

during the adjournment of the Senate over to 12 noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. ROBERT C. BYRD, Mr. President, the Senate will convene at 12 noon tomorrow. After the two leaders or their designees have been recognized under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes and in the order stated: Mr. WILLIAM L. SCOTT, Mr. STEVENS, and Mr. MANSFIELD.

There will then be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements therein limited to 5 minutes each.

If the President signs the continuing resolution, which has been dispatched rather expeditiously a little while ago, the Senate will meet tomorrow, have its

speeches by Senators who are being recognized under the orders entered, and we will have morning business and then adopt the concurrent resolution adjourning the Senate and the House over until November 18.

If the President vetoes the continuing resolution, that resolution will be returned to the House of Representatives, in which it originated, and the House will attempt to override. If the House overrides the President's veto, the Senate will then attempt to override the veto.

In the event that either House fails to override the President's veto, the House of Representatives, presumably, would then begin work on another continuing resolution, in which event roll-call votes probably would occur in the Senate.

So, Mr. President, prospects for roll-call votes in the Senate tomorrow are good in the event the President vetoes the continuing resolution. In the event

he signs it, I would not anticipate any roll-call votes.

#### ADJOURNMENT

Mr. ROBERT C. BYRD, Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 12 noon tomorrow.

The motion was agreed to; and at 6:22 p.m. the Senate adjourned until tomorrow, Thursday, October 17, 1974, at 12 noon.

#### NOMINATION

Executive nomination received by the Senate October 16, 1974:

##### DEPARTMENT OF STATE

Charles W. Robinson, of California to be Under Secretary of State for Economic Affairs, vice William J. Casey.

## EXTENSIONS OF REMARKS

### THE "FOOL" ADJUSTMENT CLAUSE

#### HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES  
Tuesday, October 15, 1974

Mr. METCALF, Mr. President, reports of abuse of fuel adjustment clauses by electric utilities are increasing. Customers are being taken by utilities which use the clauses to gouge out extra overcharges. Administration and utility spokesmen continue to laud the fuel clauses. They even advocate expansion of automatic clauses to other operating costs as well.

The trend should be the other way. Automatic clauses remove basic issues from ratemaking. They encourage waste and profligacy—why economize on a cost if it can be automatically passed on?

The utilities can logically reason that if the public and the regulators are foolish enough to let them use automatic clauses, they—the utilities—will make the most of it. And they have, most recently in Connecticut.

There, Fred A. Gardiner and Senator George L. Gunther have calculated that the use of an obsolete efficiency factor by United Illuminating cost Connecticut consumers some \$7 million last year. The utility admitted the obsolescence of its fuel clause, contending righteously that it was up to the regulatory commission to notice and adjust the outdated data. But Connecticut's commission chairman does not know if the commission has the responsibility for adjustment. In other States questions have also arisen regarding the authority of State commissions in relation to automatic clauses. In some States the ratemaking authority may actually have been delegated to the utilities.

A thoughtful and informative study, "Automatic Adjustment Clauses Revisited," has been issued recently by the National Association of Regulatory

Utility Commissioners. This paper represents the consensus of the NARUC Subcommittee of Staff Experts on Economics. The story of how United Illuminating profits from its "fool adjustment clause" appeared in the September 13, October 2, and October 3, 1974, issues of the Bridgeport, Conn., Post. A third article, entitled "Abusing the Rate System," appeared in the October 1974 issue of the Elements, a new Washington-based monthly edited by James Ridge-way.

I ask unanimous consent that these articles appear at this point in the RECORD.

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

#### AUTOMATIC ADJUSTMENT CLAUSES REVISED (By Subcommittee of Staff Experts on Economics)<sup>1</sup>

(This paper represents the consensus of the NARUC Subcommittee of Staff Experts on Economics. The opinions and conclusions, however, do not necessarily reflect the views of each individual member or the views of the several State and Federal regulatory Commissions with staff representation on the Subcommittee. The paper has not been submitted to, or approved by, the NARUC Committee on Accounts.)

In the past several months, fuel prices have escalated dramatically. As they have risen so, in many instances, have electric rates, as a consequence of an automatic pass-through of fuel costs permitted by most states. The sudden rise in electric bills have aroused a storm of protest around the automatic adjustment clause. The Subcommittee, therefore, has revised and updated its earlier paper on the subject for the information of NARUC members.<sup>2</sup>

An automatic adjustment clause (AAC) is a provision in a utility company's tariff by which a change in a selected cost item will automatically change rates charged consumers. The most common forms of adjustment clauses are based on fuel costs in the case of electric utilities and purchased gas cost in the case of gas utilities. Automatic clauses have also been utilized for wages,

taxes, and other such easily identifiable cost items. This paper is not concerned with automatic rate increases that may occur for other reasons—such as an increase in telephone calling scope, or with rate changes that are supported by full cost-of-service presentations, or that require Commission approval before they become effective.

#### AUTOMATIC ADJUSTMENT CLAUSE ADVANTAGES

1. During a period of inflation automatic clauses protect a company's rate of return from the impact of a rapidly changing cost item by reducing the time lag between changes in cost and the collection of compensating rates. The reduced "regulatory lag" can be important in protecting the bond rating of utility companies and thus their ability to raise capital.

2. During a period of declining costs, AAC may help to prevent an unreasonable enhancement of the company's rate of return pending formal commission action requiring rate reductions or voluntary filings of lower rates by the company.

3. These clauses ease the administrative burden on the regulatory body and reduce the cost of regulation assessable to the utility, as well as the utility's own regulatory expense, by eliminating repetitive tariff petition filings over a short time period. These adjustments also replace the need for full scale hearings by an automatic procedure that allows tariff changes to compensate for known and easily audited changes in specific cost items.

#### AUTOMATIC ADJUSTMENT CLAUSE DISADVANTAGES

1. Automatic adjustment clauses give undue weight to a single cost item while ignoring other cost items thus possibly distorting the overall relationship of rates to costs. That is automatic clauses may conflict with the goal of holding rates to a just and reasonable level unless the change in the item selected for adjustment parallels the change in the total cost of service.

2. These clauses pass on to the consumer increased costs without allowing for compensating economies that may accrue from economies of scale, improved technology, or other sources of higher operating efficiency. For example, in the case of fuel adjustment clauses, fuel costs may rise, but may be more than balanced by operating economies accruing from greater labor productivity.<sup>3</sup> Despite these cost offsets the consumer would be required to pay higher rates. Thus, AAC

Footnotes at end of article.

may generate excess earnings for those companies able to achieve cost reductions through enhanced labor and plant productivity. At the present moment, under inflationary conditions, compensating economies are not a problem, but could be over the long term, as they have been in the past.

3. When cost increases can be passed on to the consumer quickly and easily, there is a tendency to dampen the company's incentive to seek a lower cost supplier or bargain for a better fuel price or better wage settlement, etc. As a consequence, the clauses may result in avoidable price escalation for the adjustable item.

4. A profusion of automatic adjustment clauses will rob the utility of its incentive to operate efficiently and may in fact become a subsidy for inefficiency. In an instance where a company is permitted to adjust for fuel costs, wages, taxes, and possibly other items, the utility in effect is operating under a kind of "cost plus contract". The company has no need to be efficient since the costs of inefficiency can be passed on to the consumer quickly and without regulatory interference. This is not true when a single item such as fuel is covered under an automatic adjustment clause.

5. In a period of rapidly rising costs, AAC's may bias the selection of fuels or production methods in favor of those costs covered by the clauses.

#### FUEL ADJUSTMENT CLAUSES

As an example of automatic clauses we can consider those used for fuel cost adjustments. Such clauses tend to put great emphasis on changes in fuel cost while minimizing the importance in changes in administrative, interest, and maintenance costs, as well as changes in capital or rate of return. Many automatic adjustment fuel clauses do not take account of changes in the heat content per ton of fuel with consequent changes in cost per Btu, nor of changes in technical efficiency or economies of scale which might tend to offset fuel cost increases. Quite often these clauses will also ignore mitigating cost circumstances that may result from use of more than one method of electric power generation (e.g., hydro, nuclear, fossil fuel) with consequently different fuel efficiencies. As a consequence, even though a given fuel price may rise, total fuel costs may not reflect an equivalent increase. In addition, automatic fuel cost adjustments may bias the selection of alternate production methods, such as nuclear plants, or equipment decisions requiring evaluation of a trade-off between fuel and capital costs.

There is presently a great diversity of automatic fuel adjustment clauses with some states allowing rate adjustments for specific customer classes only, such as industrial consumers, and others applying the change uniformly. The merits of this type of selectivity deserves careful study. The true impact is likely to be felt by the ultimate consumer rather than the AAC selected customer.

In 1974, 39 states have such clauses in effect. It is our understanding that only Alabama, Alaska, Connecticut, Idaho, Nebraska, North Dakota, Oregon, Utah, Vermont, Washington, and Wyoming do not permit fuel adjustment clauses. In addition, one state (North Carolina) has permitted the adjustment on a temporary basis subject to hearing.

An FPC survey as of January 1, 1974 showed that 65% of the larger privately owned utilities had fuel adjustment clauses in their residential schedules, 77% had such clauses in their commercial schedules, and 83% in their industrial schedules. This compares with 35%, 58% and 72% in January 1970.

Aside from electric utilities, truckers and railroads have, in some instances, been permitted to add a surcharge to existing tariffs

in order to cover increased fuel costs. These are not true AAC's. The CAB has permitted the airlines to pass through fuel costs with respect to military rates, but requires the filing of exceptions from tariffs for commercial rates.

All clauses, however, should take account not only of fuel price, but also fuel heat content, the trend of company heat rate, the proportion of purchased power, the generating mix, and all other operating conditions affecting the company's use of fuel. It may also be appropriate to permit the recovery of only a limited portion (say, 90%) of increased cost. Such a limitation has the advantage of preserving the utility's incentive to bargain for cost reductions.

The importance of this incentive is indicated by Table 1. Close to 23% of revenue collected from consumers is attributable to fuel costs. This represents a substantial increase from 18% in 1968, and clearly shows the impact of escalating fuel costs on the consumer, and the potential danger of permitting an automatic pass-through without careful regulatory surveillance.

TABLE 1.—PERCENTAGE OF FUEL COST FOR VARIOUS CLASSES OF ULTIMATE CONSUMERS AS A PROPORTION OF REVENUE FOR THOSE CLASSES OF CONSUMERS

	1972	1971	1970	1969	1968
Residential.....	17.5	17.5	15.6	13.5	12.8
Commercial.....	18.4	18.4	16.6	14.5	13.9
Industrial.....	36.5	36.8	34.0	30.5	29.6
Miscellaneous.....	21.6	20.9	18.9	17.3	16.5
Total.....	22.8	22.8	20.7	18.3	17.6

#### Possible legal problems

In a recent case by an electric power company before a state commission requesting approval to utilize a fuel clause adjustment as a means of coping with rising fuel costs the question arose as to the legality of a state regulatory agency having the authority to approve a fuel clause adjustment. Many states have permitted a fuel clause adjustment and under some state regulatory statutes the authority may be specifically granted the regulatory agency to delegate its rate making authority via the automatic adjustment clause vehicle. However, in lieu of specific statutory authority the legality of an automatic adjustment clause of any kind becomes an important factor for the regulatory agency to consider when confronted with a request for the approval of these type clauses.

In the case of a recent power company's request to a state commission for authority to invoke an automatic fuel clause adjustment the argument against the agency having the legal authority to grant the request by the power company ran thusly:

"The effective result of the proposed filing, if granted by the commission, would be to delegate solely to the power company and its suppliers of fuel who enter into private contracts with the power company, the power and authority to determine the level of charges to be made by the power company for electric service sold and distributed to, the using and consuming public, and various state agencies which purchase said electric service from the power company.

"In support of the foregoing, the Attorney General argued that the power to fix and regulate the reasonable rates and charges to be made for such service is vested solely in the commission. It was further contended that this rate-making power is a delegable power and duty which has been delegated solely to the commission by the state General Assembly, in the exercise of the states'

police powers and no further delegation of the rate-making power of the state is authorized; and that the using and consuming public would be deprived of the money it pays for electricity by a state franchised monopoly without due process of law."

Aside from the economic disadvantages enumerated previously, all regulatory agencies should also carefully consider the legality of automatic adjustment clauses when deciding whether or not to permit their implementation.

#### CONSERVATION ADJUSTMENTS

A more recent automatic adjustment request has dealt with the subject of conservation. In the main, requests for additional revenue to compensate for reduced earnings because of decreased usage have been filed within the context of traditional rate cases. Thus such requests will be subject to the adversary process and not automatically passed through to consumers.

In January 1974, however, New England Power Co. requested the FPC to establish an AAC to compensate for the effect of energy conservation on its earnings. This request was denied in February 1974.

In this paper we will deal solely with the propriety of using AAC to compensate for conservation losses rather than with the overall issue of compensation for such losses.

Any effort to use AAC as a vehicle to compensate for conservation must recognize the extreme difficulty of separating the conservation component from the impact of milder weather and reduced business activity. It should be kept in mind that a prime qualification for AAC is the ability to easily determine the change in cost and to easily audit such changes. This quality is lacking from the conservation issue.

Aside from this mechanical problem is the issue of whether the consumer should be automatically assessed for doing what he has been asked to do at some inconvenience and discomfort to himself. On the other hand, some method of recouping fixed costs is required if the financial health of the industry is to be maintained.

The conservation phenomena, however, is of recent history. We, therefore, are unable to judge the extent and duration of the problem. To apply an automatic adjustment to a cost element that may be of short duration is to confuse the issue. Better to determine who shall pay the bill for the consumers cooperation, and how much, within the context of a rate case. In that way all of the evidence can be carefully weighed and the basic issues resolved in an equitable fashion.

#### RECOMMENDATION

It is recommended, therefore, that adjustment clauses, when believed advantageous to a commission, should be weighted to reflect the relative importance of the particular item in the company cost structure, and should include provisions compensating for economies that may accrue from improved managerial efficiency, technological innovation, or economies of scale. In addition, it is advisable for an adjustment clause to include other safeguards, such as a requirement for periodic cost-of-service submissions for commission review, in order to minimize the risk of the companies having excess earnings for an extended period.

Automatic clauses should also be operable in two directions. That is, AAC should be permitted to track increases during periods of rising costs and decreases during periods of declining costs, rather than be used solely during inflationary periods.

In view of the technical problems involved in designing an appropriate fuel adjustment clause, it would be desirable for NARUC to prepare a model fuel clause for adoption by regulatory commissions.

Automatic adjustment clauses should be sanctioned only after careful consideration



of all relevant factors from the standpoint of the commission's regulatory responsibilities.

[From the Bridgeport (Conn.) Post, Sept. 13, 1974]

**SAYS UTILITY, U.S. AGENCY DIFFER ON LEVY FORMULA—\$7 MILLION FUEL COST OVERCHARGE BY UI SEEN BY OIL CONSULTANT**

An oil industrial consultant with more than 30 years of business experience said today that a study he has made indicates the United Illuminating company overcharged its customers by about \$7 million on the fuel cost adjustment charge during 1973.

In a prepared address Fred A. Gardiner, formerly an oil company executive told members of the Bridgeport Exchange club at its meeting in the Stratfield Motor hotel that "less oil was used in the generation of electricity by the UI company than was charged for in the fuel adjustment charge."

He said that figures supplied to him by the Federal Power Commission and the UI company on the number of heat units needed to generate one kilowatt hour of electricity shows a discrepancy, with the FPC figures showing a lower number of units needed than those figures provided by UI.

"Now, the question is, who is right? UI or the FPC," Mr. Gardiner asked.

Mr. Gardiner said that the fuel cost adjustment charge "has been going on for some two and one-half years."

Taking the year 1973 as an example, the oil consultant said: "UI charges each kilowatt hour with 12,400 units of oil, due to their claim that it takes this number of heat units to make this kilowatt hour."

"I have a letter from the Federal Power Commission on the efficiency of UI's generation. The Table of Generating Plant Statistics that was sent to me indicates that the efficiency of the UI operation is 11,433 heat units to a kilowatt hour."

"This is 967 heat units less per kilowatt hour than we have been charged for under the UI formula," Mr. Gardiner added.

"This 967 heat units per kilowatt hour is a sizable item; 967 heat units multiplied by the 4,381,100,000 kilowatt hours produced amounts to a lot of barrels of oil and a lot of money."

He said what it all amounts to is "706,087 barrels of oil and, at \$10 a barrel, about \$7,060,870."

"If the FPC's figures are correct then it is fair to assume there has been a sizable overcharge" to UI's customers for the year 1973.

The oil industry consultant said that "the UI fuel adjustment is three times higher than the fuel adjustment of the other two Connecticut utilities, Helco and Connecticut Light and Power company."

Mr. Gardiner said his study shows that UI claims it pays more for oil than Helco and CL&P and that they use more oil in generating electricity.

He said that the 12,400 heat units of oil for each kilowatt hour claimed by UI "is very high, and in fact in the New England Statistical Bulletin, which shows the efficiencies for the past ten years in Connecticut and gives averages, there are no figures as high as 12,400."

"The 12,400 seems a lot of heat units to be used to make one kilowatt hour, but that is what UI states it takes and that is what your fuel adjustment figure is predicated on," Mr. Gardiner added.

Mr. Gardiner said that his study will be turned over to state legislators and the state Public Utilities Commission.

"I make no charges; what I am giving you here is the facts of the situation I uncovered by studying available data," the oil industry consultant added.

Another issue raised by Mr. Gardiner in his

talks was the question of how efficient electric heating is compared to home oil heating.

"Angus Gordon, chairman of the board of the UI company before the Public Utilities commission during his giving of testimony in an effort to get a rate increase for UI, stated that from a conservation point of view the use of oil for home heating was unsound and should cease."

"Now, Mr. Gordon with his salary from UI of \$73,500 per year might be able to afford electric heat, I would like to ask Mr. Gordon just what heat he would recommend for the American homeowner, the commercial building or even industry."

