASCO, Mr. BROYHILL of Virginia, Mr. BROWN of California, Mr. BUCHANAN, Mrs. BURKE of California, Mr. BURTON, Mr. CARTER, Mrs. CHISHOLM, Mr. CLAY, Mr. CLEVELAND, Mr. CONYERS, Mr. CORMAN, Mr. DOMINICK V. DANIELS, Mr. DANIELSON, and Mr. DAVIS of South Carolina):

H.R. 2558. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. BADILLO (for himself, Mr. DELLENBACK, Mr. DE LUGO, Mr. DENT, Mr. DOWNING, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, Mr. FULTON, Mr. GONZALEZ, Mr. GRAY, Mr. GREEN of Pennsylvania, Mr. GUDE, Mrs. HANSEN of Washington, Mr. HANSEN of Idaho, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HICKS, Mr. HOGAN, Miss HOLTZMAN, Mr. KOCH, Mr. LEGGETT, and Mr. LEHMAN):

H.R. 2559. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. BADILLO (for himself, Mr. LONG of Maryland, Mr. MADDEN, Mr. MAILLIARD, Mr. MATSUNAGA, Mr. MAZZOLI, Mr. METCALFE, Mr. MITCHELL of Maryland, Mr. MIZELL, Mr. MOAKLEY, Mr. MCDADE, Mr. MCCORMACK, Mr. NICHOLS, Mr. NIX, Mr. O'HARA, Mr. PEPPER, Mr. PETTIS, Mr. PODELL, Mr. PREYER, Mr. PRICE of Illinois, Mr. RANGEL, Mr. REES, Mr. RINALDO, Mr. RODINO, and Mr. ROE):

H.R. 2560. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. BADILLO (for himself, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SARBANES, Mr. STOKES, Mr. STUDDS, Mr. SYMINGTON, Mr. TAYLOR of North Carolina, Mr. TIERNAN, Mr. THOMPSON of New Jersey, Mr. VANIK, Mr. WALDIE, Mr. WHITE, Mr. WOLFF, Mr. WON PAT, and Mr. YATRON):

H.R. 2561. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. BELL:

H.R. 2562. A bill to authorize appropriations for construction of certain highway projects in accordance with title 23 of the United States Code, and for other purposes; to the Committee on Public Works.

By Mr. BEVILL:

H.R. 2563. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

H.R. 2564. A bill to amend title II of the Social Security Act to provide that a woman otherwise qualified may become entitled to receive widows' insurance benefits specially reduced, at age 35 (while retaining her right to receive regular widows' insurance benefits upon attaining the age presently required therefor); to the Committee on Ways and Means.

By Mr. BINGHAM (for himself, Mr. BUCHANAN, Mr. MAZZOLI, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. PARRIS, and Mr. PODELL):

H.R. 2565. A bill to provide for the election of President and Vice President as required by the article of amendment to the Constitution proposed by House Joint Resolution 215 of the 93d Congress; to the Committee on House Administration.

By Mr. BROYHILL of Virginia:

H.R. 2566. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to permit the equitable reappointment of officers and members of the Metropolitan Police Force, the Fire Department of the District of Columbia, the U.S. Park Police, and the Executive Protective Service; to the Committee on District of Columbia.

H.R. 2567. A bill to eliminate the ceilings on the amounts of group life insurance policies available in the District of Columbia; to the Committee on District of Columbia.

H.R. 2568. A bill to amend the Healing Arts Practice Act, District of Columbia, 1928, to revise the composition of the Commission on Licensure To Practice the Healing Art, and for other purposes; to the Committee on District of Columbia.

H.R. 2569. A bill to provide for the regulation of the practice of dentistry, including the examination, licensure, registration, and regulation of dentists and dental hygienists, in the District of Columbia, and for other purposes; to the Committee on District of Columbia.

H.R. 2570. A bill to repeal section 453(d)(5) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. DELLUMS:

H.R. 2571. A bill to amend the Food Stamp Act of 1964 to allow food stamps to be used to obtain meat and meat products which are imported into the United States; to the Committee on Agriculture.

H.R. 2572. A bill to protect the political rights and privacy of individuals and organizations and to define the authority of the armed forces to collect, distribute, and store information about civilian political activity; to the Committee on Armed Services.

H.R. 2573. A bill to amend the U.S. Housing Act of 1937 to provide for the inclusion of child-care facilities in low-rent housing projects, and to provide that eligibility of a family to remain in such a project despite increases in its total income shall be determined solely on the income of the head of such family (or its other principal wage earner); to the Committee on Banking and Currency.

H.R. 2574. A bill to authorize and direct the Commissioner of the District of Columbia to conduct an election for the purposes of a referendum on the question of statehood for the residents of the present District, election of delegates to a constitutional convention, and for other purposes; to the Committee on the District of Columbia.

H.R. 2575. A bill to provide the protection of the safety and health standards under the Occupational Safety and Health Act of 1970 for individuals participating in athletic contests between secondary schools or between institutions of higher education; to the Committee on Education and Labor.

H.R. 2576. A bill to amend the Age Discrimination in Employment Act of 1967 to extend the protection of that act to employees of States and their political subdivisions; to the Committee on Education and Labor.

H.R. 2577. A bill to amend title 5, United States Code, to provide that individuals be apprised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

H.R. 2578. A bill to limit the sale or distribution of mailing lists by Federal agencies; to the Committee on Government Operations.

H.R. 2579. A bill to restore to Federal civilian employees their rights to participate, as private citizens, in the political life of the Nation, to protect Federal civilian employees from improper political solicitations, and for other purposes; to the Committee on House Administration.

H.R. 2580. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the registration and licensing of food manufacturers and processors, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2581. A bill to change the minimum age qualification for serving as a juror in Federal courts from 21 years of age to 18 years of age; to the Committee on the Judiciary.

H.R. 2582. A bill to prevent lawless and irresponsible use of firearms, by requiring national registration of firearms, by establishing minimum standards for licensing possession of firearms, and to prohibit the importation, manufacture, sale, purchase, transfer, receipt, possession, or transportation of handguns; to the Committee on the Judiciary.

H.R. 2583. A bill to establish minimum prison and parole standards in the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 2584. A bill to protect confidential sources of the news media; to the Committee on the Judiciary.

H.R. 2585. A bill to extend unemployment insurance coverage to employers employing four or more agricultural workers for each of 20 or more weeks; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 2586. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 2587. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for homeowners, apartment owners, small businessmen, and car owners who purchase and install certified pollution control devices; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 2588. A bill to establish the Great Dismal Swamp National Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

By Mr. FRENZEL:

H.R. 2589. A bill to provide for the issuance of $2 bills bearing the portrait of Susan B. Anthony; to the Committee on Banking and Currency.

H.R. 2590. A bill to prohibit travel at Government expense outside the United States by Members of Congress who have been defeated, or who have resigned, or retired; to the Committee on House Administration.

H.R. 2591. A bill establishing a Council on Energy Policy; to the Committee on Interstate and Foreign Commerce.

H.R. 2592. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

H.R. 2593. A bill to provide the Secretary of Health, Education, and Welfare with the authority to make grants to States and local communities to pay for the costs of eye examination programs to detect glaucoma for the elderly; to the Committee on Interstate and Foreign Commerce.

H.R. 2594. A bill to direct the Administrator of the Environmental Protection Agency to establish and carry out a bottled drinking water control program; to the Committee on Interstate and Foreign Commerce.

H.R. 2595. A bill to authorize the National Science Foundation to conduct research, educational, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

H.R. 2596. A bill to discourage the production of one-way containers for carbonated and/or malt beverages so as to reduce litter, reduce the cost of solid waste management, and to conserve natural resources; to the Committee on Ways and Means.

H.R. 2597. A bill to amend the Social Security Act to prohibit the payment of aid or assistance under approved State public assistance plans to aliens who are illegally within the United States; to the Committee on Ways and Means.

By Mr. HANRAHAN:

H.R. 2598. A bill to authorize appropriations to be used for the elimination of certain hazardous rail-highway grade crossings in the State of Illinois; to the Committee on Public Works.

By Mr. HANSEN of Idaho:

H.R. 2599. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

By Mr. HARVEY (for himself, Mr. ANDREWS of North Dakota, Mr. ARENDS, Mr. BROOMFIELD, Mr. BROWN of Michigan, Mr. BURLESON of Texas, Mr. CEDERBERG, Mr. CHAMBERLAIN, Mr. CONABLE, Mr. COUGHLIN, Mr. DEVINE, Mr. EDWARDS of Alabama, Mr. FISHER, Mr. ERLENBORN, Mr. EVINS of Tennessee, Mr. FORSYTHE, Mr. FRELINGHUYSEN, Mr. FRENZEL, Mr. GROVER, Mr. HASTINGS, Mr. HENDERSON, Mr. HOSMER, Mr. HUNT, Mr. LENT, and Mr. MCCLORY):

H.R. 2600. A bill to amend the Railroad Labor Act and the Labor Management Relations Act, 1947, to provide more effective means for protecting the public interest in national emergency disputes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY (for himself, Mr. CLEVELAND, Mr. NELSEN, Mr. ROBINSON of Virginia, Mr. ROBISON of New York, Mr. ROYBAL, Mr. SCHNEEBELI, Mr. SEBELIUS, Mr. SMITH of New York, Mr. J. WILLIAM STANTON, Mr. VANDER JAGT, Mr. VEYSEY, Mr. WARE, Mr. WHITEHURST, Mr. BROYHILL of North Carolina, and Mr. KUYKENDALL):

H.R. 2601. A bill to amend the Railroad Labor Act and the Labor Management Relations Act, 1947, to provide more effective means for protecting the public interest in national emergency disputes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 2602. A bill to establish a Transportation Trust Fund, to encourage urban mass transportation, and for other purposes; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 2603. A bill to amend title III of the act of March 3, 1933, commonly referred to as the "Buy American Act," with respect to determining when the cost of certain articles materials, or supplies is unreasonable; to define when articles, materials, and supplies have been mined, produced, or manufactured in the United States; to make clear the right of any State to give preference to domestically produced goods in purchasing for public use, and for other purposes; to the Committee on Public Works.

H.R. 2604. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas:

H.R. 2605. A bill to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes; to the Committee on Agriculture.

H.R. 2606. A bill to authorize equalization of the retired or retainer pay of certain members and former members of the uniformed services; to the Committee on Armed Services.

H.R. 2607. A bill to amend the act entitled "An Act to provide for the preservation of historical and archeological data including relics and specimens which might otherwise be lost as the result of the construction of a dam," and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2608. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 2609. A bill to create the National Credit Union Bank to encourage the flow of credit to urban and rural areas in order to

provide greater access to consumer credit at reasonable interest rates, to amend the Federal Credit Union Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 2610. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes; to the Committee on Education and Labor.

H.R. 2611. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

H.R. 2612. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. MIZELL:

H.R. 2613. A bill to provide that the funds allocated for fiscal year 1973 under the rural environmental assistance program shall be expended; to the Committee on Agriculture.

By Mr. MOORHEAD of Pennsylvania (for himself, Mr. MORGAN, Mr. CLARK, Mr. DENT, Mr. BADILLO, Mr. MIZELL, Mr. HEINZ, and Mr. BENITEZ):

H.R. 2614. A bill to provide for the striking of medals in commemoration of Roberto Walker Clemente; to the Committee on Banking and Currency.

By Mr. PEYSER (for himself, Mr. ADDABBO, Mr. ANDERSON of California, Mr. ANDERSON of Illinois, Mr. BELL, Mr. BROWN of California, Mrs. CHISHOLM, Mr. COUGHLIN, Mr. FORSYTHE, Mr. GROVER, Mr. HANRAHAN, Mr. HELSTOSKI, Mr. KEMP, Mr. MCKINNEY, Mr. MOAKLEY, Mr. PETTIS, Mr. STOKES, Mr. RIEGLE, Mr. ROBISON of New York, Mr. RONCALLO of New York, Mr. ROSTENKOWSKI, Mr. WOLFF, Mr. WRIGHT, and Mr. YOUNG of Georgia):

H.R. 2615. A bill to repeal section 15 of the Urban Mass Transit Act of 1964, to remove certain limitations on the amount of grant assistance which may be available in any one State; to the Committee on Banking and Currency.

By Mr. RAILSBACK:

H.R. 2616. A bill to make rules respecting military hostilities in the absence of a declaration of war; to the Committee on Foreign Affairs.

H.R. 2617. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

H.R. 2618. A bill to amend the Social Security Act to require employers to make an approved basic health care plan available to their employees, to provide a family health insurance plan for low income families not covered by an employer's basic health care plan, to facilitate provision of health services to beneficiaries of the family health insurance plan by health maintenance organizations, by prohibiting State law interference with such organizations providing such services, and for other purposes; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 2619. A bill to amend title 10 of the United States Code to establish special boards for the review of certain administrative discharges; to the Committee on Armed Services.

H.R. 2620. A bill to amend the Fair Credit Reporting Act, and to create a new title in the Consumer Credit Protection Act in order to license consumer credit investigators; to the Committee on Banking and Currency.

H.R. 2621. A bill to amend the Public Health Service Act to provide assistance for research and development for improvement in delivery of health services to the critically ill; to the Committee on Interstate and Foreign Commerce.

H.R. 2622. A bill to increase to full annuities the reduced civil service retirement annuities of certain employees who retired before July 18, 1966; to the Committee on Post Office and Civil Service.

By Mr. THOMSON of Wisconsin:

H.R. 2623. A bill to amend the Soil Conservation and Domestic Allotment Act to establish an improved rural environmental protection program, and for other purposes; to the Committee on Agriculture.

By Mr. ULLMAN (for himself, Mrs. GREEN of Oregon, and Mr. WYATT):

H.R. 2624. A bill to provide for the establishment of the Hells Canyon National Forest Parklands; to the Committee on Interior and Insular Affairs.

By Mr. WHALEN:

H.R. 2625. A bill to repeal the Connally Hot Oil Act; to the Committee on Interstate and Foreign Commerce.

H.R. 2626. A bill to terminate the oil import control program; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 2627. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

By Mr. BINGHAM (for himself, Mr. BUCHANAN, Mr. MAZZOLI, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. PARRIS, and Mr. PODELL):

H.J. Res. 215. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts (for himself, Mr. ROSTENKOWSKI, Mr. ANNUNZIO, Mr. BADILLO, Mr. CLARK, Mr. CORMAN, Mr. DANIELSON, Mr. DENHOLM, Mr. DONOHUE, Mr. FLOOD, Mr. GREEN of Pennsylvania, Mrs. HECKLER of Massachusetts, Mr. KLUCZYNSKI, Mr. MADDEN, Mr. PIKE, Mr. PRICE of Illinois, Mr. QUIE, Mr. REUSS, Mr. RIEGLE, Mr. STRATTON, Mr. YATES, and Mr. WOLFF):

H.J. Res. 216. Joint resolution to authorize the emergency importation of oil into the United States; to the Committee on Ways and Means.

By Mr. DELLUMS:

H.J. Res. 217. Joint resolution proposing an amendment to the Constitution of the United States lowering the age requirements for membership in the Houses of Congress; to the Committee on the Judiciary.

By Mr. FINDLEY (for himself, Mr. O'NEILL, Mr. CLARK, Ms. ABZUG, and Mrs. BURKE of California):

H.J. Res. 218. Joint resolution to create an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mrs. GRASSO:

H.J. Res. 219. Joint resolution to retain May 30 as Memorial Day and November 11 as Veterans Day; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H.J. Res. 220. Joint resolution proposing an amendment to the Constitution of the United States to require that persons 18 years of age and older be treated as adults for the purpose of all law; to the Committee on the Judiciary.

H.J. Res. 221. Joint resolution authorizing the President to proclaim the 24th day of October of each year as Illumination Day; to the Committee on the Judiciary.

By Mr. BEVILL:

H. Con. Res 86. Concurrent resolution expressing the sense of Congress with respect to those individuals who refused to register for the draft, refused induction or being a member of the Armed Forces fled to a foreign country to avoid further military service; to the Committee on Armed Services.

By Mr. BROTZMAN:

H. Con. Res. 87. Concurrent resolution to direct the Executive to take positive steps to effect freedom of emigration for certain citizens of the Soviet Union currently denied that right; to the Committee on Foreign Affairs.

By Mr. DORN:

H. Con. Res. 88. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; to the Committee on House Administration.

By Mr. EDWARDS of Alabama:

H. Con. Res. 89. Concurrent resolution expressing the sense of the Congress that the Federal Government should use recycled paper products to the fullest extent possible; to the Committee on House Administration.

By Mr. DELLUMS:

H. Res. 148. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. DORN:

H. Res. 149. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 134 of the 93d Congress; to the Committee on House Administration.

By Mr. FRENZEL:

H. Res. 150. Resolution calling upon the Voice of America to broadcast in the Yiddish language to Soviet Jewry; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANNUNZIO:

H.R. 2628. A bill for the relief of Anka Kosanovic; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 2629. A bill for the relief of Leonard Alfred Brownrigg; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 2630. A bill for the relief of Edward N. Evans; to the Committee on the Judiciary.

H.R. 2631. A bill for the relief of Ivan Augustus Palmer; to the Committee on the Judiciary.

H.R. 2632. A bill for the relief of Lena S. Tillman; to the Committee on the Judiciary.

By Mr. DELLUMS:

H.R. 2633. A bill for the relief of Col. John H. Sherman; to the Committee on the Judiciary.

By Mr. DRINAN:

H.R. 2634. A bill for the relief of Kevin Patrick Saunders; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 2635. A bill for the relief of Walter M. Piccirillo, his wife, Emma Piccirillo, and their children, Mario Piccirillo and Daniel Piccirillo; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.R. 2636. A bill for the relief of Jean Albertha Service Gordon; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 2637. A bill for the relief of Peter Boscas, deceased; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 2638. A bill for the relief of Koo Po Li and Yuk Kiu Li; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H.R. 2639. A bill to provide for the relief of Sandstrom Products Co. of Fort Byron, Ill.; to the Committee on the Judiciary.

H.R. 2640. A bill for the relief of Howard D. Harden; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 2641. A bill for the relief of Chester C. Clark, Mary L. Clark, and Dorothy J. Wilbur, copartners doing business under the firm name of Alsea Veneer; to the Committee on the Judiciary.

By Mr. FASCELL:

H. Res. 151. Resolution referring the bill H.R. 2209 entitled "A bill for the relief of the Cuban Truck and Equipment Co., its heirs and assignees" to the Chief Commissioner of the U.S. Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

30. By the SPEAKER: Petition of the Board of Selectmen, Brookline, Mass., relative to the rehabilitation loan program; to the Committee on Banking and Currency.

31. Also, petition of Louis Mira, Chino, Calif., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

APOLLO 17

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BOLAND. Mr. Speaker, the House of Representatives welcomes today three truly intrepid, courageous, brilliant Americans—the crew of Apollo 17—Capt. Eugene A. Cernan, Capt. Ronald E. Evans, and Dr. Harrison H. Schmitt.

Their remarkable, practically flawless 12½-day flight to the moon and back marked the final mission in the Apollo program of lunar exploration—the last in this series of man's most magnificent and courageous adventures. While this was the last of the Apollo missions, it was certainly not the least. Quite the contrary, Apollo 17 was clearly the most successful of the seven manned lunar landing missions. Astronauts Cernan, Schmitt, and Evans brought to earth the largest payload of lunar material from perhaps the most complex geological area visited during the entire Apollo program. The mission logged more hours than any previous lunar landing including the longest time ever in lunar orbit and a record total of almost 1 full day in extravehicular activity. While the Apollo program has ended, the efforts of these brave men have provided us invaluable data on the origins of the moon and form the first stepping stone in man's effort to grasp and understand his place in the universe.

On a broader scale, the success of Apollo 17 highlighted a year in which NASA recorded a perfect launch record for the first time. In all, this past year saw the space agency accomplish 18 straight flawless launches. As the year before us unfolds, I look with confidence to NASA to continue its fine work in space science, applications, aeronautics, and space technology. And as we approach the launching of the Skylab space laboratory later this spring, I am reminded of Captain Cernan's eloquent words as he stood onboard the *Ticonderoga* last month:

Nothing is impossible in this world, when dedicated people are involved. And it's a fundamental law of nature, that either you must grow, or you must die. Whether that be an idea, whether that be a man, whether that be a flower or a country, I thank God that our country has chosen to grow.

Mr. Speaker, it was my privilege, in company with other Members of Congress, to witness aboard the primary recovery ship, the U.S.S. *Ticonderoga*, the incredibly perfect splashdown of the Apollo 17 command module and the recovery operations on December 19, 1972. I extend my congratulations to Capt. Norman K. Green and his entire crew on the U.S.S. *Ticonderoga*, Comdr. E. E. Dahill III, officer in charge of the HC–1 recovery helos, Lt. Jon Smart, officer in command of Underwater Demolition Team 11, and all of their crews for their masterful performance in the recovery of the spaceship America.

Mr. Speaker, I include with these remarks the thanksgiving offered by Chaplain John A. Ecker, lieutenant commander, U.S. Navy, upon the safe return of these distinguished American astronauts:

The heavens declare your glory, Oh Lord—the planets, the sun, the moon, and the stars which you set in place. In humble gratitude we thank you for the safe return from your heaven of these pioneers in space. May their achievements contribute to the unity of mankind and peace for all of your people in this holy season. Amen.

AND YOUR RIGHT TO KNOW

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ZWACH. Mr. Speaker, in all of my years of public office, I always have been a strong supporter of the people's right to know what their Government, local, State, and Federal, is doing.

I firmly believe in freedom of information and I have introduced legislation to open Government meetings to the press. I have also introduced legislation to protect news sources.

The need for such legislation and the support it is receiving is typified by the following editorial written by Publisher Lynn Smith and which recently appeared in the Monticello Times, a newspaper printed weekly in our Minnesota Sixth Congressional District.

Mr. Speaker, I insert Publisher Smith's editorial in the RECORD and I would recommend its reading to my colleagues and all of the other interested people who read the RECORD:

AND YOUR RIGHT TO KNOW

Two bills which would further guarantee the public's right to know will be introduced when Congress reconvenes this month.

Minnesota's Sixth District Congressman John Zwach announced recently that his proposed legislation would "require that all meetings of government agencies at which official action is taken, or discussed, shall be open to the public except on matters affecting national security or internal management of an agency."

Zwach's measure also stipulates that meetings of congressional committees be open to the public. Furthermore, it would require that a transcript of all meetings be made available to the public, and would provide for court enforcement of the open meeting requirements.

Meanwhile in the Senate, Oregon's Mark Hatfield will introduce a bill that would help reporters protect their sources of information.

"For nearly 200 years a free press has served this country as a balance to government," Hatfield said. "Its unbridled voice is as vital today as it was in 1776."

However, the senator continued, the First Amendment freedoms are repeatedly being threatened by recent court decisions eroding the ability of reporters to present information to the American public.

"Congress must act to see that undue judicial interference is removed from the news gathering and dissemination process," Hatfield said.

The announcements of these two proposals come at a point in America's history when the public's right to news is being challenged like at no other time previously. Unfortunately, despite the guarantees in the First Amendment, legislation such as these measures has become a necessity to secure your right to know. For this reason, it is important that Zwach's and Hatfield's bills receive support not only from newspaper, magazine and television people, but also from the general public. For in reality, the fight is yours just as much as it is ours in the news media.

INDIA SHOULD FREE POW'S

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. DERWINSKI. Mr. Speaker, an editorial in the Chicago Tribune of Wednes-

day, January 17, discussing the continued complications that the Government of India is causing for its neighbor, Pakistan, is, I believe, an extremely timely and accurate commentary on the situation.

It is indeed ironic that a government which presumes to lecture anyone else on the conduct of foreign policy has a truly treacherous record in its conduct of foreign affairs and, in this particular case, is in violation of the Geneva Convention.

The editorial follows:

INDIA SHOULD FREE POW'S

India, the great hair splitter, should release forthwith the 93,000 Pakistani soldiers still held as prisoners of war a year after the two nations stopped fighting each other. The Geneva Convention of 1949 states that prisoners shall be released and repatriated after the cessation of active hostilities.

India itself proclaimed a cease-fire after the fighting a year ago. A resolution voted by the United Nations Security Council stated that not only a cease-fire but "a cessation of hostilities" prevailed.

In the face of both this record and the Geneva Convention, how can India justify holding Pakistan's soldiers at all—let alone under the deplorable conditions existing?

The reason, an Indian spokesman told The Tribune's Joseph Zullo at the U.N. is that a cease-fire is "not the same as a cessation of hostilities." With respect to the new nation of Bangladesh, Pakistan is "in an attitude of hostilities in suspension."

To find a semantic difference between "cease-fire" and "cessation of hostilities" requires hair splitting of a high order of skill. To go a step farther and find a difference between a "cessation of hostilities" and a "suspension of hostilities" calls for a virtuosity in word twisting that borders on the dazzling.

It is obvious that India is holding the 93,000—along with 16,000 civilians—as diplomatic hostages. A spokesman for the New Delhi delegation told Mr. Zullo that the Pakistani forces surrendered to the "joint command" of Indian and Bangladesh forces and that their release depends on the acquiescence of Bangladesh. In other words, Pakistan must recognize this breakaway state which has proclaimed independence with India's backing—or it can't have the POWs.

The Geneva Convention says nothing about the recognition of anyone by anyone; it says that prisoners shall be released after the shooting stops. Its intention is clear. Send the soldiers home as quickly as possible.

India is not in compliance with this convention. The stalling would be wrong no matter who engaged in it. It seems especially deplorable when a rule of international conduct is flouted by this self-appointed moral adviser to the world, which has pointed accusing fingers at so many other nations for many fancied wrongs. Here is a real wrong, and the perpetrator has turned strangely blind to the outrage of it.

MINNESOTA'S EXPERIMENTAL CITY

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. FRENZEL. Mr. Speaker, a recent article in the Christian Science Monitor by Stephen Silha suggests that Minnesota's experimental city project could well become the model for other far-sighted new town developments throughout the country. Unlike the typical new towns which are being developed today, the Minnesota Experimental City or MXC for short will be a new town in the true sense of the word and not merely a bedroom community for an existing urban center. The current session of the Minnesota Legislature will be asked to make some crucial decisions on land acquisition. While a favorable decision by the legislature is by no means assured, if the green light is given, MXC will have cleared a major hurdle and the prospects for completing this unique urban experiment will be considerably advanced. This would, indeed, be good news for those of us who see the need for new and imaginative solutions to our many pressing urban problems.

I would like at this point to include the full article in the RECORD:

[From the Christian Science Monitor, Jan. 11, 1973]

MINNESOTA'S EXPERIMENTAL CITY—LABORATORY FOR URBAN LIVING

(By Stephen Silha)

MINNEAPOLIS.—A generation of new cities is in the making.

So says James Alcott, who has been working for three years on one of them—an experimental city of no more than 250,000, to be built from scratch in the wilds of Minnesota.

In 1990, he envisions, a group of "pioneers" will be living in homes that may be shaped like mushrooms. They'll have videophones, but no cars. Money may not be used. Though surrounded by neighbors, a "primitive" atmosphere will pervade most of the city.

The project—unique among the other work now going on by architects and designers in the United States and Europe—is called the Minnesota Experimental City or MXC for short, first suggested by inventor Athelstan Spilhaus in 1966 and financed since then by federal, state, and private money. It faces a crucial test before the Minnesota Legislature early this year.

Architect Paolo Soleri in Arizona is building with his students an experimental community he calls an "archology," an attempt to put a large number of people on a small amount of land.

European countries, notably Finland, Sweden, France, and England, have been building new cities, out of post-war and land-squeeze necessity, since the 1920's. But none pretends to be the "international urban laboratory" proposed for the Minnesota city.

The "new town" projects blossoming across the U.S.—starting with Columbia, Md.; Reston, Va.; and now Irvine, Calif.; Lake Havasu City, Ariz.; and Jonathan, Minn.; "are better than suburbs but not much different," Mr. Alcott says.

As innovative real-estate developments, the new towns, some federally funded, serve as support communities for existing urban centers.

The MXC project, to be at least 100 miles from any urban development, takes a different approach.

Mr. Alcott sees the new city as a chance to get to the roots of America's urban problems—sprawl, crime, poor education, waste of resources, human degradation. The approach aims beneath face-lifts and urban-renewal to a restructuring of attitudes behind the physical form of the city.

WILL STATE APPROVE?

Early this year, its fate may be decided by the state Legislature. At stake are approval of one of two 50,000-acre sites in the central part of the state, rurally dominated and conventionally thought of as low-use land; a plan for acquisition of the site and development of about half the land, asking federal, state, and private cooperation; and creation of a quasi-public corporation to begin developing the city.

The early dreams for the new city were technological:

—No cars. "There must be ways of *moving* people without having cars in the city." Currently, MXC is studying guideways on which cars could be hitched without their motors running, and ways to transport people quickly without cars at all.

—Efficient land use. Recycled water and waste systems are possible technically. "The city should mirror the ecological balance of the rural land it sits on," said MXC urban design consultant Neil Pinney.

—New housing. Dwellings that would better suit individual preferences, many built by their owners, are possible and sensible.

—Enclosure. Parts of the city might be enclosed, an experiment in climate-control and its effects on people and costs.

—Tunnel corridors. An underground complex of tunnels could provide an accessible movement zone for utilities, services, and some goods such as mail.

—Telecommunications. The city would be wired for two-way communication with others and with information sources such as electronic newspapers and computers.

INFORMATION CENTER PLANNED

But, in drawing up plans for a city conceived as an "information center" rather than a manufacturing trade center, the cityists decided that learning—or education—would be a central function.

So they hired Ron Barnes, a former university administrator who started a statewide "new school" teacher-retraining program in North Dakota, to direct educational planning for the city.

"We soon realized that we couldn't talk about education without linking at all the systems of the city—transportation, health, safety, communications," Mr. Barnes said. "We redefined living as learning, and made everyone in the city part of our education program."

The "learning system," which city planners see as central to government, health, environment, and citizen awareness, includes a computer matching process, not unlike computer dating, that would allow older "students" to find the information or resources they need for the individualized learning programs. The learning system also plans localized "beginning-life centers," where young learners can explore with each other or with parents and can discover how to use the learning system.

Some experiments discussed for MXC's "post-industrial economy":

The city, expected to boost failing rural economies, probably will include both urban and rural areas.

A credit system and skill exchange, already becoming more prevalent in existing cities, eventually could displace money as an indicator of wealth.

More self-sufficiency will be required in food production and distribution.

New cooperative linkages of business, homes, government, and service institutions will become possible. (Mr. Alcott says his design team is discussing the age-old planning problem of how to involve future citizens in present planning. A computer network has been suggested.)

MANY CHANGES NEEDED

"To do anything really experimental in our country today a great many laws, codes, customs, and concepts must be changed," says Otto Silha, Minneapolis newspaper publisher who spearheads the city project, chairing a national steering committee of such diverse backers as Gen. Bernard A. Schriever (responsible for the Atlas missile development),

inventor-scientist R. Buckminster Fuller, and Sen. Hubert H. Humphrey.

Mr. Silha expects the state of Minnesota to support MXC's new land-use ideas. Privately, many lawyers and legislators in Minnesota give the project about a 50 percent chance of survival at this point.

A CALL FOR ECONOMY ACROSS THE BOARD

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. GROSS. Mr. Speaker, the Waterloo, Iowa, Daily Courier of January 3, 1973, contained an excellent editorial on the subject of budget cutting by the President.

I have long been an advocate of economy in government at all levels, and it is a question today of reducing Federal spending or watching this Nation continue on the road to the poorhouse.

I intend to support President Nixon if he is embarked on a genuinely motivated campaign to reduce Federal spending and through that and other means stop or greatly minimize the inflation that has been tearing at the vitals of the country.

But, as the Courier editorial points out, the budget ax must be aimed at urban programs as well as those for farm and rural areas. There must be cuts across the board.

Before I endorse the President's economy drive, I will want to know what he proposes for all departments and agencies of the Government, and in particular I want to know what he proposes to do with the wasteful, multibillion-dollar annual foreign aid program that has depleted so much of this Nation's wealth over the years.

I commend the editors of the Waterloo Courier for calling for reductions in every area of the Federal Government and I include the editorial for insertion in the RECORD at this point:

NIXON BUDGET AX MUST SWING WIDE

President Nixon swung a sharp economy ax in the last week of 1972 and eliminated a number of rural-oriented programs in an effort to adhere to his goal of a $250 billion budget.

The anguished and loud—but natural and expected—outcries of protest against these cost-cutting actions indicate how politically difficult it is to reduce or eliminate any well-entrenched government programs.

It now remains to be seen whether President Nixon will swing the same budget ax with equal vigor against many costly but relatively ineffective urban-oriented programs—especially those which are failing to solve social problems. These might be even better targets.

The Nixon administration last week announced elimination of:

1. The Federal program which provides 2 per cent direct loans for rural electric and telephone facilities. The money now will have to be obtained from private lenders with the government insuring and guaranteeing the loans. The rate on guaranteed loans would be 5 per cent.

2. Farmers Home Administration (FHA) emergency loans to farmers in disaster areas where storms and other bad weather have inflicted severe losses to crops, livestock and other property. As a substitute, the federal government is increasing the amount of money available under its "farm operating loan" program but borrowers will pay higher interest rates. Under the eliminated program, the first $5,000 was "forgiveable" which in effect, made that amount a gift.

3. Two conservation programs for which Congress had authorized spending more than $200 million a year. One involved paying farmers to carry out anti-pollution and conservation measures on their land. The other program was designed to help landowners in designated areas preserve migratory waterfowl habitats.

President Nixon obviously has concluded that these programs are no longer vital to the economy and the national interest—or at least that their cost outweighed their advantages.

It is unfortunate that Nixon's budget ax is hitting rural America, including Iowa, at a time when unusual late autumn and early winter weather is adversely affecting the farm economy.

This situation increases the psychological, if not the actual, impact of eliminating federal rural aid programs.

And isn't a marginal farmer who has been hard-hit by a natural disaster as much justified in receiving federal assistance as, say, a low-income urban family?

Reduced federal spending, however, is a commendable goal and it must be achieved if the nation is to avoid either tax increases or another round of damaging inflation.

As a "lame duck" President constitutionally barred from seeking a third term, Nixon can act with a great deal of political independence—not only in cutting federal spending but in reducing the over-all role of government.

And now—shortly after his re-election and nearly two years before the next Congressional election—is the time for Nixon to act.

Federal programs should be limited to those areas where there are vital national needs which only government can meet.

Then, as times and needs change, such programs demand constant revisions, updating or elimination.

But the Nixon administration must not wield its economy ax solely against the relatively less politically powerful rural areas.

The President now should take a long hard look at other programs such as those dealing with defense, social welfare and urban problems.

Where there is waste, inefficiency, duplication, ineffectiveness—or where a vital national need no longer exists—the budget-cutting ax should fall.

This should include even politically powerful urban areas.

VETERANS PENSIONS MUST BE PROTECTED

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. YOUNG of Florida. Mr. Speaker, Americans living on hard-earned veterans pensions are being unjustly treated by a system which gives with one hand and takes away with the other. Many of our veterans have earned social security benefits as well as their veterans pension. Yet when social security is increased, their veterans payment is reduced in kind.

This is simply not fair. Veterans should be entitled to receive the level of pensions received prior to social security increases. Many such veterans are living marginal existences, their retirement incomes rapidly eroded by inflation. Quite a few live in my Sixth Congressional District of Florida, and I am personally aware of the hardships these veterans and their families must undergo.

For this reason, I have introduced H.R. 1306, a bill aimed at protecting veterans pensions by offsetting the losses caused by social security increases. If this measure is adopted, veterans will be able to benefit fully from the recent 20-percent hike in social security benefits and see their standard of living maintained with the rest of our senior citizens.

These men and women have served the Nation with distinction. Many have risked their lives to preserve the freedoms we all enjoy. It simply does not make sense to reduce their hard-earned veterans pensions simply because social security benefits have been increased.

The Congress must insure our veterans receive every benefit due them. Our veterans have a right to expect no less.

FOR THE RELIEF OF HOWARD D. HARDEN

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. RAILSBACK. Mr. Speaker, I am today introducing a private bill for the relief of Mr. Howard D. Harden of Roseville, Ill.

After a diagnosis of a malignant lymphoma, Mr. Harden received social security disability benefits from September 1967 to November 1969. His benefits were then retroactively denied him by the Social Security Administration when he advised them that he was attempting to perform some of his farmwork despite his disabilities. Consequently, Mr. Harden is now liable to the Government for almost $4,000.

One of the purposes of the Social Security Act is to give financial assistance to sick and disabled citizens. The action of our Government in a case like this not only negates a purpose of the Social Security Act, but it imposes a severe economic hardship on a sick man. In Mr. Harden's case, the action taken is, I believe, a real travesty of justice.

In the first session of the 92d Congress, I introduced legislation to relieve Mr. Harden of his liability to the United States. The Department of Health, Education, and Welfare failed to submit a report on the bill, and, as a result, no further action was taken by the Judiciary Committee. I am today reintroducing the private relief bill for Mr. Harden in the hope it will receive more favorable consideration in the 93d Congress.

NEW YORK CITY NEEDS CURFEW ON JET NOISE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ROSENTHAL. Mr. Speaker, the Department of Transportation has removed its objections to local governments setting curfews on jet aircraft takeoffs and landings in an effort to combat noise pollution.

In light of this action, I have written to Mayor John V. Lindsay of New York, urging him to introduce and work for strong legislation in city council to establish a 10 p.m. to 7 a.m. curfew at the city's airports.

I have introduced related legislation—H.R. 1073, the Airport Curfew Commission Act—to deal with this problem at the national level. But there is no need for individual cities to wait for the Congress to act, especially now that DOT has withdrawn its objections to such moves. This does not lessen the need for Federal action; indeed, it makes it more desirable, because we need a coordinated, nationwide effort to meet the problem. But cities can find immediate relief to their aircraft noise pollution by enacting a curfew, and its costs nothing, there is no question of compromising safety and no new technology is needed.

I am inserting in the RECORD at this point my letter to Mayor Lindsay:

CONGRESS OF THE UNITED STATES,
Washington, D.C., January 19, 1973.

Hon. JOHN V. LINDSAY,
Mayor, City of New Yor,
City Hall,
New York, N.Y.

DEAR JOHN: Increasingly, and at a very disturbing rate, residents of New York City are furiously complaining about the sleep-shattering whine and roar of jet aircraft operating out of LaGuardia and Kennedy airports. The complaints have been present for some time but are even more vociferous today because the Port Authority and those responsible have failed to substantially reduce engine noise levels.

Acoustics experts have said that everyone living in a city could be stone deaf by the year 2000 if noise levels keep rising at the present rate. Noise pollution is becoming a serious health hazard. Urban noise has been rising at the rate of one decibel a year and if it continues every urban dweller will be deaf by the end of this century, less than 30 years from now.

Noise, like so many other forms of pollution, is a product of our technological advancement. But this need not be. *Pollution does not have to be the price of progress.*

Noise is more than uncomfortable. It is debilitating. It can and does interfere with our sleep, our work and our leisure.

Studies have indicated that loss of efficiency due to noisy working conditions could be reducing our Gross National Product by several billion dollars a year. Millions more in potential workman's compensation claims are believed generated annually by noise-induced hearing losses in perhaps as many as 15 million American workers. *There is evidence of a close relationship between noise exposure and body fatigue as well as psychological and social stresses.*

City Council has recognized this by enacting a strong anti-noise code, which you proposed. Follow-up action dealing with the specific problem of aircraft noise pollution is now needed. I suggest this take the form of a curfew on aircraft operations between 10 p.m. and 7 a.m., the hours normally used for sleeping.

The Department of Transportation, in a shift of policy, has removed its objections to such actions by local governments. In a brief filed with the U.S. Supreme Court last week, the DOT stated, "There simply is no general federal policy in favor of night flights by jet aircraft over densely populated residential districts, irrespective of environmental consequences. . . ."

In light of this, I urge you to introduce and work for strong legislation to curtail takeoffs and landings during normal sleeping hours at the city's airports. Since this is essentially an environmental question, I feel strongly that the enforcement responsibility should rest with the city's Environmental Protection Administration.

I have introduced related national legislation in the House and it has received bipartisan support. I would like to see New York City lead the nation in the move toward a quieter, more peaceful environment by taking the initiative on the local level.

It would be a mistake to wait for the Port Authority or the airlines to take action on their own volition. My own experience has shown they are unwilling even to discuss the matter, much less do anything about it. The only answer, unfortunately, appears to be stiffer government regulation.

The community residents near the airports suffer the consequences of decades of neglect of the noise pollution problem. Most of them have lived in New York City for many years. They live in established communities and not in hurriedly-assembled subdivision tracts. Most of them were there before the jets arrived.

They used to live in comfortable, convenient neighborhoods which, while noisier perhaps than rural areas, nonetheless struck a reasonable balance between city hustle and bustle and suburban quietness. But today, the balance is gone. Now these poeple come home from their jobs and find themselves beneath an intolerable roar as jetliner after jetliner screeches over their roofs. The night does not bring peace to them because airports do not understand or recognize the citizen's right to quiet.

These city dwellers have lost that balance of toleration which once existed in their neighborhoods. They find that their homes offer not less, but more noise, more distraction and more simple human discomfort than their jobs in the heart of the city.

The number of flights during normal sleeping hours is relatively small. At LaGuardia, for example, about 7.2% of the total operations were conducted between 10 p.m. and 7 a.m. during a nine-month period from June 1970 to March 1971, according to the Federal Aviation Administration. This may seem like a small number—about 67 total flights per night—unless you happen to live nearby. Then the din of the aircraft becomes almost unbearable. Aircraft noise during the normal sleeping hours has a compounding impact on residents because the noise cannot be assimilated as it is during the day with other noises. One jetliner taking off at midnight has ten times the effective noise impact of the same plane taking off at noon.

This point cannot be overly emphasized. FAA records of scheduled air flights on an average day during March 1972 shows that there were 29 scheduled arrivals and departures during the stated nine-hour period out of a total of 716 regularly scheduled flights. Twenty-six of these operations were jet aircraft. These flights represent a constant bombardment to nearby residents, *especially during the night time hours when their noise disturbance is at its worst.*

Washington National Airport prohibits scheduled jet commercial traffic between 10 p.m. and 7 a.m. The FAA, which runs National, and the airlines operating out of the airport, have a voluntary agreement on the night flight limitations. The agreement began in 1966 and has worked rather well. Only minor adjustments by the airlines were needed in rescheduling flights to conform. Similar restrictions exist in Los Angeles, and Fresno, California; Boise, Idaho, and most major European cities.

The important thing to remember about a curfew is that the cost is minimal, *there is* no question of compromising safety, no new technology is needed and it would yield immediate, positive results. A curfew is not the ultimate solution, but it is a viable short-term answer that will provide immediate relief to millions of persons. It is meant to complement, not replace such long-term solutions as quieter engines and improved operational procedures.

I hope you will take the lead in making New York City a quieter place to live and work by introducing legislation to curtail nighttime jet operations. If I can be of any help, please feel free to call on me.

Best personal regards.

Sincerely,

BENJAMIN S. ROSENTHAL,
Member of Congress.

CONGRESSMAN ANNUNZIO PROPOSES ILLINOIS AND CHICAGO TO ACT AS OFFICIAL HOST FOR THE 500TH ANNIVERSARY CELEBRATION OF AMERICA'S DISCOVERY BY CHRISTOPHER COLUMBUS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, January 20, 1973

Mr. ANNUNZIO. Mr. Speaker, I have reintroduced in the Congress a concurrent resolution designating the State of Illinois and the city of Chicago as the host for the official celebration of the 500th anniversary of America's discovery by Christopher Columbus.

In proposing the selection of my State and my city for such an honor, I do so in keeping with a grand tradition. For when the country rallied as one man, in 1892, to hail our national discovery and the accomplishments of Christopher Columbus, the outstanding attraction of the year was the first World's Fair—the Columbus Exposition—and the site of the event was Chicago, Ill.

One hundred years ago the Columbus exhibition exalted, for the first time, cultural accomplishments of all Americans, of all races, and even more dramatically of both sexes—declaring that they rivaled, in fact those of any other people anywhere on earth.

The great Chicago novelist, Henry B. Fuller, wrote of this occasion:

For the first time cosmopolitans visited the western world, for the first time woman publicly came into her own, for the first time on a grand scale, art was made vitally manifest to the American consciousness. Congresses on social reform, woman's progress, science and philosophy, literature, education, and commerce, were held. Theodore Dresier declared:

All at once and out of nothing, in this city of six or seven hundred thousand which but a few years before had been a wilderness of wet grass and mud flats, and by this lake which but a hundred years before was a lone silent waste, had been reared this vast and harmonious collection of perfectly con-

structed and shadowy buildings, containing in their delightful interiors the artistic, mechanical and scientific achievements of the world.

For many years the Columbus exposition was to have its effect upon the country, influencing the art, the architecture, and the literature of our entire society. It was indeed a grand event, and was for several decades treated with the greatest respect by cultural historians the world over. Only the coming of the world wars and the nuclear age has dimmed its recollection, but the fact of its cultural importance remains unchallenged.

In the process of considering the site for the approaching 500th anniversary of the Columbus discovery, I would like to note that in 1971 the Illinois General Assembly passed Senate Joint Resolution 15 urging Congress to designate our State as official host for the 1992 quincentennial celebration of America's discovery. The text of this resolution follows:

STATE OF ILLINOIS—77TH GENERAL ASSEMBLY—SENATE

SENATE JOINT RESOLUTION NO. 15

(Offered by Senators Walker, Vadalabene and Romano)

Whereas, The year 1992 will mark the 500th anniversary of the discovery of North America by Christopher Columbus; and

Whereas, The official celebration for the 400th anniversary of the discovery of America was held in the State of Illinois and the City of Chicago; and

Whereas, Plans should soon be made for the celebration of the 500th anniversary of the discovery of America; and

Whereas, The people of the great State of Illinois are proud of the Columbian heritage of our State and Nation; therefore be it

Resolved, by the Senate of the Seventy-Seventh General Assembly of the State of Illinois, the House concurring herein, that we urge the Congress of the United States to designate the State of Illinois as the host of the 1992 Columbian Exposition commemorating the 500th anniversary of the discovery of America; and be it further

Resolved, that a suitable copy of this joint preamble and resolution be forwarded by the Secretary of State, to the 2 United States Senators from Illinois and to each member of the United States House of Representatives from Illinois.

Adopted by the Senate, February 25, 1971.

Mr. Speaker, the great State of Illinois, and Chicago, the "Hub of America," would be the ideal choice for hosting this celebration. First of all, Chicago is centrally located in relation to all portions of the country, and additionally, the approximate center of our Nation's population. Twenty-eight railroads operate into Chicago, while 25 airlines, including 11 international flights, service Chicago, flying into Midway Airport and the world-famous O'Hare International Airport. These facilities provide easy access not only to Chicago but to the entire State as well, and thus a greater potential exists for drawing together visitors from all parts of the Nation as well as from abroad.

Furthermore, Illinois during recent years has developed an interstate and intrastate highway system that is unexcelled and provides modern, rapid access to the city of Chicago and to Illinois via automobiles and buses.

Additionally, I want to point out that hotel, motel, and restaurant facilities in Chicago are among the most outstanding in our country. Chicago has long been recognized as the convention city and as such has established a fine record of meeting the needs of countless visitors to the heartland of America.

By selecting Illinois as the official host for this celebration, Americans residing on the east and west coasts would be given the opportunity to become better acquainted with the marvelous development of America's great Midwest area. The tremendous growth of commercial, industrial, and cultural activities in the hub of America I feel best typifies the progress of civilization that has been made in the New World, the discovery of which the proposed quincentennial celebration is to commemorate.

For these reasons, Mr. Speaker, and for countless others too numerous to list, Illinois, and the city of Chicago, would be the ideal choice to act as official host for the quincentennial celebration. I urge, therefore, that my colleagues join together to insure the early enactment of my resolution recognizing Illinois and Chicago as the official host for the 500th anniversary celebration of America's discovery by the great Italian navigator, Christopher Columbus.

We are a land of great progress, Mr. Speaker, but a land of tradition, as well. In the drive to economic progress, we have torn away the basis of a thousand traditions and forgotten in our haste, a thousand more. Let this one tradition stand. Let the glory of the Columbian exposition flourish once again, in 1992, as it did a century before, to the marvel and delight of all America and the world at large.

UKRAINIAN INDEPENDENCE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. DULSKI. Mr. Speaker, today marks the 55th anniversary of the independence of Ukraine.

It is fitting that we pause in tribute to this largest of the captive non-Russian nations in the U.S.S.R. and Eastern Europe. Ukraine is a nation of some 47 million people.

It was 55 years ago that Ukraine had a taste of freedom following the end of World War I. The era of independence, unfortunately, was all too brief as the Communists marched into Ukraine 2 years later and wiped out the freedom of these oppressed people.

Over the years since 1920, the Ukrainian people have been under strict Russian rule. Those brave individuals within the Ukranian borders who have spoken out in opposition to Russian domination have found themselves harassed, arrested, and imprisoned.

There is no doubt about the desire of the Ukrainian people for freedom, nor of the sympathy of free peoples everywhere and their desire to help in every way they can.

It is essential that we in Congress offer an outlet for expression and understanding of the conditions under which the peoples of these captive nations are required to exist.

Again this year, I am enjoying my colleagues in pleading with our leadership to create a Special Committee on the Captive Nations. These peoples need and want our help and support in their quest for freedom and we must help them.

VIETNAM NEGOTIATIONS

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ARENDS. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to call to the attention of my colleagues and others who read the RECORD three very thought-provoking articles regarding the current Vietnam negotiations. The following comments by Senator BARRY GOLDWATER, William Randolph Hearst, Jr., and Columnists Evans and Novak regarding President Nixon's quest for peace and objectives in reaching an agreement are, in my judgment, well worth reading:

A CHANCE FOR SOUTH VIETNAM TO SURVIVE AS A NATION

(By Rowland Evans and Robert Novak)

Whatever the political cost at home, and with U.S. allies abroad, President Nixon's cold-blooded gamble in the bombing of Hanoi and Haiphong has now paid dividends of possibly historic proportions in the post-war settlement in Vietnam.

For what Mr. Nixon and his Vietnam negotiator, Henry Kissinger, have now achieved in the new agreement with Hanoi expected to be initiated in a few days in Paris, is a "decent chance" for South Vietnam to survive as an independent country.

The orginal October agreement—the Kissinger-Le Duc Tho ceasefire package which South Vietnam's President Nguyen Van Thieu refused to accept—contained provisions that sharply reduced the prospect of a "decent chance" for Thieu to survive as head of an independent state.

Instead, the October agreement was hinged to a subtly lesser goal: The goal of giving Thieu, South Vietnam and the U.S. a "decent interval" between the time of total U.S. withdrawal and the collapse of South Vietnam.

President Nixon had hoped that the momentum of peace, backed by the entire world including the two superpowers and Peking, would be sufficient to convert that "decent interval" into more lasting security for Thieu. He was prepared to take that gamble—but Thieu's refusal to go along forced a reappraisal.

But working under the new constaints imposed by Thieu, the President enlarged his objective from a "decent interval" to a "decent chance"—and sent Kissinger back to Paris in December to tighten the agreement. Hanoi's refusal to change the October package—understandable in view of what Hanoi had regarded as a hard agreement—brought on the pressure-bombing campaign.

That bombing, which made a virtual villian of the President all over the world, had precisely the impact he wanted. Consider, for example, deeply significant changes in the new agreement as contrasted to the old.

The role of the four-power police force—Canada, Poland, Indonesia and Hungary—has now been defined in the kind of detail that

Hanoi refused to consider in the earlier agreement.

Instead, Hanoi agreed to supervision in principle but then, in a separate protocol, insisted on a force of less than 250 men from the four policing countries, with rigid limitations on their mobility and rights. Even Poland and Hungary were unwilling to go down that obstacle path.

The new agreement, although still secret at this writing, is understood to go far toward the U.S. demand of a 5,000-man force with wide-ranging powers. The force itself will be at least 1,000 strong, four times Hanoi's earlier ceiling, with the right to carry out independent inspections of suspected violations. Likewise, the old agreement was loose and highly imprecise on the question of Hanoi sending new equipment (to replace "damaged" and "destroyed" arms) into South Vietnam. It left open the strong probability that new arms could be moved south directly over the Demilitarized Zone.

The new agreement is understood to set up inspection points along the DMZ, at which new arms can be examined and counted. Obviously, the opportunity for clandestine arms shipments down the Ho Chi Minh Trail still exists, but tightened language in the new agreement minimizes chances for cheating.

The inspection points along the DMZ also continue the principle that this dividing line between North and South, established in the 1954 Geneva agreements, has a legal significance.

Beyond this, moreover, the fact that Mr. Nixon decided to bomb military targets in the most heavily populated cities of the North *despite universal world condemnation* is likely to have major impact on whether Hanoi lives up to the new agreement. Wholesale violations, in short, may not be treated tenderly by Richard Nixon.

These are vital ingredients of the thesis now held by experts here that the new agreement, and the events between October and January, do in fact offer Thieu and South Vietnam a "decent chance," as opposed to the "decent interval" held forth in the October draft.

Prolonging the War

(By William Randolph Hearst, Jr.)

New York.—If this column comes across as a diatribe of indignation and dismay—plus a certain amount of frustration—it will accurately reflect my attitude toward the all but incredible latest actions by the clique of Vietnam war appeasers in Congress.

At the very time the highly-sensitive and all important Kissinger-Tho peace talks were about to be resumed in Paris, our legislative doves gathered for a new session in Washington and immediately moved to weaken our bargaining position.

Caucuses of war critics in both the Senate and House met to pass highly publicized resolutions condemning their own country's role in the conflict, and threatening to cut off further funds for its support. Nothing, obviously, would have given more encouragement to the enemy negotiators in Paris.

My first reaction to these moves was one of outrage. They struck me as bordering on treason. Second—and more objective—thoughts restrain me from impugning the intellectual honesty of the senators and congressmen as lawmakers.

It is hard to believe, for example, that Ted Kennedy fully realized how much he was helping Hanoi when he introduced his successful caucus resolution to cut off Vietnamese war funds—subject only to prior release of all American prisoners.

There had to be other reasons for what, at the very least, amounted to a curious blindness to reality. A potentially major one was offered last Tuesday in an article which appeared in the New York Times—of all unlikely places—by Republican Senator Barry Goldwater, of Arizona I quote:

"The only way that a reasonable cease-fire and the return of American prisoners of war can be arranged is through the process of negotiations. The Congress is not empowered to nor is it capable of conducting these negotiations.

"At this time, the Senate and the House Democrats who are threatening to tie President Nixon's hands are also threatening to prolong the war. They might just as well send a message to the Communist bosses in Hanoi telling them to 'hang in there.'

"We already know how delicate are negotiations in Paris. The administration's critics, however, have ignored this and have embarked on a negative, counter-productive course.

"It is born of an almost psychopathic desire to embarrass President Nixon and deny him the credit for ending a war which began under one Democratic president and was escalated enormously under another Democratic president."

There is more truth than poetry in that political observation from a man who also once aspired to be President of the United States.

Political jealousy, however, cannot completely explain why the caucuses of Democratic doves did what they did. They also suffer from a blindness to the nature of the war itself—and to the nature of Richard Nixon.

People all over the world were naturally shocked at the terrible toll taken by our holiday mass bombings of the Hanoi-Haiphong areas of North Vietnam. The war critics, however, significantly failed to mention that the present top-level peace talks were resumed only after Mr. Nixon proved he would tolerate no further enemy stalling at the peace table.

Is it possible to believe, honestly, that a man who has devoted his life to public service—whose proclaimed chief goal as President is "a generation of peace"—would order such tremendous destruction of life and property out of pure frustration?

I don't believe it for a second. Knowing Dick Nixon as a friend and neighbor for years, I can vouch for the fact that his holiday bombing orders had to be the most agonizing and reluctant conclusion in an otherwise impossible situation.

We must not forget, as the congressional doves seem to forget, that President Nixon and his advisers know better than anyone else what the true situation in Vietnam is—and what should be done about it when it has reached a crucial point, as right now.

What the American people also must realize is that the congressional doves are really indulging themselves in an exercise in political futility. When they link an end to the war to release of our POW's, they are coming right back to where Henry Kissinger is right now: the negotiating table.

They can adopt all the resolutions they want, but it is doubtful that both houses of Congress would approve those resolutions. And even if Congress were to pass them, the President can veto the resolutions without fear of being overridden.

There is no realistic way for Congress to cut off funds for the war until mid-summer when it approves new defense appropriations for fiscal 1974. For the next six months, President Nixon can conduct the war as he sees fit under fiscal 1973 appropriations approved by Congress last year.

So what we really are hearing on Capitol Hill is just a lot of hot air, though it is damaging to our country.

The only criticism of the President with which I agree in this matter is that he has not seen fit to go before the people and explain himself in detail. His reasoning, without doubt, is that history will prove his decisions to be correct and any explanations would only fuel his enemies' fires.

The American people and President Nixon both want a peace which is founded on justice, and which holds at least a reasonable chance for South Vietnam to resist the Communist forces which have so long tried to conquer that country.

Henry Kissinger, in Paris, is trying again to make such a chance come true and nearly 50,000 American lives have been sacrificed for the same cause.

Meanwhile, in Washington, a few short-visioned, spiteful men have been doing their worst to make their country look bad.

It's enough to make you sick—and that's the way I feel today when considering the encouragement our congressional doves continue to give a ruthless enemy whose eventual target is nothing less than ourselves.

North Vietnam, of course, holds no threat to our shores by itself. The threat is in the Communist dogma which calls for our eventual overthrow—a dogma made manifest by the Russian and Red Chinese support which has enabled Hanoi to keep fighting for so long.

What puzzles me, honestly, is how responsible men elected to our Senate and House can fail to see the tremendous importance of the showdown in which we are engaged.

We set out to stop Communist aggression in a small Asian country.

Either we succeed—or the aggression will be resumed on a ever-widening and more dangerous scale elswhere in the world.

Only President Not Congress Can Negotiate End to War

(By Barry Goldwater)

(The following article originally appeared as a column in the New York Times, January 9, 1973:)

There is only one way the Congress of the United States can end the war in Vietnam—by forcing a surrender of almost all American objectives in Southeast Asia.

This is a fact of international life which is very often misunderstood by sincere people who honestly want to see the bloodshed and the hostilities in Indochina brought to an end.

Indeed, the only way that a reasonable cease-fire and the return of American prisoners of war can be arranged is through the process of negotiation. The Congress is not empowered to nor is it capable of conducting, these negotiations. The only action possible would be to render American military forces completely impotent by cutting off their funds and thus paving the way for a Communist victory of Hanoi's own making.

At this time, the Senate and House Democrats who are threatening to tie President Nixon's hands are threatening to prolong the war. They might just as well send a message to the Communist bosses in Hanoi telling them to "hang in there" until Congressional patience is exhausted.

We already know how delicate are negotiations in Paris. The Administration's critics, however, have ignored this and are embarking on a negative, counter-productive course born of an almost psychopathic desire to embarrass President Nixon and deny him the credit for ending a war which began under one Democrat President and was escalated enormously under another Democrat President.

When Democrat caucuses in Congress threaten to cut off funds if a settlement is not reached by a certain date, they are deliberately encouraging Hanoi's representatives at the peace negotiations to hold off agreement on any kind of a settlement until after that date. I can understand the frustration which is so rampant in Congressional circles because of Hanoi's backing and filling on provisions for arranging a cease-fire. I can also understand the unhappiness caused by the renewed bombing of North Vietnam on orders of President Nixon.

But it stands to reason that the frustration and unhappiness on Capitol Hill can-

not begin to equal the frustration and unhappiness in the White House. And it does Mr. Nixon's critics no credit to run around suggesting that President Nixon is gleefully bombing North Vietnam out of a spirit of hatred or revenge.

Anyone who makes this kind of suggestion has to be a Nixon-hater of so rabid a breed that he has lost all sense of proportion and decency.

Those of us who have watched and consulted with the President during the entire Vietnam mess which Lyndon Johnson left on his doorstep can attest to the President's deeply-held wish for a speedy end to the hostilities, the bloodshed and the imprisonment of American fighting men. It is the intensity of his feeling which has given Mr. Nixon the courage to go ahead with the course of action he knew (perhaps better than any other living American) would bring down on him a new torrent of criticism and abuse from many directions, both at home and abroad. And it was the intensity of his desire for an end to the bloodshed that gave him the courage to act in a way he realized would enrage the liberals and the doves and the demagogues on Capitol Hill.