Mr. Gardiner said: "If he doesn't know, from a conservation point the electrical utilities waste over 60 per cent of the heating oil that they have been using for generation, if he is concerned with Conservation (of energy) perhaps he will recommend that using oil for on-site home heating is the most dependable, safest and by far the most economical type of heat commercially offered today."

Continuing, Mr. Gardiner said: "With low and middle income families being forced to watch their budgets during this inflationary period, I must wonder what type of fuel he would recommend they use for home heating. His statement, made by a man holding such an influential position in business, is not only surprising, it is ridiculous."

"Electric heat was, is, and will continue to be anywhere from three to six times as expensive as on-site oil heat. He knows that on-site oil heat will net 80 per cent efficiency at the boiler or furnace while the best generating plants in the country are under 38 per cent and UI here in Bridgeport is only 27.5 per cent efficient."

Mr. Gardiner said that "Mr. Gordon knows the best way to conserve oil is to start with utility waste. The electric utilities should be mandated immediately to stop the installation or sale of any new electric heat. This is a waste of natural resources we cannot afford. Electric heat uses exactly 2,543 times the oil that on-site oil heating would take."

"Also, in the generation of electricity over 300,000 barrels of oil a day are consumed, which is more than the on-site oil heated home is asked to conserve."

Commenting on the overall "energy crisis" in the area, Mr. Gardiner said: "In January, 1970, when the long overdue clean air laws were enacted, controlling the emission from the utilities' stacks, it was fair to expect that the utilities would take steps to modernize and continue to burn coal as they were then doing, but under controlled conditions to control the emission."

"This could be accomplished by installing so-called scrubbers in their stacks and taking other modernization measures. But what happened? With much haste the coal-handling equipment was dismantled and they turned to buying of low sulphur or home heating oil to generate their electricity, and received permission from the public utilities commission to pass along any cost over a low base price to the consumer in the form of fuel adjustment."

"The higher cost method of generating electricity did not affect the utilities themselves, it only affected the cost to the consumer," Mr. Gardiner added.

**PUC AWARE "FOR SEVERAL WEEKS" OF POSSIBLE UTILITY OVERCHARGES**

As the state Public Utilities commission prepared for a detailed review into the accuracy of electricity fuel adjustment charges (FAC) during a public hearing here tonight, Commissioner Richard R. Stewart admitted for the first time that the PUC has been aware "for several weeks" of possible overcharges by the state's utilities.

Commissioner Stewart will preside at the hearing tonight at 6:30 o'clock in the Common Council chamber.

Stewart made the statement on the heels of a claim by Mrs. Ella T. Grasso, the Democratic gubernatorial candidate, the overcharges amounted to \$15 million in three years the adjustment has been computed.

Stewart said the formula used to determine the adjustments has been under study, and the PUC is considering removing from it the factor that caused the alleged overcharges.

He said that when questioned as to the efficiency factor during previous hearings, officials of the United Illuminating company claimed that the PUC had permitted the utility to use a lower efficiency factor "as an incentive to strive for better efficiency in its generating plants" and to absorb any additional revenue which might result.

This would mean that any additional fuel adjustment income would be absorbed by UI instead of resulting in lower FAC for its customers.

Stewart said that, if what the UI officials claim is true, it brings up an important legal question—whether the PUC can order the utility to refund any overcharges.

"At this point," the commissioner said, "I can hardly discuss how any overcharges might be refunded before it has been substantiated as to whether any overcharges were made, or whether—if there were overcharges—they were done with the permission of the Public Utilities commission."

"These are the things which must be carefully explored tonight," the commissioner said, "and we also will be considering the removal from the formula for computing FAC the factor which might have caused the alleged overcharges."

Mrs. Grasso, echoing charges that were first made some weeks ago by Fred A. Gardiner, of Fairfield, a veteran oil industry consultant and State Sen. George L. Gunther, R-Stratford, said that a private study she has made shows that all three power companies (UI, Connecticut Light and Power company and the Hartford Electric company) have improved their efficiency by a minimum of 7.3 per cent in the past year.

She estimated that UI has overcharged customers in computing FAC with the lower efficiency factor by \$3,711,980; Connecticut Light and Power by \$4,070,239; and Hartford Electric by \$3,151,194, all in the past year.

Mrs. Grasso estimated overcharges for all three power companies was \$11 million in the last six months of 1973 and the first half of 1974.

**AT TUMULTUOUS 4-HOUR SESSION—PUC TOLD UI AWARE A YEAR OF OIL BILLING DISCREPANCY**

(By Jeffrey T. Williamson and John S. Schwing)

A top United Illuminating company official conceded under questioning last night at a public hearing in City Hall that UI has been aware for more than a year that it was using less oil to generate electricity than the amount for which customers were billed under the present fuel cost adjustment charge.

Leon A. Morgan, UI vice president for power plant operations, told state Public Utilities Commissioner Richard R. Stewart that the company's generating efficiency had increased since the fuel cost adjustment charge was computed in 1971.

"Did you at any time inform the PUC of this discrepancy?" asked Commissioner Stewart.

"Not to my knowledge," Mr. Morgan said.

**BOTH AWARE OF DISCREPANCY A YEAR AGO—PUC'S DUTY TO HAVE CORRECTED OVERCHARGES, UI OFFICIAL SAYS**

In the wake of a stormy public hearing last night in City Hall here on the accuracy

of fuel adjustment charges (FAC), Howard E. Hausman, chairman of the state Public Utilities commission, admitted today that the commission was aware for more than a year that improved generating efficiency by the United Illuminating company was resulting in overcharges to the utility's 270,000 customers.

During cross examination at the hearing, a UI official said the company also was aware the FAC charges were being computed on an obsolete efficiency factor, but he contended it was the PUC's responsibility to rectify overcharges on the basis of UI's monthly reports to the commission.

However, Mr. Hausman said it was a question whether it was the PUC's duty to correct UI's monthly formula.

He said the PUC "probably would lose no time" in deciding where the responsibility rests as soon as hearings have been completed. It can then be decided, he said, whether the UI can be required to make refunds.

Another public hearing on the FAC of the Connecticut Light and Power company is scheduled tonight in Waterbury and another session is slated for next week on the Hartford Electric charges.

During the hearing here last night, presided over by Commissioner Richard R. Stewart, Leon A. Morgan, UI vice president for power plant operations, said the company's generating efficiency had increased since the fuel cost adjustment charge was computed in 1971.

"Did you at any time inform the PUC of this discrepancy?" Commissioner Stewart asked.

"Not to my knowledge," Mr. Morgan said. UI president John D. Fassett said, however, that under the terms of the FAC the utility was not required to give the PUC a running update to account for changes in operating efficiency.

He said the PUC staff, through examination of monthly fuel reports, was aware of the company's increase in generating efficiency and had done nothing to recompute the FAC.

Although three PUC commissioners had been assigned to conduct the UI-FAC hearing, only Commissioner Stewart attended.

A PUC spokesman said today Commissioner Gerald J. McCann was on an extended vacation, and he did not know why Commissioner Raymond S. Thatcher was not present last night. Mr. Thatcher could not be contacted.

A statistical report was submitted by letter at the hearing by State Sen. George Gunther, R-Stratford.

Senator Gunther, using UI efficiency generation figures researched by Fred A. Gardiner of Fairfield, a veteran oil industry consultant, offered the same evidence of UI overcharges at the utility's rate hike and FAC hearings months ago.

The PUC took no action at those times. Senator Gunther offered the same statistical evidence by letter at the hearing last night.

U.S. Rep. Ella Grasso has asked for the abolition of the PUC because "it has not protected the public interest." She has charged that Connecticut's three utilities have overcharged customers by \$11 million in a year ending last June 30 and \$15 million over a three-year period.

Last night a spokesman for Mrs. Grasso, appearing at the hearing, called on UI to indicate whether it was willing to return an estimated \$5.7 million which she said it has overcharged in the last three years.

Commissioner Stewart had said earlier in the day that the commission could not discuss whether refunds must be made by utilities for overcharges until it can be determined whether overcharges had been made.

The UI president, Mr. Fassett, said last night that UI is only required to update the adjustment charge when it applies for a general rate hike. This, he said, the company

has done in connection with its current \$11.6 million rate hike, now before the PUC.

Senator Gunther's statistical data, spelled out in detail the discrepancy between the generating efficiency factor given to the PUC by UI originally and a figure given for the same year by UI to the Federal Power Commission (FPC). The latter figure indicated a much higher efficiency.

Using figures researched by Mr. Gardiner, Senator Gunther, in his latter report, showed that UI reported to the PUC a factor of 12,400 heat units (BTUs) to produce each kilowatt hour of electricity when, in fact, it was using only 11,800 BTUs to generate a kilowatt hour of electricity—a difference of 600.

Senator Gunther wrote that in a test year, this difference resulted in an overcharge of 458,381 barrels of fuel oil, which at an average cost of \$10 a barrel, would have resulted in a money overcharge of \$4,583,810 to UI customers.

The senator's letter also cited in detail the comparison of UI's basic efficiency reports with other utilities, statewide and nationwide, indicating that it had reported efficiencies substantially lower than all other New England utilities and lower than the average of all of the nation's power companies.

Throughout the hearing, Commissioner Stewart was criticized for the way the session was being run, from people who wanted the opportunity to deliver prepared statements, from those seeking to cross examine UI officials and from others who complained they had not been properly notified of the session.

Although the hearing was originally planned for cross examination of UI witnesses only, Commissioner Stewart eventually acceded to demands of several political candidates and area citizens and opened the session for public statements.

The result was that the cross examination period lasted less than a half-hour, during which the PUC staff members and Commissioner Stewart were repeatedly interrupted by members of the crowd, some of whom had filed to cross-examine and others who had not.

Commissioner Stewart, who is one of the two new men appointed by Governor Meskill in June when the PUC was expanded from three to five members, agreed before the hearing was over to schedule another session, but he did not specify when or where.

In the hotly disputed matter of scheduling another public hearing on the fuel cost charges, PUC Consumer Counsel David Silverstone indicated he would file a motion with the PUC, requesting the session be conducted at nighttime somewhere "within the service area" of the UI.

He added, however, he would probably not request Bridgeport specifically as the hearing site in his motion to the commission. Therefore, if the commission accepts the Silverstone motion, it could conduct the meeting in New Haven.

Last night's session was a continuation of the fuel cost hearings that opened in July in New Haven. That session was devoted to public comment.

Commissioner Stewart drew noisy criticism on his decision to open last night's hearing to general public comment.

Announcing the action after the one-half hour cross-examination, the commissioner explained his decision, saying, "people didn't leave their homes to listen to a lot of mumbo jumbo."

Among those protesting the commissioner's action most strongly were Louis Cantafio, of Milford, and Dr. Edward J. Deak, of Stratford, Democratic candidate for the state Senate in the 21st district.

Both charged Mr. Stewart "deceived" inter-

venors and "cheated" them of the opportunity to question UI officials.

In later remarks, Dr. Deak described the hearing as "a circus" and said he was "outraged" at Mr. Stewart for allowing the session "to degenerate into a public forum."

State Sen. J. Edward Caldwell, D-Bridgeport, candidate for state comptroller on the Democratic ticket this November, was the first of about 15 speakers in the open portion of the meeting.

Senator Caldwell delivered a prepared statement from Congresswoman Ella T. Grasso, the Democratic gubernatorial nominee, in which Mrs. Grasso charged that UI had overcharged customers \$5.7 million since 1971, when the current fuel cost adjustment was computed.

State Rep. Samuel Liskov, D-Bridgeport, renewed his request that utility company funds be held in escrow until the fight over the fuel adjustment formula and charges of utility overbilling are resolved.

Otherwise, he asked, "what guarantee will the public have that these charges, that may have been illegally imposed, won't be returned?"

Allan E. Berwin, alderman in the 135th district, and Republican candidate for state representative in the 131st Assembly district against Rep. Liskov, called for the election of future members of the PUC.

Two representatives of the Taxpayers Association of Bridgeport, Daniel Domogala and Arthur DeMonte, criticized UI's spending policies, charging the utility with extravagant executive salaries and deliberately confusing the formula for assessing the fuel cost charges.

They joined other speakers who called for a public audit of the UI financial records.

Former Democratic mayoral candidate William E. Mulane said his anti-fuel cost remarks were aimed at putting him "on record against the apparent illegal profit" which he claimed utilities have earned through the billing formula.

#### LEGISLATOR BACKS ASSEMBLY CALL ON OVERCHARGES AND REBATES

(By Alan E. Schoenhaus)

HARTFORD.—House Majority Leader Gerald F. Stevens, R-Milford, said today he will support an effort to get an immediate special session of the legislature to investigate possible fuel cost adjustment overcharges by utilities and mandate refunds if necessary.

Rep. Stevens said that if the PUC confirms the validity of recent news articles concerning the overcharges, and if the PUC does not order customer rebates or credits, he will request a special session to "rectify" the problem.

His statement comes in the wake of recent news stories in The Bridgeport Post and elsewhere indicating that one of the factors used by major utilities in computing the FAC, does not properly reflect improved efficiencies in the generating of electricity that have lowered the amount of oil needed to generate a unit of power.

Congresswoman Ella T. Grasso, the Democratic gubernatorial candidate claimed Tuesday that the state's three major utilities have been overcharging their customers by some \$15 million over a three-year period, as a result of the use of an obsolete efficiency factor.

Rep. Stevens said today, "the fuel cost adjustment has had a serious credibility gap with the public right along and these latest and very serious charges have understandably shaken whatever confidence the public has had in the utility companies and even in the PUC."

"I think it mandatory that the elected officials of this state act to restore that credibility and to show the consumers that, while mistakes may be made, their government



stands ready to make it right," the Milford Republican said.

Congressman Robert H. Steele, the GOP gubernatorial candidate, said today that he favors the establishment of an immediate program to deal with the fuel cost adjustment problem, but expressed doubt that proposals advanced by his Democratic opponent are adequate to resolve the situation.

Congresswoman Grasso has suggested, among other things, that the PUC be abolished, and replaced with a regulator agency "more responsive" to the need of the public.

#### UTILITIES—ABUSING THE RATE SYSTEM

Fuel adjustment clauses are among the worst features of utility regulation. Several companies have found ways of charging non-existent costs to their customers through these clauses. For example, one company—Massachusetts Electric—which bills its customers every other month has been charging February's fuel costs on January's bills. Other companies have been able to charge increasing coal costs in rates for power generated by nuclear plants. Virginia Electric Power Co. is an example. Utilities which own coal mines can charge themselves higher prices for the coal, then pass along the profits through the fuel adjustment clause to the coal operation.

Most important, the fuel adjustment clause has eliminated the power companies' incentives to bargain for lower fuel prices. Thus, the coal and oil industries have been able to double and triple fuel prices with virtually no resistance from the power industry.

Adjustment clauses for other expenses also have been abused by utilities. For example, many utilities have been plagued by operating difficulties in nuclear plants and have been forced to purchase power from other utilities. Some utilities are able to pass on the cost of purchased power through an adjustment clause. Thus, the unwilling customer is forced to pay for a utility's mistakes with no review by the regulatory commission.

Utilities should be permitted to increase rates to cover increased costs of providing electricity. However, all cost increases should be subject to regulation to insure that they are valid.

Many utilities are requesting new regulatory procedures which would help them to increase rates. Normally a company's rates are based on its actual costs during the year preceding its request for a rate increase. But recently several commissions have allowed rate requests to be based on a "future test year." Thus, the utility is allowed to claim expenses which have never been verified. Consumers fear that this type of regulation will result in self fulfilling prophecies of higher electric rates.

Other utilities have been allowed to include "construction work in progress" in their rate bases. The Georgia Power Company is an oft-cited example. This permits the utility to earn a return on equipment which is not in use. Instead the utility should calculate the cost of its capital tied up in construction (allowance for funds used during construction) and place this sum in the rate base when the plant goes into service. Otherwise, the utility would be able to charge present customers for future power plants.

The percentage of electric utility taxes going to federal income taxes declined from about 13 percent in 1956 to 2.6 percent in 1973. This was made possible by frequent new tax loopholes such as accelerated depreciation and investment tax credits. By last year, 39 power companies paid no federal income tax at all. However, 22 of these companies continued to charge their customers for federal income tax. These revenues, totaling \$119 million, will accrue to the benefit of the stockholders. Heading the list of evaders was Georgia Power, which paid more

than \$30 million in "taxes" to its stockholders. Other companies allocating large amounts of money that ought to have gone as taxes to stockholders included Northern States Power, Carolina Power & Light, and Public Service Electric & Gas.

The tax gimmick is perfectly legal and called "normalized" accounting. It involves keeping two sets of books—one for the state utilities commission and the other for the Internal Revenue Service. This way a utility can take federal tax credits without passing them on to the customer.

Any utility commission can put a stop to normalized accounting. You can attempt to persuade your state commission with detailed information on your local utility. The list of actual tax payments (or credits) is available from the Senate Budgeting Subcommittee, 161 Russell Senate Office Building, Washington, DC, 20510. The federal income taxes charged to customers is on page 114 of the Federal Power Commission's Form 1, the annual report filed by each utility. It is the sum of lines 12, 14, 15 and 16.

#### CITIZENS RATES

Citizens in Wisconsin recently won another major victory in the battle to reform electric utility rate structures. On August 8, 1974, after two years and some 3,000 pages of testimony, the Capitol Community Citizens and the Environmental Defense Fund (CCF-EDF) succeeded in wresting a favorable and significant decision from the Wisconsin Public Service Commission on the Madison Gas & Electric (MG&E) Company's rate structure. The Commission ordered essentially flat rates for MG&E's residential customers, and instituted a rate differential between summer and winter designed to discourage summer air conditioning use for all customers. In adopting flat rates, the Commission rejected traditional declining block rates, whereby large users pay less per unit for their electricity than do small users. With flat rates, customers pay a fixed charge to cover customer costs and a single rate for all units of electricity consumed. Calling the MG&E battle a "national test case on electric rate design," the Commission's Chairman declared that "rate differentials which benefit large-volume users . . . are generally not justified; and in the future it will be incumbent upon those utilities advocating retention of such rate design features to clearly demonstrate their cost justification." Commercial and industrial rates were also flattened substantially, while revenue responsibility was generally shifted from commercial customers to industrial users.