In this whole situation a few basic facts need to be outlined and underscored:

President Nixon and his advisers have more information than anyone else, in or out of Congress, about the true status of the peace talks and what factors are involved in motivating the Communists to drop their impossible dream of complete control of Indochina.

That President Nixon and his advisers know better than anyone else, in or out of Congress, how best to bring about a speedy agreement for a cease-fire and the return of American prisoners.

It stands to reason that the President felt renewed bombing of North Vietnam was not only the best but the only way to get the peace talks back on the road to ultimate agreement.

I believe the President and Henry Kissinger recognized in the changing demands of the Hanoi representatives a belief that they could go on arming for the destruction of South Vietnam as long as this task required and without interference from American bombers. I believe the President and Mr. Kissinger recognized in the attitude and the actions of the Hanoi negotiators a belief that they could act militarily without interference in the belief that American public opinion and Congressional sentiment would never sanction a resumption of the bombing of military targets in the Hanoi and Haiphong areas.

Had our negotiators permitted this Hanoi attitude to go unchallenged the peace negotiations would have dragged on until either we gave in on every Communist demand or until the doves in Congress forced an American surrender on Communist terms.

ONE HUNDRED AND FIFTY-SIX MEMBERS OF THE CATHOLIC CAMPUS MINISTRY ASSOCIATION DENOUNCE THE WAR AND THE BOMBING

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. DRINAN. Mr. Speaker, on January 5, 1973, Catholic priests, nuns, and brothers who are involved in the Catholic Campus Ministry Association at colleges all across the country issued a statement in which they expressed their outrage at the inhumane policy of the U.S. Government in Indochina.

The forthright statement is addressed to the Members of Congress and reads as follows:

STATEMENT BY CATHOLIC CAMPUS MINISTRY ASSOCIATION

We, the members of the Catholic Campus Ministry Association, serving some 300 colleges throughout the country and meeting in annual workshop to discover ways of moving forward with our youth into an ever-deepening humanity of compassion and justice with God for men are frustrated in our purpose. We are revolted and outraged at our government's inhumane policy in Indo-China especially in recent weeks. We do not criticize the policy at this time for dividing our country or for being an irresponsible use of funds. We condemn it now as morally bankrupt. We would consider, therefore, your wholehearted support for Congressional action now to stop all hostilities in Indo-China to be morally imperative in your sworn duty to lead this people.

156 Members of Catholic Campus Ministry Association.

COMMUNIST TERROR IN SOUTH VIETNAM

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. HUBER. Mr. Speaker, there has been much criticism in recent weeks of the inadvertent casualties to civilian life caused by the U.S. bombing of military targets in North Vietnam. While I regret any loss of innocent life, I think it is time to look at Communist activities in South Vietnam during the last 5 years. While it is true that the United States has never had a policy of calculated bombing of civilians, the Communist North Vietnamese have never had any reluctance to make civilians one of the prime targets for their terrorist acts. House Republican Minority Leader GERALD FORD has distributed an authoritative report on Communist activity in South Vietnam since December 5, 1967. It is worthy of serious attention and I include the report for the consideration of my colleagues:

COMMUNIST TERROR ATTACKS ON CIVILIANS IN VIETNAM

Together with the local Communist forces which they direct and supply, North Vietnamese armed forces have for many years systematically carried out terror attacks against the civilian populations of South Vietnam, Laos and Cambodia.

These attacks have been carried out across internationally recognized frontiers, including the Demilitarized Zone, in violation of international agreements and international legal principles and in the face of serious efforts by the United States and by the states of Indochina under attack to achieve a cease-fire and a just and lasting settlement.

North Vietnam's terror attacks on its neighbors have been paralleled by the establishment of a Stalinist "people's dictatorship" in North Vietnam, by Hanoi's disregard of the Geneva Conventions on treatment of prisoners of war and by Hanoi's public endorsement of terrorist actions in other parts of the world, including the terror incident at the Munich Olympics in September 1972.

In South Vietnam the Communist attacks have included shelling, rocketing, ground assaults, abductions, forced labor and assassinations. These attacks have been directed at South Vietnam's largest cities as well as its smallest hamlets, at schools, pagodas, medical facilities and refugee centers. They have involved shooting of refugees attempting to escape the areas of the fighting near An Loc and Quang Tri and the large scale Communist trials and executions in Hue and Binh Dinh Province.

Among the major examples of such Communist terror actions in South Vietnam are the following:

Dak Son—December 5, 1967: 300 Communist troops using 60 flame throwers systematically set fire to this Montagnard village incinerating everything and everybody in sight. Estimated toll: 252 dead, about two-thirds of them women and children, with 200 abducted, never to return.

Tet Offensive—February 1968: After breaking their own cease-fire, the Communist forces shelled 45 major population centers throughout South Vietnam and assaulted many cities and villages in indiscriminate ground attacks.

Among the major cities targeted by the Communists were Saigon and Hue. In Hue the Communists systematically rounded up and executed over 3,000 civilians in a pattern of political terror which was repeated by them at many local levels as well. The graves of those executed in Hue were discovered after the recapture of the city, and the evidence of the incident is incontestable. Over 2,000 persons are still missing.

Saigon Rocketing—May–June 1968: Some 417 Soviet and Chinese rockets were fired indiscriminately into Saigon, chiefly into the densely populated Fourth District. 115 were killed, 528 hospitalized.

Son Tra—June 28, 1968: A major Communist attack was made against the refugee center and fishing village of Son Tra, south of Da Nang. Mortars, machine gun fire, grenades and explosive charges killed 88 and wounded 103. 405 homes were destroyed, leaving 3,000 homeless. Later, villagers seeking to rebuild their homes were fired on by the Communist forces.

Medical Facilities, Schools and Churches—1967–69: Communist forces have not hesitated to attack medical facilities, schools, and churches. Among many examples of such attacks are the following in the period 1967–1969:

1967, May 11—South Vietnam's Health Secretary reported to the World Health organization in Geneva that in the past more than 200 doctors and medical workers had been killed or kidnapped by the Communists, with 174 dispensaries, maternity homes and hospitals destroyed and 40 ambulances mined or machine gunned by Communist forces.

1967, Sept. 1—Terrorist explosives on Route 4 in Dinh Tuong Province blew up a South Vietnamese army ambulance killing 13 and wounding 23.

1968, Feb.—Indiscriminate shelling of cities in Tet offensive.

1969, Feb. 24—Terrorists entered a church in Quang Ngai Province and assassinated a priest and an altar boy.

1969, Mar. 6—An explosive charge set at the Quang Ngai city hospital killed a maternity patient and destroyed two ambulances.

1969, April 4—Terrorists dynamited a pagoda in Quang Nam Province, killing 4 and wounding 14.

1969, April 11—A satchel charge exploded in Dinh Tanh temple, Phong Dinh Province, wounding 4 children.

1969, June 24—A 12-mm Communist rocket hit Than Tam hospital in Ho Nai, Bien Hoa Province, killing a patient.

1969, June 30—Communist mortars destroyed Phuoc Long pagoda in Binh Duong Province, killing a Buddhist monk and 19 others.

1969, Aug. 5—Two grenades were thrown by the VC into an elementary school in Vinh

Chau, Quang Nam Province, killing 5 and wounding 21.

1969, Aug. 7—Explosions detonated outside an adult education school in Cholon for military personnel killed and wounded 60.

1969, Aug. 7—Communist sappers detonated 30 plastique charges at U.S. Sixth Evacuation Hospital compound, killing 2 and wounding 57 patients.

Refugee Centers—1969: In a pattern repeated in other years as well, especially during the 1972 offensive, attacks launched by Communist forces against refugee centers included the following during 1969:

March 21—A Kontum Province center, 17 killed, 36 wounded.

April 9—Phu Binh center, Quang Ngai Province—70 houses burned, 200 left homeless, 4 kidnapped.

April 15—An Ky center, Quang Ngai Province, 9 killed, 10 wounded.

April 16—Hoa Dai center in Binh Dinh Province; 146 houses burned.

April 19—Hieu Duc center, Quang Nam Province; 10 kidnapped.

April 23—Son Tinh center, Quang Ngai Province; 2 shot, 10 kidnapped.

August 13—17 Communist attacks on refugee centers in Quang Nam and Thua Thien Provinces, 23 killed, 75 wounded, and many houses destroyed.

Sept. 30—Tu Van center in Quang Ngai Province, 8 killed, 2 wounded; 8 members of official's family killed in nearby Binh Son.

Duc Duc—August 29, 1970: Communist troops attacked a Buddhist orphanage and temple in the village of Duc Duc south of Danang. After firing 50 mortar shells into the undefended buildings, 30 North Vietnamese soldiers ran through hurling hand grenades. The attack killed 15 and wounded 45, most of them orphans.

The Communist Spring Offensive—March 30, 1972: The all-out attack launched by 12 North Vietnamese divisions, supported by 500 tanks and massed heavy artillery, against major South Vietnamese population centers caused many civilian casualties.

In the first six weeks of the offensive, by May 8, over 20,000 civilian casualties, including many women and children, had been reported by U.S. officials in Saigon, with a total above 48,000 reported during the first 11 months of 1972.

The Communist attacks generated more than 1.28 million refugees in South Vietnam in 1972.

As a result of the Communist offensive, a number of South Vietnam's population centers were virtually destroyed. Such destroyed or heavily damaged towns included:

Quang Tri city and the district capitals of Dong Ha, Cam Lo and Gio Linh in Quang Tri Province south of the Demilitarized Zone.

Que Son district capital in Quang Nam Province.

Mo Duc, Ba To and Duc Pho district capitals in Quang Ngai Province.

Thanh Binh, Tien Phuoc and Hau Duc district capitals in Quang Tin Province.

Tam Quan, Hoai Nhon, Hoai An and Phu My district capitals in Binh Dinh Province.

Dak To in Kontum Province.

The Province capital, An Loc, and the district capital, Loch Ninh, in Binh Long Province.

In the city of An Loc, the civilian population unable to escape the Communist assault withstood up to 7,500 shells a day during the 49 day siege. In An Loc, Communist tanks killed worshippers in a church and Communist mortars and artillery destroyed a clearly marked hospital filled with wounded soldiers and civilians. The Communist troops directed continuous machine gun and mortar fire against civilians seeking to flee the scene of battle in An Loc.

Communist attacks by fire against refugees fleeing their offensive assaults were frequent and include the notorious "caravan of death" south of Quang Tri City, where the Communist troops deliberately shelled and machine gunned several thousand civilians fleeing the city. More than a thousand civilians were estimated to have been killed in this incident. Even clearly marked ambulances were targeted and destroyed.

The countless number of Communist terror attacks on South Vietnamese villages and refugee camps during their 1972 offensive included the following typical incidents:

Burning 72 houses in a Quang Ngai Province hamlet and rocketing a Quang Tin Province hamlet in April.

Attacking, during May, four refugee camps in Quang Ngai Province, destroying some 400 living quarters and killing and abducting many civilians.

Attacking a Quang Nam Province village in May, damaging or destroying 327 living quarters, Killing 40 civilians and wounding 55.

Blowing up a bus in Pleiku Province on August 20, killing 40 civilians and wounding 30.

Blowing up a bus in Phu Bon Province on August 22, killing 21 civilians and wounding two.

Assaulting Camp Books and Camp Haskins refugee centers north of Danang in sapper attacks on September 9, killing 27 and wounding 75.

Setting off a command detonated mine on September 13 into the Cai Tu ferry south of Vi Tanh in Chuong Thien Province just as the ferry was approaching the shore loaded with a crowded bus. As the ferry and bus sank, the terrorists fired a second mine. 13 civilians were killed and 12 were wounded.

In areas captured at the outset of the offensive by the Communist forces, especially in Binh Dinh, Binh Long and Chuong Thien Provinces, abductions, "people's courts" and executions were carried out at the cost of many hundreds of lives. Communist programs of forced labor and forced military support in battle zones were also widespread. When South Vietnamese forces recaptured the areas of Binh Dinh Province which had been held by the Communists, they found the evidence of some 500 "death list" executions carried out by the Communist forces.

Communist Assassinations: The Communist forces have systematically assassinated many thousands of South Vietnamese. Their targets have included government officials, teachers, labor leaders, medical workers, Buddhist bonzes, priests and foreign missionaries. Many of these assassinations were preceded or followed by specific threats. In areas which have at various times come under Communist control, these kililngs have sometimes been accompanied by "people's courts" and public executions as in Hue in Tet 1968 and in Binh Dinh and other provinces during the 1972 offensive. The Communists have often bragged about collecting these "blood debts."

The scope of the Communists' systematic terror campaign can be seen in the following figures for 1971 and 1972.

In 1971 the Communists assassinated 3,994, wounded 7,579 and kidnapped 5,372 South Vietnamese in terror attacks.

In 1972 the Communists assassinated 4,277, wounded 9,525 and kidnapped 13,374 South Vietnamese in terror attacks.

Similar numbers of South Vietnamese have been targeted by the Communists since 1957 with over 40,000 killed and 60,000 kidnapped.

Among the major political figures targeted or assassinated by the Communists have been:

Tu Chung, editor of "Chinh Luan", gunned down on Dec. 30, 1965.

Tran Van Van, Constituent Assemblyman, gunned down, Dec. 7, 1966.

Dr. Phan Quang Dan, Constituent Assemblyman narrowly escaped car bomb, Dec. 27, 1966.

Bui Quang San, Lower House member, gunned down Dec. 14, 1967, after Communist warnings.

Dr. Le Minh Tri, Minister of Education, killed by terrorist hand grenade thrown into his car, January 6, 1969.

Professor Tran Anh, Rector of Saigon University, shot down by terrorists, after Communist "death list" warning, March 4, 1969.

Tran Van Huong, Prime Minister, escaped assassination attempt, March 5, 1969.

Tran Quoc Buu, leader of the Vietnamese Confederation of Labor (CVT) and head of farmer worker party, escaped assassination attempt in explosion at the Union's headquarters in Saigon—September 21, 1971. (In 1969 the CVT listed more than 60 union officials assassinated by the Viet Cong in the past.)

Nguyen Van Bong, leader of National Progressive Movement and Director of National Institute of Administration, killed by terrorist bomb placed in his car, November 10, 1971.

Nguyen Van Than, a political leader and former general of the Cao Dai sect, assassinated by Viet Cong in mine explosion on grounds of Cao Dai Holy See (temple) at Tay Ninh, November 22, 1972.

UKRAINIAN INDEPENDENCE DAY

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. CARNEY of Ohio. Mr. Speaker, it is with great honor that I have this opportunity to join with my distinguished congressional colleagues and with the many Ukrainian-Americans to commemorate the 55th anniversary of Ukrainian Independence Day, January 22, 1918.

A wound to national pride, dignity, and freedom is a sore that time will not heal as long as a gallant people strives to be free. It is encouraging and inspirational to witness the continuing Ukrainian national struggle to preserve an independent spirit, and the Ukrainians' relentless personal determination to free themselves from Communist oppression, persecution, terror, and exploitation of their rich land.

Fifty-five years ago the Ukrainian Rada of the Ukrainian National Republic proclaimed a Fourth Universal declaring complete independence from Russia. This was on the very day that a heroic defense of the Ukrainian capital, Kiev, was overwhelmed unmercifully by a Bolshevik army. Only a month before, the Soviet of People's Commissars had recognized Ukrainian independence "without limitations and unreservedly." However, in their nefarious way, the Communist leaders had insisted upon conditions that could only be rejected by a freedom-loving people as an unacceptable ultimatum. Thus began another chapter in a terrible book of oppression and misery, this time written in the blood of the unselfish Ukrainian patriots who fought a 2-year war against Communist Russia's aggression.

The Ukrainian struggle did not end when the Ukrainian Soviet Socialist Republic was forcefully incorporated as a State in a sham union of so-called republics. Resistance continued unabated, and millions of Ukrainians lost their lives

as a result of ruthless Stalinist policy. Still more were deprived of basic human rights, having suffered the loss of free expression, religious freedom, and property. Moreover, they suffered the ignominy of a base assault against the very existence of their own culture and national identity.

Today there remains a repressive atmosphere in the Ukraine as the Soviet Government in Moscow tries to silence increased dissent in reaction to governmental abuses, and attempts to present to the world the illusion that the Union of Soviet Socialist Republics is a federation of free and content nations. The vibrant Ukrainian intellectual community has suffered especially hard for its leadership in the protest movement.

Possible detente with the Soviet Union, and improved United States-Soviet relations is no excuse to ignore the plight of the nations still under Soviet domination. It is with that thought that I fervently hope the Ukrainian nation can actually achieve the freedom and true independence it so richly deserves.

MR. SMITH GOES BACK TO OKLAHOMA

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 15, 1973

Mr. BURKE of Florida. Mr. Speaker, I join with my colleagues today in paying tribute to the excellent service of our former colleague, the Honorable Jim Smith, has given our Nation while serving in the U.S. Congress, and in the U.S. Department of Agriculture.

I served with Jim in the U.S. Congress when we first served in the 90th Congress. He was respected by all for his polite manner and for his ability to get along with his colleagues. He carried this trait to the Farmers Home Administration when he joined it as Administrator in 1969.

Jim Smith raised cattle for years in Chickasha, Okla., and he gained from this experience a knowledge of agriculture which helped make him an expert in the field. He is a true friend of the farmer, and many credit him with being one of the driving forces behind the improvements made in the rural development programs, and particularly the Rural Development Act.

Although farming is a key part of his life, it has not completely dominated his activity as can be witnessed by his many and varied civic achievements. He served as a member of the board of regents of the Oklahoma 4-year colleges, and was also a member of the board of trustees of the American Citizenship Center of Oklahoma Christian College.

Jim has always been an active participant in the many civic activities that contribute to our great American way of life.

Jim Smith, you will be missed in the Nation's Capital, but I am sure that the people of Oklahoma will be glad to have you with them. Good Luck, Jim.

PROBLEMS OF THE WORKINGMAN

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ASPIN. Mr. Speaker, I recently received a very disturbing letter from one of my constituents. The letter describes the plight of the workingman and the obstacles he must surmount in order to survive. Many of his problems stem from bureaucratic redtape and Government inequalities. These problems are not quickly or easily solved but they do deserve our attention. For this reason, I submit this letter for the consideration of all Members of Congress:

DELAVAN, WIS.

Hon. LES ASPIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ASPIN: I am writing on behalf of my family and thousands of others like us.

You, our congressman, in this district, are our only voice in the government.

When is someone going to listen to the wage earner, common laborer, middle class working man and woman? We are at the mercy of Washington and the politicians.

You are most likely familiar with the statistics of the poor versus the rich and powerful in this country. You must know then that the middle class working man is rapidly sinking into poverty. Jobs are scarce—at least jobs that will keep your head above taxes and prices and doctors, etc. Employers are becoming too powerful and often forget who is making their profits—tax exempt profits at that.

The laws regarding food stamps, compensation, etc., are really ridiculous. I know people have taken advantage, but for the first time in seven years we tried for stamps and compensation because of people—employers who have lied and cheated us, a government which protects these people at the expense of food and clothing for our children.

My husband is being cheated by his employer—owes him 92 hours pay. We can collect only if he quits; thereby, if he quits, he would be ineligible for compensation, so he has to settle for just 29 hours for now. He's been out of work a total of 88 days since June. People hire you and tell you the work is steady: they work you two days and lay you off. Again you are ineligible for compensation.

I tried to work—have three small children—and ⅓ went to the government, ⅓ to "day care center," ⅓ to doctors (I have a severe asthmatic). I was forced to quit—my children were sick and run down.

The wage and price freeze is unjust and only profitable to the big businesses. All essential prices have gone up—but not our wages. Why is the government punishing the working man and his family?

We don't want to lose our home. Our daughter (the asthmatic) cannot live in an apartment unless it has central air, purifier, etc.—that's $300.00 per month.

Please help us working people. We don't want charity, welfare or compensation; we want jobs, fair wages, lower prices on food especially. I have not had fresh fruit in this house for months; have you? I don't buy candy or cookies—can't afford these extras for my children.

Let's buckle down and get to work for the working man—he pays more salaries in Washington and Madison than the rich and businesses do.

Sincerely,

_____.

P.S.—What will I tell my children at Christmas? Santa can't come. We have to eat.

METHADONE CONTROL LEGISLATION NEEDED

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. HASTINGS. Mr. Speaker, for some time now I have been concerned over the misuse of methadone in the treatment of heroin addiction.

Throughout the country there has been a growing number of methadone-related deaths—57 in New York City alone during the first 7 months of last year for an increase of almost three times the number recorded in 1971—and its mismanagement which has led to substantial diversion for illicit street sales, creating a whole new category of drug addicts.

I have been among those pressing for tighter controls over the use of methadone and I was most pleased when the Food and Drug Administration last December announced regulations to restrict methadone distribution to only registered programs as well as establishing strict security provisions aimed at preventing theft and the misapplication of the drug.

But more is needed. To give these regulations muscle, legislation is required to provide for Federal enforcement powers. I intend to reintroduce such legislation shortly. It is my view that such a measure will serve to guard against the black-market sale of methadone and also insure a safe environment for the more effective treatment of heroin addiction.

Recently the Buffalo, N.Y., Evening News published a series of articles and an editorial underscoring the problem methadone poses for public and law enforcement officials.

The articles represent a careful and well documented study of the problem and is summarized in the editorial's cogent presentation of the need for tighter methadone controls.

I know the Members of this body will find it useful and therefore I am including it in the RECORD:

[From the Buffalo (N.Y.) Evening News, Dec. 27, 1972]

TIGHTEN METHADONE CONTROLS

The Buffalo area is by no means unique in experiencing the kind of controversy and criticism which, as pointed up in last week's News series, "A Program Abused," surrounds the administration of methadone for heroin addicts.

Yet the very problems encountered in other cities was rapidly proliferating methadone treatment programs—particularly the disturbing evidence of primary methadone addiction and the rising toll of deaths from methadone overloses—carry their own warning of the risks in tolerating laxities in the administrative monitoring of dispensing agencies.

Methadone is rightly regarded by most drug experts as at best a useful rehabilita-

tive tool, enabling many heroin addicts to resume reasonably normal lives. Pending the development of chemical "antagonists" that don't merely substitute one form of addiction for another, methadone appears to be the most effective remedy currently available for helping at least some addicts cope with their problems.

The very Jekyll-Hyde properties of a heroin substitute, however, dictate scrupulous precautions against letting it fall into the wrong hands. For nonaddicts, or those not sufficiently tolerant to it, methadone can be fatal. In just the first seven months of this year, New York City recorded 57 methadone overdose deaths, almost three times the 1971 total.

So there is ample basis for the spreading concern, uncovered in The News' disclosures, about disquieting signs that local methadone maintenance programs are vulnerable to abuses.

Any experimental drug-treatment effort can all too easily become discredited by tolerance of administrative laxities, either in the screening of staff members of county narcotics abuse programs or in procedures for curbing the illicit diversion of methadone from dispensing agencies.

That at least six staff members in three county drug abuse programs are themselves on drugs plainly says little for the effectiveness of efforts by responsible mental health authorities to detect and weed out persons whose presence is inimical to helping addicts go straight.

Local officials, however, are to be commended for instituting urine-testing programs for staff members of maintenance-methadone programs. The controversial analyses, not mandated by state authorities, are a step in the right direction toward proper control.

As for the diversion of methadone from maintenance agencies, county officials contend that most illicit supply reaches the streets through other channels. Nevertheless, there are marked differences among the three county drug abuse services in the controls or restrictions they exercise over the admittance of addicts. These give rise to fears of either an overzealousness for placing heroin addicts on methadone, or of methadone-bootlegging by addicts who are allowed to take their doses home.

The need here is a toughening of local safeguards equivalent to the restrictions on methadone recently prescribed by federal authorities—and beyond that, a thorough and frank airing of whatever is needed to make sure we don't run the risk of creating a whole new generation of methadone addicts.

THE AMERICAN FLAG—SACRED SYMBOL OF OUR NATION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. YOUNG of Florida. Mr. Speaker, we have all been dismayed in recent years at seeing the American flag, sacred symbol of our Nation, being trampled in the mud by radical revolutionaries bent upon destroying the very freedoms that our flag represents.

Our flag is being torn, spit upon, burned, and otherwise desecrated by some because they know it is more than just cloth, color and design: They know our flag stands for patriotism, love of country, and those virtues that stand in the way of their efforts to impose an alien political philosophy upon the American people.

The American flag is a rallying point for Americans at a time when relentless forces seek to divide us. If our Nation is to survive, we must preserve our flag and the great cause it represents.

For this reason, I have introduced two bills aimed at halting these attacks on our flag and insuring the respect to which it is entitled. The first, H.R. 1298, would expand the criminal sanctions for desecrating the flag; the second, H.R. 1299, would make it a Federal offense for anyone to display the flag of any country that holds U.S. prisoners of war.

The latter bill is necessary because, as we have seen from past demonstrations around the country and in the Capital of our Nation, young revolutionaries are not only tearing down the American flag but actually attempt to replace it with flags of enemy countries.

For generations, Americans have given their lives to preserve our flag and the freedoms it represents. Yet time after time, we have been dismayed to see young revolutionaries climbing flagpoles, tearing down America's flag and replacing it with the flags of enemy nations. At the Republican National Convention in Miami last year, demonstrators actually wore pieces of the American flag as parts of their clothing.

We must end this desecration. As Henry Ward Beecher said:

A thoughtful mind when it sees a nation's flag sees not the flag, but the nation itself. And whatever may be its symbol, its insignia, he reads chiefly in the flag, the government, the principles, the truths, the history that belongs to the nation that sets it forth.

UKRAINIAN INDEPENDENCE DAY

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. PEYSER. Mr. Speaker, I am very pleased to have this opportunity to add my voice to the many that are being raised around the United States today in honor of the 55th anniversary of the Ukrainian Independence Day. It was on this day, January 22, in 1918 that the Ukrainian people culminated a 2½ century struggle for liberty by declaring their independence from Russia. Unfortunately, the Bolsheviks, who could not permit such a fine example of freedom to exist on their borders, overran the Ukraine in 1920 and established Soviet domination that still exists today.

It is essential for those of us who have the opportunity to honor Ukrainian independence to do so, since the 47 million people of the Ukraine are not permitted to celebrate this great day in their national history. I hope that all men who cherish freedom will join me today in telling the Ukrainian people that we have not forgotten them and that we are waiting anxiously for the day that they may once again join the ranks of free men.

ROBERTO CLEMENTE COMMEMORATIVE MEDAL

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, shortly after it was confirmed that Roberto Clemente, the outstanding right fielder for the Pittsburgh Pirates, had been killed in a plane crash while delivering needed supplies to earthquake-ravaged Nicaragua, I offered these remarks to my colleagues:

How does one eulogize a giant, a man whose deeds and actions were legend for hundreds of thousands, whose warmth and humanity and love of life, brought strength, enjoyment and brotherhood to multitudes?

Indeed, words fail in moments such as these.

Roberto Walker Clemente, one of the greatest baseball players the world will ever know, is dead.

Today, I have introduced a bill to have the Treasury Department strike a commemorative gold medal in honor of Roberto Clemente.

Joining me in this effort are my fellow western Pennsylvanians, "Doc" MORGAN, FRANK CLARK, JOHN DENT, JOHN HEINZ III, the gentleman of North Carolina (Mr. MIZELL), and the gentleman from New York (Mr. BADILLO).

The legislation calls for no outlay from the Treasury. The Chamber of Commerce of Greater Pittsburgh will assume all costs of striking the medal and then sell replicas to the general public with all proceeds going to the Roberto Clemente Memorial Fund, established by the Pittsburgh Pirate Baseball Club.

In addition to being an athlete of incomparable skills, Roberto Clemente was a prideful, vibrant individual who spent many hours off the baseball diamond working with others, generally children, who did not have, and would never have, the opportunity Roberto did.

Roberto Clemente always dreamed of building, for the children of Puerto Rico, a sports city. It was to be a place where children, no matter what their heritage or social status, could come and learn and engage in athletics.

The sports city that Roberto envisioned was not to be a camp, where children paid money to have a few retired professional athletes teach them the rudiments of a particular sport.

Clemente saw his dream as an opportunity for children to play, learn, and thrive on the competition and joy which are so much a part of organized sports.

We have a dual purpose in introducing this legislation. First, we want to create an appropriate memorial to the memory of Roberto Clemente and his selfless contributions to his fellow man. Second, through the sale of the medals, we hope to generate a large donation by the Chamber of Commerce of Greater Pittsburgh to the fund which will carry out Roberto's wishes for the children of Puerto Rico.

RURAL ENVIRONMENTAL ASSISTANCE PROGRAM

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. MIZELL. Mr. Speaker, I rise at this time to introduce legislation reinstating the rural environmental assistance program—REAP—recently terminated by the Department of Agriculture.

The bill requires the Secretary of Agriculture to provide $140 million for the REAP program, the level of initial allocation announced by USDA in September 1972.

I want to make clear, Mr. Speaker, that I certainly support the administration's goal of reducing Federal expenditures to avoid a tax increase and to hold the line on inflation.

But I do not support the arbitrary decision to terminate this REAP program which has done so much good with relatively little investment.

More than 15,000 farmers in North Carolina's Fifth Congressional District, which I am privileged to represent, have participated in the REAP program over the last 5 years, and their efforts have made a significant contribution to the high quality of environment we enjoy in our area, as well as assisting the farmer in his production of food and fiber.

REAP has proven its value over the years in alleviating stream pollution, preventing soil erosion and dust storms, playing a major role in our reforestation efforts, and establishing cover crops and grasslands.

These are important functions which benefit not only the farmer, but the public at large, and these functions are being performed with a minimum of public expenditure and a maximum of private initiative and effort. There is precious little waste associated with this program, since farmers have to match the Federal funds almost dollar for dollar.

To shut this program down, then, for economy reasons, is an act as ill-conceived as it is capricious. We who serve on the Agriculture Committee, and all of us who serve in the Congress, have time and again expressed our confidence in this program by continuing to fund it year after year, often over the objection of the administration, past and present.

When I first learned of the current decision to terminate this fine program, I immediately telephoned the White House, first to see if what I had heard could *possibly* be true, and then, finding that it was true, to press for an immediate reversal of the decision.

I have also discussed this matter at some length with Secretary of Agriculture Earl Butz in a meeting I had with him in his office recently.

In my opinion, the justification that has been offered for this termination decision is insufficient, and the decision remains unwarranted and unwise.

And that is the reason I am introducing this legislation today, to require the Agriculture Department not only to subscribe to a mandate of the Congress, but to follow its own better wisdom which it demonstrated last September in committing itself to a continuation of the REAP program.

Farmers in my district and throughout rural America are counting on this program. They have a right to count on it, and the program itself has earned its right to continuation.

I intend to continue defending this program, not only in the current controversy, but in the future until it is demonstrated to me that the program itself no longer merits my support and that of the Congress. And judging from its excellent past performance, I do not see my withdrawal of support for this program coming soon at all.

I urge my colleagues to join me in seeking early passage of the legislation I am proposing today, thus restoring to the farmer and to the public a proven and worthwhile program.

THE 55TH ANNIVERSARY OF UKRAINIAN INDEPENDENCE

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ANNUNZIO. Mr. Speaker, today marks the 55th anniversary of the declaration of Ukrainian independence. It is a day to commemorate the courage of those Ukrainians who, through terrible years of oppression, have kept alive their belief in the dignity of man.

On January 22, 1918, the Ukrainian people proclaimed the Ukrainian National Republic and had high hopes for a new era of national renewal dedicated to the principles of freedom, justice, and self-determination. These high hopes were dashed, however, by the Bolsheviks who in 1920 reestablished Russian control over the new republic.

Thus began the long and desolate period of spiritual darkness which endures to this day. Ukrainian writers, literary critics, journalists, professors, students, artists, painters, scientific workers, and representatives of all other strata of society are periodically arrested for their efforts to assert their Ukrainian consciousness and to resist the decades-old campaign to destroy Ukrainian self-identity and Ukrainian culture. Human rights in the Ukraine today exist only on paper and these leaders in Ukrainian society are courageously continuing the struggle to turn these precious ideals into a living, working, everyday reality.

Mr. Speaker, it is for these reasons that I have introduced in the 93d Congress House Concurrent Resolution 46 urging our Ambassador to the United Nations to place the question of human rights violations in the Soviet-occupied Ukraine on the agenda of the U.N. The full text of my resolution follows:

H. CON. RES. 46

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President, acting through the United States Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of human rights violations in the Soviet-occupied Ukraine on the agenda of the United Nations Organization.

It is only fitting that we who already enjoy and prize these basic rights do everything in our power to encourage the just aspirations of the heroic Ukrainian people. As the American people learned in 1776, freedom can only be won through constant vigilance and a willingness to sacrifice.

It is an honor for me to be part of this commemoration today and to join Americans of Ukrainian descent across the Nation, in my own city of Chicago, and in the 11th Congressional District of Illinois which I am privileged to represent, as they support these valiant efforts on the part of the Ukrainians to strengthen their cultural heritage and to regain national self-determination.

BUCHWALD VIEWS THE CONGRESS

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. KASTENMEIER. Mr. Speaker, Art Buchwald is a humorist par excellence, and his humor, in the tradition of the great Voltaire, conveys truth cleverly masked in wit and sarcasm. His column, "Homespun View of the Congress," communicates, through humor, a very powerful commentary on the complete impotence of the Congress in legislating an end to the American presence throughout our long, tragic involvement in the Indochina conflict.

Mr. Speaker, I call to the attention of my colleagues the Buchwald article which appeared in the January 13, 1973, Milwaukee Sentinel:

HOMESPUN VIEW OF CONGRESS

(By Art Buchwald)

It must be very tough for a congressman or senator, when he comes home at night, to explain to his teenage children what is going on in Vietnam.

"Daddy, where were you when they were bombing the cities of Hanoi and Haiphong?"

"I was in recess, and you damn well know it."

"But why don't you protest now."

"Because it would hurt the sensitive negotiations going on in Paris, which hopefully will lead to a just peace in Indochina."

"Why didn't you protest before"

"Because I didn't want to hurt the sensitive negotiations that have been going on for the last four years, which would lead to an honorable peace in Indochina."

"But didn't you see all the photographs of civilians being killed and hospitals being destroyed?"

"Damn it, son, you don't understand the role of Congress. We're supposed to support the president during war. If we oppose the war, we will be giving aid and comfort to the enemy."

"But I thought Congress was supposed to declare war."

"Who told you that?"

"It's in the Constitution."

"Now don't believe everything you learn in school. Technically it's true that Congress should declare war, but you see we're not really at war. It's a police action."

"When does a police action become a war?"

"When the president asks for an official declaration. Since three presidents have not

asked us to declare war, there is no reason for us to do so."

"Doesn't Congress have any say in what the president can do in Indochina?"

"Of course it does. The president has to ask for our advice and consent before he makes any major decisions that involve the lives of American boys, and the expenditure of billions of dollars."

"Well, why hasn't he done it?"

"He probably forgot."

"All the kids at school say Congress is afraid to act on the war."

"A lot they know. Congress has taken many strong stands on the war—uh-uh police action. We've requested that the president work out a peace settlement and bring our POWs home. It's all in the Congressional Record."

"But nothing's happened, things are getting worse. If the president can't stop the war, why doesn't Congress?"

"For a very simple reason, smart guy. The president probably knows something we don't know."

"Why doesn't he tell you what he knows?"

"Because if he told us, someone would probably leak it, and then the press would know and the American people would know. Do you want to have every Tom, Dick and Harry in this country find out what the president knows about the war?"

"Dad, don't get mad, but the kids at school say Congress is impotent. They say you're all a bunch of eunuchs, and the president can do anything he wants because you're afraid of him."

"Well, you can just tell the kids at school they don't know what the hell they're talking about. Why, we were talking about how to get out of this war when they were in kindergarten. It's very fashionable these days to complain that the president hasn't found a peaceful solution to the Vietnam conflict. But he's only been at it four years, and you've got to give him a chance. If at the end of his second term in office he hasn't come up with a solution, then Congress will take decisive action."

"Great, dad! Wait till I tell the guys at school!

MEMORIAL TO HARRY S TRUMAN

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 1973

Mr. BURKE of Florida. Mr. Speaker, I rise to add my voice to those paying tribute to our 33d U.S. President—Harry S Truman. The facts of Mr. Truman's life are well known to most of the Nation. Television, newspapers, and radio have related how his life was shaped and how he shaped world history. He is frequently touted as a simple man in a simplier era. However, I would not agree with this assessment. Hindsight always makes situations and problems seem simple. Life is different today than it was in the Truman era, but, it is no more complex.

Mr. Truman was a moral giant. A man fashioned from the humblest clay with the highest spiritual values. History shows that there are different periods of stress for nations. There are quiet periods when everything goes along smoothly no matter who is running the country, and then there are times when the survival of the Nation is called into question. The way a man meets this challenge is the proof of his mettle, and the stuff of history.

The experiment in democracy in a republican form of government that is the United States of America has always been fortunate to have leaders who during times of stress met the challenge. We are just beginning to realize the tests which he was called upon to surmount and the courage and strength he showed in guiding our country as its President. Thank God for the example Harry Truman set for us all to follow with his simple and pure love for his country and his unswerving belief in the correctness of its principles.

SHOULD PETER BRENNAN BE SECRETARY OF LABOR?

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. RANGEL. Mr. Speaker, the Senate Labor Committee today begins confirmation hearings on President Nixon's appointment of Peter Brennan as Secretary of Labor. Mr. Brennan's appointment, although pleasing to some members of the labor movement who are happy to see one of their own elevated to the position of authority over the U.S. Department of Labor, is a distinctly unwelcome one in the black community. Mr. Brennan's record as a leader of the construction trades unions in New York City is clear. He has consistently used his influence in the construction trade unions to block the access of minorities to those unions and he has consistently opposed effective programs to increase the hiring of minorities in the construction trades.

The New York plan, which Peter Brennan supported, has proved to be a sham. The New York plan is what Peter Brennan means when he says he supports minority hiring. It was declared with much fanfare as an effective means of increasing the level of participation of minorities in the construction trades, but it has not worked because it contains no sanctions against unions or employers who fail to implement the affirmative action guidelines of the plan. Mayor Lindsay has just announced that the city can no longer rely on the plan to balance the inequities in the construction trades. The failure of the plan indicates the extent of Mr. Brennan's commitment to integrated construction unions. He could have made it work, but he did not.

The Reverend Lawrence Lucas, of Resurrection Church in New York City, in a recent column in the Amsterdam News, eloquently sets forth reasons, based on his personal experience in New York, why Peter Brennan should not be confirmed as Secretary of Labor. I hope that those on the Senate Labor Committee reviewing Mr. Brennan's record will pay careful heed to Father Lucas' words.

[From the Amsterdam News, Jan. 13, 1973]

PETER BRENNAN, NIXON'S NEW SECRETARY OF LABOR

(By Rev. Lawrence E. Lucas)

It seems that President Nixon has very few friends or is unable to find anyone for important positions who are not distinguished for his/her "neutrality" toward or outright hostility to America's Black population.

Neutrality here is a euphemism—and as a nation, we're great on euphemisms—for benign neglect. Benign neglect is a euphemism for "don't give a damn they're only Niggers' and if it's necessary to please business at their expense, do it and do it well."

Blacks across the country, individuals and organizations including the gentle N.A.A.C.P., have called the appointment a disaster. Said Herbert Hill, N.A.A.C.P. labor director, "For more than a quarter of a century Peter Brennan, with cunning and guile, has protected and defended the racist practices of the building trades union."

He and others are referring to the fact that since 1957, Brennan has been president of the Building and Construction Trades Council of New York City and New York State. Both councils are members of the AFL–CIO.

NOTHING ACCOMPLISHED

When a man like Brennan says, "I'm all for minority hiring," Blacks interpret this in the light of his "New York Plan" for training minority workers for jobs with skilled craft unions. As it worked out, the plan gave illusion of great progress while accomplishing nothing. It's similar to the U.S. Catholic bishops programs for the poor, especially minority or Black poor. In print, which even some Black papers carry without investigating, their programs look great; in reality they are nothing.

I remember Mr. Brennan from back in 1952 when I was ending my first year of college in the minor seminary. He was heading Local 32B covering building maintenance men and elevator operators.

"GOOD CATHOLIC BOY"

Seminarians and college students like myself found filling in for vacation spots driving elevators was the best way of making some cash to help defray the costs of education. Being a good Catholic, Brennan took a fancy to me. I was a good colored Catholic "boy"; so good that I was one of the rare colored boys in a white, white Catholic seminary.

He personally sent me to some buildings which turned out having "no need for summer help" in spite of the fact that several of my own classmates were hired a few days later in the same buildings.

The truth was that such buildings like the Empire State, were not taking "colored" operators.

Brennan didn't give up; he kept sending me to other places till I came to one that took colored and was glad to get a "boy like me." In fact, the last one I worked couldn't see why I wanted to go back to school when I could have been a most popular elevator operator.

NO CHANGE

I was and am grateful to him that I got the much-needed job. That he never once admitted the reason for my difficulties with certain buildings; that he simply found a solution within the framework of the racist policies of those buildings, policies which the union served and maintained in its own system; and that rather than challenging it, he worked well within the system is what Black folks are talking about today. He hasn't changed and there is no reason to believe his record as Labor Secretary will be any different than his record in New York.

It is understandable that Nixon owed

Brennan, a registered Democrat, something for the Brennan's support of Nixon in the 1968 and 1972 elections and his support for the President's actions in Vietnam.

It is also understandable that Nixon owed George Meany something for his "neutrality" in the last election in spite of his great liberal credentials.

BOTH SCORES SETTLED

The choice of Brennan as Secretary of Labor settled both scores.

What is even clearer is that Richard Nixon seems to be getting increasingly in debt to individuals and interests that can only be described as bad news to most Blacks—the exception being that handful of Negroes who will make some personal gains at the price of selling themselves and Black folks. The disgusting thing is that he is paying off these debts with relish and glee.

POEMS DEALING WITH OUR ENVIRONMENT

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BRINKLEY. Mr. Speaker, three poems were recently given to me by three alert sixth-grade students at Reese Road School in Columbus, Ga. The poems were part of a classroom project and deal with the problems of air and water pollution. They are illustrative of the fact that our children and their teachers are deeply concerned about cleaning up and preserving our environment.

Upon hearing the three astronauts of Apollo 17 as they addressed the House of Representatives today, I thought it very noteworthy that they made reference to the "blue earth" and to the importance of preserving all its natural resources. I feel, therefore, it to be especially appropriate today that the three poems—evidencing awareness and the state of mind of a sixth-grade class—be brought to the attention of my colleagues.

The poems read:

"TREES"

(By Cheryl O'Brien)

Trees have a special meaning,
I think you know that too . . .
I'll tell you what they mean to me,
What do they mean to you?

They hum a certain whisper . . .
They sing a special song,
They tell us when it's autumn . . .
And when the winter's gone!

We built our first house . . .
Yes, in a tree so high
We'd sit beneath our shelter
And watch the moon float on the sky.

Trees are the most beautiful things I know,
They do no harm, they simply grow.

"POLLUTION"

(By Ricky Nelson)

Pollution is a crime to me,
It's such a worrying thing.
We can't see planes or ships in the sea,
Or even human beings.

Water is a crime to me,
I always drink it clean.
The water that I can see,
It doesn't make the scene.

Fog, Fog, Fog
It's a natural thing.
Smog, Smog, Smog,
It's not a natural thing.

"POLLUTION EVERYWHERE"

(By Jay Copeland)

Land, sea, and in the air
Pollution! Pollution everywhere.
Can we stop it before it's too late?
Or will the world meet its final fate?
We try and all pitch-in,
Before we can't see the sun again.
The water is black not blue,
And the fish might have to live in a shoe.
So if we don't all pitch-in,
It may not be the world again.

RIGHT NOT TO SMOKE SHOULD BE BASIC

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. YOUNG of Florida. Mr. Speaker, the right not to smoke should be basic, yet each day nonsmoking Americans traveling on planes, trains, and buses are forced to inhale noxious fumes coming from smoking passengers. Medical surveys show that in this confined space, smoke causes eye, throat, and nose irritation, headache, dizziness, and nausea, and ultimately threatens the nonsmoker's health.

The nonsmoker, I believe, should have the right to breathe unpolluted air. For this reason, early in 1971 I introduced the Nonsmokers Relief Act, and reintroduced the measure—H.R. 1309—on January 3 on the opening day of the new 93d Congress.

This vital piece of legislation in no way restricts the right to smoke on public conveyances. That is an individual decision. However, the bill would require carriers to assure the rights of the nonsmoker by providing separate seating on planes, trains, and buses traveling interstate.

Support for this measure has been overwhelming: Thousands of letters in favor have flooded into my office from across the Nation and even abroad. The Federal National Clearing House for Smoking and Health released a survey showing 58 percent of the people favor restricting smoking, and 86.5 percent believe smoking is enough of a health hazard to do something about it. Another survey showed Long Island Railroad passengers by a 5-to-1 margin favor riding in a nonsmoking car.

The American Medical Association has called for separating smokers and nonsmokers, and U.S. Surgeon General Jesse L. Steinfeld has gone so far as to propose an outright ban on smoking in all public places. On January 9, 1972, the Surgeon General issued a report that secondary smoke inhalation not only caused severe distress to the nonsmoker but jeopardized his health, particularly if he suffers from a respiratory ailment.

Since the Nonsmokers Relief Act was introduced, many of the Nation's leading air carriers have voluntarily adopted separate seating for smokers and nonsmokers. Supreme Court Justice Warren Burger recently made headlines when he complained after being forced to sit near a cigar smoker on Amtrak's Metroliner.

California adopted a law requiring air and land carriers to provide separate seating on trips originating in the State, and the Interstate Commerce Commission has ordered separate seating on buses—an order now held up by court appeals.

The need to protect the rights of nonsmokers cannot be disputed. Public support is overwhelming, and separate seating would cause no hardship to either the carriers or the travelers who chose to smoke despite the evidence of its effect on health.

Hopefully, the Congress will remedy this gross injustice and protect the rights of millions of nonsmoking Americans with prompt action this session.

H.R. 14—CONSUMER PROTECTION AGENCY ACT OF 1973

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ROSENTHAL. Mr. Speaker, last Thursday, January 18, 90 Members of the House cosponsored new legislation to establish an independent Federal Consumer Protection Agency.

This Agency will represent the American consumer in all proceedings before the departments and agencies of Government and will, for the first time, give consumers equal clout with business when Federal decisions are made affecting the health and economic well-being of the public.

The effort to establish a strong consumer agency will be the major consumer issue of the 93d Congress and will provide a test of Congress willingness to challenge the anticonsumer biases of the Nixon administration.

In the 91st Congress, CPA legislation passed the Senate, but failed to receive a rule from the House Rules Committee. In the 92d Congress, the House passed what many consumer advocates labeled a "weak" CPA bill while a stronger Senate measure was filibustered to death in the closing days of the second session.

The new legislation, unlike last Congress House-passed bill, permits adequate and effective consumer representation on any issue which substantially affects the consumer interest, but in a way that guarantees the integrity of the administrative processes of government. It gives the CPA's consumer advocate essentially the same rights and remedies that are now available to business interests.

The revised CPA bill is a strong and fair piece of legislation which will not abuse the trust and confidence of the American consumer nor threaten the interests of legitimate businessmen. It is my strong hope and expectation that both the House and Senate will take early

and favorable action on creating an effective consumer protection agency.

I am including below a list of cosponsors, a "dear colleague" letter to House Members on the bill, and a section-by-section analysis:

CONSUMER PROTECTION AGENCY BILL
COSPONSORS, 93D CONGRESS

Abzug, Bella S., Adams, Brock, Addabbo, Joseph, Badillo, Herman, Biaggi, Mario, Bingham, Jonathan B., Boland, Edward P., Brademas, John, Brasco, Frank J., Brown, George E., Jr., Burke, Yvonne Brathwaite, Burke, James A., Burton, Phillip, Carey, Hugh L., Carney, Charles J., Chisholm, Shirley, Clark, Frank M., Convers, John, Jr., Corman, James C., Cotter, William R., Daniels, Dominick V., Dellums, Ronald V., and Dent, John H.

Diggs, Charles C., Jr., Drinan, Robert F., Dulski, Thaddeus J., Eckhardt, Bob, Edwards, Don, Eilberg, Joshua, Fascell, Dante B., Fauntroy, Walter E., Fish, Hamilton, Jr., Ford, William D., Fraser, Donald M., Grasso, Ella T., Green, William J., Gude, Gilbert, Hanley, James M., Harrington, Michael, Hawkins, Augustus F., Hechler, Ken, Helstoski, Henry, Holtzman, Elizabeth, Howard, James J., and Jordan, Barbara.

Karth, Joseph E., Kastenmeier, Robert W., Koch, Edward I., Kyros, Peter N., Matsunaga, Spark M., Meeds, Lloyd, Minish, Joseph G., Mink, Patsy T., Mitchell, Parren J., Moakley, John, Moorhead, William S., Morgan, Thomas E., Moss, John E., Murphy, John M., Murphy, Morgan F., Nix, Robert N. C., Patton, Edwards J., Pepper, Claude, Pettis, Jerry L., Pike, Otis G., Podell, Bertram, Price, Melvin, and Pritchard, Joel.

Rangel, Charles B., Reid, Ogden R., Riegle, Donald W., Jr., Rodino, Peter W., Jr., Roncalio, Teno, Rooney, Fred B., Rostenkowski, Dan, Sarbanes, Paul S., Selberling, John F., Stanton, James V., Stokes, Louis, Studds, Gerry E., Symington, James W., Thompson, Frank, Jr., Tiernan, Robert O., Vanik, Charles A., Waldie, Jerome R., Wolff, Lester L., Yates, Sidney R., Yatron, Gus, and Zablocki, Clement J.

CONGRESS OF THE UNITED STATES,
Washington, D.C., January 3, 1973.

DEAR COLLEAGUE: For the past two Congresses, a substantial majority of the House and the Senate has favored the establishment of an independent *Consumer Protection Agency* (*CPA*) to represent the consumer interest before federal agencies and courts. Unfortunately, a final vote in the Senate was prevented by a filibuster in the closing days of the 92nd Congress; and, the legislation did not receive a House Rule in the 91st Congress.

The makeup of the 93rd Congress holds out the promise of favorable action early this year; and, so long as federal agencies continue to make decisions affecting the health and economic wellbeing of consumers without adequate or any consumer in-put, the need for a CPA will remain great. But the Agency we create must have the confidence of the consumer community and sufficient powers to provide the buying public with the kind of representation it needs.

As you may know, many consumer advocates both in and out of Congress regarded last year's House passed bill (H.R. 10835) as *seriously inadequate*. The extent to which H.R. 10835 denied adequate representation to consumers in the broad spectrum of federal decision-making—the heart of the bill—is a debatable issue. It is fair to say, however, that the confusion surrounding the ability of the CPA to intervene under the provisions of H.R. 10835, could only have been resolved through hundreds of costly and time-consuming court battles. Moreover, H.R. 10835 suffers from other serious weaknesses.

Accordingly, I will be introducing shortly, a *revised* Consumer Protection Agency bill which is an amalgam of the best features of H.R. 14 (the bill I introduced in the 92nd Congress with 170 co-sponsors) and S. 3970 (the Ribicoff-Percy Senate bill). I have adopted, for example, the "intervention" provision of the Senate bill which permits adequate and effective consumer representation on *any* issue which substantially affects the consumer interest, *but in a way that guarantees the integrity of the administrative process*. It gives the CPA's consumer advocate essentially the same rights and remedies that are *now* available to business groups. Unlike last year's House-passed bill, the new CPA legislation does not impose on the advocate impracticable and legally impossible distinctions between formal and informal federal agency actions (enforcement of the Flammable Fabrics Act, the Wholesome Meat Act and others, are most often handled informally outside of the provisions of the Administrative Procedure Act). The new bill's sole criteria for intervention are: does the action substantially affect consumers and does the consumer advocate have a right of intervention equivalent to that available to business groups? Again, the new "intervention" provision, adopted from the Senate bill, does not tolerate undue administrative delay or tinkering.

In short, the new CPA bill I am introducing gives the consumer advocate an unfettered right of access to other agencies, within those agencies' procedural rules and regulations; and access to information from other agencies and from industry but with extensive safeguards and limitations spelled out. I have attached a section by section analysis of the new bill, which highlights changes from H.R. 14.

The revised CPA bill is, I believe, a strong and a fair piece of legislation which will not abuse the trust and confidence of the American consumer, nor alarm legitimate businessmen.

Sincerely yours,
BENJAMIN S. ROSENTHAL,
Member of Congress.

SECTION-BY-SECTION ANALYSIS OF THE CONSUMER PROTECTION AGENCY ACT OF 1973

SEC. 2. Statement of Findings. The Congress finds that the interests of the American consumer are inadequately represented and protected within the federal government; and vigorous representation and protection of consumer interests are essential to the fair and efficient functioning of a free market economy.

TITLE I—OFFICE OF CONSUMER AFFAIRS

SEC. 101. Office Established: to be headed by a Director and Deputy Director appointed by the President by and with the advice and consent of the Senate.

SEC. 102. Powers and Duties of Director of Office spelled out.

SEC. 103. Functions of the Office:

To coordinate the consumer programs of federal agencies;

To assure the effectiveness of federal consumer programs;

To submit recommendations to the Congress and the President on improving federal consumer programs;

To initiate and coordinate consumer education programs;

To cooperate with and assist state and local governments and private enterprise in fostering consumer programs;

To publish and distribute a Consumer Register listing federal actions of interest to consumers.

SEC. 104. Transfer of Functions.

TITLE II—CONSUMER PROTECTION AGENCY

SEC. 201. Establishes independent Consumer Protection Agency, to be headed by an Administrator and Deputy Administrator, appointed by the President for a term of four years coterminus with that of the President, by and with the advice and consent of the Senate. (The four year term is a new provision designed to increase the independence of the Administrator from the White House).

SEC. 202. Powers and Duties of Administrator:

(b) Employ experts and consultants.

Appoint advisory committees.

Promulgate rules.

Enter into and perform *contracts and* leases.

(c) Upon written request by the Administrator, each federal agency is authorized and directed—

To make its facilities and personnel available to the greatest practicable extent.

To furnish to the CPA information and data and to allow access to all documents, papers, and records in its possession which the Administrator deems necessary for the performance of his functions. Except that, a federal agency may deny the Administrator access to and copies of—

(1) Information classified in the interest of national defense and national security and data controlled by the Atomic Energy Act;

(2) Policy recommendations by agency personnel intended for internal use only;

(3) Information concerning routine executive and administrative functions not otherwise a matter of public record;

(4) Personnel and medical files;

(5) Information which such agency is expressly prohibited by law from disclosing to another federal agency.

(d) Trade secrets and commercial or financial information are available to the Administrator only upon a written statement by him when he has determined that immediate access to such information is necessary in order to protect public health or safety or to protect against imminent substantial economic injury due to fraud or unconscionable conduct; and only after notice that the request for access has been immediately communicated to the person who provided such information to the Agency. However, any such information described above cannot be disclosed to the public by the Administrator if it was received by a federal agency as confidential.

(The specific mention of types of information not available to the Administrator from other federal agencies has been added in the new CPA bill. Also added is a provision that information involving trade secrets and commercial or financial information from industry shall be available to the Administrator of the CPA only upon a written statement when he has determined that immediate access to such information is likely to be necessary in order to protect public health or safety or to protect against imminent substantial economic injury due to fraud or unconscionable conduct, after notice has been communicated to the person who provided such information. Also, such information even if available to the Administrator cannot be disclosed to the public if the agency originally receiving the material agreed to treat it as confidential.)

(e) The Administrator shall report once each year to the Congress and the President on the effectiveness of federal consumer programs and the adequacy of enforcement of consumer laws.

SEC. 203. Functions of the Agency:

To represent the interests of consumers before federal agencies and courts.

To support research, studies and testing leading to a better understanding of and improved consumer products and services.

To submit recommendations to the Congress and the President.

To publish and distribute consumer information.

To conduct surveys and investigations concerning the needs, interests and problems of consumers.

To keep the Congress fully informed of all its activities.

SEC. 204. Representation of consumer interests before federal agencies:

(a) Whenever the Administrator determines that the result of any federal agency proceeding which is subject to the provisions of the Administrative Procedure Act or which is conducted on the record after opportunity for an agency hearing, may substantially affect the interests of consumers, he may as of right intervene as a party by entering his appearance or otherwise participate for the purpose of representing the interests of consumers in such proceeding. The Administrator shall comply with agency statutes and rules of procedure governing the timing of intervention or participation and, upon intervening or participating, shall comply with agency statutes and rules of procedure concerning the conduct thereof.

(b) Whenever the Administrator determines that the result of any federal agency activity to which subsection (a) does not apply may substantially affect the interests of consumers, he may as of right participate. In exercising such right, he may in an orderly manner and without causing undue delay (1) present orally or in writing to responsible agency officials relevant information, briefs, and arguments; and (2) have an opportunity equal to that of any person outside the agency to participate in such activity. Such participation need not be simultaneous but should occur within a reasonable time.

(d) The Administrator may request or petition a federal agency to initiate a proceeding or activity or to take such other action as may be within the authority of such agency if a substantial consumer interest is involved.

(e) In any federal agency proceeding or activity in which he is intervening or participating, the Administrator is authorized to request the host federal agency to issue and the federal agency shall issue such orders for the summoning of witnesses, copying of documents, papers, and records, and submission of information in writing unless the agency determines that the request is not relevant to the matter at issue, is unnecessarily burdensome, or would unduely interfere with the conduct of the agency proceeding or activity.

(g) The Administrator is authorized to intervene or participate in any state or local agency or court proceeding, except a criminal proceeding, where the Administrator determines that a substantial consumer interest is affected and a request for intervention or participation has been received in writing by the Governor, a state Consumer Protection Agency, or a state or local court conducting the proceeding.

SEC. 205. Judicial Review:

(a) The Administrator shall have standing to obtain judicial review of any federal agency action reviewable under law in any civil proceeding in a court of the United States involving review or enforcement of a federal agency action substantially affecting the interest of consumers, if the Administrator intervened or participated in the federal agency proceeding or activity out of which such action arose; or, where he did not so intervene or participate, unless the court determines that such intervention in the judicial proceeding would be detrimental to the interests of justice.

(b) Before instituting judicial review of any federal action where he did not intervene or participate in the agency proceeding or activity out of which such action arose, the Administrator shall file a timely petition before such agency for a rehearing or reconsideration.

SEC. 206. Notice: each federal agency considering any action which may substantially affect the interests of consumers shall, upon request by the Administrator, notify him of any proceeding or activity and furnish a brief status report. Every federal agency in taking any action of the nature which can reasonably be construed as substantially affecting the interests of consumers shall take such action in a manner calculated to give due consideration to the valid interests of consumers. In taking any such action, the agency concerned shall indicate concisely in a public announcement of such action the effect that its action or decision is likely to have on the consumer interest.

SEC. 207. Consumer Complaints. The Agency and the Office shall receive, evaluate, develop, act on and transmit complaints to the appropriate federal agencies or non-federal sources concerning actions or practices which may be detrimental to the consumer interest, including information disclosing a probable violation of any law, rule or order of any U.S. agency, any commercial or trade practice affecting the consumer interest. The Agency and Office shall ascertain the nature and extent of action taken with regard to the complaints and shall promptly notify persons complained against. The Agency shall maintain in a public document room for public inspection and copying an up-to-date listing of consumer complaints arranged in meaningful and useful categories, together with annotations of actions taken on those complaints. Provided, that a complaint may be made available for public inspection only with the permission of the complainant and only after the party complained against or agency to which such complaint has been referred has had a reasonable time, but not more than 60 days, to comment on such complaint.

SEC. 208. Consumer Information and Services. The Agency is authorized to conduct and support studies and investigations concerning the interests of consumers and shall develop on its own initiative, gather from other federal agencies and non-federal sources, and disseminate to the public information, statistics and other data concerning (1) the functions and duties of the Agency; (2) consumer products and services after such have been determined to be accurate and provided such are not within the trade secret and financial limitations of Section 552 of Title 5 of the United States Code; and (3) problems encountered by consumers generally including commercial and trade practices of federal, state and local governments which adversely affect consumers.