Perhaps the real significance of the MG&E case lies in the Commission's adoption of the principles of long-run incremental cost and incremental cost pricing as the "touchstones" of its ratemaking policy. Long-run incremental cost (LRIC) is the additional cost of building new plants and providing electricity over the next several years. LRIC-based pricing schemes are designed to discourage wasteful energy use and to promote the most efficient allocation of resources by insuring that those uses placing the greatest demands on the system will pay the true costs of such consumption. Those who push the system to expand will pay more for their electricity, because today it costs a utility much more to provide service if it has to build and operate extra capacity.

The Wisconsin Commission found the best approximation of the LRIC pricing concept in use to be a peak load pricing system such as time-of-day pricing. Taking flattened rates and summer/winter rate differentials as a point of departure, the Commission hopes to institute a time-of-day metering system. Under such a system, rates could vary with the time of day so that customers using electricity at peak hours would pay the higher

costs associated with meeting peak demand. Conversely, customers would be rewarded with lower rates for shifting their use to off-peak times.

Other states have also been very active in reforming electric utility rates. To date, promotional rates have already been attacked with some success in at least 20 states, and citizens continue to press for further restructuring in these and many other states. Probably the most significant precedents came from New York and Michigan last fall. The New York Commission ordered flat rates for Consolidated Edison's residential and certain commercial customers. (See Case No. 26309, Opinion No. 73-31, Sept. 6, 1973.) The Michigan Commission has also flattened rates completely for many of the state's residential users of electricity and gas. [For example, see *Re Detroit Edison*, Case No. U-4257, Jan. 4, 1973.]

Support for rate structure reform also continues to build at the federal level. The Federal Power Commission is considering revision of wholesale electric rate designs, and the Commission's Chairman John Naskas recently called for flattening of utility rate structures and urged experimentation with time-of-day metering and peak load pricing. John Sawhill, head of the Federal Energy Administration, also recently endorsed peak load pricing as a way of lowering capital costs and consumer rates.

For the latest information on the Wisconsin Public Service Commission's rate design policy, request copies of the orders and related opinions in Madison Gas & Electric cases 2-U-7423 and 2-U-7952, dated Aug. 8 and 29, respectively, from 432 Hill Farms State Office Building, Madison, WI 53702. The Environmental Defense Fund, which played a vital role in the MG&E case, has announced that it is willing to share its data, computer programs and expertise on rate structures with anyone interested. For further information, contact Dr. Ernest Habicht, Director of EDF's Energy Program, at (516) 751-5191 (O) or (516) 473-7388 (H). And for a good discussion of peak load pricing, see "Electricity Price Regulation: Critical Crossroads or New Group Participation Sport," by Dr. Charles Cicchetti in the Aug. 29, 1974 issue of *Public Utilities Fortnightly*.

#### BRIEFS

An upstate New York conference of utility organizers and researchers is scheduled at Ithaca in late October or early November. Contact Jim Schmidt, Human Affairs Program, Cornell University, Ithaca. . . . Citizens in Massachusetts are collecting signatures for a referendum which could establish a Massachusetts Power Authority. The agency would be responsible for operating and building all major power plants and power lines in the state. . . . Residents of Portland, Oregon, will vote in November whether to have the public take over facilities of Pacific Power & Light. . . . A coalition of citizens groups in Rhode Island successfully opposed a power cost adjustment for the Blackstone Valley Electric Company. The Consumers against the Power Cost Adjustment convinced the Rhode Island Department of Business Regulation that it should continue to regulate power costs. . . . Proponents of Lifeline Service were surprised and pleased to learn that John Sawhill apparently endorses the concept. Speaking at the FEA's second electric utilities conference in Washington, Sawhill announced that "there is no room in this nation's energy policy for abusing the consumer," and he said the poor and elderly "must not bear the brunt of recent price increases."

(Utilities—The utilities section is edited by Rick Morgan and Sandy Jerabek of the Environmental Action Foundation, Room 720 DuPont Circle Building, Washington,

DC. 20036. For more information write or call them at 202-659-9682.)

## FOOTNOTES

<sup>1</sup>Original draft by Alvin Kaufman, Director, Office of Economic Research, New York State Public Service Commission, June 26, 1974.

<sup>2</sup>Economic Paper No. 1.

<sup>3</sup>See the Subcommittee's Economic Paper No. 5, "Productivity in Public Utility Regulation", for a more complete discussion of this subject.

# FACING THE COLD REALITIES TODAY OR THE BITTER CONSEQUENCES TOMORROW

## HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. COLLIER. Mr. Speaker, millions of Americans now appear to be in full accord on one issue—that inflation has become this Nation's public enemy No. 1. Unless there is a new and sincere effort toward self-discipline in the Congress as well as back home, we may well face economic catastrophe which will take years to overcome and leave scars on both our economic and political systems of an ugly and permanent nature.

The inflation that we are experiencing in the United States is nothing new—it has been going on for more than four decades. According to the Consumer Price Index, the purchasing power of the dollar has dropped 80 cents since 1933.

The dollar that I am using as the standard is the 1937 to 1939 dollar, which was worth 100 cents during that 3-year period—98 cents in 1937, \$1 in 1938, and \$1.02 in 1939.

The following table shows how the Roosevelt dollar shrunk in purchasing power from \$1.09 to 29 cents, the former figure being the peak of its post-World War I value:

1933	\$1.09
1934	1.05
1935	1.03
1936	1.02
1937	.98
1938	1.00
1939	1.02
1940	1.01
1941	.96
1942	.87
1943	.81
1944	.80
1945	.78
1946	.72
1947	.63
1948	.59
1949	.59
1950	.59
1951	.54
1952	.53
1953	.53
1954	.53
1955	.53
1956	.52
1957	.50
1958	.49
1959	.48
1960	.48
1961	.47
1962	.47
1963	.46
1964	.46
1965	.45

1966	.43
1967	.42
1968	.41
1969	.39
1970	.36
1971	.35
1972	.34
1973	.31
1974 (est.)	.29

Who is to blame for this continuing erosion of our money? Some people blame big business. Others blame big labor. Still others say that we are all to blame, which is another way of saying that nobody is to blame.

The real culprit is neither the businessman nor the workingman. If his prices are set too high, the merchant will price himself out of the market. If his wage demands get too high, the laborer will likewise price himself out of the market. The real culprit is big government.

It is high time that we told big government that it is pricing itself out of the market. When I say big government, I mean the politicians who vote for more and more spending and bigger and bigger deficits and the bureaucrats who keep demanding more and more spending without regard for the consequences.

The following figures show how spending has increased during the last four decades, more than 40 years in the fiscal wilderness:

[Amounts in millions]	
Fiscal:	
1933	\$4,598
1934	6,645
1935	6,497
1936	8,422
1937	7,733
1938	6,765
1939	8,841
1940	9,589
1941	13,980
1942	34,500
1943	78,909
1944	93,956
1945	95,184
1946	61,738
1947	36,931
1948	40,401
1949	40,570
1950	43,147
1951	45,797
1952	67,962
1953	76,769
1954	70,890
1955	68,509
1956	70,460
1957	76,741
1958	82,575
1959	92,104
1960	92,223
1961	97,795
1962	106,813
1963	111,311
1964	118,684
1965	118,430
1966	134,652
1967	158,254
1968	178,833
1969	184,548
1970	196,588
1971	211,425
1972	231,876
1973	246,526
1974	(est.) 269,546
1975	(est.) 305,439

The following table shows that 34 deficits have resulted because of the increase in spending from \$4,598,000,000 in fiscal 1933 to an estimated \$305,439,000,000 in fiscal 1975. Only nine surpluses have interrupted the flow of red ink:

[Amounts in millions of dollars]

	Surpluses	Deficits
Fiscal:		
1933		2,602
1934		3,630
1935		2,791
1936		4,425
1937		2,777
1938		1,177
1939		3,862
1940		2,710
1941		4,778
1942		19,396
1943		53,812
1944		46,138
1945		45,022
1946		18,201
1947	6,600	
1948	8,864	
1949	1,006	
1950		2,207
1951	7,593	
1952	49	
1953		5,274
1954		1,170
1955		3,041
1956	4,087	
1957	3,249	
1958		2,939
1959		12,855
1960	269	

	Surpluses	Deficits
1961		3,406
1962		7,137
1963		4,751
1964		5,922
1965		1,596
1966		3,796
1967		8,702
1968		25,161
1969	3,236	
1970		2,845
1971		23,033
1972		23,227
1973		14,301
1974 (estimated)		3,546
1975 (estimated)		11,400

All of this deficit spending has brought about an increase in the Federal debt from \$22,539,000,000 at the end of fiscal 1933 to \$476,657,000,000 as of October 3, 1974. Interest on the debt now exceeds \$30,000,000,000 annually. Ten cents of every dollar paid in income tax goes for interest on the national debt.

Earlier in my remarks I stated that big government is the real culprit that must bear the blame for inflation. Who has been in charge of the National Government for the last four decades? Democratic Presidents, Roosevelt, Truman, Kennedy, and Johnson, have headed the executive branch for 28 of the last 41 years, while Republicans, Eisenhower and Nixon, have served as Chief Executives for 13. Democrats have been at the helm twice as long as Republicans.

This, however, does not tell the whole story. Of the 21 Congresses that have served from 1933 until now, only 2 have been Republican. In the 80th Congress, which met from 1947 to 1949, the Republicans had a 246 to 188 edge in seats in the House of Representatives, with 1 seat held by a minor party, and a 51 to 45 margin in the Senate. A Democrat was in the White House during that period. In the 83d Congress, which sat from 1953 to 1955, the Republicans had a 221 to 213 edge in the House, with 1 minor party seat. This was but 3 seats above a bare majority. Neither major party had a majority in the Senate, there being 48 Republicans, 47 Democrats, and 1 Independent.

Here are the figures:



Congress	Opening years	House			Senate				Congress	Opening years	House			Senate			
		Republi- can	Democrat	Minor	Republi- can	Democrat	Minor				Republi- can	Democrat	Minor	Republi- can	Democrat	Minor	
73d	1933	117	313	5	36	59	1		84th	1955	203	231	(1)	47	48	1	
74th	1935	103	322	10	25	69	2		85th	1957	200	233	(1)	47	49		
75th	1937	89	333	13	17	75	4		86th	1959	153	283		34	64		
76th	1939	169	262	4	23	69	4		87th	1961	174	263		35	65		
77th	1941	162	267	6	28	66	2		88th	1963	177	258		33	67		
78th	1943	209	222	4	38	57	1		89th	1965	140	295		32	68		
79th	1945	190	243	2	38	57	1		90th	1967	187	247	(1)	36	64		
80th	1947	246	188	1	51	45			91st	1969	192	243		43	57		
81st	1949	171	263	1	42	54			92d	1971	180	254	(1)	45	55		
82d	1951	199	234	2	47	48	1		93d	1973	187	248		42	58		
83d	1953	221	213	1	48	47	1										

1 or 2 vacancies.

Mr. Speaker, if we do not stop unconstitutional, unnecessary, and irresponsible spending, the inflationary balloon will continue to expand until it eventually and inevitably bursts. We will then have an economic catastrophe that will make the Great Depression of 1929-40 look like a boom.

When the stock market collapsed in 1929, signaling the beginning of a decade of hard times, the national debt was slightly more than \$16 billion. It is now almost 30 times that much and will soon exceed half a trillion dollars.

We cannot afford another depression, especially with such a heavy load of debt at high-interest rates. The only way to prevent another economic disaster is to cut Federal spending by many billions, balance the national budget, and reduce the astronomical public debt. Let us give serious consideration to the President's proposals for fighting inflation and implement them with constructive ideas of our own.

## SECOND ANNUAL REPORT ON CONGRESSIONAL OPINION POLL RESULTS

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. BIESTER. Mr. Speaker, while Gallup, Harris, and other national poll-

ing organizations perform an important educational function in periodically measuring public opinion on major issues, constituent questionnaires mailed at the congressional district level by Members of Congress deal more closely with many of the specific issues before this body. These surveys also contribute to a better understanding of what the public is thinking. Although Members do not always ask the same questions or phrase them identically, there is usually sufficient similarity that a composite of the results does present an interesting sample of public opinion. Tying together the responses from several congressional questionnaires can help provide insights into the nature of patterns in thinking in various sections of the country.

A year ago Mr. TOWELL of Nevada shared with us a summary of congressional opinion poll results based on constituent surveys undertaken by several Members of the House. I would like to insert for the benefit of my colleagues the second such summary to have been compiled:

## SECOND ANNUAL REPORT ON CONGRESSIONAL OPINION POLL RESULTS

(By Dr. W. P. Cortelyou)

(EDITORIAL NOTE.—The introduction to this report is prepared in the form of personal instructions to the reader because that format seems to make it easier for the reader to learn to use the new type of tables involved. Last year's summary may be found in the CONGRESSIONAL RECORD, October 4, 1973, page 33076-33077.)

Percentages of Respondents Who Say "Spend More, or Same, or Less"—Exhibit 1:

In the first statistical table in this report you will find the returns from a new type of question that congressmen now use more and more frequently to ask their constituents in which problem areas we ought to spend more money, or the same, or less. Congress is beginning to take more interest in the budget-making process, which has been dominated by the Executive Branch. These questions help them to establish budget priorities.

Sixteen Congressmen reported their findings from the use of this kind of question. In the following table you will find their reports summarized, in alphabetical order, using the postal abbreviations of the states. The complete table is divided into three sections, each of which gives information on attitudes toward seven different problem areas, making twenty-one in all. Note that on each line, under each problem area, there are three percentages. The first one shows the percentage of the respondents who think "more" money should be spent in that problem area. The second figure shows the percentage of the respondents who think the "same" amount should be spent there, and the third figure shows the percentage who want "less" money spent in that area. For instance in CA 24 61% of the respondents want "more" money spent on Crime Control while only 8% want less money spent there. The response from other districts is not much different.

Where the congressman did not ask his constituents for a recommendation on spending money in one of the listed problem areas the corresponding space is filled with hyphens to make the table easier to read.

For more information on the Congressional Districts referred to, on the Congressmen who represent them, and the dates of his poll reports see Exhibit 3.

TABLE 1.—PERCENTAGES OF RESPONDENTS WHO RECOMMENDED MORE, OR THE SAME, OR LESS MONEY IN EACH OF THE 21 AREAS LISTED

State district	Agriculture			Consumers			Crime control			Defense			Drug control			Education			Elderly		
	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less
California, 24				33	41	26	61	31	8	29	33	28				29	37	34	42	41	17
California, 36	13	25	62							18	34	48	48	37	15	42	42	16	69	26	5
Georgia, 1	49	33	18							41	38	21				53	31	16			
Iowa, 1							50	36	14	9	24	67				56	31	13			
Iowa, 2	33	51	16	52	39	9	68	29	3	8	35	57	49	43	8	45	45	10			
Idaho, 1	15	22	63	30	33	37				29	41	30				26	32	41			
Kansas, 5							66	20	14							44	37	19			
Michigan, 6				47	39	14	68	29	3	13	41	46	57	32	11	37	47	16			
Michigan, 11										11	51	37									
North Carolina, 6	18	42	40							10	43	47				46	40	14			
Ohio, 1										43	31	26				42	35	23			
Ohio, 19				63	31	6				12	34	54				52	27	21			
Oregon, 2	26	29	45							13	32	55				42	37	21			
Pennsylvania, 13										9	35	56									
Vermont, 1	27	45	28							14	31	55				39	45	16			
Wisconsin, 7	38	29	33				54	40	6	6	32	62				38	50	12			
State district	Energy research			Foreign aid			Health			Highways			Housing			Job training			Mass transit		
	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less
California, 24				1	7	92	21	33	46				27	13	60				49	25	26
California, 36				4	9	87	48	34	18				17	41	42				59	29	20
Georgia, 1	76	17	7				11	87	51	32											
Iowa, 1				5	17	78	63	26	11	21	35	44	42	32	26				68	17	15
Iowa, 2				3	24	73	57	37	6				30	49	26				59	34	7

	Energy research			Foreign aid			Health			Highways			Housing			Job training			Mass transit		
	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less
Idaho, 1				1	5	94	38	33	29				13	30	57						
Kansas, 5				1	15	84							21	38	41				43	28	29
Michigan, 6				1	11	88										43	36	21			
North Carolina, 11							56	14	30	31	22	47	46	22	32						
Ohio, 19	78	9	13	3	26	71	52	40	8	20	59	21	16	46	38						
Oregon, 2				2	11	87	59	29	12	25	34	41	34	26	40	31	39	30			
Pennsylvania, 13				2	9	89	62	28	10				35	42	23	35	41	24	48	29	23
Vermont, 1	79	16	5																63	16	21
Wisconsin, 7	52	38	10	1	13	86	52	38	10										68	20	12
				2	12	86	63	36	2										39	40	21
	Pollution control			Poverty			Public works			Revenue sharing			Social security			Space research			Welfare		
	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less	More	Same	Less
California, 24	42	33	25	26	13	61										17	44	39	21	33	46
California, 36				29	36	35	20	39	41							16	32	52			
Georgia, 1																			6	11	83
Iowa, 1	61	28	11													14	29	57			
Iowa, 2	37	44	19										40	50	10	8	27	65			
Idaho, 1																10	32	58	11	22	67
Kansas, 5																11	23	66	51	30	19
Michigan, 6	44	44	15	21	31	48															
Michigan, 11				23	47	30															
North Carolina, 6							16	61	23				35	50	15	12	38	50	11	27	62
Ohio, 1	32	31	37																		
Ohio, 19	58	32	10	38	30	42										12	22	66			
Oregon, 2	54	31	15							27	36	37	53	40	7	9	28	63	14	25	61
Pennsylvania, 13	58	33	9	28	46	26				17	51	32							11	29	60
Vermont, 1													50	41	9	2	20	78			
Wisconsin, 7	47	45	9	35	35	30															

Comparisons of Recent Congressional Polls—Exhibit 2: (Dates of the poll reports used are given under Exhibit 3).