(b) In exercising the authority under subsection (a) of this section, the Administrator is authorized to the extent required by health or safety of consumers or to discover consumer frauds, to obtain information from industry, by requiring such person engaged in a trade, business, or industry which substantially affects interstate commerce, by general or specific order setting forth with particularity the consumer interest involved and the purposes for which the information is sought, to file with him a report or answers in writing to specific questions. Nothing in this paragraph shall be construed to authorize the inspection or copying of documents, papers, books or records, or to compel the attendance of any person. Nor shall anything in this subsection require the disclosure of information which would violate any relationship privileged according to law. Any district court of the United States within the jurisdiction of which such person is found or has his principal place of business, shall issue an order requiring compliance with the valid order of the Administrator so long as the request for information is not unnecessarily or excessively burdensome and is relevant to the purposes for which the information is sought. The Administrator shall not exercise the authority of this subsection if the information sought is for use in connection with his intervention in any pending agency proceeding, is available as a matter of public record, or can be obtained from another federal agency.

(c) In the dissemination of any test results which disclose product names, it shall be made clear, if such is the case, that not all products of a competitive nature have been tested and that there is no intent or purpose to rate products tested over those not tested or to imply that those tested are superior or preferable.

SEC. 209. (a) The Agency shall, in the exercise of its functions (1) encourage and support testing of consumer products and research for improving consumer services in the exercise of its functions under sections 204 and 208 of this Title; (2) make recommendations to other federal agencies with respect to research and studies which would be useful to consumers; and (3) report to Congress on establishing a national consumer information foundation.

(b) All federal agencies which possess testing facilities relating to the performance of consumer products are authorized and directed to perform promptly such tests as the Administrator may request, in the exercise of his functions under Section 204 of this Title.

(c) Neither a federal agency nor the Administrator shall declare one product to be better, or a better buy, than any other product. The Administrator shall periodically review products which have been tested to assure that such products and information disseminated about them conform to the test results.

SEC. 210. So as to assure fairness to all affected parties regarding the release of product test data containing product names, prior to such release, the agency shall act pursuant to regulations after notice and opportunity for comment by interested persons.

SEC. 211. Information disclosure. The Administrator shall not disclose any information which it has obtained from a federal agency through its records which such agency has specified is exempted from disclosure under Section 552 of Title 5 United States Code or by any other provision of law and which such agency has specified should not be disclosed.

(c) The Administrator shall not disclose any trade secret or other confidential business information described by Section 1905 of Title 18 United States Code (concerning trade secrets and financial information), except that such information may be disclosed (1) to the public only if necessary to protect health or safety and (2) in a manner designed to preserve confidentiality to duly authorized committees of the Congress, to courts and federal agencies in representing the interests of consumers.

TITLE III—CONSUMER ADVISORY COUNCIL

SEC. 301. Establishes a 15 member Consumer Advisory Council appointed by the President. Members of the Council shall be paid only while on the business of the Council. The Council shall (1) advise the Agency and Office on matters relating to the consumer interests (2) review and evaluate the effectiveness of federal consumer programs.

MEMORIAL TO FRANK T. BOW

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BURKE of Florida. Mr. Speaker, I rise to voice my feeling of deep loss over the death of our former colleague, Frank T. Bow, who for 22 years represented the 16th Congressional District

of Ohio in the U.S. Congress. We will not have the pleasure of his company any more, nor will we have the benefit of his wisdom in the Congress.

As the ranking Republican on the Committee on Appropriations, Mr. Bow, was the voice and spirit of conservative and responsible government. His physical well-being came second to him in his fight against wasteful Government spending. Our present unbalanced budget and overblown appropriations would not be our burden if he had his way, yet they might have been worse if it were not for his efforts.

The loss by the death of Frank Bow to me is not only that of the loss of a friend, but it is also the loss of a good American colleague. To Frank Bow we can truly say not only "goodbye," but we can honestly say "congratulations on a job well done."

ANNUNZIO INTRODUCES LICENSE RENEWAL BILL TO END THE REGULATORY AND JUDICIAL CHAOS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ANNUNZIO. Mr. Speaker, on January 3, I introduced a license renewal bill, H.R. 265, which is similar to the bill I introduced in the 92d Congress. My bill in the last Congress reflected the strong public support throughout the country for a legislative remedy to the license renewal problem. Although hearings were not held in the 92d Congress, hearings have been promised for early in the first session of the 93d Congress. It is my strong hope that those hearings will result in meaningful legislation. I also believe that the language of my bill is the precise formulation needed.

The problem of license renewal is a perfect example of a situation where existing legislation, which had proved adequate over a lengthy period of time, has suddenly been rendered extremely unstable by regulatory and judicial actions. Television and radio broadcasters, until recently, could expect to have their licenses renewed if they had done a good job of serving their communities. There never was any question that the public owned the airwaves nor were broadcasters deluded into thinking that a license to broadcast conveyed any private property rights.

They did not feel it unreasonable to assume, however, that by offering a community good broadcast service during the 3-year license period and by investing capital to improve their facilities that they were entitled to added consideration during renewal time over competing applicants with nothing better to offer than future promises. That situation, while probably not being the happiest of all worlds, was quite adequate for the public interest and all concerned.

Broadcasters were given the incentive to offer good service and invest in their facilities; the community served benefited from that investment of time and capital and formed intimate relationships with the broadcast station; and the challenging applicants could still enter broadcasting by developing a UHF frequency or by buying a station and obtaining a transfer of its license, a common practice.

Broadcast service requires stability because of the long-range commitments necessary for meritorious service. Capital investments must constantly be made in order to upgrade service. A dynamic technology insures that new investment opportunities will continually present themselves. These investments must be amortized over periods of time longer than 3 years. The incentive that the broadcaster needs to make these improvements is the reasonable chance that he will be around long enough to recover his costs. The broadcaster must also make long-range commitments for the future delivery of programing.

In light of these facts, we can appreciate the significance of the FCC ruling in the infamous WHDH decision that the licensee's past broadcast performance fell within the bounds of average performance and was therefore to be dismissed as not a factor of decisional significance. There should be little wonder that this decision caused profound shock in the broadcast industry since broadcasters were led to believe by the decision that they were henceforth to be judged not by their past broadcast performance but by new and exotic criteria concocted by FCC commissioners. Until that eventful decision in January 1969, broadcasters and the public had mutually prospered under a fair amount of stability. That stability, once ruptured, has proved impervious to repair, by nonlegislative bodies.

The Federal Communications Commission had expressed its previous license renewal policy in the Hearst Radio Inc.—WBAL—decision in 1951 and again in Wabash Valley Broadcasting Corp.—WTHI–TV—in 1963. In Hearst, renewal of the license was granted because of "the clear advantage of continuing the established and excellent service—of the existing station—when compared to the risks attendant on the execution of the proposed programing of—the new applicant—excellent though the proposal may be."

Those precedents were apparently overturned in January 1969 when WHDH lost its license in Boston because of two factors: diversification of the media and integration of ownership with management. The Commission later reinterpreted this decision so as to thoroughly confuse the issues involved and to obviate the use of WHDH as a precedent. But the damage had been done: the old policy of favoring "meritorious" service over "paper proposals" has been effectively emasculated.

The impact of WHDH, despite FCC protestations, appeared to install the 1965 policy statement on comparative broadcast hearings as the standard by which renewal applicants were to be judged. The policy statement, originally intended for new applicants only, placed significant emphasis on diversification of the media and integration of management with ownership. The broadcast industry was quite alarmed at the new policy. WHDH had been valued at $60 million with annual net income between $5 and $7 million. "Broadcasting" magazine reported a study by Martin Seiden indicating that broadcasting stations throughout the country valued at $3 billion could be jeopardized by the new standards.

During the 91st Congress, in 1969, the distinguished Senator from Rhode Island, the Honorable JOHN PASTORE, chairman of the Communications Subcommittee of the Senate Commerce Committee, introduced S. 2004 which would have established new procedures for renewing broadcast licenses. Extensive hearings were held on the bill and considerable support was given the bill by Members of the Senate. By the end of the year passage appeared imminent.

At that point the Federal Communication Commission intervened with a new "Policy Statement on Comparative Hearings Involving Regular Renewal Applicants," issued in January 1970. The new policy statement reduced much of the political pressure for legislation by unambiguously restoring the essential renewal policy which had guided the FCC prior to WHDH.

The 1970 policy statement declared a preference for any renewal applicant over a competitive challenge if the licensee could demonstrate that its programing had substantially met the needs and interests of its area. The Commission explicitly avoided a policy of revoking a license because of other media holdings, preferring to establish such policies by rulemaking rather than implementing them in a case-by-case approach. It also said a good record may outweigh local residence and the integration of ownership with management.

The tranquillity in the broadcast industry barely outlived the remaining months of the 91st Congress. In June 1971, Judge Skelly Wright of the U.S. Circuit Court of Appeals for the District of Columbia overturned the 1970 policy statement. The court rejected the policy statement because it denied all applicants their rights to a full hearing as required by the Communications Act of 1934 according to the Supreme Court in Ashbacker, 1945.

The court's decision evoked dozens of license renewal bills during the 92d Congress, besides my own, but hearings were not held. The lack of hearings was partly due to 1972 being an election year. A more important factor, however, was the absence of any apparent rush by the FCC to implement the court's decision.

The FCC can drag its feet only so long before the court determines that a deliberate attempt to circumvent its decision is being made. When that fateful moment arrives, broadcasters will be quite vulnerable to challenges by completing applicants.

The court, in its decision in the Citizen's case in June 1971, stated that a broadcaster's past programing record must be clearly "superior" before the incumbent licensee can be accorded any preference. Even then, programing is not the decisive factor in a comparative

hearing, but only one of many considerations.

Recently, on May 4, 1972, in a further decision involving the Citizen's decision, the court elaborated its conception of what those other considerations ought to be:

(W)e suggested specific criteria for use in determining whether an incumbent had performed in a "superior" manner, including (1) elimination of excessive and loud advertising; (2) delivery of quality programs; (3) the extent to which the incumbent has reinvested the profit from his license to the service of the viewing and listening public; (4) diversification of ownership of mass media; and (5) independence from governmental influence in promoting First Amendment objectives. (24 RR 2d 2045, 2046.)

Under the Communication Act of 1934, the mechanism of license renewal is of crucial importance to the broadcast industry and the listening and viewing public. Every 3 years a new decision must be made as to who will operate over each allocated broadcasting frequency. And unlike the Schmoos in the world of "Li'l Abner," broadcasters and the resources they command are not available in infinite supply.

Therefore, it is mandatory that the law and regulations pertaining to broadcasting provide for orderly procedures for license renewal with clearcut standards. The procedures must insure that broadcasters offering their communities good service have a reasonable chance of obtaining a renewal of their license. Otherwise, the public will suffer from inferior service. Since the Communications Act of 1934 is now in disarray in this regard, new legislation should be enacted clarifying the license renewal proceedings.

Without new law, the vacuum will be filled by the FCC and the courts vacillating from one creative inspiration to another. I will not deny that their show is entertaining, but my bill will guarantee that the general public continues to receive more wholesome entertainment on radio and television.

Briefly, my bill will extend the maximum broadcast license period from 3 to 5 years and will provide for granting an application for renewal of license where an applicant is legally, financially, and technically qualified and has not exhibited a callous disregard for the law or regulations of the Federal Communications Commission. An applicant who is not fully qualified or one who has demonstrated a callous disregard for the law or FCC regulations will have those deficiencies weighed against him in a renewal proceeding. My bill recognizes the maturity of the industry by extending the license renewal period and thereby reduces the cost of license review to both the broadcaster and the Federal Communications Commission.

The FCC is well equipped to sanction any violation of the law during the license period so that the public interest will not suffer in that regard. If the applicant for renewal is otherwise qualified, it will be granted the license if it can demonstrate that its "broadcast service during the preceding license period has reflected a good-faith effort to serve the needs and interests of its area as represented in its immediately preceding and pending license renewal applications." The emphasis is on proven service to the community. I believe this is the best standard we could apply to broadcasters.

By enacting my bill we can restore order to the renewal process and provide a congressional standard clearly emphasizing community service. Against the background of that new stability, the FCC will be more free to complement present broadcast service by encouraging the full development of the broadcast spectrum.

CONSTITUTIONAL REVISION OF THE PRESIDENTIAL ELECTION SYSTEM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BINGHAM. Mr. Speaker, today I am introducing legislation to change the perilous structure existing within our constitutional framework for electing Presidents and Vice Presidents. This legislation is aimed at the Scylla and Charybdis which threaten American democracy; the electoral college and the role of the House of Representatives and the Senate in selecting a President and a Vice President if the electoral college is deadlocked.

I am pleased to have as cosponsors of this legislation Mr. BUCHANAN, Mr. MAZZOLI, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. PARRIS, and Mr. PODELL.

In the past two Congresses I have introduced legislation proposing a constitutional amendment which would accomplish two objectives.

First, the electoral college would be abolished, but the current electoral system would be retained. Each State's electoral votes would be cast automatically for the popular vote winner in the State.

Second, in the event that no presidential candidate receives a majority of the electoral votes, a run-off election would be held between the two top contenders.

The existing structure for selecting Presidents and Vice Presidents contains a set of hidden traps whose jaws may one day crush the political integrity of our Nation.

Under existing law, voters in each State do not cast their votes for an actual presidential candidate, but rather for a slate of electors who promise to cast their votes in the electoral college for a presidential ticket. Apparently, those electors are bound only by their sense of honor to fulfill that promise. They are in a legal position to totally disregard the instructions of the voters who selected them, and they may cast their electoral votes for any candidate of their choice. Recent examples of electors who refused to cast their votes for the candidate to whom they were pledged can be found in the presidential elections of 1972, 1968, 1960, 1956, and 1948. Those cases involved electors from Virginia, North Carolina, Oklahoma, Alabama, and Tennessee, respectively. The perpetuation of this system would leave the door open for secret political deals by electors which would frustrate the expressed desires of the American voter. In a very close two-candidate race, or in a wide-open three-way race, the result might be the selection of a presidential candidate who had been rejected by a majority of voters in the general election. This danger is greatest in a three-way race, for the third-place finisher could wheel and deal with the leading two candidates, extracting political blackmail in exchange for delivering his electoral votes to the candidate who paid him the highest political price.

The constitutional amendment which I am proposing would permit each State to retain its present number of electoral votes, but it would abolish the selection of individual electors. The winner of the popular vote in each State would automatically receive that State's total of electoral votes. Article II of the U.S. Constitution provides that each State shall have a number of electoral votes equal to its total of Senators and Representatives in Congress, and that provision is retained in the amendment which I am introducing. No State's electoral strength would be diminished—Alaska would still have three electoral votes, Texas would have 26, Kansas would retain its seven, California would still lead the Nation with 45, and my own home State of New York would again cast 41 electoral votes. The weight of every American's vote would remain exactly as it is today, but no longer could the whim or political scheming of individual electors and third-party candidates stand between the American voter and the selection of the candidate of his choice.

This legislation would also abolish the potential for throwing the presidential election into the House of Representatives and the vice-presidential election into the Senate. Under our Constitution, if a presidential race involves three or more candidates and none receives a majority of the electoral college votes, the House of Representatives must then select a President from among the top three electoral vote-getters while the Senate chooses between the two leading vice-presidential candidates to fill the second highest office in the land. Each State casts one vote in the House proceeding, and the recipient of that vote is determined by a majority vote of each State's House delegation. In the Senate, on the other hand, each Senator casts a separate vote for Vice President.

The potential for chaos and disaster under these procedures is obvious. The voters of a particular State may elect a House of Representatives delegation in which one party has the majority, and simultaneously cast its popular vote for a presidential candidate of another party. If the majority of the State's House delegation decides to vote for the presidential candidate of its own party, the wishes of that State's voters would be blatantly frustrated. Similarly, the party which controls the Senate might select a Vice President who had not been preferred by even a plurality of the voters, and that Vice President might not be the running mate of the Presidential

candidate who emerges victorious in the House.

The emergence of third-party movements in this country increases the chances that our Nation will one day be confronted by an electoral crisis of this nature. The amendment I am proposing would prevent this explosive situation by providing that if no presidential candidate receives a majority of the electoral votes, the two candidates with the greatest number of electoral vote would face each other in a runoff election 1 month later. The candidate who receives the larger number of electoral votes in that runoff would be elected President, and his running mate would become Vice President.

The direct election of the President by total national vote has also been discussed widely as a solution to the present problem. This major proposal has an appealing ring to it, but realistically speaking it has little chance of being enacted. In the 92d Congress, I voted for that proposal, but I predicted that it would be the victim of widespread political opposition. That prediction was borne out when the proposed legislation died in committee in the Senate. The failure which marked that effort would likely characterize an effort to reintroduce direct election legislation.

In addition to opposition in the Senate, political leaders from large and small States alike consider direct election a threat to the special attention which individual States command under the present electoral vote system. Any constitutional amendment must be ratified by the legislatures of three-fourths of the States, and it is most unlikely that the proposal for direct election of the President could meet that requirement. The Founding Fathers envisioned a system of weighted electoral voting through which smaller States would retain the same impact as they possess in Congress, and the proposal for direct election would dilute their strength. Large States would also object to the end of the electoral vote concept because candidates would no longer have to concentrate on winning over the voters of individual States, but rather could ignore State problems and present truly tepid fare to the voters. The future of the direct election proposal appears bleak, indeed.

Critics of these proposed solutions may claim that our concern is "much ado about nothing" because of the clear and convincing results of the 1972 presidential election which left no room for political chicanery in the electoral college or in Congress. We must not permit this country to be lulled into a false sense of constitutional security as a result of the recent election.

In 1824, a four-man race saw Andrew Jackson, John Quincy Adams, William Crawford, and Henry Clay vying for the Presidency. Jackson garnered the greatest number of electoral votes, but failed to achieve a majority. The election was thrown into the House of Representatives and, when the smoke cleared, Adams emerged as President and Clay was quickly named Secretary of State. That administration was tainted by the accusation that Adams had won the Presidency through backroom deals and not by popular will.

In 1876, Samuel J. Tilden and Rutherford B. Hayes contested an election which has taken a prominent place on the roster of unsavory American political events. Wheeling, dealing, and finagling delivered the electoral college votes of Florida, Louisiana, and South Carolina to Hayes despite the fact that the popular votes in those States had been embroiled in extensive allegations of fraud and coercion.

In 1972, political scientists were warning that a three-way or even four-way presidential race was headed for a collision course with our antiquated election laws. At one point, the distinct possibility existed that the Democratic antiwar movement might nominate its own candidate if the nomination of the national party went to a candidate not strongly identified as opposed to the Vietnam conflict. Simultaneously, Gov. George Wallace, of Alabama, was waging a vigorous primary campaign, and, he might have run for the Presidency in the general election even if denied the Democratic Party nomination. That race was halted by the tragic assassination attempt upon Governor Wallace and by the results of the Democratic convention, but a race with three or four major candidates is likely to raise its head in the future. Political alliances and popular movements drift and swirl like a desert's sands, and we may well be faced again with the prospect of a multicandidate race in our lifetimes.

The governments of large and small nations alike have toppled when confronted by constitutional crises. The roots of our own democracy were shaken in 1824 and 1876 by the inadequacies of our presidential election system. With the exception of the Civil War period, American society has never been more fragmented and polarized than it is today. A crisis of confidence brought on by the political machinations of a multicandidate presidential election to be decided in the electoral college or in the House of Representatives could shatter our national foundations.

The great Spanish author Santayana warned:

> Those who cannot remember the past are condemned to repeat it.

In the hope that our Nation may be spared a repetition of the past which has shattered foreign governments and shaken our own, I offer this legislation.

A section-by-section analysis of the legislation follows:

SECTION-BY-SECTION ANALYSIS

I. JOINT RESOLUTION TO AMEND THE CONSTITUTION

Section 1 states that this amendment alters the electoral system contained in Article II of the Constitution and in the 12th and 24th Amendments to the Constitution.

Section 2 gives each state the number of electoral votes which corresponds to its total representation in the Congress.

Section 3 awards each state's electoral votes for President and Vice-President to the candidates receiving the greatest number of votes for those offices in each state.

Section 4 provides that the candidates receiving a majority of electoral votes for the offices of President and Vice President shall be declared the winners of those offices.

Section 5 provides that, in the event no candidate receives a majority of electoral votes for the Presidency, a runoff election shall be held between the two leading electoral vote-getters.

Section 6 provides that the District of Columbia shall be entitled to a number of electoral votes equal to the Congressional representation it would have if it were a state, but not more than the least populous state.

Section 7 permits the Congress to legislate the determination of election questions not covered by the amendment.

II. A BILL TO ESTABLISH ELECTION DATES

Section 1 specifies that the Presidential election shall be held on the second Tuesday in October, and that, if necessary, the runoff election shall be held on the first Tuesday after the first Monday in November.

Section 2 revises the U.S. code (2 U.S.C. 7) to comply with section 1.

Section 3 specifies that the change in election date shall be made only after ratification of the proposed constitutional amendment.

THE POSTAL SERVICE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. DERWINSKI. Mr. Speaker, a member of the House Post Office and Civil Service Committee, I have played a role in the passage of the Postal Service Act. I believe the Postal Service has shown signs of progress and has made adjustments we all recognized were necessary.

It must be kept in mind that a situation that has been allowed to deteriorate as badly as was the case in many facets of the old postal department will take time to cure, but I believe the Postal Service can stand up well in any objective review.

One such review was carried in an an editorial by the Homewood-Flossmoor Star of Sunday, January 14, 1973, which I believe to be a sound appraisal of the Postal Service.

The editorial follows:

AS WE SEE IT—THE POSTAL SERVICE

The U.S. Postal service, newest of the major federal agencies, shows signs of living up to its promises. In its first year of operation, the USPS has made headway on two announced goals: reducing costs and improving the quality and reliability of mail service.

As a result of increased productivity and a commitment by postal officials to hold the line on costs, a $450 million increase in postal rates scheduled to take place in January has been canceled.

In the period 1969–71, postal revenues, fees and other types of income provided 80 per cent of the USPS's cost of operation. The remainder came from direct Congressional appropriations, which in 1971 reached a record high of $2.08 billion. In 1972 postal revenues provided 84 per cent of the cost of operation, and the Congressional subsidy was $1.3 billion, down nearly 35 per cent from the 1971 figure.

The USPS's achievements are especially noteworthy because not only do they reverse the usual trend of government operations

but also because they were attained despite the heaviest mail load in U.S. history. Mailed during 1972 were 87.2 billion pieces of mail, or 419 pieces for every person in the United States. This was an increase of 200 million pieces from the 1971 figure.

Approximately half of all mail handled each year is first-class. Last year, however, first-class mail accounted for 56.7 per cent of the total, a record 49 billion pieces. Continuing a trend started with the advent of the new agency, first-class mail service is reportedly improved. According to USPS officials, 94 per cent of first-class mail deposited by 5 p.m. for local delivery reaches its destination the following day.

With such an auspicious beginning, the U.S. Postal service may one day regain the prestige that the country's postal service once enjoyed.

VALUE-ADDED TAX IS NOT THE ANSWER

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. CRANE. Mr. Speaker, in recent days there have been calls for a new kind of tax, the value added tax. These calls come at a time when the American people have shown at the polls that what they desire is lower taxes and less governmental interference in their lives, not more.

The advocates of the value added tax argue that this tax will replace property taxes, not be imposed in addition to existing tax burdens. The history of taxation, however, has shown us almost beyond a doubt that taxes never go down. Government, in its continuing quest for new funds, never relaxes its hold on existing sources of revenue.

What the value added tax is, essentially, is a national sales tax, levied in proportion to the goods and services produced and sold. It is also a concealed tax, for the VAT is levied at each step of the way in the production process: on farmer, manufacturer, jobber and wholesaler, and only slightly on the retailer.

When a consumer pays a 7-percent tax on every purchase, he is indignant and resentful toward government. But if the 7-percent tax is hidden and paid by every firm rather than just at retail, the inevitably higher prices will be blamed, not on the Government, but on grasping businessmen and avaricious trade unions.

The late Frank Chodorov explained clearly the desire of Government for hidden taxation:

It is not the size of the yield, nor the certainty of collection which gives indirect taxation (read: VAT) preeminence in the state's scheme of appropriation. Its most commendable quality is that of being surreptitious. It is taking, so to speak, while the victim is not looking.

Discussing the value added tax, Prof. Murray Rothbard, author of a number of important books including Man, Economy and the State, and a professor of economics at Brooklyn Polytechnic Institute, notes that:

VAT allows the government to extract many more funds from the public—to bring about higher prices, lower production and lower incomes—and yet totally escape the blame, which can easily be loaded on business, unions, or the consumer as the particular administration sees fit.

A common criticism is that the VAT, like the sales tax, is a regressive tax, falling largely on the poor and the middle class, who pay a greater percentage of their income than the rich.

Professor Rothbard states, however, that VAT is in many respects worse than the sales tax:

Every business firm will be burdened by the cost of innumerable record-keeping and collection for government. The result will be an inexorable push of the business system toward "vertical mergers" and the reduction of competition.

The VAT will, in addition, have a negative effect on employment. Professor Rothbard declares that:

In the first place, any firm that buys, say machinery, can deduct the embodied VAT from its own tax liability; but if it hires workers, it can make no such deduction. The result will be to spur over-mechanization and the firing of laborers. Secondly, part of the long run effect of VAT will be to lower the demand for labor and wage incomes, but since unions and minimum wage laws are able to keep wage rates up indefinitely, the impact will be a rise in unemployment.

I wish to share Professor Rothbard's thoughtful analysis of the value added tax, which appeared in Human Events of March 11, 1972, with my colleagues, and insert it into the RECORD at this time:

THE VALUE-ADDED TAX IS NOT THE ANSWER

(By Murray N. Rothbard)

One of the great and striking facts of recent months is the growing resistance to further taxes on the part of the long-suffering American public. Every individual, business, or organization in American society acquires its revenue by the peaceful and voluntary sale of productive goods and services to the consumer, or by voluntary donations from people who wish to further whatever the group or organization is doing. Only government acquires its income by the coercive imposition of taxes. The welcome new element is the growing resistance to further tax exactions by the American people.

In its endless quest for more and better booty, the government has contrived to tax everything it can find, and in countless ways. Its motto can almost be said to be: "If it moves, tax it!"

Every income, every activity, every piece of property, every person in the land is subject to a battery of tax extortions, direct and indirect, visible and invisible. There is of course nothing new about this; what is new is that the accelerating drive of the government to tax has begun to run into determined resistance on the part of the American citizenry.

It is no secret that the income tax, the favorite of government for its ability to reach in and openly extract funds from everyone's income, has reached its political limit in this country. The poor and the middle class are now taxed so heavily that the federal government, in particular, dares not try to extort even more ruinous levies.

The outraged taxpayer, after all, can easily become the outraged voter. How outraged the voters can be was brought home to the politicians last November, when locality after locality throughout the country rose in wrath to vote down proposed bond issues, even for the long-sacrosanct purpose of expanding public schools.

DEFEAT IN NEW YORK

The most heartening example—and one that can only give us all hope for a free America—was in New York City, where every leading politician of both parties, aided and abetted by a heavily financed and demagogic TV campaign, urged the voters to support a transportation bond issue. Yet the bond issue was overwhelmingly defeated—and this lesson for all our politicians was a sharp and salutary one.

Finally, the property tax, the mainstay of local government as the income tax is at the federal level, is now generally acknowledged to have a devastating effect on the nation's housing. The property tax discourages improvements and investments in housing, has driven countless Americans out of their homes, and has led to spiralling tax abandonments in, for example, New York City, with a resulting deterioration of blighted slum housing.

"Government, in short, has reached its tax limit; the people were finally saying an emphatic 'No!' to any further rise in their tax burden. What was ever-encroaching government going to do? The nation's economists, most of whom are ever eager to serve as technicians for the expansion of state power, were at hand with an answer, a new rabbit out of the hat to save the day for Big Government.'

They pointed out that the income tax and property tax were too evident, too *visible*, and that so are the generally hated sales tax and excise taxes on specific commodities. But how about a tax that remains totally *hidden*, that the consumer or average American cannot identify and pinpoint as the object of his wrath? It was this deliciously hidden quality that brought forth the rapt attention of the Nixon Administration, the "Value Added Tax" (VAT).

The great individualist Frank Chodorov, once an editor of HUMAN EVENTS, explained clearly the hankering of government for hidden taxation: "It is not the size of the yield, nor the certainty of collection, which gives indirect taxation [read: VAT] preeminence in the state's scheme of appropriation. Its most commendable quality is that of being surreptitious. It is taking, so to speak, while the victim is not looking.

"Those who strain themselves to give taxation a moral character are under obligation to explain the state's preoccupation with hiding taxes in the price of goods." (Frank Chodorov, *Out of Step*, Devin-Adair, 1962, p. 220.)

The VAT is essentially a national sales tax, levied in proportion to the goods and services produced and sold. But its delightful concealment comes from the fact that the VAT is levied at each step of the way in the production process: on farmer, manufacturer, jobber and wholesaler, and only slightly on the retailer.

The difference is that when a consumer pays a 7 per cent sales tax on every purchase, his indignation rises and he points the finger of resentment at the politicians in charge of government; but if the 7 per cent tax is hidden and paid by every firm rather than just at retail, the inevitably higher prices will be charged, *not* to the government where it belongs, but to grasping businessmen and avaricious trade unions.

While consumers, businessmen and unions all blame each other for inflation like Kilkenny cats, Papa government is able to preserve its lofty moral purity, and to join in denouncing all of these groups for "causing inflation."

It is now easy to see the enthusiasm of the federal government and its economic advisers for the new scheme for a VAT. It allows the government to extract many more funds from the public—to bring about higher prices, lower production and lower incomes—and yet totally escape the blame,

which can easily be loaded on business, unions, or the consumer as the particular administration sees fit.

The VAT is, in short, a looming gigantic swindle upon the American public, and it is therefore vitally important that it shall not pass. For if it does, the encroaching menace of Big Government will get another, and prolonged, lease on life.

One of the selling points for VAT is that it is supposed only to *replace* the property tax for its prime task of financing local public schools. Any relief of the onerous burden of the property tax sounds good to many Americans.