Note that the "Yes%" in the response to "ABORTION: Do you agree with the Supreme Court ruling on this problem?" runs from 35% up to 70%.

(Read down the left-hand list and back up the right-hand.) Statisticians like to divide summaries of this kind into "quartiles". The "folded" format introduced here simplifies that job. Note the dotted line connecting 44% and 61%. This line separates the rest of the table into four equal parts, each of which contains reports from four congressmen. The difference between these two percentages, 17 in this case, is known as the Interquartile Range (IQR).

Finding the IQR is not just an academic exercise. It is a good way to measure the variation in opinion across the country. A low value for the IQR on a given question means that throughout the country the answers to that question are in close agreement. Likewise a high IQR means much disagreement.

The median is the middle value in a list of increasing values, if that list contains an odd number of items. If the list contains an even number of items the median is the average of the two middle values. In either case the folded format used here makes the median show up at the bottom of that section of the table.

The meaning of parenthetical notes: See the entry, "Gude, (1/4)". This means that

Mr. Gude in his poll offered agreement with the Supreme Court as one of four alternative answers that the respondent might have chosen. This tends to lower the "Yes%" in comparison with asking the question by itself, but I felt it would be better to include such values in the table and mark them as being somewhat unorthodox.

It is remarkable how often the median for 1974 is close to the median for 1973, when the question was repeated in 1974. This says very strongly that Congressional polls are by no means trivial. When they can be given the publicity they deserve they will become a topic of frequent discussion in the media and will make a big contribution toward public education in public affairs.

TABLE 2.—COMPARISONS OF RECENT CONGRESSIONAL POLLS (PERCENTS OF RESPONDENTS WHO ANSWERED YES)

Congressman	(Memo)	State	District	Party	Yes (percent)	IQR/Median	Yes (percent)	Party	State	District	Congressman	(Memo)
ABORTION: DO YOU AGREE WITH THE SUPREME COURT RULING ON THIS PROBLEM?												
Steiger		AZ	3	R	35		70	R	NH	2	Cleveland	
Fröhlich		WI	8	R	38		69	R	MS	4	Cochran	
Gude	(1/4A)	MD	8	R	41		68	R	VT	1	Mallory	
Snyder		KY	4	R	46		62	R	OH	17	Ashbrook	
Taylor		MO	7	R	44	IQR=17	61	R	PA	3	Coughlin	
Latta		OH	5	R	46		60	R	IL	14	Erlenborn	
Biester	(1/3A)	PA	8	R	50		58	R	NJ	8	Roe	
Murphy		IL	2	D	52		56	D	NJ	9	Helstoski	
Wilson	(1/4A)	CA	31	D	53	Median <sup>1</sup>	53	R	IL	20	Findley	
ABORTION: SHOULD WE AMEND THE CONSTITUTION AND THUS FORBID ABORTIONS?												
Wilson	(1/4A)	CA	31	D	8		46	R	OH	16	Regula	
Gude	(1/4A)	MD	8	R	11		40	D	IL	11	Annuzio	
Biester	(1/3A)	PA	8	R	14		40	R	NY	2	Grover	
Fish		NY	25	R	21	IQR=17	38	R	PA	18	Heinz	
Cronin		MA	5	R	21		38	R	KS	4	Shriver	
Studds		MA	12	D	23		37	R	AZ	3	Steiger	
Minish		NJ	11	D	24		35	D	NJ	8	Roe	
Frenzel		MN	3	R	24	Median <sup>1</sup>						

<sup>1</sup> The median reported last year was 22.

<sup>2</sup> The median reported last year was 55, in close agreement.

AMNESTY, CONDITIONAL: AMNESTY FOR THOSE WHO GIVE EQUIVALENT PUBLIC SERVICE?

Ketchum	(1/4A)	CA	36	R	30		59	R	OH	17	Ashbrook	(1)
Green		OR	3	D	30		45	R	IN	10	Dennis	
Skubitz		KS	5	R	36	IQR=9 <sup>4</sup>	45	R	NY	25	Fish	
Shriver		KS	4	R	37		43	D	NJ	8	Roe	(2)
Martin	(9)	NC	9	R	38		40	R	OR	1	Wyatt	
Stanton		OH	11	R	38	Median	40	R	WI	8	Fröhlich	

<sup>1</sup> "If several years of public service."

<sup>2</sup> "Some public service."

<sup>3</sup> "If . . . public service . . . two years."

<sup>4</sup> Note the very low IQR, showing close agreement across the country.



TABLE 2.—COMPARISONS OF RECENT CONGRESSIONAL POLLS (PERCENTS OF RESPONDENTS WHO ANSWERED YES)—Continued

Congressman	(Memo)	State	District	Party	Yes (percent)	IQR/Median	Yes (percent)	Party	State	District	Congressman	(Memo)
AMNESTY, UNCONDITIONAL?												
Skubitz		KS	5	R	7		34	R	NY	4	Lent	
Ashbrook		OH	OH	R			26	R	NY	2	Grover	
Dennis		IN	10	R	12	IQR=11	24	R	FL	10	Bafalis	
Roe		NJ	8	D	13		23	R	CT	5	Sarasin	
Ketchum	(1/4A)	CA	36	R	14		21	D	OR	3	Green	
Hunt		NJ	1	R	17	Median	18	R	NY	23	Fish	
CONSUMER PROTECTION: ESTABLISH A NATIONAL CONSUMER PROTECTION AGENCY?												
Chamberlain		MI	6	R	44		78	D	NJ	9	Helstoski	
Culver		IA	2	D	52	IQR=21	73	R	OH	6	Harsha	
Hudnut		IN	11	R	55	Median=58	62	R	OR	1	Wyatt	
DAYLIGHT SAVINGS TIME: CONTINUE ITS USE THE YEAR AROUND (TO SAVE ENERGY)?												
Baker		TN	3	R	26		78	R	IN	11	Hudnut	
Winn		KS	3	R	26		70	R	NH	2	Cleveland	
Shriver		KS	4	R	33		55	R	NY	4	Lent	
Jones		OK	1	D	38	IQR=15	53	D	NJ	9	Helstoski	
Eilberg		Pa	4	D	39		52	D	NJ	11	Minish	
Carney		OH	19	D	43		47	D	NC	6	Preyer	
Archer		TX	7	R	45		46	R	PA	8	Biesler	
Stanton		OH	11	R	46	Median						
ELECTION REFORM: LIMIT THE TOTAL AMOUNT A CANDIDATE CAN SPEND?												
Carney	(1/4A)	OH	19	D	69	IQR=70	94	D	IA	2	Culver	
Dellenback		OR	4	R	78	Median=78	93	R	PA	8	Biesler	
ELECTION REFORM: LIMIT THE AMOUNT ONE PERSON CAN GIVE TO ONE CANDIDATE?												
Dellenback		OR	4	R	60	IQR=25	92	R	MN	1	Quie	
Carney		OH	19	D	69		88	D	IA	2	Culver	
Mallory		VT	al	R	87	Median						
ELECTION REFORM: USE PUBLIC MONEY TO PAY ALL EXPENSES IN FEDERAL CAMPAIGNS?												
Preyer		NC	6	D	15		59	D	NJ	9	Helstoski	
Quie		MN	1	R	16		56	R	NY	31	Mitchell	
Hudnut		IN	11	R	25		52	D	NJ	11	Minish	
Ginn		GA	1	D	26	IQR=25	49	D	IL	11	Annunzio	
Bray		IN	6	R	27		41	R	MA	5	Cronin	
Bingham		NY	22	D	31		40	R	PA	8	Biesler	
Freelich		WI	8	R	37	Median						
ELECTION REFORM: USE PUBLIC MONEY TO HELP PAY FOR FEDERAL CAMPAIGNS?												
Baker	(1)	TN	3	R	18		62	R	PA	8	Biesler	(3)
Culver	(5)	IA	2	D	20		58	D	NJ	8	Roe	(4)
Dellums		CA	7	D	21		52	R	NY	25	Fish	
Martin		NC	9	R	26		48	R	NY	4	Lent	
Regula		OH	16	R	26		46	D	IA	1	Mezvisky	
Bauman		MD	1	D	26		41	R	NY	36	Smith	(7)
Bingham		NY	22	D	27	IQR=13	40	R	KS	3	Winn	(1)
Chamberlain		MI	6	R	31		40	D	OR	1	Wyatt	(16)
Mallory		VT	al	R	32		39	R	OK	1	Jones	
Shriver	(1)	KS	4	R	32		37	R	OH	15	Wylie	
Archer	(5)	TX	7	R	33		36	R	NY	36	Smith	(4)
Preyer		NC	6	D	33		35	R	NY	5	Wydler	
Hutchinson		MI	4	R	34	Median	34	R	CA	43	Veysey	
ENERGY SHORTAGE: RELAX ANTI-POLLUTION STANDARDS WHILE THE CRISIS LASTS?												
Ford, Wm. D.		MI	15	D	34		68	R	MI	6	Chamberlain	
Eilberg		PA	4	D	34		64	D	MD	1	Bauman	
Biesler		PA	8	R	36		63	D	MA	12	Studds	
Culver		IA	2	D	41		63	R	KS	4	Shriver	
Minish		NJ	11	D	42		63	D	UT	2	Owens	
Wyatt		OR	1	R	50	IQR=17	62	R	OH	15	Wylie	
Quie		MN	1	R	50		58	R	OH	5	Latta	
Veysey		CA	43	R	51		58	D	IL	11	Annunzio	
Regula		OH	16	R	53		56	R	TX	7	Archer	
Helstoski		NJ	9	D	54	Median	54	R	MA	5	Cronin	
ENERGY SHORTAGE: TAX ANY EXCESS PROFITS OF THE FUEL PRODUCERS?												
Martin		NC	9	R	51		90	D	IA	2	Culver	
Wyatt		OR	1	R	78	Median						

- 1 "use taxes."  
 2 "partial public, limited private."  
 3 "match private gifts."  
 4 "prohibit large private donations."  
 5 "by matching private funds."

- 6 "use tax dollars."  
 7 "in Congressional elections."  
 8 "in Presidential elections."  
 9 "partial public, limited private."  
 10 "President and Congress."

TABLE 2.—COMPARISONS OF RECENT CONGRESSIONAL POLLS (PERCENTS OF RESPONDENTS WHO ANSWERED YES)—Continued

Congressman	(Memo)	State	District	Party	Yes (percent)	IQR/Median	Yes (percent)	Party	State	District	Congressman	(Memo)
FOREIGN POLICY: INCREASE TRADE WITH SOVIET RUSSIA AND RED CHINA?												
Hudnut		IN	11	R	51		78	R	NJ	1	Hunt	
Owens		UT	2	D	52		70	D	PA	6	Yatron	
Mezvinisky		IA	1	D	58	IQR=10	68	D	CA	29	Danielson	
Shriver		KS	4	R	58		64	R	OH	17	Ashbrook	
Winn		KS	3	R	59	Median						
HEALTH: SET UP A TAX-SUPPORTED HEALTH INSURANCE SYSTEM FOR ALL?												
Archer		TX	7	R	25		76	D	NJ	8	Roe	
Ashbrook	(1/3A)	OH	17	R	26		76	D	CA	39	Danielson	
Baker		TN	3	R	30		74	D	GA	1	Ginn	
Jones		OK	1	D	33		72	D	IL	11	Annunzio	
Bauman		MD	1	D	37		69	D	NJ	11	Minish	
Biester		PA	8	R	40		67	R	CT	5	Sarasin	
Ullman		OR	2	D	42	IQR=21	66	R	NY	25	Fish	
Tierman	(1/4A)	RI	2	D	43		64	R	NY	31	Mitchell	
Helstoski		NJ	9	D	46		61	R	NY	5	Wydler	
Wyffe		OH	15	R	50		60	D	OR	3	Green	
Wyatt		OR	1	R	50		60	R	MA	5	Cronin	
Shriver		KS	4	R	52		57	D	PA	6	Yatron	
Freohlich		WI	8	R	52		55	R	MI	11	Ruppe	
Regula		OH	16	R	55	Median						
PRESIDENT NIXON: SHOULD THE HOUSE OF REPRESENTATIVES IMPEACH HIM?												
Baker		TN	3	R	8		66	D	MI	15	Ford, Wm. D.	
Wyatt	(1/4A)	OR	1	R	19		58	D	NJ	11	Minish	
Bauman		MD	1	R	28		55	D	MD	2	Long	
Hutchinson		MI	4	R	29		55	R	MA	5	Cronin	
Lent	(1/4A)	NY	4	R	30		54	D	CA	29	Danielson	
Archer		TX	7	R	31		49	D	NJ	9	Helstoski	
Martin		NC	9	R	32		48	D	NJ	8	Roe	
Chamberlain		CA	6	R	33	IQR=15	48	R	NY	36	Smith	
Ginn		CA	1	D	35		46	D	OH	19	Carney	(1/4A)
Wydler		NY	5	R	36		45	D	NY	22	Bingham	
Wyffe		OH	15	R	36		42	D	NY	7	Obey	(1/3A)
Veysey		CA	43	R	38		42	R	MI	1	Shriver	
Fish	(1/3A)	NY	25	R	39		41	R	KS	1	Udall	(1/3A)
Biester		PA	8	R	40		40	D	AZ	2	Hudnut	
Grover		NY	2	R	40	Median	40	R	IN	11		
PRESIDENT NIXON: SHOULD HE RESIGN?												
Baker		TN	3	R	8		61	D	MI	15	Ford Wm. D.	
Wyatt	(1/4A)	OR	1	R	16		50	D	AZ	2	Udall	(1/3A)
Biester		PA	8	R	16		43	R	NY	2	Grover	
Fish	(1/3A)	NY	25	R	24	IQR=17	41	D	MD	2	Long	
Carney	(1/4A)	OH	19	D	27		40	D	NY	22	Bingham	
Hutchinson		MI	4	R	30		38	R	CA	43	Veysey	
Chamberlain		MI	6	R	34	Median=36	38	R	MH	1	Quie	

(D) in parentheses denotes "Democratic" and (R) denotes "Republican"

## EXHIBIT 3

## CONGRESSMEN WHOSE POLLS ARE INCLUDED IN THE CURRENT TABULATION

State and district	Location or area	Name and party	Report date (month and year)	State and district	Location or area	Name and party	Report date (month and year)
Arizona, 2	Tucson + 5 co.	Udall (D)	March 1974	North Carolina, 9	Charlotte + N sbrbs	Martin (R)	April 1974
Arizona, 3	W + NW (1/3 of State)	Sleiger (R)	August 1973	New Hampshire, 2	W + N (2% of State)	Cleveland (R)	May 1974
California, 7	San Francisco	Delums (D)	January 1974	New Jersey, 1	Camden + 2 co.	Hunt (R)	August 1973
California, 24	N of LA, 1 co.	Roussellot (R)	August 1973	New Jersey, 8	Patterson + 1 co.	Roe (D)	June 1974
California, 29	LA + E sbrbs	Danielson (D)	November 1973	New Jersey, 9	NE, urban	Minish (D)	May 1974
California, 31	Los Angeles	Wilson (D)	September 1973	New Jersey, 11	Sbrbn, W of Newark	Minish (D)	April 1974
California, 36	Bakersfield + 2 co.	Ketchum (R)	October 1973	New York, 2	S Central Long Isl.	Grover (R)	Do.
California, 43	S, 3 co.	Veysey (R)	April 1974	New York, 4	Sbrbn Long Island	Lent (R)	March 1974
Connecticut, 5	SW, 2 co.	Sarasin (R)	(?) 1973	New York, 5	Sbrbn Long Island	Wydler (R)	May 1974
Florida, 10	Palm Beach	Bafalis (R)	(?) 1973	New York, 22	The Bronx	Bingham (D)	November 1973
Georgia, 1	SE, 20 co.	Ginn (D)	April 1974	New York, 29	Troy + 4 co.	King (R)	Do.
Iowa, 1	SE, 13 co.	Mezvinisky (D)	November 1973	New York, 25	SE, 3 co.	Fish (R)	April 1974
Iowa, 2	NE, 11 co.	Culver (D)	March 1974	New York, 31	Mohawk River Valley	Mitchell (R)	August 1973
Idaho, 1	N + W (1/3 of State)	Symms (R)	October 1973	New York, 36	NW, 3 co.	Smith (R)	May 1974
Illinois, 2	Chicago, S Side	Murphy (D)	(?) 1973	Ohio, 5	NW, 11 co.	Latta (R)	(?) 1973
Illinois, 11	Chicago, NW Side	Annunzio (D)	(?) 1973	Ohio, 6	Southern rural	Harsha (R)	(?) 1973
Illinois, 14	Sbrbn, W of Chicago	Erlborn (D)	(?) 1973	Ohio, 11	NW, 5 co.	Stanton (R)	August 1973
Illinois, 20	Springfield + 10 co.	Findley (R)	(?) 1973	Ohio, 15	Columbus + W sbrbs	Wyffe (R)	March 1974
Indiana, 6	Indianapolis	Bray (R)	April 1974	Ohio, 16	Canton + 2 co.	Regula (R)	(?) 1973
Indiana, 10	Muncie + 10 co.	Dennis (R)	(?) 1973	Ohio, 17	North Central	Ashbrook (R)	April 1974
Indiana, 11	Indianapolis	Hudnut (R)	June 1974	Ohio, 19	Youngstown	Carney (D)	March 1974
Kansas, 3	Kansas City + 4 co.	Winn (R)	November 1973	Oklahoma, 1	Tulsa	Jones (D)	Do.
Kansas, 4	Central, 6 co.	Shriver (R)	April 1974	Oregon, 1	NW, 9 co.	Wyatt (R)	Do.
Kansas, 5	SE, 25 co.	Skubitz (R)	September 1973	Oregon, 2	N + E (2% of State)	Ullman (D)	(?) 1973
Kentucky, 4	N, 6 co.	Snyder (R)	November 1973	Oregon, 3	Portland	Green (D)	November 1973
Massachusetts, 5	NE, Middlesex Co.	Cronin (R)	August 1974	Oregon, 4	SW, 7 co.	Dellenback (R)	February 1974
Massachusetts, 12	SE, 5 co.	Sludds (D)	Do.	Pennsylvania, 4	Philadelphia	Ellenberg (D)	August 1974
Maryland, 1	Chesapeake Bay	Bauman (R)	March 1974	Pennsylvania, 6	Reading + 2 co.	Yatron (D)	October 1973
Maryland, 2	Sbrbn, Baltimore Co.	Long (D)	June 1974	Pennsylvania, 8	Bucks Co + NE Mont. Co.	Biester (R)	August 1973
Maryland, 8	Montgomery Co.	Gude (R)	(?) 1973	Pennsylvania, 13	NW Phil. + E Mont. Co.	Coughlin (R)	Do.
Michigan, 4	S, 6 co.	Hutchinson (R)	March 1974	Pennsylvania, 18	Sbrbn, N of Pittsburgh	Heinz (R)	Do.
Michigan, 6	Lansing + E Lansing	Chamberlain (R)	February 1974	Rhode Island, 2	W (2% of State)	Tierman (D)	Do.
Michigan, 11	W, 27 co.	Ruppe (R)	August 1973	Tennessee, 3	Chattanooga	Baker (R)	March 1974
Michigan, 15	Sbrbn, W of Detroit	Ford, Wm. D. (D)	May 1974	Texas, 7	Houston, W Side	Archer (R)	April 1974
Missouri, 7	SW, 18 co.	Taylor (R)	September 1973	Utah, 2	Salt Lake Cy + 10 co.	Owens (D)	Do.
Minnesota, 1	SE, 10 co.	Quie (R)	April 1974	Vermont, at	(At large)	Wallary (R)	February 1974
Minnesota, 3	Minneapolis, W Side	Frenzel (R)	August 1973	Wisconsin, 7	NW, 17 co.	Obey (D)	August 1973
Mississippi, 4	Jackson + SW 12 co.	Cochran (R)	(?) 1973	Wisconsin, 8	NE, 13 co.	Freohlich (R)	Do.
North Carolina, 6	Greensboro + 5 co.	Preyer (D)	September 1973				