But anyone familiar with the history of government or taxation should know the trap in this sort of promise. For we should all know by now that taxes *never* go down. Government, in its insatiable quest for new funds, never relaxes its grip on any source of revenue.

You know and I know that the property tax, even if replaced for school financing, will not really go down; it will simply be shifted to other expensive boondoggles of local government. And we also know full well that the VAT will not long be limited to financing the schools; its vast potential (a 10 per cent VAT would bring in about $60 billion in revenue) is just too tempting for the government not to use it to the hilt, and, in the famous words of New Dealer Harry Hopkins: "to tax and tax, spend and spend, elect and elect."

Let us now delve more deeply into the specific nature of the VAT. A given percentage (the Nixon Administration proposal is 3 per cent) is levied, not on retail sales, but on the sales of each stage of production, with the business firm deducting from its liability the tax embodied in the purchases that he makes from previous stages. It is thus a sales tax hidden at each stage of production, from the farmer or miner down to the retailer.

A "REGRESSIVE" TAX

The most common criticism is that the VAT, like the sales tax, is a "regressive" tax, falling largely on the poor and the middle class, who pay a greater percentage of their income than the rich. This is a proper and important criticism, especially coming at a time when the middle class is already suffering from an excruciating tax burden.

The Nixon Administration proposes to alleviate the burden on the poor by rebating the taxes through the income tax. While this may alleviate the tax burden on the poor, the middle class, which pays most of our taxes anyway, will hardly be benefited.

"Furthermore, there is a more sinister element in the rebate plan: for some of the poor will get cash payments from the IRS, thereby bringing in the disastrous principle of the guaranteed annual income (FAP) through the back door."

But the VAT is in many ways far worse than a sales tax, apart from its hidden and clandestine nature. In the first place, the VAT advocates claim that since each firm and stage of production will pay in proportion to its "value added" to production, there will be no misallocation effects along the way.

But this ignores the fact that every business firm will be burdened by the cost of innumerable record-keeping and collection for the government. The result will be an inexorable push of the business system toward "vertical mergers" and the reduction of competition.

Suppose, for example, that a crude oil producer adds the value of $1,000, and that an oil refiner adds another $1,000, and suppose for simplicity that the VAT is 10 per cent. Theoretically, it should make no difference if the firms are separate or "integrated"; in the former case, each firm would pay $100 to the government; in the latter, the integrated firm would pay $200. But since this comforting theory ignores the substantial costs of record-keeping and collection, in practice if the crude oil firm and the oil refiner were integrated into one firm, making only one payment, their costs could be lower.

VERTICAL MERGERS

Hence, vertical mergers will be induced by the VAT, after which the Anti-Trust Division of the Department of Justice would begin to clamor that the free market is producing "monopoly" and that the merger must be broken by government fiat.

The costs of record-keeping and payment pose another grave problem for the market economy. Obviously, small firms are less able to bear these costs than big ones, and so the VAT will be a powerful burden on small business and hamper it gravely in the competitive struggle. It is no wonder that some big businesses look with favor on the VAT!

There is another grave problem with VAT, a problem that the Western European countries which have adopted VAT are already struggling with.

In the VAT, every firm sends its invoices to the VAT embodied in its invoices for goods bought from other firms. The result is an irresistible opening for cheating, and in Western Europe there are special firms whose business is to write out fake invoices which can reduce the tax liabilities of their "customers." Those businesses more willing to cheat will then be forced in the competitive struggle of the market.

A further crucial flaw exists in the VAT, a flaw which will bring much grief to our economic system. Most people assume that such a tax will simply be passed on in higher prices to the consumer. But the process is not that simple. While, in the long run, prices to consumers will undoubtedly rise, there will be two other important effects: a large short-run reduction in business profits, and a long-run fall in wage incomes.

The critical blow to profits, while perhaps only "short-run," will take place at a time of business recession, when many firms and industries are suffering from low profits and even from business losses. The low-profit firms and industries will be severely hit by the imposition of VAT, and the result will be to cripple any possible recovery and plunge us deeper into recession. Furthermore, new and creative firms, which usually begin small and with low profits, will be similarly crippled before they have scarcely begun.

The VAT will also have a severe, and so far unacknowledged, effect in aggravating unemployment, which is already at a high recession rate. The grievous impact on unemployment will be twofold. In the first place, any firm that buys, say, machinery, can deduct the embodied VAT from its own tax liability; but if it hires workers, it can make no such deduction. The result will be to spur over-mechanization and the firing of laborers.

Secondly, part of the long-run effect of VAT will be to lower the demand for labor and wage incomes; but since unions and the minimum wage laws are able to keep wage rates up indefinitely, the impact will be a rise in unemployment. Thus, from two separate and compounding directions, VAT will aggravate an already serious unemployment problem.

Hence, the American public will pay a high price indeed for the clandestine nature of the VAT. We will be mulcted of a large and increasing amount of funds, extracted in a hidden but no less burdensome manner, just at a time when the government seemed to have reached the limit of the tax burden that the people will allow. It will be funds that will aggravate the burdens on the already long-suffering average middle-class American. And to top it off, the VAT will cripple profits, injure competition, small business and new creative firms, raise prices, and greatly aggravate unemployment. It will pit consumers against business, and intensify conflicts within society.

One of Parkinson's justly famous "laws" is that, for government, "expenditure rises to meet income." If we allow the government to find and exploit new sources of tax funds, it will simply use those funds to spend more and more, and aggravate the already fearsome burden of Big Government on the American economy and the American citizen.

The only way to reduce Big Government is to cut its tax revenue, and to force it to stay within its more limited means. We must see to it that government has *less* tax funds to play with, not more. The first step on this road to lesser government and greater freedom is to see the VAT for the swindle that it is, and to send it down to defeat.

FOR FEDERAL NO-FAULT AUTOMOBILE INSURANCE

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. COTTER. Mr. Speaker, on November 16, 1972, Frederick M. Watkins, president of the Aetna Insurance Co., addressed the Annual Conferment Conference in Richmond, Va.

Fred Watkins is a leader in the fight for a Federal no-fault auto insurance plan. While I was insurance commissioner in the State of Connecticut, I found Fred's efforts ir behalf of an effective no-fault bill to be invaluable.

Fred is now carrying his efforts to the Federal level to insure the American auto driving public of fast, effective auto insurance protection. In his speech, Fred eloquently describes not only the need for Federal no-fault auto insurance standards, but also a course of action for the insurance industry to follow to better serve the American people.

I know my colleagues will read the statement and be as impressed as I am with the efforts of Fred Watkins. The statement follows:

NO-FAULT AND CONGRESS: TIME FOR ACTION

(By Frederick D. Watkins)

It was a year ago this month that I stood before a group very similar to this one and took the rather unorthodox position that we need Federal guidelines for state no-fault insurance laws.

It was unorthodox because no insurance executive, including myself, likes the idea of encouraging Federal involvement in our industry. But the handwriting was already clearly on the wall in November, 1971. Federal guidelines were the only way that millions of citizens in this country could get fair and equitable protection against auto accident losses.

And if it was clear *last* November, it is ten times as clear today. With a handful of notable exceptions, state legislatures have made little or no progress toward passage of genuine no-fault laws.

Many insurance companies, consumer groups, Congress, President Nixon, and others had nurtured a hope that auto insurance reform would make great strides in 1972. We hoped the advantages would be so compelling that we would see a succession of states voluntarily embrance this solution to the injustices and high costs of the present auto accident reparations system.

But clearly this has not happened; and there is little chance that it *will* happen without more Federal stimulus.

Several months ago, Transportation Secretary John Volpe said in a letter to Chair-

main Warren G. Magnuson of the Senate Commerce Committee (quote) "in all candor, those of us who would like to see the states do this job themselves can hardly be heartened by their actions to date this year."

Making this same point, the Commerce Committee noted recently that New York, our second most populous state, has failed twice to pass a no-fault law. And this happened even though all the factors that normally make for legislative success were present.

Governor Rockefeller has been an enthusiastic advocate of no-fault and his party controlled both houses of the legislature.

"Furthermore," says the Commerce Committee, "this state has a history of enacting innovative legislation. Despite all this, no-fault has been defeated in two successive legislative sessions in New York in what Governor Rockefeller has termed 'shocking evidence of minorities imposing their will on the majority through pressure, personal attacks and threats of political retaliation in an election year.'"

To add insult to injury, we have seen the appearance in recent weeks of an absurdly transparent bill, sponsored by the New York Trial Lawyers Association, which masquerades as a no-fault measure. If this bill were passed, it would betray the consumers and entrench the obsolete liability system for still more years. And this, of course, would perpetuate the enormously high legal costs and delays in claim settlements which plague accident victims today.

Despite all the bad news, however, we've seen some encouraging signs this year. Even though the Magnuson-Hart bill, which the Aetna and a number of other companies favored, was pigeonholed in the Senate Judiciary Committee, the vote to put it there was extremely close—49 to 46.

In my office I have received many letters from both Republican and Democratic Senators who voted against that pigeonholing action. They shared our view that the Magnuson-Hart bill—while not being perfect by any means—was a vital piece of consumer legislation.

That defeat this year was disappointing to be sure, but the fact that the vote was so close should inspire us to put on more steam than ever to show Congress that a bill with realistic federal guidelines *must* become law as soon as possible.

We also had good news only last month in Michigan where the legislature passed the strongest no-fault bill in the nation to date. I understand there is still hope that the Pennsylvania legislature will have a change of heart and pass an acceptable law in the next few months. And the climate for no-fault is improving in California.

In our own industry, some of the most vigorous opponents are revising their opinions of no-fault. The New York Times reported in October that State Farm Mutual Auto Insurance Company, the largest auto insurance writer in the nation, is now supporting several no-fault bills.

At the same time that we see this legistive progress, the evidence of success continues to mount in those states which were early birds in enacting authentic no-fault legislation.

In Massachusetts, where the first state no-fault law was passed in 1970, it is estimated that motorists would be paying at least 40 percent more on premiums for that state's compulsory insurance today if no-fault had not been implemented.

From Florida we learn that the difficulty which motorists were having in buying auto insurance has eased significantly.

Voluntary writings are increasing and assignments to the state pool have dropped. Just this month, Florida Insurance Commissioner Thomas D. O'Malley has requested companies to reduce premiums by 11 percent, based on improved claim experience since on-fault became law.

In my own state of Connecticut, which begins a modified no-fault plan January 1, we are seeing a sharp increase in advertising for auto insurance. It has been years since insurers and agents aggressively competed for auto insurance business. This heightened competition is giving the consumer many more opportunities to choose an insurer . . . and at competitive prices as well.

But a look at total state activity to date makes it clear that we must have minimum federal standards. Virginia is a perfect example of a state where the opponents of no-fault have had a stranglehold on the legislative process. We have seen several bills here in the past year which fall tragically short of real reform for Virginia motorists.

And we can point to other states which have passed so-called no-fault auto insurance laws which do not significantly reduce the enormous costs and hardships of the liability system.

Among the five states which have what we consider to be authentic no-fault laws today, four of them fall far short of standards recommended by the U.S. Department of Transportation in March, 1971.

Connecticut and Florida, for instance, put a $5,000 limit on the medical costs and wage losses which an accident victim can collect under no-fault, that is, from his own insurance company without having to prove who was at fault.

The Magnuson-Hart bill this year would have provided a $75,000 no-fault recovery of medical costs and $25,000 for wage losses. The Department of Transportation recommended *unlimited* recovery of medical costs. It proposed $36,000 for wage losses—much stronger standards than most states have adopted.

Some trial lawyers who concede the need for low limit no-fault insurance argue that this is where the greatest cost of litigation occurs. The thousands of nuisance cases which clutter up the courts are what account for the greatest impact on insurance premiums, they argue.

We know from long experience, however, that the liability system has brought extreme suffering to victims of serious, more costly accidents. If a man has an injured back and can't afford the medical treatment and rehabilitation services he needs, his physical suffering and financial losses will be compounded. And yet, under the liability system, he might have to wait months or years before fault can be fixed, enabling him to get any reimbursement for his losses.

And as the Department of Transportation has emphasized, there's a better than even chance that he won't get any reimbursement at all. DOT revealed that 55 percent of seriously injured accident victims recover none of their losses under the liability system.

If we fail to have minimum standards for *all* states, we will end up with 50 widely varying statutes which are bound to cost insurers and the states more to administer. This will put greater upward pressure on premiums. It makes little sense to replace one obsolete reparations system with a complicated hodge-podge filled with new inequities for the nation's motorists.

This doesn't mean that the states should not have the right to compose their own laws. And it doesn't mean that they shouldn't be able to make them even stronger than minimum federal standards, if they wish.

But it does mean that we will betray the motoring consumer if we permit *his* state to have a weak, ineffectual insurance law while motorists in another state get a much better deal because of a more enlightened state government.

I think we have here a perfect example of the role of the federal government in a highly technical, mobile society. It should impose certain minimum standards for legislation which leave the states discretion for even stronger laws if they want them. Regulation and enforcement should remain at the state level.

Even though state initiatives thus far have been rather feeble, many who favor federal guidelines are worried about their psychological effect.

If California produces a reasonably good law, and Pennsylvania gets one, if the Michigan and Connecticut laws withstand legal challenges, Congress and the administration may be lulled into complacency. They may conclude that we don't need federal legislation to spur further action.

I hope I've made it clear today that federal legislation must do much more than just spur the states to action. It must guarantee minimum standards for every single motorist in this nation.

It will be up to all of us to make this very clear both to Congress and to the White House. We must identify both our supporters and our opposition and develop a winning strategy accordingly.

We understand that a new bill will be introduced next year with several improvements. Hopefully, extraneous regulatory provisions which concerned many people in and outside of Congress this year will be excluded.

One particular feature we objected to was the requirement for huge quantities of pricing and accident statistics, which we know from experience would not provide useful or meaningful comparisons.

Many members of the American Insurance Association worked hard for the Magnuson-Hart bill this year, but at the same time realized that these and some other features went far beyond the needs for effective state regulation.

Whatever measure is proposed in 1973, however, even if it is substantially the same bill we had this year, we must keep always in mind the growing impatience of consumers.

We must *not* let our pet notions or fears dominate our evaluation of federal legislation. We *need* federal minimum standards. If they aren't perfect, we must be prepared to come back to Congress in succeeding years to call for improvements. This should not be an impossible task if we keep before us the best interests of the consumers as well as our own interests.

In 1973, let's not get caught in the same trap of bad publicity we experienced this summer. On August 7 this year, UPI published a story which said "the nation's trial lawyers, insurance companies and the White House are still applying enormous pressure to prevent a no-fault automobile insurance bill from becoming law."

Regrettably, this story and many other accounts of Senate action on this measure failed to mention many insurance companies vigorously supported the bill.

These companies, including Little Aetna, were painted with the same broad brush of negative publicity—publicity which cast our whole industry in the role of opposing one of the most important pieces of consumer legislation in this century.

This is a painful price to pay in an era when consumer watchdog groups, anti-business forces, and others are leaping at every evidence of insensitivity to the public welfare.

It is only fair to state that some companies, which have been strong supporters of no-fault, opposed Magnuson-Hart because of some of its unattractive features. I would hope that an improved bill will satisfy them in 1973.

And from those companies which oppose auto insurance reform we still hear moralistic pronouncements about the tort system.

If a man is responsible for an accident, they say, he should reap the seed of his misdeed. This may mean higher insurance premiums next year, or, even worse, his insurer may refuse to renew his policy. In any case, justice has supposedly triumphed, with the guilty party paying a penalty.

It sounds great in theory; but the tragedy comes when innocent parties in the accident, people who may be seriously injured, also get penalized severely. They may face months of delay and uncertainty in recovering their losses.

And of course there's the whole complicated problem of determining who's at fault in the first place. That question alone keeps in constant doubt the outcome of thousands of auto liability suits.

These are problems which have hit the consumers hard, problems which have tarnished the image of our whole industry. But there is no need for this. Most of the companies opposing no-fault are well-managed organizations; and there is no reason why we all can't prosper under effective no-fault legislation. State Farm, which used to be an outspoken no-fault opponent, apparently is coming to this conclusion.

Winning converts to no-fault is indeed a slow-moving task. We don't have time to wait for all the doubting Thomases and fence-sitters to get on the bandwagon. In 1973, those of us who are bona fide no-fault advocates must not nitpick on a federal law.

Congress, of course, is only the first hurdle to our efforts.

Beyond that point, we may still have to convince the Administration that this legislation is essential. We are told that the Administration opposed Magnuson-Hart because it wanted to leave the initiative to the states. We do, however, have reason to believe that the Administration is growing increasingly impatient. The Wall Street Journal said in August: "The Nixon Administration is prodding the states in various ways to take strong no-fault action of their own by next April or else face federal legislation."

We hope the Journal's information is correct. We are also encouraged by the creation of a Uniform Motor Vehicles Accident Reparations Act. This model for state legislation was developed with the encouragement and financial backing of the Nixon Administration. It is an excellent measure which would render ample protection to motorists of any state where it became law.

Many months of exhaustive study went into the creation of this model no-fault bill, prepared by the National Conference of Commissioners of Uniform State Laws. The committee which composed it included lawyers, judges, academicians and other accomplished figures.

If that model bill were voluntarily adopted in its present form in all 50 states, we would have an excellent national system.

Clearly, however, it is unrealistic to expect that the states will take this initiative no matter how fine the model bill may be. And if we nurture such an illusion, the biggest losers will be the consumers.

I don't for a moment want to suggest that the National Conference wasted its energy and talents. In fact, I would urge that this model bill become the basis for a federal minimum standards act. Either this approach, or a new bill similar to Magnuson-Hart, would get the kind of action millions of consumers are waiting for in the state legislatures.

Incidentally, those of us in the industry who favor no-fault are sometimes chided for talking so much about consumer interests, and neglecting to mention that no-fault will be extremely good for business. Let me assure you that we do indeed like the business advantages of no-fault.

Auto insurance has been an actuarial nightmare for years. Tangible losses in medical costs, wages and property have been easy enough for actuaries to calculate, but the variables implicit in hundreds of thousands of auto liability suits have made it difficult and frequently impossible to project results accurately.

One case might be settled very reasonably for $500, while a very similar case in another legal jurisdiction might command a settlement of $5,000. The high costs of legal fees, claim investigations, court costs and administrative costs have sent premiums spiraling. This has angered the public and has caused state insurance regulators to force companies to curtail premiums, often to the point of wiping out profit margins.

Under a strong no-fault system we would be able to predict accident experience with greater accuracy. The huge question marks which surround the tort system would be eliminated. And that, quite honestly, would improve our chances of making a reasonable profit each year instead of fluctuating wildly into the red or black from one year to the next.

Auto insurance has been an ailing industry for years. No-fault would restore it to good health; and only a healthy industry adds strength to the social and economic fabric of our nation.

This does not mean that insurance companies can expect a bonanza from no-fault. The trial lawyers would have us believe that when we are free of the high cost of the tort system, our profit margins will skyrocket.

But what they forget is that our companies are tightly regulated by state insurance commissioners. In Massachusetts right now, we are trying hard to gain the legal right to earn a maximum of 5 percent on the compulsory portion of auto insurance in that state. This does not mean we'd be guaranteed 5 percent. It only means we'd be able to keep that much if we earned it.

Presently, we are allowed to make only one percent profit on this business in Massachusetts. The compulsory coverage, incidentally, is that portion which includes no-fault.

I might add that the trial lawyers, who are desperately struggling to hold onto their tort game preserve, are not subject to the tight state regulation which controls insurance rates, nor are most lawyers subject to controls by the Price Board or Pay Board.

Ladies and gentlemen, the election is over. All the anxieties and caution which understandably infect government officials at election time have subsided. This should provide a much better climate to achieve automobile insurance reform in 1973.

We have moved beyond the question of whether no-fault is a good idea. The evidence—for anyone who bothers to look at it—makes it overwhelmingly clear that the consumer gets a much better deal under no-fault.

And this makes it increasingly difficult to forgive or tolerate those special interests in this country who are blocking the path of effective auto insurance reform.

The grip which these interests have on state legislatures leaves us no alternatives but to move quickly for action in Washington. We need federal legislation with realistic minimum standards.

And we need it now—not in two years or five years but now. Its immediate impact will be to save Americans hundreds of millions of dollars and untold suffering.

We cannot leave this job to lawyer-dominated state legislatures. And even if we could, we would face a hodge-podge of state insurance plans if they are not guided by federal standards.

The federal bill may not be perfect, but if it's as close as Magnuson-Hart was this year, we should seize it and make it law.

We should intensify our campaign in Washington and we should urge the general public to demand action from their Congressional members.

Our industry has an opportunity here to side with the angels—or at least the consumers who indeed are angels—and at the same time create a healthier climate for our business. Thank you.

CAPTIVE AND SUBMERGED UKRAINIAN SOVIET SOCIALIST REPUBLIC

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mrs. GRASSO. Mr. Speaker, the Ukrainian Soviet Socialist Republic, is a captive and submerged nation, despite the trappings of "independence and sovereignty."

While the Ukraine is a charter member of the United Nations and maintains a permanent mission in this international body as a sovereign republic, it has no separate army, foreign policy, financial or economic policy. With a puppet government imposed upon the Ukrainian people by the Russian Communists, the Ukraine today endures the painful status of a colonial dependency of the Soviet Union.

On this date 55 years ago, the Ukrainian people were free from the foreign subjugation they now experience. January 22, 1918, independence was proclaimed in Kiev, the capital of the Ukraine. Finally free from the traditional domination of Czarist Russia, the brave patriots of this struggling new nation zealously exercised their all too brief moment of personal and political freedom. Tragically, the Bolsheviks invaded Ukraine in 1920, and after a bitter struggle, the country succumbed to Communist tyranny.

No people has suffered more from ruthless oppression and persecution under the Soviet heel than the freedom-loving people of the Ukraine. Despite the pain and suffering and sacrifice, these courageous people maintain a deep passion for freedom and a hearty spirit which gives strength to their quest to regain national sovereignty. With fierce determination and inspiring bravery, many citizens now living in the Ukraine express strong nationalistic sentiments at the fearful risk of arrest and imprisonment.

Ukrainians throughout the world cherish the dream of future liberty in their homeland. Ukrainian immigrants and their descendants in the United States, whose energy, inspiration and dedication have strengthened democracy in our own land, offer prayers and hopes for the future of the Ukraine.

On this day, an anniversary of freedom however brief, it is my special privilege to pay tribute to Ukrainian-Americans and to the people of the Ukraine who are a source of inspiration to all of us.

THE SOVIET "EDUCATION FEE"

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BROTZMAN. Mr. Speaker, I am today introducing legislation which seeks to cause the Soviet Union to allow emigration for those citizens who wish to leave that country.

For the last several months Soviet officials have required prohibitive education fees from those who wish to emigrate to the free world. These fees run from $5,000 to $30,000 in cash. Even most well-educated individuals in the United States could not afford to raise that much money at one time.

Furthermore, the Soviet Government has decided to impose these fees in a completely irrational and arbitrary manner, causing the brunt of the burden to fall on the Soviet Jew. These people, oppressed in their own homeland, are thus also denied their God-given right to seek a better life elsewhere.

My resolution, if enacted, would deal with this situation on two levels. First, it calls on the President of the United States to do everything in his power to cause the Soviet officials to change these discriminatory policies. This legislation suggests several general avenues the President may want to explore further to accomplish this end.

Specifically, the measures mentioned under this category in my resolution include an extensive diplomatic offensive. It calls on the President to make use of all diplomatic channels between the White House and the Kremlin, both formal and informal, to discuss this problem with Soviet officials. It also suggests taking the matter up in the appropriate forum in the United Nations, since that body has already accepted emigration as one of man's universal human rights. Another suggestion would be to make use of the U.S. Information Agency in a worldwide program to focus international attention on the Soviet's refusal to honor its citizens' right to emigrate. Finally, this legislation would direct the President to convey to the Soviet Government the concern with which the American Congress views this matter.

It is my belief that Congress must thoroughly reevaluate the desirablity of further conciliatory accords between the Soviet Union and the United States. Such actions on the part of the Soviet Union are directly in contravention of rights held basic to America's historical development and social conscience.

The second level from which the Congress must approach this situation involves powers which it alone can exercise. My resolution puts the rest of the world on notice that the Congress of the United States shall henceforth reserve the right to withhold final action on legislation to extend trade preferences to any nation which continues to deny or restrict the rights of its citizens to emigrate to the countries of their choice, or which imposes more than a nominal emigration fee.

If the Union of Soviet Socialist Republics continues to refuse to grant its people their basic human rights, the Congress may be left little choice but to deny most-favored-nation status to the Soviet Government. This, of course, would have drastic effects on the current successfully developing trade relations between our two countries. Yet, I feel that relations between our two countries must be based on mutual trust and good faith.

Mr. Speaker, this is a problem critical to the development of truly normal and prosperous relations with the Soviet Union. It should be resolved before any such relations are established.

With introduction of this legislation on the floor of the House today, I am calling on each and every Member of Congress to dedicate himself to seek a speedy and equitable solution to this one remaining roadblock to sound trade relations between the people of the Soviet Union and the United States. I ask that my resolution be expeditiously reported to the floor of the House and be given the judicious consideration it most assuredly deserves.

UKRAINIAN INDEPENDENCE DAY

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. COTTER. Mr. Speaker, yesterday marked the 55th anniversary of the Ukraine's independence. On January 22, 1918, the Ukraine became a free and independent nation, only to have its young liberty crushed by Soviet Russia in 1920, 2 short years later. Today, 47 million Ukrainians are living under Soviet rule, even though they do not consider themselves Russians. And so today, while we celebrate the independence of the Ukraine, we also mourn for 53 years of captivity under Soviet rule.

Those who are free always carry the burden of those who are not, for one is not free until all are. As Americans, whether we be of Ukrainian descent or not, we have been given the responsibility, the moral duty, of speaking out in behalf of those seeking freedom and national independence.

Mr. Speaker, this should be a day of remembrance. We must remember how the Soviet Union annexed this young nation without her consent. We must remember Stalin and the cruelties he bestowed upon these people 40 years ago when in 1933 he created a famine and starved 15 million Ukrainians to their deaths. We must remember that even today, as the President speaks of detente with Russia, the Soviets are engaged in a campaign of mass arrests and cultural repression in the Ukraine.

But we also must remember the great contributions which Ukrainian-Americans have made to the United States. They have added another chapter to that great and diverse volume of our American heritage and culture.

I am honored and grateful to be given this chance to speak in behalf of Ukrainians, both the free and the captive, in wishing them a happy 55th anniversary of the Ukraine's independence.

I know my colleagues will join me in saluting these brave and proud people.

LAST LIFTOFF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. TEAGUE of Texas. Mr. Speaker, a recent editorial by Mr. Robert Hotz in Aviation Week, written following the launch of Apollo 17 highlights the importance of the Apollo program and its contributions to our country and to the world. As this editorial so aptly states the programs to follow—both the Skylab and the Space Shuttle, as well as the planetary probes in the mid and late 1970's—can continue to add to the store of new technology needed by this country. On this day when the Congress is welcoming back the Apollo 17 astronauts from their outstandingly successful lunar mission, we should consider the need to assure adequate funding for our national space efforts so vital to our economic well-being and national security. The editorial follows:

THE LAST LIFTOFF

(By Robert Hotz)

With the spectacular night launch of Apollo 17, the last men likely to scuff their boots in lunar dust during this century began their long, lonely journey through cislunar space. The splash down of Apollo 17 in the Pacific next week will put a period to the first chapter of man's effort to escape the environment of his own planet and explore the universe. It marks the end of a tremendous decade of progress in manned space flight, beginning with the first tentative ventures of Vostok and Mercury when man was little more than a sardine well-packed in an orbital can and simple survival was the principal mission goal. Gemini and Soyuz provided the first evidence that man could work as well as survive in space. Apollo was the first true spacecraft in which man voyaged successfully beyond the limits of his planet earth.

We believe there can be little doubt that the six Apollo missions that put men on the surface of the moon and brought them back safely mark an historic watershed in the annals of man. These Apollo voyages to the moon were without question the boldest, most imaginative and technically complex achievements of man and, as such, added a dimension to the human spirit that cannot be fully measured for decades.

When the Apollo 17 astronauts return next week there will have been 12 men who will have spent a total of 296 hr. exploring the lunar surface in six radically different areas. They will have mined more than 800 lb. of lunar rocks and left permanent instrumentation on the moon to transmit continuing technical data to earth.

The thousands of pictures taken on the moon and from the orbiting command mod-

ules, plus the data recorded from a wide variety of scientific experiments, will provide grist for the scientists' mills for years.

REAL VALUES FOR MANKIND

Fantastic as this achievement may be, it is only a fraction of the real values Apollo has provided for mankind. Although Apollo was a star-spangled United States achievement nurtured by resurgent nationalism, its achievements and benefits are not confined to these 50 states but are shared by all mankind. Thanks to satellite communications and major advances in television and other communications techniques, virtually the whole world saw the Apollo missions in real time from lift-off at Cape Kennedy to the interiors of the spacecraft in flight and the explorations on the lunar surface.

The real benefits of the Apollo program would take more space to list than is available here. But among the most important, we think, are:

Development of new technology faster and on a far broader front than is generally realized. The spearhead technology spawned during the Apollo program is not just confined to aerospace but has spilled over into other broader areas such as medicine, communications and education.

Creation of a cooperative blend of engineering scientific effort that appears to have begun bridging a divisive gulf and providing a pattern for more fruitful future work. The earlier scientific criticism of manned space flight in general and Apollo in particular subsided with the demonstration on each successive mission of the vast scientific exploratory opportunities provided by the engineering development of space flight hardware. Apollo 17, with its first scientist-astronaut crewmember, foreshadows the increasing opportunity for scientists to work in space as Skylab and the space shuttle provide sufficient capacity for non-flightcrew specialists.

Creation of a management capacity in both government and industry for marshaling vast resources to focus on a specific goal to achieve results within a limited time. Hopefully, these techniques can be applied to other complex problems facing modern society if the political will to do it and public support can be generated.

CURIOSITY WHETTED

It is also useful to recall that the triumph of Apollo II, first manned landing on the moon, came as the climax to a decade of U.S. technical recovery. It dispelled the fears of the "flat fifties" that the Soviet Union had truly taken the lead in spearhead military and space technology and really represented the wave of the future. The demonstration of U.S. purpose and capability in this decade-long, sustained drive to overcome the Soviets' pioneering lead is a lesson that impressed the rest of the world perhaps even more than the citizens who paid the bill.

The month of July, 1969, when Neil Armstrong took his "one small step for man . . ." and a "giant leap for mankind" on the fuzzy television screens around the world, provided perhaps one of the greatest soarings of the human spirit since the relief over ending of World War 2. The Apollo program proved what man can really do when he sets his mind to a goal. The exploration of space will continue beyond Apollo and become a permanent part of man's curious quest for more knowledge of himself and his universe. The trend of space exploration will shift from the cold pale distance to the moon to the nearer environment of earth-orbital activity.

Although it is unlikely that man will go back to the moon again in this century, his curiosity has been whetted by Apollo. It will not be satiated until he goes back and thoroughly explores this forbidding terrain. Each night after Apollo ends, the moon will shine as a distant enigma that will lure man back in hopes of eventually solving all its mysteries.

DREAM OF FREEDOM NEVER FORGOTTEN

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. WOLFF. Mr. Speaker, today marks the 55th anniversary of the independence of the Ukraine and is being celebrated by over 2 million Americans of Ukrainian descent.

Unfortunately, the independence which I join with them in celebrating was short lived. However, the dream of freedom has never been forgotten by the 47 million Ukrainians who still yearn for the freedom once again to become their reality.

I am privileged to be able to join with many of my colleagues today to renew our dedication to the task of bringing freedom to the Ukraine and to all the other captive nations of the world. Without freedom for all, we can never hope to establish a durable world peace.

Along with freedom-loving people everywhere, I hope that those who struggle to overthrow tyranny, as we here in our own country did almost 200 years ago, will soon triumph so that next year's celebration of Ukrainian independence will be a celebration of fact and not just memory.

AMENDMENT TO THE EDUCATION OF THE HANDICAPPED ACT

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BADILLO. Mr. Speaker, I am very pleased to introduce again, on behalf of myself and 87 other Members of the House an amendment to the Education of the Handicapped Act which will provide tutorial and related instructional services for homebound children through the employment of qualified college students.

Approximately 1 million youngsters in our Nation fall into the category of homebound handicapped. These children, for varying lengths of time, are unable to attend school. As a consequence, they suffer academically and emotionally. A considerable portion of those who are eventually enrolled into regular classes experience all the difficulties of children coming from deprived backgrounds—poor social adjustment, academic difficulties, emotional problems.

Opportunities for these youngsters vary widely across our Nation. Some localities provide 5 or more hours of home instruction a week. Others, primarily because of a lack of funds, are unable to even assess the extent of the need or furnish an accurate figure of this segment of their handicapped population.

The measure I am introducing today is the result of discussions with educational officials in all 50 States. Forty-eight special education departments have responded to my proposal and have supplied me with suggestions that I have incorporated into the measure.

Briefly, the bill:

First, is fashioned to be administered in accordance with rules and regulations of local educational agencies;

Second, gives preference for tutorial posts to disabled veterans and other handicapped individuals whenever possible;

Third, stipulates that compensation to the students must not be below the minimum wage level;

Fourth, specifies that funds under the program must not be used to establish a permanent, segregated system of education for the handicapped but rather must be utilized in a manner calculated to assure their speedy and complete assimilation into the educational system;

Fifth, incorporates a maintenance of effort provision;

Sixth, has an application procedure which takes into account the varying needs of the States.

I am grateful to my colleagues for the interest and support they have shown and sincerely hope that this body will find the time in this Congress to act on this badly needed measure.

For the information of Members, I am inserting here the full list of cosponsors alphabetized by States. Interested State educational officials have already been informed of my intention to reintroduce this measure and they will also receive a copy of the cosponsor list.

LIST OF COSPONSORS

ALABAMA

Hon. John Buchanan, Hon. Bill Nichols.

ARKANSAS

Hon. Bill Alexander.

CALIFORNIA

Hon. George E. Brown, Jr., Hon. Yvonne Braithwaite Burke, Hon. Phillip Burton, Hon. James C. Corman, Hon. George E. Danielson, Hon. Don Edwards, Hon. Augustus F. Hawkins, Hon. Robert L. Leggett, Hon. William S. Mailliard, Hon. Jerry L. Pettis, Hon. Thomas M. Rees, Hon. Edward R. Roybal, Hon. Jerome R. Waldie.

FLORIDA

Hon. Charles E. Bennett, Hon. William Lehman, Hon. Claude Pepper.

GEORGIA

Hon. Ben. B. Blackburn.

GUAM

Hon. Antonio Borja Won Pat.

HAWAII

Hon. Spark M. Matsunaga.

IDAHO

Hon. Orval Hansen.

ILLINOIS

Hon. Kenneth J. Gray, Hon. Ralph H. Metcalfe, Hon. Melvin Price.

INDIANA

Hon. Ray J. Madden.

KENTUCKY

Hon. John Breckinridge, Hon. Tim Lee Carter, Hon. Romano L. Mazzoli.

MARYLAND

Hon. Gilbert Gude, Hon. Lawrence J. Hogan, Hon. Clarence D. Long, Hon. Parren J. Mitchell, Hon. Paul S. Sarbanes.

MASSACHUSETTS

Hon. Robert F. Drinan, Hon. Michael Harrington, Hon. John Moakley, Hon. Gerry E. Studds.

MICHIGAN

Hon. John Conyers, Hon. James G. O'Hara.

MISSOURI

Hon. William Clay, Hon. James W. Symington.

NEW HAMPSHIRE

Hon. James C. Cleveland.

NEW JERSEY

Hon. Dominick V. Daniels, Hon. Henry Helstoski, Hon. Matthew J. Rinaldo, Hon. Robert A. Roe, Hon. Peter W. Rodino, Hon. Frank Thompson, Jr.

NEW YORK

Hon. Bella Abzug, Hon. Joseph P. Addabbo, Hon. Herman Badillo, Hon. Frank P. Brasco, Hon. Jonathan B. Bingham, Hon Shirley Chisholm, Hon. Elizabeth Holtzman, Hon. Edward Koch, Hon. Bertram L. Podell, Hon. Charles B. Rangel, Hon. Benjamin S. Rosenthal, Hon. Lester L. Wolff.

NORTH CAROLINA

Hon. Wilmer Mizell, Hon. Richardson Preyer, Hon. Roy A. Taylor.

OHIO

Hon. Lewis Stokes, Hon. Charles A. Vanik.

OREGON

Hon. John Dellenback.

PENNSYLVANIA

Hon. Willam A. Barrett, Hon. John H. Dent, Hon. Joshua Eilberg, Hon. William J. Green, Hon. Joseph M. McDade, Hon. Robert N. C. Nix, Hon. Gus Yatron.

RHODE ISLAND

Hon. Robert O. Tiernan.

SOUTH CAROLINA

Hon. Mendel J. Davis.

TENNESSEE

Hon. LaMar Baker, Hon. Richard Fulton.

TEXAS

Hon. Henry B. Gonzalez, Hon. Richard C. White.

VIRGINIA

Hon. Joel T. Broyhill, Hon. Thomas H. Downing.

VIRGIN ISLANDS

Hon. Ron de Lugo.

WASHINGTON

Hon. Julia Butler Hansen, Hon. Floyd V. Hicks, Hon. Mike McCormack.

WEST VIRGINIA

Hon. Ken Hechler.

ROGER L. PUTNAM: 1893–1972

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BOLAND. Mr. Speaker, on November 24, 1972, when Congress was in sine die adjournment, a very distinguished citizen of this Nation, the Commonwealth of Massachusetts, and my congressional district, Roger L. Putnam, died.

Roger L. Putnam was a brilliant business executive, an outstanding public servant and a politician in its noblest and finest meaning. Few men who ever lived packed so much activity into a lifetime of concern for so many people and in so many endeavors that laced across his country, State and community. He had a marvelous understanding of people and their problems—government and its complexities—business and its responsibilities.

His life, interests, and activities deserve to be highlighted in the permanent history of the United States as reflected in the CONGRESSIONAL RECORD. As one of the many who benefited from his advice and counsel, I deem it an honor to do so in these remarks.

Roger L. Putnam was born December 19, 1893, into one of Massachusetts' greatest and most distinguished families. He graduated magna cum laude from Harvard University in 1915. He studied at the Massachusetts Institute of Technology. In World War I, he enlisted as a seaman in the U.S. Navy and was discharged as a lieutenant. Roger Putnam's rapid rise and successes in business, politics, and community life attested to his remarkable intelligence and industry.

Mr. Putnam served as president and chairman of the board of the Package Machinery Co., and on the board of directors of the Van Norman Machine Co. He was the moving force in organizing Springfield Television Corp. Station WWLP and served as its first president. He was also on the board of directors and honorary chairman of the Third National Bank of Hampden County.

Mr. Putnam's public service cut across many facets of local, State, and national fields. He was mayor of Springfield for three successive terms, 1937–42, Democratic nominee for Governor of Massachusetts, 1942, Chairman of the U.S. Economic Stabilization Agency, 1951–52, a member of the commission that drafted the Massachusetts unemployment laws, 1934, deputy director of the Office Contract Settlement, 1944, and a member of the Massachusetts Board of Higher Education and Massachusetts Board of Community Colleges.

Throughout his extremely busy and active public service, Mr. Putnam always found time to lend his talents and knowledge to local community endeavors: Springfield's Charter Revision Commission, Red Cross, Chamber of Commerce, Citizens' Action Committee, Future Springfield, United Fund, Springfield Hospital Medical Center, Dexter Fund, chairman of the Board of the Holyoke Soldiers' Home, Park Commission, Springfield Library Commission, New England Council, and Petersham Memorial Library.

Mr. Speaker, I have listed many of Mr. Putman's activities and I am sure that the list could be extended. From all of this, it is easy to recognize that this passing has left a void in the community that he loved and served so well. Fortunately, Roger L. Putnam's goals, interests, and spirit will be carried by his gracious, charming, and devoted wife, Caroline Jenkins Putnam—a remarkable and truly distinguished person in her own right—as well as by their children who have caught the flavor and fervor of their parents. Their feelings are caught up in a moving editorial from Television Station WWLP 22 written and spoken by Roger L. Putnam's son and successor as president of the Springfield Television Broadcasting Corp.

Anyone who ever had the privilege of knowing Roger L. Putnam shares the sentiment and feeling so beautifully expressed by Roger Putnam's son, William L. Putnam in the following:

[Special report: Station WWLP–TV, Channel 22, presented by William L. Putnam, president, Springfield Television Broadcasting Corp.]

ROGER L. PUTNAM: 1893–1972

Had he lived, today would have marked the start of my father's 80th year. Since I often plan these statements well in advance, I had already planned to comment on this occasion, some months ago. In fact, I had even picked out pretty much what I would say. Though he is now gone, the heritage he has left to his friends, family and the community he served so long and so well, remains even more impressive in his absence. Thus, he merits the same respectful attention he would have received if here.

Perhaps it is just the pride of a grateful son in a dutiful and honorable father; but I have tried to be detached in my analysis of this matter as in all other subjects. Anyhow, 80 years ago Roger Lowell Putnam was born; and this community was never served more devotedly by any other man in that time.

Even though, as his son, I should remember these things, I cannot begin to list the offices he held, or account for the time he gave to city, state and nation, as leader and follower; as guide and prophet, in war and peace and without ever counting the cost to himself.

A constant example of the right and honorable, a man whose respectful friends would form a line the length and breadth of this state, my father was a real prince. A man whose abilities and interests knew no limits, he could talk geology with me in the mountains and correspond with my brother in Greek. Internationally known in Astronomy a man whose honors were legion, he always showed the path of true humility and understanding.

May we, whom his example has touched, be ever mindful of his zest for life, his concept of public interest, his devotion to fair play and his fond remembrance of friendship.

AT THE THRESHOLD OF A NEW YEAR

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. HARRINGTON. Mr. Speaker, we are now at the beginning of another year. In 1968, President Nixon stated that anyone who could not get our country out of the Vietnam war should not be reelected. Last Saturday, President Richard M. Nixon began his second term and fifth year in the office of President of the United States. We are still engaged in the bloody conflict in Vietnam. We have been buoyed by the hope of the Paris peace talks only to have them become a dismal failure. The bombing has been halted only to have it begin again at a stepped-up rate. In October, the Nixon administration informed us that peace was at hand. Last Friday, we were told a settlement was to be reached within a week. We have heard those words over and over again. We will believe them when we see the tangible results. We are

still in Vietnam, we are still dropping bombs. We are told that Vietnamization is working wonderfully, we have been withdrawing troops, yet every week many of our troops are killed, some of them just boys.

Mr. Speaker, I have received a poem I would like to insert in the RECORD. Entitled "At the Threshold of a New Year," it was delivered on December 31, 1972, as an editorial on WCVB-TV, Boston, by Richard S. Burdick, WCVB vice president and general manager, Creative Services. Let us hope that 1973 will see peace in Vietnam:

AT THE THRESHOLD OF A NEW YEAR

Now, in the fading light
Of a spent year,
With shadows on the moon
In the shape of man and his technology,
Peace is a promise
Not a presence.
The black headlines of white hope
Have faded from the newspapers of a world
Resonant with the echoes of a war
That leaves more questions than answers
And no songs to sing or whistle.

Poised on the cusp of midnight,
Impatient to pop the corks,
Drink the toasts, sing the songs,
Kiss, dance, laugh and make merry,
Let us look first toward tomorrow,
When the glasses all will have been smashed
And the tongues will hang limp
In a million cathedral bells.
On that day after
And the first of all the days to come,
Let us be mindful of a boy named Ted,
From Lexington.

Ted will not be rising;
He lies forever in several parts
Of a North Vietnam village
With a name he had trouble pronouncing.
In a blinding second, one obscene morning,
Ted became a part of everyplace.
Now any football in the air
Is one he might have caught;
Any slim pair of legs swinging down Mass. Ave.
He might have turned to look after;
Any child running with outstretched arms
Might have been his.

Spring will come
And the sweet days of summer;
There will be cool glasses of beer
To ease parched throats;
There will be cracking line drives
To center field,
And umpires will be terribly wrong.
The new years will come
And the old years will go,
In Lexington and in Vietnam,
While the boy continues in his long sleep:
Never to know the ruddy glow of a suntan,
Never to taste the mucilage on a postage stamp,
Never to sink his teeth into a steak,
Never to smell coffee perking or gasoline,
Or the fragrances of a soft body,
Never to know the thrill of a pay raise.

Yes, peace is a promise
And birdsong punctuates the drone of bombers in the air above the 20th Parallel.
Peace is a promise
And the sun is warm upon the several parts of a field, beyond an ocean, beyond a country beyond a Battlegreen, where a boy named Ted, will never again throw a frisbee.

So now in the fading light
Of a spent year,
At the threshold of a new one,
Have one for Ted—
Lest auld acquaintance be forgot.

DETERIORATION IN QUALITY OF POSTAL SERVICE

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ROGERS. Mr. Speaker, I have recently requested that the Post Office and Civil Service Committee and the General Accounting Office conduct an in-depth investigation of the U.S. Postal Service. In recent days I have received correspondence from every part of the country describing deterioration in the quality of mail service in every respect.

In a recent article, Mr. Mitch Bluementhal of the Sun Sentinel described the condition of mail service in the south Florida area.

I insert the article in the RECORD at this point:

DETERIORATION IN QUALITY OF POSTAL SERVICE

"Its rotten," said one disgruntled patron.

"It's ridiculous," an overworked mailman commented.

It's the postal system they're talking about, and it has been causing unprecedented handling delays which are beginning to bite into the pocketbooks of small and large businessmen alike.

A Sun-Sentinel survey of more than 25 businesses in Broward and Palm Beach counties revealed that although they don't fault their friendly neighborhood mailman, something is causing about three-day delays in local mail delivery, and much more when dealing with longer distances.

"In the last year mail delivery has slowed up quite a bit," an employe in the installment department of the Southeast Bank of Deerfield said. "It's the worst I've seen in 13 years."

"It's lousy," said Charles Howard of Allied Van Lines, remarking that payments from customers have been coming in much slower.

"I'm busy and don't have time to elaborate, but I can tell you in a single word: it's rotten," one worker at the Sears, Roebuck and Co. telephone catalog service said.

The words must often used to sum up their service was—"lousy, rotten, and much slower, terrible." And so it went.

Confronted with the comments of an irate business community, William Holland, postmaster for the Fort Lauderdale area, staunchly defended mail delivery.

'I don't think that there has been a slowdown in mail delivery,' he said.

But despite his failure to see a mail "slowdown," he said the postal system here is "going through the process of employing 60 new employees, but we have to go through the proper Civil Service procedures."

And although Holland said he hadn't noticed any problems in local or long-distance mail delivery, many others dealing directly with the postal system, including mailmen, sang a different tune.

"They're just playing a catch-up game and losing ground, and in the process they're lousing up the game unbelievably," Larry Van Dusseldorp, president of the South Broward Mail Users Council, said.

Local mailmen were just as critical.

"It's the worst I've seen in years. We have things piled up that we just can't get to. We have bundles of mail, like income tax booklets, that are sitting on the floor. We've all been working overtime and still can't put a dent in it."

Another mailman, in the Oakland Park section, said they had "been cautioned not to say anything," but decided to anyway.

"At our station here there are some routes that are behind eight trays," explaining that a tray holds 500 letters. "Each day adds another one or two trays because they're just not getting it out."

Asked why the mail situation has seemed to deteriorate within the last year, he attributed it to the new postal setup.

On July 1, 1971, the 200-year-old Post Office gave way to a new, quasi-governmental U.S. Postal Service, and at the time then Postmaster Winston M. Blount asked for the "patience and support of the American public," saying that an efficient, reliable, mail service is five years away.

It was predicted, however, that upon full and final implementation of the postal reform legislation, there would be, in theory, an independent, self-sustaining and efficient Postal System.

And at the time of the postal reform, the American public began paying more and getting less, a luxury the U.S. Postal Service could get away with, since it has a monopoly in the mail carrying business.

The Oakland Park mailman said the 11-man board chosen to head the new postal system "had exactly zero experience at the time of their appointments."

"The key to the whole mess is the wording, 'profit making.' Someone has to pay . . . the public has to pay," he said.

He said that at the beginning of 1973 the post office was ordered to "get rid of one out of every six employes, even though the mail volume has increased by 23 per cent."

Holland agreed that there had been a "job freeze ordered to put employment on a proper level," noting that the "system did not want to overemploy" because of the new distribution center planned to go into operation here in March.

He said the new distribution center would be mechanized, so that in the near future there would be less of a demand for labor, which now accounts for 80 per cent of mail costs.

But some people, like Rep. Paul G. Rogers, D.-Fla., is uncertain of the advantages of Fort Lauderdale becoming a major "area mail processing center," and has called for a postal investigation.

Rogers said that after talking to postal workers, he has concluded the "concept of bringing mail into one center for distribution has resulted in one huge backlog."

Fort Lauderdale, now processing mail from Hallandale, Hollywood, Dania and Pompano Beach, will handle mail of the West Palm Beach area when the new, highly mechanized post office opens in Broward next March.

Rogers said postal employes feel there is a "much better and more efficient way of handling the mail" than regional distribution centers.

He said John E. Clements, secretary-treasurer of a local of the American Postal Workers in Daytona Beach wired his support of an investigation, charging that "postal service has deteriorated in the past two years to the point of disservice."

Contacted at his Daytona Beach post office, Clements said hurriedly, "I can't talk now. I'm in more trouble than you can imagine for what I said."

But what he said was no secret.

According to Rogers, he has been "getting quite a reaction, not only from Florida constituents but from all over the country," and he began to read some of the letters over the telephone.

"Here's one from a lady who mailed a letter from a 205 address to a 218 address in the same block; it took five months and one day to be delivered.

"A paycheck mailed in Boca on Dec. 21 got to Fort Lauderdale on Jan. 3. That's a pretty rough time to wait for a paycheck.

". . . Bills to a milkman and butcher delivered three months later.

"And I could go on and on," Rogers said. "Christmas compounded the problem, but it wasn't just Christmas mail," he said. "What used to take a few days is now taking nine or 10."

SUPERBOWL VII

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BURKE of Florida. Mr. Speaker, I have the pleasure of representing a congressional district in southern Florida, in what is known, during the football season, as Miami Dolphins' territory. I, also, had the pleasure of attending this year's Superbowl Games between the Miami Dolphins and the Washington Redskins. Since my duties as a Congressman require that I spend a great deal of time in Washington, I was happy that the Washington Redskins were the Dolphins' opponents.

All athletic events are interesting when there is equality among the contestants. The game, witnessed by millions of people, showed how thoroughly trained and thoroughly determined the players of both teams were. Certainly no teams were better coached. Sports reporters will be analyzing the game for years, but to me the Dolphins were, and are, a better team than the Redskins. They have the speed, passing, blocking, kicking, and running to make them winners. Yet the individual players on both sides had quality and ability, and all pushed themselves to the limits of their powers in the hope that they would achieve victory. Each individually, therefore, deserves praise for his efforts.

The Dolphins are my team, but my congratulations go to all the players on both sides and their coaches for providing their rooters and fans with a season of thrills and elation. Their examples of hard work, perseverance, determination, and team effort are respected by all.

My special congratulations to the Miami Dolphins and to Don Shula and the other coaches, champions one and all, for giving a little bit more of themselves, and winning Superbowl VII.

At no time in the history of professional football has a team completed a season undefeated. The Miami Dolphins did just this by winning their 14 regular season games, two playoff games and, finally—the Superbowl.

During their undefeated season, they were under great pressure. Each team they played wanted the privilege and glory of saying, "We stopped the Miami winning streak."

In the American Conference their offense, defense, and passing records were superb. It is my frank opinion that the Dolphins deserve to be called "World Champions." It is doubtful if we, in our lifetime, will ever see another team go through its entire scheduled league games undefeated, win its playoff games, and then the Superbowl Championship as the Miami Dolphins did during the 1972 season.

If I were to hazard a guess, I would state that if it is to be done, it will be done by the 1973 Miami Dolphins. To each of them, once again, my congratulations for a job not only well done, but superbly done.

SOCIAL SECURITY LUMP-SUM DEATH BENEFITS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ANNUNZIO. Mr. Speaker, on January 3, I introduced H.R. 275, a bill to rectify what I believe to be a glaring inequity in our social security programs—the limited lump-sum death benefit.

The basic formula for computing this benefit calls for a payment equal to three times a deceased worker's basic monthly benefit, but a ceiling which was adopted way back in 1954 has negated the effect of the formula. Under the law as amended in 1952, the maximum lump-sum benefit was $255—three times the highest basic benefit payable. However, when Congress increased regular benefits by 13 percent in 1954, the $255 figure was retained as a ceiling on all lump sum benefits.

This ceiling of $255 has been in effect for two decades and has prevented lump sum benefits from increasing at the same pace as regular monthly benefits; since 1954, regular monthly benefits have been increased six times for a cumulative increase of 96.4 percent.

There is no doubt that the $255 ceiling has prevented death benefits from keeping pace with rising funeral costs. According to the Federated Funeral Directors of America, the average cost of a standard adult funeral in 1954, the year the ceiling was put into law, was $607.21. In 1971 the average cost of a standard adult funeral had risen to $1,088, an increase of over 79 percent. The ceiling, of course, has kept lump-sum amounts from rising with general benefit increases, and, consequently, the average lump-sum benefit in 1971 paid only 22.4 percent of the average standard adult funeral, which compares with the 34 percent paid in 1954.

The original idea was that the payment would be related to the amount of a worker's monthly retirement benefit. As things now stand, though, we have for all practical purposes a flat rate payment; it varies from a minimum of $253.50 to a maximum of $255. And, in order to qualify for the maximum, one needs to have average monthly earnings of only $77; anyone with an average monthly wage of $76, or less, has earned the minimum lump-sum death payment of $253.50.

Mr. Speaker, we must go with the times. There is nothing wrong with a flat payment to everyone, provided that it is a meaningful amount. Since the lump-sum death payment was conceived of as a way to help people meet the expenses which come about for every man when his appointed time is spent, I believe that a flat payment is appropriate for the cost each of us must eventually incur. We must make that payment meaningful in terms of today's increased costs.

My bill, H.R. 275, would provide a flat lump-sum death payment of $750 for everyone. This would be a meaningful payment in terms of today's prices.

I do hope that the distinguished chairman and members of the Committee on Ways and Means will see their way to an early report on this bill so that the full House will have an opportunity to work its will.

PRESERVE AMERICA'S SPIRITUAL HERITAGE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. YOUNG of Florida. Mr. Speaker, our spiritual heritage, which has made America the greatest nation in the history of the world, has been under vigorous attack in recent years. Yet at no time has this Nation's moral and spiritual fiber needed strengthening more than it does today.

For all intents, our Pledge of Allegiance to the Flag, might as well be rewritten to delete "one Nation under God" and make it "one Nation under the Supreme Court." As you know, the Court in a misguided interpretation of our constitutional guarantee of freedom of religion, has outlawed prayer and Bible-reading in America's schools.

To correct this gross injustice, I have introduced House Joint Resolution 125, a constitutional amendment to permit voluntary, nonsectarian prayer and Bible reading in our schools and other public places. This amendment would define the freedom of religion clause in the first amendment so that we might have God's infinite love revealed, for in learning to love Him, we learn to love one another.

America needs this amendment. Our children need it. Each man, woman, and child in this Nation has the freedom to choose a form of religion or choose none at all. Nothing in my amendment would abridge that right. It would, however, restore the coequal right to voluntarily seek the guidance and wisdom of Almighty God in our classrooms.

At the start of each daily session, this House, as well as the Senate, our State legislatures, even our courts, still seek God's aid in making wise decisions and faithfully carrying out our responsibilities.

This is as it should be. America was founded by God-fearing men; our democracy and our way of life are rooted in great moral and spiritual principles. I do not see how exposure to these principles can do anything other than benefit everyone, particularly our youngsters.

We cannot allow the courts to deny the privilege of worship to our children. The future of America will turn not on the question of whether God is on our side, but rather on whether we are on God's side. This Congress owes it to the Ameri-

can people to overwhelmingly support a constitutional amendment that reaffirms our basic faith in Him.

THE CONSUMER'S STAKE AND THE PUBLIC'S INTEREST IN EXPLORATION FOR NATURAL GAS ON THE ATLANTIC SHELF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. MURPHY of New York. Mr. Speaker, interest is mounting in the New York area, and indeed throughout the Atlantic Coast, in the matter of exploration for natural gas on the Atlantic Shelf. As we consider the complex and troublesome questions involved, it is essential that we have the opinions of all phases of the energy industry; from conservation and environmental groups; from economists, planners, and Government officials. In an effort to help make these views widely available, I commend to the attention of the House the recent remarks of Dr. Charles F. Luce, chairman of the board of Consolidated Edison Co. in New York. Mr. Luce discusses many of the important questions which must receive close scrutiny in the days ahead.

The address follows:

THE CONSUMERS' STAKE AND THE PUBLIC INTEREST IN EXPLORATION FOR NATURAL GAS ON THE ATLANTIC SHELF

(By Charles F. Luce)

In preparing remarks for today's meeting, my first thought was to discuss con Edison's plans for meeting future electric energy requirements of Staten Island. Of the six divisions which compose con Edison, the Staten Island division has the fastest rate of electric growth, and we are making large investments in new electric distribution facilities to meet that growth. All of which I thought would be of interest to members of the Staten Island Chamber of Commerce.

But George Delaney, our able Staten Island division vice president, advised me that he thought you would be even more interested in the broader subject of where is the energy coming from to meet foreseeable needs of the entire city in the decades ahead.

Time constraints of a luncheon meeting do not allow comprehensive discussion of this much broader subject. In the few minutes that we do have I will try to sketch for you the potential of an untapped economical source of energy that may lie closer to our city than any primary source of energy we now use. I refer, as the title of my remarks indicates, to the possibility that large quantities of recoverable oil and gas lie beneath the Outer Continental Shelf off the east coast of the United States.

Lest this conjure up vision of oil and gas drilling platforms surrounding Staten Island like a picket fence, let me assure you that the geologic evidence to date indicates that the closest oil and gas fields would be 30 miles or more offshore, out of sight of the United States mainland.

My message today will be simple: That the consumer who pays ever-increasing gas and electric bills has a tremendous stake in the exploration of the Atlantic shelf, and that in the broadest sense the public interest—including the vital need to protect the earth's environment—may best be served by such exploration.

Although my comments will be directed mainly at the interest of gas consumers in outer shelf exploration, it must be recognized that for at least two reasons electric and steam consumers also have an important stake. Much of the electricity (about 15%) and steam (about 10%) consumed by Con Edison customers this year is generated with gas as the fuel.

Indeed, the city of New York has mandated gas as the fuel to be burned at our rebuilt 60th Street steam plant in Manhattan, and has required that we use best efforts to obtain gas as the fuel for the new 800,000-kw addition to our Astoria electric generating station in Queens. The more Con Edison must pay for gas to generate electricity, the higher the price of electricity must be.

Perhaps an even larger stake of our electric and steam customers in offshore drilling is the possibility that it may discover, in addition to gas, sizable deposits of oil. Presently 82 percent of the electricity we generate is fueled by residual oil, all of which comes from abroad.

The price of this oil has more than doubled in the past 3 years, half because of improvement in quality and half because of basic price increases. The outlook is for further price increases, which will translate into further steam and electric rate increases.

A New York *Times* editorial entitled "Squeezing the Goose," dated October 9, 1972, looked at the future of the oil supply situation from a national viewpoint, and concluded:

"Free world consumption in the next decade is expected to rise far ahead of production outside the Middle East which still contains two-thirds of the world's known petroleum reserves. For example, three new discoveries last year in Saudi Arabia alone exceed the total finds so far in the vaunted north sea fields.

"These trends have particularly serious implications for the United States which accounts for one-third of all world consumption. Although this country currently imports only 23 percent of its total requirements, most of it from areas outside the Middle East, oil imports are expected to rise to 40 to 60 percent of consumption by 1980. This would mean increased dependence on Middle East sources, higher prices for gasoline, home heating fuel and industrial power and an enormous new drain on the United States balance of payments.