## THE SPEEDY TRIAL ACT OF 1974

## HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. CONYERS. Mr. Speaker, today I am pleased to introduce, on behalf of the membership of the Subcommittee on Crime, H.R. 17409, the Speedy Trial Act of 1974. This legislation, which was adopted last Thursday by the subcommittee after arduous study and discussion and literally years of work in the other body, has one vital purpose: to assist in reducing crime and the danger of recidivism by requiring speedy trials and by strengthening the supervision over persons released pending trial.

Society, which is the ultimate beneficiary or victim of how fairly constitutional rights are interpreted and implemented, can only lose when the various elements of the criminal justice system, whose cooperation is so vital to the efficient but even-handed administration of criminal cases, are unwilling or unable to meet their responsibilities. Delay in processing those accused of Federal crimes is just as prejudicial, if not more so, to the community as it is to the individual whose right is violated; such delay leads to indefinite incarceration in inadequate facilities and poor supervision during the critical pretrial release period, which in turn lead to increases in recidivism and an upsurge in crimes committed pending trial. It is a disturbing fact that over half of all serious Federal crimes are committed by persons released following arrest and awaiting trial.

The subcommittee supports this bill, because our own hearings and the massive record compiled by the Senate Subcommittee on Constitutional Rights make it clear that the time for uniform guidelines for the speedy disposition of Federal criminal cases is long overdue. The Supreme Court has chosen not to promulgate concrete and useful standards that courts can uniformly follow to measure whether a defendant's right to a speedy judgment of guilt or innocence has been violated. This vacuity of standards has led to gross inconsistencies: one circuit court has held that a delay in trial of over 1 year is *prima facie* evidence of a denial of the right, while another found no abuse of this sixth amendment guarantee, in spite of an 18-year span between arrest and trial.

Testimony received by the subcommittee made it clear that the independent components of the Federal criminal justice system are yet worlds apart on an agreeable solution to the problem—judges found fault with prosecutors' pleadings, U.S. attorneys blamed the courts, defense lawyers criticized prosecutors' pretrial tactics and vice versa, and so on. The governing body of the Federal judiciary, the Judicial Conference of the United States, opposed the legislation on the grounds that the model plan they promulgated under Federal Rule of Criminal Procedure 50(b), which all 94 Federal districts have adopted in some form, is a better approach to the speedy trial prob-

lem, but the evidence studied by the subcommittee makes it apparent, to me at least, that the model plan approach is deficient in several respects. First, no procedures are set forth to assure uniform adoption of time limitations on how long an accused must await indictment and trial after arrest; indeed, the suggested time limitations fail to cover the time that elapses between arrest and arraignment. Second, there is no built-in deterrent against delaying tactics practiced by either prosecution or defense, because no meaningful sanctions are imposed for failure to meet whatever time limits are adopted. Third, the model plan provides no guidance as far as planning, experimentation, and efficient management of criminal calendars are concerned. Finally, and most importantly, no means of evaluation is suggested whereby it can be determined what additional resources might be needed to insure a consistent application of time limitations.

Prosecutors caught in the vice of rising crime and increasingly burdensome case-loads, naturally resist any change in routine that might seem to make increased demands upon their already tightly budgeted time. The defense bar is primarily interested in whatever serves the best interests of their clients—and rightly so, given the fact that the odds are against them when the great wheels of the criminal justice system begin their inexorable revolutions.

Mr. Speaker, no history of speedy trial legislation would be complete unless it acknowledged the tireless advocacy of the distinguished Senator from North Carolina, the Honorable SAM J. ERVIN, JR., who pioneered the idea of uniform Federal standards extending the sixth amendment and has worked for over 6 years to bring a speedy trial bill to the House. Nothing could be more appropriate than for Senator ERVIN to see his labor on his crucial legislation bear fruit in the twilight of his long and illustrious career. On September 12, he opened 3 days of subcommittee hearings on his bill, S. 754, and related House bills by acknowledging that the Senate's approach "is exceedingly complex and that the Senate can hardly be accused of speedy legislating on S. 754. But those who must live with this bill, the Federal judges, defense counsel, and the Justice Department, have had over 4 years to study it and its predecessors. We have almost 1,500 pages of hearing record on speedy trial before the Constitutional Rights Subcommittee. I hope you will see fit to act on this legislation before the Congress adjourns."

Impressed with the Senator's dedication and urgency of his message, this subcommittee studied the Senate approach and heard arguments supporting and objecting to it. The Department of Justice, which spawned the prototype of speedy trial legislation in 1968 and whose representatives made many helpful suggestions during the course of the Senate's deliberations, again offered constructive comments and criticism. The Administrative Office of the U.S. Courts, the executive arm of the Federal judiciary, contributed data on the dimensions of the speedy trial problem and their in-

terpretive and administrative expertise in an effort to help the subcommittee understand the mechanical problems that would arise as a result of the imposition of uniform national standards. Using these principal resources, the subcommittee undertook to resolve differences and inconsistencies, the final product of which is the bill I introduce today, which reflects many of the most significant proposals of the Department and the Administrative Office.

Briefly, H.R. 17409 addresses the interrelated problems of delay in the commencement of Federal criminal trials and the increasing number of crimes committed by persons released from custody and awaiting trial, in the following ways:

Title I, which inserts a new chapter 208 into title 18 of the United States Code and is intended to supplement the provisions of chapter 207 as amended by the Bail Reform Act of 1966, sets fixed time limitations on the periods between arrest and indictment and indictment and trial for persons accused of Federal crimes. These limits are graduated over a period of 4 years from the time of enactment to allow for an adequate adjustment period. The progressive time limits, which will not begin to apply until 12 months after enactment, are:

First, 60 days between arrest and indictment or information and 180 days between indictment or information and trial during the first effective 12-month period, or the 2d year after enactment;

Second, 45 days between arrest and indictment or information and 120 days between indictment or information and trial during the second effective 12-month period, or the 3d year after enactment;

Third, 35 days between arrest and indictment or information and 80 days between indictment or information and trial during the third effective 12-month period, or the 4th year after enactment; and

Fourth, 30 days between arrest and indictment or information and 60 days between indictment or information and trial beginning at the outset of the fourth effective 12-month period or 5th year after enactment, and continuing in effect thereafter.

In this respect, the subcommittee's bill differs from the Senate version. S. 754 provides for a phase-in period of 7 years, which means that, were it enacted today, charges against the defendant denied his right to a speedy trial could not be dismissed except by time-consuming conventional means until October 15, 1982. For the first 4 years following enactment, the Federal courts would be allowed 8 months from the time of arrest to process a criminal defendant.

The Senate bill did not originally allow for such a protracted period; the Department of Justice did not feel that a 3-year changeover period was long enough. The subcommittee heard conflicting testimony on this point from ostensibly the same source. The Administrative Office of the U.S. Courts, the executive arm of the Judicial Conference, claimed that not all Federal courts would be able to meet the eventual time limits

under that original deadline. Judge Alfonso Zirpoli, of the northern district of California, chairman of the Conference's committee on the administration of the criminal law, testified that in many respects the plans adopted by the district courts to give effect to rule 50(b) were more stringent than the provisions of S. 754, and would probably result in the adoption of similar time limits at an earlier time. Preliminary statistics presented by the Administrative Office as exhibits to their testimony indicate that the courts seem to be reducing the median time for disposition of criminal cases slightly, but they also show that filings were down significantly for the first time in 10 years. In any event, as mentioned above, there are no guidelines promulgated by the Conference's model plan that set forth procedures for uniform adoption and implementation of limitations.

Recognizing as the Senate did that there are situations where delay on the path toward trial is inevitable, the subcommittee adopted a number of exceptions to the running of the fixed-time limitations. For example, if a defendant changes his plea to guilty or nolo contendere sometime after return of an indictment or information but before he comes to trial, the time limit during which he must be tried begins to run afresh. More importantly, there are times when the court, in its discretion, must balance the interests of the defendant in speedy disposition against the ends of justice; the bill provides that when the latter outweighs the former the court may extend the time limits. If the prosecution has difficulty locating the defendant after diligent search or a witness is unavailable, to cite two other examples, the resulting delay will not be counted as part of the time period in question.

Testimony before the subcommittee, and evidence introduced in support thereof, indicated that it may be impractical in some Federal districts that do not convene grand juries regularly to expect those jurisdictions to return an indictment in all cases within the prescribed period. Accordingly H.R. 17409 grants an additional 30 days for return of indictment in districts where no grand jury is in session at the time of arrest, with the stipulation that in no case shall any individual be incarcerated for a period to exceed 30 days after the date of his arrest.

S. 754, as currently drafted, contains no dismissal with prejudice sanction; rather, it allows the U.S. attorney or his agent to reinstate charges after defendant's motion for dismissal is granted upon demonstrating to the court's satisfaction that the delay that triggered dismissal was caused by exceptional—that is, wholly unforeseeable—circumstances. It is important to point out that S. 754's predecessor incorporated a strict dismissal sanction which was included on the strength of a statement of the American Bar Association, whose Special Committee on Minimum Standards for the Administration of Criminal Justice in many ways started the speedy trial ball rolling in 1968. That committee said:

The position taken here is that the only effective remedy for denial of speedy trial is

absolute and complete discharge. If, following undue delay in going to trial, the prosecution is free to commence prosecution again for the same offense, subject only to the running of the statute of limitations, the right to speedy trial is largely meaningless. Prosecutors who are free to commence another prosecution later have not been deterred from undue delay.

The association's most recent revision of their speedy trial standards and the testimony of Mr. Ben Miller, chairman of their Section on Criminal Law, affirm this position. It must also be mentioned that, in its most recent pronouncement on this aspect of sixth amendment rights, the Supreme Court in *Strunk* against the United States reconfirmed its earlier holding that dismissal, even though severe, is the only appropriate remedy when it is clear that an accused has been denied his or her right under the clause.

The stricter dismissal sanction was dropped at the request of the Department of Justice, who fear wholesale dismissals in jurisdictions with overloaded criminal calendars, despite the fact that the first 4 years of operation under the act are exempted from application of the dismissal sanction to allow maximum flexibility as far as courts and prosecutors are concerned during the adjustment period. The subcommittee, mindful of the merits of this proposition, restored the dismissal with prejudice sanction, because it has fashioned a provision to take judicial emergencies into account that it feels would vitiate this potential problem, and solve others as well. Under this new section 3172, the Judicial Conference would be empowered, after the 5th year of operation, to suspend the eventual time limits for a period of up to 1 year if it found that the status of a particular district's calendar, coupled with a total lack of proper resources to correct a sudden overload, absolutely prevents its compliance. Thereafter, the conference would report to the Congress, which would be required to analyze that particular district's dilemma and determine if additional time or resources are necessary. The subcommittee feels that this is an innovative and proper approach to the problem of future emergencies, particularly because it assures that Congress and the judiciary will cooperate closely in the future to safeguard the sixth amendment to a speedy trial.

The essence of the Speedy Trial Act, in terms of insuring that cooperative efforts to implement the ultimate time limitations efficiently are maximized, is contained within the title I planning provisions. Each Federal judicial district is required to organize within 2 months after enactment planning groups which will submit plans outlining procedures for the implementation of the time limitations at each stage of the phase-in period; these groups will include representatives of all segments of the criminal justice community affected by the legislation: the judges themselves, prosecutors, defense counsel, Federal probation officers, court administrators, and persons skilled in criminal justice research and administration. These plans will be forwarded to the Administrative Office of the U.S. Courts through judicial reviewing panels, which will in turn sum-

marize them in reports to the Congress within a specified time following their submission. These groups are given express guidelines to follow in preparing their implementation plans and are encouraged to identify rule changes, statutory amendments, and appropriations needed to improve the disposition of criminal cases in their particular districts. To complement this initiative, detailed reports on matters affecting criminal cases are required to be filed by each district on an ongoing basis to effectuate close monitoring on a national scale of progress toward the eventual legislative goal.

The subcommittee thought it inconsistent to center speedy trial experimentation in five pilot districts to be chosen independently, particularly since the planning groups were to convene and begin operations at least 210 days before the pilot districts were to be selected and funded initially. The better approach, it was determined, is to grant a smaller authorization to every Federal district and thus enable them to begin the implementation and experimentation process on a swifter and more uniform footing. A broader base of data collection and evaluation will thus be available and a better representation of the multiplicity of district sizes, workloads, and attendant problems will result for comparative study.

Finally, title II provides for the creation of pretrial service agencies to provide supervision and supportive services to defendants released under the provisions of the Bail Reform Act, to which this part of the bill adds four new sections. Ten demonstration districts will be established by the Director of the Administrative Office, five under the direct control of the Division of Probation of the Office and five under the independent supervision of a Board of Trustees selected by the chief judge of the district for that purpose according to the terms of the bill. This approach differs slightly from that of S. 754, which contemplated all independent districts; at the suggestion of the Administrative Office and given the experimental nature of the program, the subcommittee opted to allow simultaneous management, essentially to create a better "laboratory" for comparison. In both cases, these agencies are intended to draw upon a broad base of expertise within the communities in which they will operate, a goal encouraged by the National Advisory Commission on Criminal Justice Standards and Goals in its report, "A National Strategy To Reduce Crime." They will provide the releasee with the assistance and supervision needed to meet release requirements and insure in a positive way appearance at trial, thus reducing the incidence of pretrial crime.

The Supreme Court, in attempting to clarify its pronouncements on the sixth amendment guarantee to a speedy trial in *Barker* against *Wingo*, reiterated its need to approach the interpretation of the right cautiously due to the prohibition against Court rulemaking. Implicit in the pages of that decision is the conclusion that only Congress can appropriately decide what kind of delay in Federal criminal cases is not constitu-



tionally permissible. I would add only that the necessity for Congress to make such an independent and informed judgment has never been more apparent.

Mr. Speaker, the text of the bill which I have introduced will be available for the information of the Members as soon as the print is obtainable.

#### THE SPEEDY TRIAL ACT OF 1974

### HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. COHEN. Mr. Speaker, I am pleased to join with the Honorable JOHN CONYERS, JR., of Michigan, distinguished chairman of the Subcommittee on Crime of the Committee on the Judiciary, in introducing the Speedy Trial Act of 1974, which the Subcommittee on Crime yesterday ordered reported, as amended to the full Judiciary Committee.

This act is of enormous significance. One of the greatest problems facing our Federal court system today is the extensive delays frequently encountered in the hearing of cases. While we are fortunate in Maine, which I have the honor of representing, to have only limited problems of this type in our Federal court, the testimony received by the subcommittee during the last several weeks, makes it clear that many of the Federal district courts in this country are experiencing extreme court congestion and other problems which result in cases being continued for months and even years. Such situations do a great disservice not only to those directly involved in our court system but to society as a whole. Pretrial delays not only jeopardize a defendant's constitutional right to a speedy trial, but also reduce, if not entirely eliminate the effectiveness of our criminal justice system in deterring crime and rehabilitating criminal offenders.

The Speedy Trial Act of 1974 proposes to end pretrial delay in the Federal criminal justice system by requiring that defendants be tried within 90 days of their arrest. The act provides that, after a phase-in period of 5 years, the time between arrest and indictment will be limited to 30 days, and the time between indictment and trial will be restricted to 60 days. Extending these time limits will only be possible in certain specified situations, such as cases in which there are pretrial proceedings.