"Friendly accommodation with the producer states is a prudent step toward meeting this new situation. But it is no substitute for the most vigorous efforts to develop acceptable alternate fuel sources and to conserve the diminishing resources this country now possesses. The squeeze on oil has only begun."

But let us return to the narrower focus of this paper, which is the interest of the New York City consumer in the exploration of the Atlantic Shelf. Presently, Con Edison, like Brooklyn Union Gas Company, obtains gas for its customers from large pipelines which tap gas fields in Louisiana and Texas, many of them in the Gulf of Mexico. Prospects for increasing pipeline deliveries to meet increasing gas demands are not encouraging. In fact, in the past 1½ years, the major pipeline companies have reduced their deliveries to New York City and other east coast cities below existing contract commitments. The prospect seems to be for more of the same.

The gas consumers of New York City and other cities along the east coast are faced, then, with the prospect of decreasing supplies of natural gas and increasing demand for natural gas. Not an encouraging prospect. By 1980, the gap between traditional supplies and predictable demand is estimated to be 120 billion cubic feet in New York City and Westchester County—about half of the 1980 demand. By 1990 this gap is estimated to be 180 billion cubic feet, about two-thirds of 1990 demand.

To meet this foreseeable gap between the supply of Texas and Louisiana Gas and the growing demands of their customers, Con Edison and Brooklyn Union as well as other gas companies are moving to obtain new supplies. Both companies have constructed, or are constructing, storage facilities to receive liquefied natural gas (LNG) from foreign sources, Con Edison in Queens and Brooklyn Union in Brooklyn. Both expect to participate in the LNG storage facility being constructed by Distrigas on Staten Island. Brooklyn Union is constructing in Queens a synthetic gas plant using naphtha. Con Edison, Brooklyn Union, and other companies are engaged in discussion with pipeline and oil companies and with consultants involving the construction of additional synthetic gas plants, one or more of which may be located on Staten Island.

Both Con Edison and Brooklyn Union are contributing to research intended to improve the economics of manufacturing synthetic gas from coal. Both also are interested, obviously, in any new pipeline sources that might become available, for example, the Canadian Arctic or Alaska.

In dollars and cents, what does this mean to gas consumers in New York City and Westchester County? The key fact is that all of these new sources of gas we are seeking to fill the gaps caused by the prospective shortage of domestic natural gas are vastly more expensive. In round numbers, we now pay 50 cents per thousand cubic feet for Texas and Louisiana Gas delivered to New York City distributors. The cost of imported Liquefied Natural Gas, or synthetic Gas manufactured from petroleum or from coal, delivered at New York City, is estimated at between $1.30 and $1.70 per thousand cubic feet.

If, then, we take the $1.50 mid-range estimate of the cost of the substitutes for natural gas, we can estimate that by 1980 the substitutes could be costing gas customers in New York City and Westchester $120 million more per year, and by 1990, $180 million more per year. These are, of course, only ball park figures, but I suspect that if anything they are on the low side.

How can the exploration of the Atlantic shelf reduce this large burden of increased costs that is in prospect for gas consumers? No one can say for sure, because we don't know for sure that deposits of gas and oil lie beneath the shelf. But the signs are encouraging.

While there has been virtually no drilling to date, the United States Geological Survey and some oil companies have made seismic tests which indicate that proper geological formations may exist for substantial quantities of oil and gas in three specific off-shore areas: 1) the outer edges of Georges Bank, South and East of New England, and 2) the Baltimore Canyon trough, seaward of States from New Jersey to North Carolina, and 3) the Blake Plateau trough, off the States of Georgia and Florida. The potential gas committee of the Colorado School of Mines has estimated the potential of these three Atlantic off-shore areas to be 30 to 40 trillion cubic feet of natural gas, and other estimates place petroleum potential as high as 20 billion barrels and as low as 5 billion barrels.

The potential production of Atlantic offshore gas ranges from 600 billion cubic feet to 1 trillion cubic feet per year, with a probable price advantage over synthetic gas and imports ranging from 60 cents to $1.00 per thousand cubic feet. In estimating this price advantage we have assumed that Atlantic shelf gas would cost 70 cents per thousand cubic feet, the midpoint of a probable range of 60 to 80 cents per thousand cubic feet compared to 50 cents for Gulf gas delivered in New York. The total dollar savings then

amount to somewhere between $360 million and $1 billion per year, at current dollars. We have estimated the likely portion of savings applicable to the Con Edison service territory at $30 million to $100 million per year, or $1.2 billion to $4 billion cumulatively over approximately 40 years of production. These are not Con Edison savings.

They are savings that go directly to our customers through adjustments in the fuel clause.

In terms of just two Con Edison facilities—the 60th Street steam plant and the 800,000-kw Astoria No. 6 generating station—the savings would be significant. As I mentioned earlier, the city has mandated that we burn natural gas exclusively at the 60th Street steam plant and requires us to make reasonable effort, including possibly the importation of LNG, to burn natural gas at Astoria 6. If fueled exclusively on gas, Astoria 6 would require 30 billion cubic feet per year. Supplied with Atlantic off-shore gas the savings over alternative sources could be between $18 million and $30 million per year. The 60th Street steam plant requires 3½ billion cubic feet per year.

Potential savings with Atlantic off-shore gas amount to $2.1 to $3.5 million per year. If we were able to convert our entire steam system to gas fuel, it would require about 60 billion cubic feet next year and 70 billion cubic feet by 1980. The potential savings if Atlantic off-shore gas were available would range from $36 million to $70 million per year.

The pressures being exerted upon all of our rates by higher interest, taxes, wages and construction costs lend emphasis to the need for exploration of every reasonable means of effecting savings in the cost of fuel.

And if we raise our consciousness above our pocketbooks, and examine the implications to national security and to the balance of payments of increasing dependence upon Middle Eastern and other foreign sources of supply we must, I believe, agree upon the wisdom of fully exploring the potential of the Atlantic outer Continental Shelf as a new source of fuel.

Nonetheless, serious objections have been stated to any exploratory drilling on the Atlantic Shelf based upon environmental considerations. In the legislatures of several coastal States, bills have been proposed to prohibit such drilling in off-shore areas where the States have or claim jurisdiction. Our own legislature this year passed such a bill which Governor Rockefeller vetoed.

Surely, in view of the recent experience of the runaway well off Santa Barbara, one must carefully assess the environmental consequences of off-shore drilling. But we must do so objectively. As a nation we do not prohibit automobile travel because of the many terrible accidents; we try to reduce the accidents. Nor do we outlaw commercial airlines because there are occasional crashes, or high-jackings; we try to reduce their change of happening. The point is that we do not live in a risk-free world, and we never will.

I would even suggest that if one puts aside the consumers' interest in keeping utility rates as low as possible, and the citizens' interest in reducing dependence upon foreign fuels, there may be important environmental advantages to carefully controlled exploration on the Atlantic shelf.

Consider the alternatives.

Importing oil and liquefied natural gas means tanker shipments, and tanker shipments mean, inevitably, some spills. Recently the U.S. Geological Survey issued a list of all recorded oil spills incidents involving 1,000 or more barrels since 1957. The celebrated Santa Barbara oil spill involving a drilling platform ranked only 31st in magnitude, with 10,000 barrels spilled.

The largest spill by far was the grounding of the tanker *Torrey Canyon* in 1967—some 700,000 barrels or 70 times more than the Santa Barbara spill. In fact, since 1957 there have been only 7 platform spills for a total of 104,748 barrels compared to 39 tanker or barge spills totalling 2,137,829 barrels—20 times as much. The east coast is particularly vulnerable to oil spills, with more than 75 percent of the U.S.-bound tankers unloading between Virginia and Maine. A recent Coast Guard study showed that spillage from U.S. off-shore drilling operations in 1970 was less than ⅓ of one percent of the total oil spill from all sources.

We may question, too, the scientific or the moral justification for seeking to avoid the drilling of gas and oil wells in United States waters by shifting the source of production to wells drilled in the waters of other countries. Should not our environmental horizons be global, and not merely regional or national?

Gasifying coal is another alternative—one we hope can be made economically feasible rapidly through R&D, for it will make usable vast reserves of coal presently unusable because much coal cannot be burned within air pollution standards. But even this highly desirable alternative has its environmental problems: strip mining that scars the landscape, or deep mining with attendant acid drainage, land subsidence, tailings and danger to human lives.

There is further environmental impingement caused by the process of gasifying coal, namely the disposal of large quantities of waste products.

One environmental objection sometimes voiced against Atlantic off-shore drilling is based on aesthetics. People fear ugly drilling rigs just off our beaches, as in the case in California, for instance. But all indications are that the oil and gas off the Atlantic coast lie 30 to 300 miles at sea beyond the horizon. Also, much of the oil and gas could be brought ashore by pipeline, the safest and cleanest method of transportation. Should a pipeline be damaged, it quickly can be shut off and the damage limited. In fact, there is no record of spills of consequence from underwater pipelines.

Just looking at it from an environmental point of view, the total impact on the environment may well be considerably less from Atlantic off-shore drilling than from alternative sources of gas and oil. When you add the economic benefits, the national security implications and the effect on the balance of payments, it seems foolish not even to drill to explore this clean source of energy which may be at our doorstep.

Other nations, having considered the alternatives, have decided upon drilling in the sea for new supplies of oil and gas. Great Britain, Norway, Denmark and Holland all are drilling in the North Sea, an area which presents environmental hazards at least as great as any presented on the Atlantic shelf. Canada has authorized extensive drilling in the north Atlantic off Nova Scotia.

In the South Pacific, Indonesia, Taiwan, and Japan have gone to the sea for petroleum. The decisions of these countries, and others, are not of course decisive for us, but they strongly suggest a direction that public policy should take on the Atlantic shelf.

Under the Federal laws that govern the leasing of the Outer Continental Shelf for gas and oil exploration, the Secretary of the Interior is the custodian of the public interest. Before deciding to offer any area for exploratory drilling, he must prepare and make public an environmental impact statement which examines the environmental consequences of the proposed leasing and any reasonable alternatives.

The procedures involved in a proposed leasing of the Atlantic shelf are necessarily time consuming.

If the decision were made today to offer leases, it is probable that they would not be awarded in less than 1 year. After leases are awarded, it is reasonable to expect that exploratory drilling would require another 2 to 2½ years. And if gas and oil then are discovered—a large "if"—it probably could not be made available to consumers in less than 4 years. This would be 1980–1982.

All of this suggests the wisdom of the Secretary of the Interior moving rapidly to set in motion the decision-making procedures that could lead to the awarding of leases for exploratory drilling on the Atlantic shelf.

And I would hope, and expect, that in reaching his decision the Secretary at an early date would call upon the governors of the coastal States, the mayors of the large coastal cities, consumer groups, environmentalists, oil companies and gas companies, and all other interested persons, for the best advice and counsel they can give him in making what could be a critically important decision for the future prosperity and security of our city and our Nation.

In the meantime, and for the foreseeable future, I believe we must as a city and a nation adopt a strict policy of energy conservation.

Whatever decision is eventually made as to exploration and development of the Atlantic shelf, or the development of alternative energy sources, we must as a society seek out and find every possible way to use all forms of energy wisely, and to waste none.

UKRAINIAN INDEPENDENCE DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BIAGGI. Mr. Speaker, today marks the 55th anniversary of the proclamation of Ukrainian independence. This declaration of freedom was made in Kiev, capital of Ukraine—on January 22, 1918, and exactly 1 year later the act of union went into effect—uniting all Ukrainian ethnographic lands into one independence and sovereign state of the Ukrainian nation.

It is a tragic fact of history that soon afterward, the blossoming Ukrainian nation was brutally forced into the Union of Soviet Socialist Republics. Since that time the proud, talented and freedom-loving people of the Ukraine have resisted total Soviet domination and have constantly protested to all nations of the world such abuses as the following:

During the 50-year rule of Moscow over the Ukraine literally millions of Ukrainians have been annihilated by the manmade famines, deportations, and outright executions;

Both the Ukrainian Autocephalic Orthodox Church and the Ukrainian Catholic Church were ruthlessly destroyed and their faithful members were incorporated into the Kremlin-controlled Russian Orthodox Church;

All aspects of Ukrainian life are rigidly controlled and directed by Moscow: The Academy of Sciences, all scientific and research institutions, universities, technicums, publications, the press, party and government apparatuses, youth, women's organizations, trade unions, and so forth;

Arrests, trials, and convictions of hun-

dreds of young Ukrainian intellectuals—poets, writers, literary critics, playwrights, professors, and students are charged with "anti-Soviet propaganda and agitation," though, in fact, these people profess loyalty to the Soviet State, but fight against its abuses, violations and police rule. Among them are noted writers and thinkers such as V. Chornovil, I. Dzyuba, I. Svitlychny, E. Sverstiuk, V. Moroz, L. Plushch, and many others. Yuriy Shukhevych, the son of Gen. Roman Shukhevych, commander in chief of the UPA, has been in and out of Soviet concentration camps since the age of 15; in September 1972, he was again sentenced to 10 years at hard labor for refusing to denounce his assassinated father and the ideal for which he was killed: a free Ukraine.

Mr. Speaker, when we commemorate Ukrainian Independence Day, we celebrate the victory of the spirit over blind, ignorant physical force. I for one support the 47 million Ukrainians in their struggle for cultural and intellectual freedom and exhort every American to do the same.

WISCONSIN ASSEMBLY RESOLUTION

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ASPIN. Mr. Speaker, members of the Wisconsin State Assembly recently passed a resolution calling for an end to all hostilities in Southeast Asia and for Congress to reassert its control over foreign policy matters. I feel that the views of this governing body should be heard and considered by all of my colleagues, therefore I respectfully submit its resolution for your consideration:

1973 ASSEMBLY RESOLUTION

Relating to memorializing the President of the United States, every member of the Congress of the United States, and each house of all State Legislatures for the purpose of achieving an immediate end to all hostilities in Southeast Asia.

Be it resolved by the Assembly of the Sovereign State of Wisconsin, That:

(1) This Assembly calls upon the President of the United States of America to immediately cease all hostilities in Southeast Asia and to withdraw all troops contingent upon the release of all prisoners of war and full exchange of information on those listed as missing in action in all areas of Indochina.

(2) This Assembly calls upon the Congress of the United States and, particularly, the Committee on Foreign Relations and the Appropriations Committee of the Congress of the United States, to reassert the control over foreign policy vested in the Congress of the United States by the United States Constitution.

And, be it further resolved, That properly enrolled copies of this resolution be transmitted by the Chief Clerk to the President of the United States, to the Committee on Foreign Relations of the United States Senate, to every member of the United States Senate and the United States House of Representatives, and to each house of the State Legislatures of our 49 sovereign sister States.

ROBERTO CLEMENTE WAS A SUPERSTAR

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. MIZELL. Mr. Speaker, it is my personal privilege and honor today to join with the distinguished gentleman from Pennsylvania (Mr. MOORHEAD) in introducing legislation to strike a commemorative gold medal in honor of Roberto Clemente, a great friend, a great athlete, and a great humanitarian.

I first knew Roberto Clemente as an opposing player in the National League. I was playing for the St. Louis Cardinals at the time, and Roberto was playing for the Pittsburgh Pirates.

When we were on opposing teams, I never relished the thought of having to pitch to Roberto. Not only could he hit the ball all over the park, and often out of the park altogether, but once he got on base, his amazing speed made him one of the greatest base-stealing threats in all of baseball.

It was a real challenge to pitch to Roberto Clemente, and I had a lot of respect for him, not only for his hitting and base-running ability, but for his fielding ability as well.

Even though I developed a tremendous amount of respect for Roberto Clemente during the years when we were on opposing ball clubs, it was not until after being traded to the Pittsburgh Pirates in 1960, and playing and being with him every day, that I came to realize what a superstar he was.

Roberto Clemente was the most exciting ballplayer I ever played with.

In close games, we could always count on Roberto to get the crucial base hit, to run the bases with his lightning speed, stretching what should have been a single into a double or a triple.

Forbes Field, which served as the Pirates' ballpark for many years before the club moved into its new Twin Rivers Stadium, was a large ballpark. But I have seen Roberto Clemente hit a ball out of the deepest part of Forbes Field. I have seen him hit a line drive shot in Chicago that went clear out of the stadium.

But one of the most exciting plays I ever saw Roberto make was not at the plate, but from his position in right field.

It was during the 1960 season, when we were driving for the National League pennant. I was pitching; we had a one-run lead in the top of the ninth inning, with two away and a runner on first.

The batter tagged me with a hard-hit ball to right center, and it looked like the ball would bounce off the wall for extra bases.

I can still see Roberto Clemente leaping for the ball and catching it with a spectacular one-handed grab. As he came down, his chin hit the wall, and even with the great jolt, Clemente held onto the ball and saved the game for us.

After the game, the team physician had to put six or seven stitches into Roberto's chin, but I knew, and every other member of the Pirate team knew, that Roberto Clemente would do exactly the same thing tomorrow if it meant winning a game.

It was the greatest catch I ever saw an outfielder make, and it was this kind of effort that Roberto exhibited all through the 1960 season, the kind of talent and determination that helped the Pirates win their first pennant in 40 years and go on to defeat the powerful New York Yankees in one of the most exciting World Series ever played.

And it pleased me to see with millions of other Americans that Roberto was still playing great baseball 11 years later as he led the Pirates to another world championship in 1971, again the hero of an exciting World Series.

His power hitting, his blazing baserunning, his amazing ability as a fielder—all of these are testimony to the fact that he was a complete athlete and a genuine superstar in the game of baseball.

This is Roberto Clemente the ball player but the greatest testimonial to how great Roberto Clemente the man was, was the tremendous interest he took in the youth of Puerto Rico.

Roberto Clemente was often called "the Babe Ruth of Puerto Rico," and he could easily have chosen to simply bask in the fame of his athletic ability. He would have been a national hero for that ability alone.

But there was more to Robert Clemente the man than that. Like our own Babe Ruth, Roberto Clemente wanted to see kids play and have fun, and through considerable effort on his part, he was able to provide that kind of opportunity for thousands of Puerto Rican children.

Roberto was held in high esteem and with tremendous affection by the people of Puerto Rico, not simply for the many things he did, but for the kind of man he was.

Here was a man who was willing to give up spending Christmas Day with his family to make final preparations for a mission of mercy, trying to get help to the victims of the earthquake in Nicaragua. And it was on this mission of mercy that he met his untimely death.

If there is any fitting way for a man to die, the final chapter of Roberto Clemente's life certainly provided a fitting theme for the life he lived and for the memory that will live after him.

He gave everything he had to every game he played, whether it was for the world championship of baseball at Forbes Field in Pittsburgh or for a winning run in a sandlot game in San Juan.

And in the end, he gave everything he had to his commitment to helping his fellow man. A superstar, a super performer, a super individual—this was Roberto Clemente.

The honor we seek to accord him today is, I believe, most well-deserved, and I urged my colleagues to act favorably on this proposal.

NEW YORK KNICKERBOCKER DRUM AND BUGLE CORPS, "THE PRIDE OF NEW YORK"

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BIAGGI. Mr. Speaker, the New York Knickerbocker Drum and Bugle Corps, a Bronx-based youth and pageantry organization is perhaps the most prestigious musical group ever to march out of the city of New York. Composed of over 120 high school and college young people, the corps has been called a "sight—a sound—a sensation". They have thrilled millions of Americans and Canadians with their own particular dazzling breed of showmanship which incorporates the magical music of the metropolis, pulsating percussion and dynamic and disciplined drill. They are admired and have fan clubs in several States and Canada.

Recently the New York Knickerbocker Drum and Bugle Corps was declared "the pride of New York City" by Mayor John V. Lindsay and a special proclamation was issued calling the corps to the attention of all New Yorkers and setting aside the week of December 3 to 10, 1972, as Knickerbocker Drum and Bugle Corps Week. Needless to say it was the first time a drum and bugle corps or musical unit from the city of New York had been given a week's tribute.

In a most unusual move, the State inaugural committee headed by Mr. Harry Cohan and Republican State Chairman Charles T. Lannigan, chose the Knickerbocker Corps as the State's official "inaugural parade musical unit." The corps was selected following a spectacular competition involving some 70 musical units from all over the Empire State. Based on the corps' credentials as a very special musical unit, and upon the fact that the members of the Knickerbockers come from five New York counties—Manhattan, the Bronx, Brooklyn, Queens, Westchester—the corps was chosen becoming the very first New York City unit chosen to march in an inaugural parade. But support for the corps comes from both aisles of New York's Legislature and Congress itself. It is the very nature of the ethnic diversity of the unit that stamps it as uniquely New York and even more so "America."

People are consistently moved to emotional tears by the Knickerbockers fabulous presentation of the American flag to the stirring "American Heritage" medley of folk and patriotic songs culminating in "Hail to the Chief." Their other music includes, jazz, show tunes from Broadway, and hard rock. Their musical director is alumnus of the corps and current drum major, Richard Corbett. His interpretation of the corps music leaves audiences stunned and in admiration. Perhaps the best thing about the New York Knickerbocker Drum and Bugle Corps is the membership—the magnificent young people share a multitude of ethnic and religious heritages. It is this diversity that underscores the story of the Knickerbockers, and makes the statement live that America indeed works, that together all races and religions working side by side can indeed produce the sweetest music this side of heaven. Anyone who has ever seen or heard the fabulous New York Knickerbocker Drum and Bugle Corps knows that it does work.

The staff of the corps is tiny. Mr. Harvey Berish is the corps general manager and Mr. Warren Marsh is the corps director. The rest of the staff comes from within the ranks. The Knickerbocker Hall Youth Center, at 2415 Westchester Avenue, in the East Bronx, is open 365 days a year and is staffed by a completely voluntary staff. Members who now serve on the staff include: Jose Valazquez, assistant brass instructor; Cleveland Jerome Moore, assistant drill instructor; John Lennon, drill writer and instructor; and Dominic Livoti, assistant horn instructor.

The Knickerbockers indeed leave all New Yorkers and all Americans with a particular sense of pride. They are the only New York City drum and bugle corps ever to go on three international goodwill and championship tours. They have been participants in the Macy's parade on Thanksgiving. The corps has been given a grant by the Bronx Council on the Arts making them the only drum and bugle corps recognized as a genuine cultural asset. They have been selected by the New York Yankees to march as the official Yankee Marching Drum and Bugle Corps and they carry the team's official flag at all appearances. They have been selected for sponsorship 8 years in a row by the Knickerbocker Federal Savings and Loan Association with Mr. Robert J. Murphy, Jr., president, underwriting the cost of many of the corps supplies. They have marched as the official entry of the New York Catholic Archdiocese in the CYO Championship contest at Toledo, Ohio. They have been the official New York City Unit at both the World Open and U.S. Open Championships for half a decade.

Mr. Speaker, the New York Knickerbocker Drum and Bugle Corps is indeed "The Pride of New York," and we salute them upon their participation in the inaugural parade.

MISSOURI HOUSE OF REPRESENTATIVES RESOLUTION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. HUNGATE. Mr. Speaker, I would like to call to the attention of my colleagues the following resolution by the Missouri House of Representatives in one of its earliest actions this year. A copy of the resolutions follows, and I hope my colleagues will join me in seeking to make the administration responsive on this problem:

MISSOURI HOUSE OF REPRESENTATIVES
RESOLUTION

Whereas, the southeastern area of Missouri has suffered an exceptionally wet fall and winter; and

Whereas, as a result of this weather, unprecedented in our state, greater than fifty per cent of the crops are unharvested or completely ruined, and thousands upon thousands of acres of cotton, soybeans and other major crops which form the mainstay of Missouri's agricultural industry must remain in the fields; and

Whereas, many hundreds of farmers, whose entire livelihoods depend upon the cultivation and timely harvest of these crops, face imminent and inevitable financial ruin as a direct result of this weather, and the repercussive economic hardships imposed upon this area alone will amount to hundreds of millions of dollars; and

Whereas, these circumstances have compelled an urgent appeal to the President of the United States of America for disaster relief funds on behalf of these many farmers who now face this most serious crisis; and

Whereas, the President has frozen funds appropriated by the Congress of the United States of America for the purpose of disaster relief in an attempt to curtail federal spending; and

Whereas, endeavors to minimize deficit spending whenever feasible are certainly understandable and highly commendable; however, the critical situation which compels these sentiments, the well-being of so many people and the backbone of the most important industry of this state, requires immediate reconsideration of the decision to withhold these disaster relief funds;

Now, therefore, be it resolved that the members of the Missouri House of Representatives of the Seventy-seventh General Assembly, First Regular Session, join in urgent appeal to the President of the United States of America, the Honorable Richard M. Nixon, to reinstate the desperately needed funds for the assistance of the farmers of Missouri, the victims of these tragic circumstances; and

Be it further resolved that the House of Representatives notify each member of the Congressional delegation of our state of our appeal, that those members so intimately acquainted with the magnitude of this crisis might join us in our plea; and

Be it further resolved that the Chief Clerk of the House of Representatives be instructed to send suitably inscribed copies of this resolution to the Honorable Richard M. Nixon, President of the United States of America, and to each Missouri member of the Congress of the United States of America.

TRIBUTE TO JAMES V. SMITH

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. SISK. Mr. Speaker, as with other Members I would like to take this opportunity to extend special tribute to James V. Smith who is leaving his post as Administrator of the Department of Agriculture's Farmers Home Administration.

His initial exposure to most of us was as a Member of the House of Representatives in 1966, followed then by his stewardship as head of the Farmers Home Administration. His leaving will be a tremendous loss not only to those who have known and worked with him, but the U.S. Department of Agriculture as a whole.

In stepping down from his post he leaves an outstanding record of public service, a record which blankets all the rural areas of this Nation.

I am sure my colleagues join me in the feeling that Jim Smith's stay in Federal service was all too short, and that his tenure has been an invaluable asset to everyone. I wish him well in his future pursuits, and only hope that we may share his counsel in the future.

ANNIVERSARY OF UKRAINIAN INDEPENDENCE

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. RIEGLE. Mr. Speaker, today marks the 55th anniversary of the proclamation of the Independence of Ukraine, and the 54th anniversary of the Act of Union, whereby all Ukrainian enthnographic lands were united into one independent and sovereign state of the Ukrainian Nation. Both the Independence of Ukraine and the Act of Union were proclaimed in Kiev, capital of Ukraine, on January 22, 1918, and January 22, 1919, respectively. I would like to pay tribute, today, to the Ukrainian people and their undaunted struggle for human rights and freedom, which are the basic tenets of our modern and civilized society.

CURTIS STAPP—SAFE DRIVER OF THE YEAR AWARD

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. STARK. Mr. Speaker, I am very pleased today to pay tribute to Mr. Curtis "Dick" Stapp of San Leandro, Calif. Mr. Stapp is a recipient of the National Safe Truck Driver of the Year Award from the American Trucking Association.

It was my pleasure as Dick's Congressman to host a breakfast for him, his lovely wife and daughter on January 4. My colleagues Mr. CLAUSEN, Mr. ANDERSON, and Mr. EDWARDS came and enjoyed the pleasure of meeting Mr. Stapp.

Dick's remarkable driving record of 4 million safe miles demonstrates courtesy and a respect for human life. If only these qualities were shared by all in all areas of every day living. His example is a worthy one and we owe him a hearty thanks and extend our best wishes for another 4 million safe miles.

APOLLO 17

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Congress honors itself by honoring the Apollo 17 astronauts—Capt. Eugene A. Cernan, Capt. Ronald E. Evans, and Dr. Harrison H. Schmitt. These three outstanding Americans have flown the last of the Apollo lunar missions and provided our Nation with the wealth of new knowledge from their efforts which will take the next decade to decipher. Theirs has been an exceptional contribution in a long line of striking achievements by the Apollo astronauts. On this Apollo mission our first geologist astronaut visited the lunar surface. Apollo 17 astronauts logged the longest stay time of any mission. They also spent the longest single time on the lunar surface in doing exploratory work at the same time covering the longest distance ever traversed on the lunar surface. In addition to this, astronauts Cernan, Evans, and Schmitt also compiled the longest Apollo mission of over 300 hours returning the most samples to earth of any mission.

Because of the rapid advance of space technology and the associated communications, practically every American and a large portion of the world have been able to journey with our astronauts in the Apollo program. The Apollo 17 crew, along with their colleagues from previous flights, have distinguished themselves in the harsh glare and minute-to-minute review of comprehensive coverage of the Apollo missions.

Astronauts Cernan, Evans, and Schmitt ought to be congratulated not only for their Apollo contributions but for their outstanding conduct and example in their dedication to their arduous task of lunar exploration.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,757 American prisoners of war and their families.

How long?

A SALUTE TO JAMES V. SMITH

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 18, 1973

Mr. HUNGATE. Mr. Speaker, I would like to thank my distinguished colleagues from Texas (Mr. POAGE) and California (Mr. TEAGUE) for requesting this special order to salute the departing Administrator of the Farmers Home Administration, James V. Smith.

I had the privilege to serve with Jim Smith when he was elected to the 90th Congress and to work with him during the past 4 years while he served as FHA Administrator.

As a representative of a largely rural congressional district in Missouri I am personally familiar with the support and cooperation Jim Smith has given our Nation's farm community during his tenure as head of the Farmers Home Administration. His outstanding service will be sorely missed.

I join Jim Smith's many friends and colleagues in saying thank you for a job well done and in expressing best wishes for a prosperous future as he returns to his native Oklahoma.

HOUSE OF REPRESENTATIVES—*Tuesday, January 23, 1973*

The House met at 12 o'clock noon.

The Very Reverend Andrew Dworakivsky, Dormition of the Holy Virgin Ukrainian Orthodox Church, Northampton, Pa., offered the following prayer:

Almighty God, we thank Thee for all the graces with which You have endowed all nations. We ask Your mercy for Ukrainians deprived of their liberty and freedom in their native land for the past 55 years.

Today, with unrelenting hope and humble respect, we stand before you, honorable members of the American Government, and beseech Almighty God to terminate the servitude of the Ukrainian Nation and grant to her brotherhood, love, and peace.

Bless all responsible leaders, O Lord. Especially, Father, we ask Thee to bless our President, the members of his Cabinet, the Senate, and this deliberative body. Give them courage and strength to stand firm for human rights, especially the captives in Ukraine.

Let it come to pass, O Lord, that this country and independent Ukraine will always be free and friendly nations that will glorify Thee for ever and ever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Marks, one of his secretaries.