The imposition of time limits is aided by a comprehensive planning and study process, the real heart of the speedy trial legislation. Under this process representatives of the major participants in the criminal justice system of each Federal judicial district; that is, the district judge, the U.S. attorney, an experienced defense counsel, the clerk, and the magistrate—will meet together to determine the causes of pretrial delay in their own district and the best means of solving these problems in order to meet the time limits imposed by the act. Procedural and substantive plans will be formulated by this group and then forwarded to the Federal Judicial Conference, which will

review and summarize them for a report to be submitted to Congress.

It should be pointed out that the report submitted to Congress is a vital part of the effort to eliminate pretrial delays. For while the Federal judiciary will determine the ways of achieving speedy trials, it must still look to the Congress to provide it with the means. The Speedy Trial Act of 1974 is not only a planning, but a resources measure which anticipates a continuing congressional commitment to providing our judicial branch with the additional judges and staff and the improved management systems it needs to meet the goals established in the legislation. The act thus establishes a working relationship between the Congress and the judiciary. It is only by such cooperative efforts that the Federal Government as a whole can assure that all those accused of Federal crimes will enjoy their right to a speedy trial.

The act, of course, will have far-reaching effects on the Federal criminal justice system. In addition, however, it is expected that the act will favorably affect the administration of the civil dockets of the Federal courts. Presently, in both Federal and State judicial systems, civil cases are subordinated to criminal prosecutions. Because those courts are unable to adequately and efficiently handle the criminal caseload, the civil docket must necessarily suffer. Intolerable delays are, therefore, created in the disposition of civil cases. I and the other members of the Subcommittee on Crime anticipate that the Speedy Trial Act of 1974, by requiring the courts to grapple with pretrial delay problems in criminal cases, will remedy pretrial delay in other areas as well and will serve as a model for our State judicial systems.

Mr. Speaker, I would like to commend the chairman of the Subcommittee on Crime for his efforts to insure an expeditious handling of this important legislation. During the past several weeks, the subcommittee has heard considerable testimony and has given much hard work and thoughtful consideration to the issues contained in the bill. While questions remain on a few provisions of the bill, questions that will be considered further by the full committee, I am convinced that the bill will provide an effective means of dealing with a very serious problem in the administration of justice at the Federal level. It is my sincere hope that the Judiciary Committee will be able to give favorable consideration to the measure immediately after the recess so that the House may take final action on it before the Congress adjourns. I urge my colleagues on the Judiciary Committee and in the House to give their support to this measure.

#### HUNGARIAN PATRIOT COLONEL DE KOVATS

### HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 16, 1974

Mr. SCHWEIKER. Mr. President, as we begin our preparations for the 1976

Bicentennial, it is important for us to remember the many patriots from abroad who served in the American Revolutionary War, and who made significant contributions to the winning of our Nation's freedom.

One such man was the commander of the Pulaski Legion, a courageous officer from Hungary, Col. Michael de Kovats. Colonel de Kovats heard of the American struggle, and wrote to the American Ambassador in Paris, Benjamin Franklin, to offer his services to the colonies. The original of this historic document is today in the Philadelphia Library of the American Philosophical Society.

Later Colonel de Kovats arrived in America where he joined Count Casimir Pulaski, who had already distinguished himself in the Revolutionary Army. As commander of the Pulaski Legion, Colonel de Kovats recruited troops from the Easton, Pa., area. After numerous encounters with British troops, Colonel de Kovats was killed in battle on May 11, 1779.

Colonel de Kovats was a credit to the Hungarian people, and served America in our days of need during the Revolutionary War.

#### REVIEW BIG GRAIN DEALS

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. DERWINSKI. Mr. Speaker, personally, I am concerned over the revival of negotiations over the grain deal with the Soviet Union that the President worked to cancel 3 weeks ago.

Certainly we must establish a more practical disposition of U.S. surplus grain overseas, especially at a time when allocations of surplus food is a matter of international concern.

The lead editorial in the Chicago Sun-Times of Tuesday, October 8, makes a number of practical recommendations that I believe the Congress should follow:

#### REVIEW BIG GRAIN DEALS

President Ford acted sensibly last week to abort a massive deal under which two U.S. firms would have sold 125 million bushels of corn and wheat to the Soviet Union. Many Chicago housewives already are coughing up 50 cents or more every time they buy a loaf of bread for their families. If the deal had gone through they might have wound up paying even more. The need now is to devise an effective means of governmental review so that other mammoth deals don't become mammoth consumer burdens.

The U.S. consumer already has some bitter experience in this field. The great grain sale of 1972, in which \$1.14 billion in wheat was sold to the Soviet Union, depleted U.S. grain reserves and helped drive food prices to their present merciful levels. The situation now is similar. Wheat and corn stocks in the United States are depleted, and a wet spring, dry summer and early frost have cut into the current corn harvest.

By contrast, the Soviet Union's grain reserves are at their highest levels in three years. Within a month, the Russians are expected to bring in the second-largest grain crop in their history.

No one is contesting the right of private firms to do business with the Soviet Union

or any other country. At the same time, no businessman has a right to profit at the expense of his countrymen. The imposition of government reviews of private business transactions to prevent such profiteering is a distasteful procedure in a world where free trade is a desirable goal. But a permanent, automatic system of co-operation and reporting is needed in giant food transactions. The administration announced such a tentative plan Monday. If it can be made to work, it is one that private firms ought to co-operate with.

## DEBT RESCHEDULING FOR INDIA

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. HAMILTON. Mr. Speaker, the subject of debt rescheduling for states of South Asia has become an unfortunate economic fact of life in recent years. Now, it seems, regular annual requests for debt relief are being made.

A new request of the Indian Government for debt rescheduling is pending. At a June meeting of the Aid Consortium for India, the World Bank proposed a level of debt relief for India which the United States considered too high. More recently, the United States had advised the World Bank that it is prepared to reschedule up to a maximum of \$45 million, far short of the \$64 million original World Bank proposal for the U.S. share. The World Bank is still apparently revising its debt relief proposal for India.

It is hoped that a compromise can be worked out and that a healthier economic climate in India will exist next year so that extensive rescheduling will not be necessary.

Two letters from the State Department describing the state of debt rescheduling proposals for India follow:

DEPARTMENT OF STATE,  
Washington, D.C., July 31, 1974.

HON. LEE H. HAMILTON,  
Chairman, Subcommittee on Near East and South Asia, Committee on Foreign Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Secretary has asked me to inform you of the status of discussions on debt taking place in the Aid-to-India Consortium, an organization of thirteen creditor countries chaired by the World Bank. Although there have been no new United States bilateral loan commitments to India since 1971, the United States has continued to participate in Consortium-sponsored debt rescheduling exercises begun six years ago. Last year the United States rescheduled \$29 million of the total \$179 million rescheduled by the Consortium creditors. However, India still paid debt service totaling \$115 million to the United States.

At the two meetings of the Consortium held this year, attention has focused on India's debt and aid needs in the light of the country's economic problems. These problems are dominated by needs for petroleum, fertilizer, and foodgrains and for measures to meet balance of payments problems resulting from the sharply higher costs of these essential imports. I shall refer shortly to another aspect of the Indian economic situation, that of its nuclear development program.

Of course, India's long run development

depends mainly on India's own efforts to mobilize its resources in the most efficient manner possible. For the present year, however, members of the Consortium agreed that 1974 will be particularly difficult for the Indian economy and people. In view of India's economic difficulties, most Consortium members have already scheduled increases in their economic assistance programs to India.

In addition, the World Bank proposed at a Consortium meeting on June 13-14 that the thirteen Consortium creditors reschedule 45 percent of the roughly \$550 million in Indian debt payments due them this Indian fiscal year, ending March 31, 1975. The proposal would provide total debt relief of \$248 million. Since debt falling due to the United States from India this year is just over \$145 million, the United States share of relief under the Bank's proposal would have amounted to approximately \$64 million.

Most members accepted the Bank proposal but the United States did not. The United States stated a willingness to reschedule at a level well below the Bank's suggested share for us, with a pledge to review India's situation later in the year if such was warranted by economic conditions.

During the Consortium discussions with the Indian delegation most of the creditors, including the United States, referred to India's nuclear explosion. The general views were that the explosion had raised questions of India's economic priorities for the future, and that its economic implications would have to be carefully examined. In our judgment, no significant transfer of Indian economic resources is involved in its nuclear explosion. India's annual budget is about \$12 billion. Total expenditures for nuclear development in FY-1973 were \$91 million, the vast bulk of which was used on nuclear power development, to provide electricity badly needed for the Indian development effort. The total cost of the nuclear explosion, including prior research and development, was less than one-tenth of one percent of India's budget.

At the present time, the World Bank is reportedly attempting to revise its debt relief proposal in a manner that would be acceptable to all Consortium creditors. I will be happy to provide any additional information on this subject, and will keep you informed of any further developments.

Cordially,

LINWOOD HOLTON,  
Assistant Secretary for Congressional Relations.

DEPARTMENT OF STATE,  
Washington, D.C., October 10, 1974.

HON. LEE H. HAMILTON,  
Chairman, Subcommittee on Near East and South Asia, Committee on Foreign Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Secretary has asked me to inform you of current developments with respect to a rescheduling of India's debt to the United States. As I noted in my letter of July 31, the United States was not able to accept a World Bank proposal requesting the thirteen creditors of the Aid-to-India Consortium to reschedule 45 percent of the Indian debt service falling due this Indian fiscal year. Under this proposal, the United States share of relief would have amounted to \$64 million.

After careful consideration of India's current economic problems and the serious balance of payments difficulties that she confronts, the United States has advised the World Bank that it is willing to reschedule up to a maximum of \$45 million. It is our hope that this offer will facilitate early agreement by creditors on a rescheduling for India within the Consortium. Even though this represents about 31 percent of Indian debt service falling due to the United States,

the World Bank is hopeful that most of the other creditors will participate at the 45 percent rate requested in the original Bank proposal.

Pursuant to the provisions of Section 4 of the Foreign Assistance Act of 1974, the text of any bilateral rescheduling agreement negotiated with India will be transmitted to the Chairman of the Senate Foreign Relations Committee and to the Speaker of the House of Representatives at least 30 days before its entry into force.

I will be happy to provide any additional information on this subject.

Cordially,

LINWOOD HOLTON,  
Assistant Secretary for Congressional Relations.

DR. LEROY WALKER

### HON. IKE F. ANDREWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ANDREWS of North Carolina. Mr. Speaker, in recent years Durham, N.C., which I am privileged to represent, has become a center for national and international track meets.

The U.S.-Pan Africa meet in 1971, the Martin Luther King games in 1973, and the U.S.S.R.-U.S.A. meet earlier this year have merited widespread news coverage, and, more importantly, I am sure, have done much to boost our relations with other countries.

These track meets have succeeded through a joint effort on the part of many at Duke University, North Carolina Central University, and in the community who have tirelessly contributed their time and talents.

One of the leaders in this effort has been Dr. Leroy Walker at North Carolina Central University.

Dr. Walker was recently elected, on the first ballot, as the U.S. men's track and field coach for the 1976 Olympic Games, and in recognition of this well-deserved honor, I am pleased to insert in the RECORD copies of the October 7 news story and the October 9 editorial from the Durham Morning Herald.

I have the privilege of knowing Dr. Walker personally, and I also know of his abilities as a coach. I am confident that he and his team will be a credit to our Nation.

The articles follow:

WALKER REACHES "PINNACLE"  
(By Bob Davis)

Dr. Leroy Walker, whose achievements as North Carolina Central track coach are legion, Sunday was accorded his "supreme moment," first-ballot election as U.S. men's track and field coach for the 1976 Olympic Games.

"If there's a utopia in coaching," said Walker on his return from Chicago and the balloting by the U.S. Olympic Committee, "this has to be it."

"It's not just coaching your national team, it's coaching your national team in the Olympic Games. There's a difference."

Walker said he was not surprised that he was selected, "considering the international coaching experience of others nominated. But I was surprised—and flattered—that the decision came so quickly."



Walker, who will remain as advisory head of the Central track program, has coached national teams before, including those from the U.S., Israel, Ethiopia and several other foreign countries. This was a "career-capper," he said, "the pinnacle."

He passed the commissionership of the Mid-Eastern Athletic Conference to his assistant, Earl Mason, who has been acting commissioner for the past few months.

Walker said he would begin immediately to plot organization for his Olympic coaching staff, which includes one of his former Central athletes, Lee Calhoun of Yale University. Calhoun won two Olympic gold medals in the high hurdles.

Other assistants selected Sunday are Jimmy Carnes of Florida, Stan Huntsman of Tennessee, Sam Bell of Indiana and Carl "Berny" Wagner of Oregon State. Carnes was head coach of the victorious U.S. men's team in last July's USSR-USA meet in Durham, one of several major international meets engineered by Walker.

Although the staff was selected in areas of specialty, Walker said the head coach "is at liberty to make changes" according to coaching needs.

"It's a great staff," he said. "It has great range. But we'll approach our planning with a 'team coaching' concept."

"One of the important jobs we'll have is to look at prospective athletes. This is the earliest before the Games an Olympic coach has ever been selected, you know. This will give us time to make some changes."

Minnesota coach Roy Griak was named U.S. coach for next spring's Pan American Games in Sao Paulo, Brazil. His assistants include Dr. Joe Vigil of Adams State, Colo.; Frank Sabastanski, Bowdoin College, Maine; and Hoover Wright, Prairie View A&M, Tex.

#### A FITTING HONOR

The United States Olympic Committee has chosen well in selecting Dr. Leroy Walker, track coach at North Carolina Central University, as coach of the U.S. men's track and field team in the 1976 Olympic Games. And the fact that he was the first-ballot choice reflects all the more the high esteem in which he is held in track coaching circles.

"If there's a Utopia in coaching, this has to be it," as Dr. Walker has said. The high honor, the pinnacle of his coaching career, is richly deserved. It has been earned through superior performance as a coach and through leadership and initiative displayed in such things as bringing the U.S.-Pan Africa track meet to Durham in 1971 and the U.S.S.R.-U.S.A. meet here this year.

In short, Dr. Walker is a man who gets things done. We wish him every success in his challenging new assignment, and, at the same time, we're pleased that he will remain as advisory head of N.C. Central's track program.

#### PERSONAL STATEMENT

##### HON. BO GINN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. GINN. Mr. Speaker, due to unavoidable circumstances I was unable to be present in the House Chamber yesterday during the first portion of the day's activities. My late arrival in Washington was caused by the fact that my airline flight from Augusta, Ga., was delayed for several hours as a result of inclement weather.

Had I been present during the entire day, I would have voted to override the

President's veto of House Joint Resolution 1131, making further continuing appropriations for the fiscal year 1975.

In addition, I would have voted to override the President's veto of H.R. 15301, a bill to amend the Railroad Retirement Act of 1973 to revise the retirement system for employees of employers covered thereunder.

#### PERSONAL FINANCIAL STATEMENT OF HON. JOHN CONYERS, JR., FOR 1973

##### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. CONYERS. Mr. Speaker, public confidence in the personal integrity of Government officials has been severely strained during the past few years. Too many public servants have adopted the attitude that holding a position of public trust is their right rather than an honor and privilege. Instead, a proper appreciation of public service includes a recognition that Congressmen are fully accountable to their constituents and must earn their confidence and continued support. At the very least, every elected official has a personal responsibility to satisfy the electorate that he is not receiving unreasonable personal benefits by virtue of his public service.

In the light of recent disclosures, there is little need to belabor the pernicious impact of money on American politics and especially on political campaigns. The campaign finance reform legislation recently approved by the Congress is a major step in the right direction. But the job will remain only half done until congressional, as well as presidential campaigns, no longer have to depend on being wealthy or having access to great wealth.

Personal financial disclosure requirements are also inadequate. I support full public disclosure and shall continue to work to make it mandatory. Meanwhile, I shall voluntarily make full public disclosure of my own personal finances, including the following statement for 1973.

My income for the year consisted of my congressional salary of \$42,500, income from my ownership interest in the Conyers Ford Dealership of \$10,530, and my income from speaking honorariums of \$1,626. My total income was \$54,656 and my adjusted gross income was \$50,806. I paid Federal income taxes amounting to \$19,980, Michigan State taxes amounting to \$2,192 and city of Detroit taxes amounting to \$1,161.

My net worth is \$161,607. This figure is computed from \$100 worth of shares owned in the First Independence National Bank of Detroit, the cash value of my Government Life Insurance policy which is \$4,400, my home in Detroit which is worth approximately \$37,000, personal property valued at approximately \$5,000, net ownership interest in the Conyers Dealership of \$86,940, and vested interest in the congressional retirement system of \$28,167; this has ac-

cumulated over the course of five terms in the House of Representatives, commencing in January 1965. My current indebtedness in loans owed is \$4,696.

#### THE PROBLEM OF BUSING

##### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. HARRINGTON. Mr. Speaker, for the past 5 weeks, the city of Boston has been embroiled in violence triggered by a recent court decision upholding the racial imbalance law. In the emotional furor surrounding the issue, there has been a lack of focus on what I feel is the heart of the matter—economic and social immobility within the working class. An article which appeared in the October 15 issue of the Boston Globe elaborates on this point in a perceptive fashion and I request that it be inserted in the Record at this point for the information of my colleagues.

The text follows:

BUSING PUTS BURDEN ON WORKING CLASS,  
BLACK AND WHITE  
(By Mike Barnicle)

Robert Coles is 45 now. He was born and raised in Boston. He lives with the memories of Blue Hill avenue and Hyde Park and of neighborhoods and a time when people helped one another.

His head took him to the Boston Latin School and to Harvard and to the Columbia University School of Medicine where he earned a degree in psychiatry. And his heart took him to the streets of this country called America where he has spent his life talking with the people who form its backbone.

He spent a couple of years riding a school bus with small black children from Roxbury to the suburbs. He spent a couple more years living and learning from the policeman and fireman and postal worker in Roslindale and Dorchester. His eyes hold the memory of small children in the Mississippi Delta, bellies swollen with hunger.

His books have won prizes and they tell the tale of the people that Robert Coles likes best; Indians in New Mexico, steelworkers in Pittsburgh, ironworkers in Chicago, dock workers in Boston. He lives in Concord now with fame, money, prestige, honor and a sense of who he is and where he came from.

Boston is nearly 350 years old now. It has been through the tortured process of revolution and the newer tests of immigration. It has a history steeped in the tradition of democracy, a reputation based on the fundamentals of justice and free speeches and law. And now it is being confronted with the ultimate in social confrontation—busing, with all of its built-in fears and flaws.

It is a situation that Robert Coles has spent a lifetime studying.

"I think that there's a sense of vulnerability and fragility in South Boston with all of this," Coles says.

"The people remember how they were treated for so long by the Yankees who ran the state and ran the city. They are very conscious of who is running things."

"You don't have to go to Harvard and major in sociology to figure out what's what. They feel the news is slanted and that there's no real effort to report how they feel. The stories are covered from the intellectual liberal community viewpoint. I think their perceptions are not totally crazy. There's an element of truth in what they say."

In the very early morning, the lights go on in the homes off of Broadway and Dorchester Avenue. Men and women walk quietly about in rooms where there are families to take care of and jobs to go to.

"People in the suburbs," Coles says, "They're keeping their hands clean... which is a privilege that people have. And that's a vested interest that only certain people can afford."

"Their lives are clean and their minds are clean and their hands are clean. And they can afford this long, charitable, calm view. And if people don't know that this is a class privilege then, by golly, they don't know anything."

The husbands and wives move slowly through the house. They dress for work and start the breakfast. They talk quietly about things like cars that don't work and bills that must be paid. And kids who are not going to school.

"I think the busing is a scandal," says Robert Coles. "I do not think that busing should be imposed like this on working class people exclusively. It should cross these lines and people in the suburbs should share it. And if the people in the suburbs can't share it then there should be legislation to make that possible."

"To try and put this burden on working class people—black and white—who are in jeopardy like this and who are frightened isn't the answer."

"All of these people in the suburban towns, myself included," Coles says, "they have to be brought into this. And if they can't be brought into it then there ought to be legislation. And if the people of this state vote it down then we know where they stand. But these people out there have never been held to account."

The husband is reading the sports page of the morning paper and the wife is brewing coffee wondering what to do to keep her children out of trouble for one more day as the city and the courts and the cops wrestle with the awful reality of rocks being thrown at buses.

"People in the suburbs are protected behind a wall that is around the city of Boston. It's not fair. I don't think I should be left off the hook and I don't think that all of these experts... these various social scientists and those in favor of integration like myself should be in the position of delivering sermons to the people of Boston... of any kind... until we have been made a part of all of this."

"To compare this to the South is not the issue," Coles says. "Those children in the South were going to school as part of a larger effort to get into restaurants, to vote. This kind of busing in the inner cities of the North is a different phenomenon and it's got to be looked at in the context of who is being asked to carry this burden."

The man has finished the paper. The wife is drinking her coffee. There is a coat hanging over a chair by the door. It is a heavy, woolen coat and the man's name is printed in yellow on the front. He is a worker.

"You have a division here between the middle class, privileged, well-to-do, well educated," Robert Coles says. "People whose jobs are not in jeopardy, who have good stocks—even if the market is off—people who have plenty of money in the bank, who have summer homes down on the Cape, who have air conditioning... all the things that make life more enjoyable."

"They can afford to go on a spree now and then. They're in favor of ecology and of cutting the defense budget. When to a guy in a factory, ecology might mean he's going to lose his job."

"We're not getting any solutions to busing from the people who are in favor of clean air or the people who want to cut the defense budget."

"If the suburbs won't share in the problem of busing then let them carry the moral burden. Let's have some studies of these suburban people. Let's see what they're like and what their emotions are and what their prejudices are. No one's looking at them or trying to understand what gives these people such protection from all the accusations that are being leveled at the people who live in Roslindale, Hyde Park, South Boston and Roxbury."

"It's money," Coles says. "It's power and money. And with increasing amounts of both there are all kinds of hypocrisies. Look at Vietnam. Who got deferred left and right? Who was totally immune from the draft? And meanwhile, down the road, whose sons were being brought home in coffins?"

When the husband leaves the house, the streets are just beginning to fill up with police. The motorcycles and squad cars ring neighborhoods used to quiet.

"The policemen might often be in sympathy with these people," Coles says. "But their loyalty to their ethic as policeman is higher. There are a lot of people in South Boston capable of making racial slurs. But they have other ideals, too."

"They have contradictory and conflicting emotions. There is an identification with people who suffer and there is a sense of fear, too. These are contradictory and inconsistent emotions that no damn psychiatrist or sociologist is going to make sense out of. It's just a part of the craziness of life today."

The man looks at the police. Some of them he knows—from drinking beer at night in neighborhood bars, from church, from living his life. He looks back at his house and heads toward the job thinking about his mortgage and the kids behind him, sleeping, not going to school.

"These people are frightened," says Robert Coles. "They are afraid that desegregation is the beginning. That, soon it will result in attempts to move into the neighborhood. And then the neighborhood will topple and they will be stranded."

"They will either get out or they can't get out in time. They think that an increase in numbers of blacks will bring violence and a deterioration in their housing. It becomes an irrational fantasy, all-embracing. They think that this is the end. They're trying to flee. But where can they go? How can they go?"

At the end of the block, the man passes the church and then heads across the street toward the MBTA station. He stops to talk with one of the helmeted cops, his brother-in-law. And he ends up borrowing \$5 because it's the end of his week and there is very little money left in the budget.

"These people can't afford to move to Milton or Quincy. There isn't any mortgage money available. Many of them don't want to move anyway."

"But they have this feeling of being betrayed... by everybody. They grew up in one kind of life when the nuns and priests and the Pilot all spoke one way. There was no civil rights stuff in the church. No anti-war stuff. All of that is very fine if you're a writer for the New York Review of Books or the New Republic."

"But after experiencing week-in and week-out religious loyalty and listening to sermons that were always the same, what starts happening? The priests are all marching. The nuns are marching all over the place. The Pilot is different. The Cardinal isn't 'one of you' and now the church is telling you that you can't send your kids to a parochial school. And others are asking all kinds of things of you."

The cop watches his brother-in-law disappear into the crowd with his \$5 and his job to go to. Others are coming up from the subway and the streets are starting to get busy with the noise of early morning.

"Being a cop right now in South Boston is a tremendous test. You have these loyalties. It creates substantial tension. But often the violence of the mob helps convert you. They're horrified at the violence. The distance between thoughts and prejudices that one feels and the kind of action on the streets is frightening to anyone. And the police have to be converted to the absolute necessity of keeping that under control and wiping it out."

He has his helmet with the heavy plastic face mask under one arm and a coffee in the other. He stands there at the corner watching his neighborhood move into the day.

"It's not an easy job being a cop or a fireman or a teacher. They're not exactly living the life of Riley financially. They don't have huge amounts of money socked away like lawyers and doctors."

"And now they're in conflict with their own beliefs and values. How many people in America would be willing to do that? For not very much money and for hazardous duty, to take on the front line of the whole of society's problems? To be picking up the cards for every foulup, for everything that's been done wrong... they're not historians but they know they're on the front line of this," Coles states.

"They're doing the work for the bankers, for the politicians, for the ministers and priests... for all the holier than thou sermons that have been delivered in Boston for the last 100 years. And for every bit of hypocrisy and phoniness... there they are. On the firing line. And it's no joke."

The cop moves down the block, telling a few kids to either go to school or go home but get off the street. He stands in front of a tavern that will not open. He leans against a board where a window was in place two weeks ago.

"It's pretty damn uncomfortable," Coles says. "It's nerve wracking. They feel constantly misunderstood. These are people who are being called pigs now by their own. They have been called fascists by the liberal and radical ideologues; ignorant and uncouth on general principle by all the suburban people who come into the city and now their own community feels that they are betraying them."

"Well, what are they supposed to do?"

"Where does their salary get them?" Coles asks. "Apart from that, in their training they get these criminologists and sociologists from Harvard who tell them that they must be this and they must be that. They have to understand urban sociology and crowd behavior. They have to know this and know that, take sensitivity sessions... What is left for them?"

Back in the kitchen of the small home with the still large mortgage, the mother and her children are eating breakfast and watching the TV. Their decisions are about such things as how much will hamburger cost today and what can be done to get through one more afternoon without books or homework.

"Everyone knows that the violence has to be put down, by whatever means. And the kids have to start learning and going to school."

"But there has to be an effort to understand the social history and the class tensions of all of this, to put these problems into the context of other areas of the city and of the state."

"We have to look at the differences in the lives of people in South Boston and Hyde Park and Roxbury against those living in Lincoln or Concord or Marblehead."

"And all of that has to be systematically brought out into the open... by comparing what it's like to be a policeman in South Boston or a man who works in a factory in Lynn; to make the public—all of these people on both sides—understand that it isn't



just a matter of hate here and goodness and light in all the other places.

"The people in the suburbs have to be confronted with the assumptions of what their lives are," Coles says. "And what enables them to have those assumptions, Busing and education and integration have to become an open issue. And this kind of social change cannot just occur in one area while everyone else is let off the hook."

The kids are dressed and gone and the woman tries to split up her day so that she can get things done before it is time for her to leave for work at the hospital late that afternoon.

"These people sense that they have no control over the destiny of their lives. It's not like living in Concord. People here have control," Coles says.

"No one is shouting at them. If they show up one minute late for work from South Boston, they're docked. Out here, people are the bosses."

"They come home at night and they have terrain . . . acres of it. They have autonomy over their lives, their mind, their soul, their body, their circumstances."

"You live in South Boston or Roslindale or Roxbury and it isn't just a matter of the blacks. People are up early. They have to show up at their jobs. Who is over them? Who is watching them? Who is running their lives, signing their checks? How much are they getting? Do the wives have second jobs? Is the mortgage still high? Is there any money in the bank?"

"What is it all about from their point of view?" Robert Coles asks. "They're afraid. Why shouldn't a guy who lives in a house near Carson Beach, a house that he's trying to pay for, working a job that he's afraid of losing . . . why shouldn't he be afraid when they tell him that his kid is going to be bused? Why shouldn't he be afraid?"

At the end of the day, the man will be back from the job. The wife will have gone to hers. The kids will sit and talk with their father. And the father will sit and wait for his wife. And he will think . . . about money, about school, about his family, about the future.

"The ultimate reality," Coles states, "is the reality of class. And it's around this issue of having and not having—and social and economic vulnerability versus social and economic power—that's where the real issue is."

"That's the real struggle that's going on," Coles says. "And to talk about it only in terms of racism is to miss the point. It's working class people who happen to be white and working class people who happen to be black . . . poor people . . . both of whom are very hard pressed; neither of whom have got much leverage on anything. They are both competing for a very limited piece of pie, the limits of which are being set by the larger limits of class which allow them damn little if anything."

The homes are quiet now. The streets are quiet. The people sleep. The police cars patrol the intersections and disappear into neighborhoods where they have seldom been needed.

"So what the hell have all these people got to contend with," Robert Coles asks. "They've all gotten a raw deal, white and black."

"Both groups have been ignored. Both of them are looked down upon by the well-to-do white people who pick up the pieces. Because all the laws are being written for the wealthy and the powerful."

"The tax laws, the zoning laws, the laws that have to do with protecting their housing and their education . . . all of this is protected," Coles says.

"And no one has been taking anything away from them."

## WHARTON HOCH ENTERS KANSAS NEWSPAPER HALL OF FAME

### HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. SHRIVER. Mr. Speaker, one of the highest honors which can be accorded a Kansas newspaperman is selection into the Kansas Newspaper Hall of Fame at the William Allen White School of Journalism at the University of Kansas in Lawrence. Such high honor was given to the late Wharton Hoch, of Marion, on Saturday, October 5, 1974.

Wharton Hoch served as editor of the Marion County Record from 1944 until his untimely death in July 1967. It was my privilege to know Wharton and to count him as a good friend and supporter. His father, Homer Hoch, had served as Congressman from the Kansas Fourth Congressional District.

We in Kansas are fortunate to have a large number of outstanding weekly community newspapers. They represent a constructive force for good in these communities and for our State and Nation. Wharton Hoch was one of the giants among the editors of Kansas weeklies. He has indeed joined with good company in the Kansas Newspaper Hall of Fame, and has earned his own place among Kansas' distinguished editors.

Mr. Speaker, under leave to extend my remarks in the Record, I wish to include the text of the speech made by Dr. Calder M. Pickett, professor of journalism at the University of Kansas, which was reprinted by Mr. Bill Meyer, editor of the Marion County Record, following the recognition of Wharton Hoch:

#### WHARTON HOCH SELECTED FOR KANSAS EDITORS HALL OF FAME

(By Calder M. Pickett)

Kansas is a state of small towns. One of its best novelists, Paul Wellman, wrote of the fictional Jericho. Its most notable painter, John Steuart Curry, showed the towns and the countryside in his work. Its famous playwright, William Inge, had his characters act out their destinies—in plays like "Picnic" and "Bus Stop"—in the small towns of the state.

It is no accident that its best-known editors, national figures like Ed Howe and William Allen White, were small-town people, and that they choose to be small-town dwellers. And along with the small town another theme has been the land, for from the beginning, back into territorial days, Kansans found that great contrasts of heat and cold would contribute, somehow, to the character of the state and the character of its people.

It is a small-town editor who is the subject of this commentary, a small-town editor whose name is being added to the Kansas Newspaper Editors Hall of Fame in the William Allen White School of Journalism. His picture, too, for he will join that gallery of men—and only one woman so far—whose faces are in our Hall of Fame room.

This editor's name is Wharton Hoch, and a number of you by now must have guessed his identity, because of certain people who are in the room, people to whom we will get later on. But first I want to quote Wharton Hoch, whose paper was the Marion County

Record—words he wrote for his paper back in October 1945.

"Some people misunderstand the function of a community newspaper. They seem to think that it is the duty of the press to correct all wrongs, to make over the people and control their desires, to solve social and civic and religious and financial problems. Others would have their paper support everything and criticize nothing—they would see only the good and close their eyes to the bad."

"All these people exaggerate the so-called Power of the Press. The community newspaper editor is neither a policeman, a reformist, nor a libertine. Editorially, we can and will applaud, encourage and support every good and worthwhile event or effort that comes this way. We can point out what in our opinion are evils and shortcomings and things that need to be done for the good of everyone."

"But if there is any power to the community press it lies in a continual effort to truthfully report all the news in a friendly way, so that all may know the everyday events in the life of Marion and her neighbors. We have greatly appreciated the interested cooperation of many friends, and again reiterate our main purpose—to put out a good, complete newspaper, and to do what we can to help make Marion a better place in which to live."

In his paper he sometimes assumed the identity of one Ed Stiltz, a character who showed up in Hoch's column, "Around Town." And there were little passages like this:

"Ed Stiltz, who lives down by the city dump, says he has given up his deep-breathing exercises since the wind changed to the south."

That kind of comment put him, of course, clearly in the Kansas tradition of paragraphing—the art of Ed Howe and Bertha Shore.

Wharton Hoch came from one of the truly distinguished families of Kansas, but from all accounts he was not a pretentious sort. His father, Homer Hoch, was a representative to Congress until the Roosevelt landslide struck, and he then was appointed a justice of the Kansas Supreme Court. His grandfather was E. W. Hoch, governor of Kansas from 1905 to 1909. And Wharton Hoch was born, as a matter of fact, in the old Governor's Mansion in Topeka, while his grandfather was chief executive of the state. The Marion County Record lists him as the only baby ever born in the mansion.

His date of birth was June 23, 1908, and his mother was the former Edna Wharton. He was educated in Marion schools, except for a short period in Washington, D.C., while his father was a Fourth District Congressman. He graduated from Marion high school in 1926 and from the Medill School of Journalism, Northwestern University, in Evanston, Ill., in 1931. He worked on Chicago newspapers while a student at Medill, and he became a member of Delta Tau Delta social fraternity and Sigma Delta Chi, the journalism society.

Wharton Hoch spent time in Europe, in banking houses in both London and Paris. He was a salesman for Western Newspaper Union, working out of Wichita, and was a foreman of a printing concern in Cleveland.

His days on the Marion Record began in 1944, when he purchased the paper from his uncle, Wallis Hoch, and merged the paper with the Marion Review, which was owned by Mr. and Mrs. John Riddle. In 1948 he purchased the Riddle interest and became sole publisher of the newspaper. On Nov. 10, 1946, he married Nadine Noll, who survives him and who is with us today. There also are four sons, Richard of Nebraska City, Neb., a lawyer; Robert of Wichita, a printer at the Wichita Eagle; Jim, a junior at Marion High School; and Bill, in the eighth grade. There

is one daughter, Beverly, Mrs. Steve Campbell of Oklahoma City. He has a sister, the former Jean Hoch, wife of Dr. L. L. Saylor in Topeka.

The Marion County Record is one of the old-timers of Kansas journalism; just last week it celebrated its 105th anniversary. Like a lot of Kansas papers it has a rather complicated genealogical chart: first it was the Western News, from September 1869 to April 1871. Then it was the Western Giant, from April 1871 to September of that year. It became the Marion County Record in September 1871 and kept that name until April 1881; E. W. Hoch became editor in October 1874 and was there until 1909—through another name change. In April 1882 it became the Marion Record and kept that name until March 1944, and a variety of Hochs were associated with it: E. W., Homer and Wallis. From March 1944 to October 1957 it was the Marion Record-Review, and it became the Marion County Record again—an early-day name—in October 1957. That's still the name. I hope you got that down, because you'll be asked about it on the next exam.

It is now Bill Meyer of Marion who runs the paper, and he helped me pull together material for this tribute. It seems to me that his words convey pretty well the sense of one person—and I'd gather the sense of others as well—about the editor whom we are honoring. Bill wrote the Wharton Hoch obituary for the July 27, 1967, Marion County Record. Hoch died on the 22nd. Bill wrote that he was "a bit flustered and emotional when I wrote the obit, for I had worked alongside Wharton for 19 years and respected and admired him above all others."

Note that he says "alongside": he writes that "you didn't work for Wharton Hoch, you worked with him." He was "a soft-spoken man," says Bill, "kind and compassionate, and seldom showed any trait of temper. But when Wharton took on a cause, he gave it his all. Perhaps the most crusading editorial campaign he engaged in was when, during World War II, a German POW camp at Peabody was letting the prisoners run free—Wharton stirred up so much attention that the policy of the camp had to be changed.

I also have a moving editorial tribute from Don McNeal of Council Grove, who described Hoch as "fine in professional ability and practice and one of the finest gentlemen. Wharton, without a doubt in the minds of many, could have been elected to high office, but he chose to serve his fellow man on a more local and personal basis. He had been referred to as Mr. Marion, and this we can understand. It was a title of respect and a well-deserved one because to him that community and its people were surpassed in importance only by the members of his family. One of the finest compliments a man can have is to be highly regarded in his own profession. In the eyes of his fellow editors, Wharton was right up at the top of the list among newspapermen and 'grand people' in Kansas."

The public service list of our honoree is an extensive one. He was a past president of the Marion Board of Education, past president of the Marion Kiwanis Club, past president of the Kansas Press Association and a trustee of the William Allen White Foundation, which is associated with our school. He was on the official board of the Marion Methodist Church and a member of the board of trustees of that church. He had been active in the Chamber of Commerce, the Country Club, the Athletic Association, the Red Cross and the March of Dimes. And, as a good Kansas editor—and a typical one, I submit—he had been active in the Republican party, serving as both county chairman and secretary of the Republican Central Committee.

"He was a friend to all," Bill Meyer's editorial tribute said in 1967, "and never too

busy to give his time and understanding nature to anyone. It mattered not how high or low a position a person held in life, Wharton Hoch always managed to give his undivided attention and talents to other people's problems."

He added that "he never was a man to seek personal glory or great fortune. His family, his church and his town of Marion were more important than money or ego."

Wharton Hoch was a familiar face and figure here at the University of Kansas, at occasions like this one, and on our February day honoring William Allen White. As I noted at the beginning, he was, like White, a man of the small town, and it is fitting and proper that we add his name to our Hall of Fame.

#### PURSE SNATCHER'S NEMESIS MAY GO DOWN IN HISTORY

#### HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. SYMINGTON. Mr. Speaker, we often hear about the help that never came, the impassive bystander, the person who "did not want to get involved." At a time when the Nation needs, as never before, the citizen who is willing to think and act in his neighbor's interest, it is encouraging to find positive examples of such stoutheartedness; particularly so when the example is close to home. For this reason, Mr. Speaker, I am entering in this day's Record a newsstory from the St. Louis Globe-Democrat regarding the timely intervention of a young St. Louisan in a purse-snatching far from his and the victim's native State of Missouri:

[From the St. Louis Globe-Democrat, Sept. 11, 1974]

#### PURSE SNATCHER'S NEMESIS MAY GO DOWN IN HISTORY

A college student formerly from St. Louis who successfully went to the aid of a purse-snatching victim in Boston may find his name entered in the Congressional Record.

The purse belonged to Mrs. Sylvia Symington, wife of Missouri Rep. James W. Symington (Dem.), St. Louis County. Symington said the student's courageous act deserves a place in history.

Mrs. Symington was in Boston Monday to meet her son, Jeremy, 17, who was returning from an outward bound camping trip on Hurricane Island near Cape Cod.

The 5-foot-2, 103-pound Mrs. Symington was returning from dinner with friends about 8 p.m. near the Ritz Hotel when three youths grabbed her purse and ran.

Mrs. Symington chased the youths for nearly a block yelling "stop" and "help" until she tripped and fell to the sidewalk.

"She said it was the kind of fall you see in a Keystone Cop movie," Symington said. "A real belly flop."

Lawrence Ray Deyton, son of Mrs. Dorothy Deyton and the late Dr. John W. Deyton, formerly of Webster Groves, heard Mrs. Symington's scream and took off after the purse snatchers. He retrieved the purse in a scuffle with one of the youths.

Mrs. Symington said she was attending to her skinned knee when she saw Deyton walking toward her with the purse slung over his shoulder.

"You must be the lady who had her purse stolen," Deyton said as he handed it to Mrs. Symington.

Noting that Mrs. Symington and Deyton were both from St. Louis, a Boston police officer said: "You midwesterners sure stick together; this is the first time I've seen a purse returned."

"Courage of that kind is hard to find," Symington said Tuesday before leaving St. Louis to meet his wife and son in Washington.

Symington said he hopes Deyton will telephone his office in Washington so he can personally thank him. Police said Deyton, who now attends college in Boston, has no telephone.

Symington said he intends to cite Deyton for his courage in the Congressional Record.

After learning the young gentleman's address I wrote him, and herewith follows both that letter and his gracious response:

SEPTEMBER 13, 1974.

MR. LAWRENCE DEYTON,  
308 Washington Street,  
Brighton, Mass.

DEAR LAWRENCE: Your presence of mind, resolve, and obvious agility saved my wife a good deal of inconvenience. We seem to live on credit cards and licenses these days so her capacity to cope with today's world was pretty much contained in that purse. More than that, a loss by force is always a demoralizing experience. Conversely the morale of an individual and for that matter a nation is lifted measurably by such actions as yours. And, assuming you would not object, I intend to note your good Samaritanism in the Congressional Record. Perhaps you could let me know where and what you are studying and any other pertinent information.

Finally, if there's anything I can do to be of assistance to you, please let me know.

With kind regards,

Sincerely,

JAMES W. SYMINGTON.

BRIGHTON, MASS.,  
September 25, 1974.

MR. SYMINGTON: Thank-you for your kind letter. I was pleased to be of assistance to your wife and am glad that neither she nor I were hurt physically or mentally in the purse-snatching incident. I would hope that anyone in a similar situation would respond in a similar manner. Your praise and note in the Congressional Record are honors to me and I thank you. Our similar background of St. Louis is also interesting; as the Boston policeman said, we mid-westerners really do stick together!

I have just moved to Boston and am doing graduate work at the Harvard School of Public Health. I am involved in a special masters program in Health Policy and Management. I have been studying health care delivery, economics, policy, and politics for a while and have followed the activities of the subcommittee on Public Health and Environment, of which you are a member. Thus, your kind offer to be of assistance to me is welcomed and I will feel free to contact you or your staff with questions which might arise. I hope it will not be an imposition.

I have friends in D.C. and plan to visit them in the near future. So, if I get to D.C. I would like to meet and talk with you. I will contact you at your office about that when appropriate.

Again, thank you for your kindness and please give my kindest regards to your wife.

Very truly yours,

LAWRENCE DEYTON.

I bring the matter to the attention of the House in this way, Mr. Speaker, confident that the Members would agree with me that it is the Lawrence Deytons of America who will see the country through the perilous period ahead.



**THE INCREDIBLE DELAY IN IMPLEMENTATION OF THE NONDISCRIMINATION SECTION OF THE VOCATIONAL REHABILITATION ACT OF 1973**

**HON. CHARLES A. VANIK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, October 16, 1974

Mr. VANIK. Mr. Speaker, today, we are considering the conference report to H.R. 14225, amendments to extend the Vocational Rehabilitation Act of 1973.

Mr. Speaker, I am especially happy to see that the conference committee, in its report (H. Rept. No. 93-1457), gives a long and detailed explanation of their expectations for section 504 of the act. That section, now referred to as the non-discrimination clause of Public Law 93-112, is described in the conference report:

Section 504 was patterned after, and is almost identical to, the anti-discrimination language of section 601 of the Civil Rights Act of 1964, 42 USC 2000d-1 (relating to race, color, or national origin), and section 901 of the Education amendments of 1972, 42 USC 1683 (relating to sex). The section therefore constitutes the establishment of a broad government policy that programs receiving Federal financial assistance shall be operated without discrimination on the basis of handicap. It does not specifically require the issuance of regulations or expressly provide for enforcement procedures, but it is clearly mandatory in form, and such regulations and enforcement are intended.

The report goes on to say:

The language of section 504, in following the above cited Acts, further envisions the implementation of a compliance program which is similar to those Acts, including promulgation of regulations providing for investigation and review of recipients of Federal financial assistance, attempts to bring non-complying recipients into voluntary compliance through informal efforts such as negotiation, and the imposition of sanctions against recipients who continue to discriminate against otherwise qualified handicapped persons on the basis of handicap. Such sanctions would include, where appropriate, the termination of Federal financial assistance to the recipient or other means otherwise authorized by law.

In response to my letters to the Department of Health, Education, and Welfare, I learned that the Department had finally determined that its Office of Civil Rights would be responsible for implementing section 504.

The Director of the Office of Civil Rights, Mr. Peter Holmes, told me in a letter of June 11—already over 9 months after the Vocational Rehabilitation Act's enactment—that his office foresaw fiscal year 1975 "essentially as a tooling up and developmental period" only. He went on to say that full implementation would not be attained until fiscal year 1976.

Mr. Speaker, this schedule is incredible. Why must it take 22 months to accomplish implementation?

The conference report on the Rehabilitation Act extension addresses this delay:

The Secretary of the Department of Health, Education, and Welfare, because of that Department's experience in dealing with handicapped persons and with the elimination of

discrimination in other areas, should assume responsibility for coordinating the section 504 enforcement effort and for establishing a coordinating mechanism with the Secretary of the Department of Labor to ensure a consistent approach to the implementation of sections 503 and 504. The conferees fully expect that HEW's section 504 regulations should be completed by the close of this year. Delay beyond this point would be most unfortunate since the Act (P.L. 93-112) was enacted over one year ago—September 26, 1973.

Mr. Speaker, I hope that officials of the Department of Health, Education, and Welfare will take note of the conferees' expectation that section 504 "should be completed by the close of this year," and act promptly to do exactly that. We simply cannot tolerate this completely unreasonable delay of regulations that would assure equal treatment of the handicapped.

**ANOTHER CALL FOR GUN CONTROL**

**HON. MICHAEL HARRINGTON**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, October 16, 1974

Mr. HARRINGTON. Mr. Speaker, I wish to call to the attention of my colleagues, four tragic killings which took place over the past weekend. These murders represent only four of the approximately 10,000 which will likely be committed by handguns before the end of 1974.

Between 1967 and 1972, the number of murders in this country rose 53 percent and at the same time, the production of handguns rose 50 percent. These numbers only represent statistics and fail to show the anguish and pain that the families of the victims in these four cases experienced because of these senseless murders. The continuing rise in handgun murders must be immediately curbed and it is up to Congress to take action now.

Mr. Speaker, I have continually called for stricter gun control laws. This session I introduced H.R. 9136, legislation designed to prohibit the possession of handguns except for police, military, licensed security guards, licensed pistol clubs and antique gun dealers. H.R. 9136 is pending in the House Judiciary Committee, and unfortunately it is not likely that any action will be taken on it this session. I intend to reintroduce this handgun legislation at the beginning of the 94th Congress, at which time I will again call upon my colleagues for support.

The articles describing the four recent shootings follow:

**YOUTH SHOT DEAD IN FIGHT**  
(By Donnel Nunes)

A 16-year-old Falls Church High School student was shot to death yesterday by a fellow student and neighbor who repeatedly fired a .45 caliber pistol as he chased the youth through yards and over at least three fences near the two youths' homes, police and witnesses said.

Shocked neighbors watched in disbelief, some thinking the boys were acting, as three

to five shots rang out at about 2:50 p.m. in the tidy, middle-class Westlawn section of the county.

Alan L. Shelor, of 6926 Kenfig Dr., was dead on arrival at Fairfax Hospital of multiple gunshot wounds, a hospital spokesman said.

Police said a 17-year-old Westlawn youth, taken into custody after the incident, was being detained in the county jail last night pending a juvenile court hearing today. At the hearing, a judge will determine whether the youth will be charged formally as a juvenile or an adult, police said.

According to witnesses, the youths had been arguing on Kenfig Drive near Shelor's home when the 17-year-old suddenly pulled the pistol and fired. Shelor whirled about and sprinted for a neighbor's back yard, leaping a fence as his attacker fired, they said.

"Alan jumped the fence and I ran," said John Mehalle, 15, who stood near Shelor when the 17-year-old pulled the pistol. "When we saw that gun we stepped back. All but Alan. He just froze. And then the guy began firing."

One witness, Ethel Robinson, said she heard shots from her house two doors down from the site of the shooting. When she looked out her back door, she saw the two youths racing through the back of a neighbor's yard, one youth firing what she thought was a cap pistol at the other.

She said the two didn't shout and there was no sound except for the "popping" of the gun. Mrs. Robinson said she had never heard a gun before and it wasn't until police cars and an ambulance arrived that she discovered the significance of what she had seen.

She said that the last she saw of the incident "was Alan trying to open a shed in the backyard there. But he couldn't get the door open so he turned and jumped their back fence."

Shelor apparently stumbled a dozen yards from the fence and then collapsed behind another home, said Mehalle, a sophomore at Falls Church High, who described himself as Shelor's best friend.

Police said the slain youth had been shot at least three times when rescue units arrived a few minutes later.

"I saw him lying there and this lady was screaming," Mehalle said. "I ran to get his sister."

According to Mehalle, the argument with the 17-year-old began in school Monday. "He (the assailant) lives a few blocks away," he said. "We all teased him (the assailant). He was teased all the time. But not anything enough to need a gun."

Mehalle said that the argument continued until finally today both youths decided to fight after school. "Alan walked home today," he said. "But (the 17-year-old) drove home. He had his own car."

"The guy stopped and talked to Alan over there," he said, pointing to a fence near Shelor's home. "Then he got in his car and drove to his house. When he came back he had a baseball bat."

As Shelor, Mehalle, and two other youths watched, the 17-year-old pulled the pistol from his pocket, Mehalle said.

"He knew what he was doing," Mehalle said. "He knew how to shoot that gun."

Mehalle said that following the shooting the 17-year-old boy returned to his car and drove to his home. "I think he called the police and told them he shot someone," he said.

According to Ralph Waller, Shelor's uncle, the dead youth was carrying some sticks at the time the shooting began. "I guess they were going to fight it out," he said.

In the fading sunlight yesterday knots of disbelieving friends and neighbors gathered in the curving tree-lined street, which is lined with tidy white frame houses. The neighbors talked softly or stared at the hip-

high chain-link fence over which young Shelor had leaped. A half-dozen teen-age friends of the dead youths sat on a curb and sobbed.

"He wasn't interested in sports," mused Shelor's uncle. "He was just a young boy, you know. I don't think he was mean. We were going fishing Saturday. I think he looked forward to it."

#### POLICE CHARGE DORCHESTER MEN IN SHOOTING

Two Boston police officers reported they were shot at when they happened upon a fight near Edward Everett Square in Dorchester last night. Three men later were arrested and charged with firing at the officers.

Police said Patrolmen Paul Wosney and Frank McDonough drove up E. Cottage street and saw a group of whites and a Hispanic group in an apparent confrontation.

One of the Hispanics fired a shot into the other crowd, according to police, and the whites fled.

The same man, then turned and fired a shot at Wosney and McDonough. The shot shattered a window of a nearby car.

Police said the gunman drove away with two other men, eluding a police chase.

At 10:30 p.m., motorcycle patrolmen Philip Dion and Everett Blais stopped a car at Dorchester avenue and Columbia road and arrested the three occupants.

They were identified by police as Alcides Ortiz, 26, Ernesto Pinet, 18, and Jose Fuentes, all of Dorchester. The three men were charged with assault and battery with a dangerous weapon and will be arraigned today in Roxbury District Court.

There were no reports of injuries from the first shot fired, police said. The revolver used in the shooting was not found in the car in which the three suspects were riding.

#### MAN, 36, DIES OF GUN WOUND

A 36-year-old Northwest Washington man who was shot at a car wash Friday died yesterday. Police have charged the car wash owner with homicide in the case.

Clifton O. Bryant of 51 Randolph St. died at Freedmans Hospital where he was being treated for a gunshot wound in the abdomen.

William Costello Clark, 49, owner of the Sparkle Carwash, at 933 Florida Ave. NW, was charged in the shooting and held last night pending arraignment today.

According to police reports, about 6:20 Friday night, Bryant repeatedly demanded that his windshield be rewashed. After a few minutes the man with who Bryant argued left the car wash, returned with a handgun and shot Bryant.

Police said that after the shooting, Clark was arrested on a charge of assault with a deadly weapon. He posted bond that evening and was released. Yesterday, after Bryant died, Clark was rearrested on the homicide charge.

#### MAN SLAIN AS HE SITS IN HIS CAR

A 34-year-old Southeast man was fatally shot as he sat in his car last night, homicide detectives said.

Thomas Walker Jr. of 702 Chesapeake St. was killed almost instantly by a wound in the chest. His body was removed from the parking lot of the Southern Hills Apartments at 4219 4th St. SE to the medical examiner's office for an autopsy.

According to police and witnesses, Walker, a truck driver for the Metropolitan Poultry Co., was sitting in his car about 8:10 p.m.

A witness, who asked not to be identified, said he heard two shots and then saw two women running from the parking lot toward 3rd Street. Police theorized that the women and Walker were sitting in the car when someone approached and fired two shots.

No motive has been determined, police said.

## TORRANCE, CALIF., CITY COUNCIL ENDORSES LONG-RANGE FEDERAL MASS TRANSIT PROPOSAL

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ANDERSON of California. Mr. Speaker, when the Congress returns after the November election, we face a critical choice in mass transit legislation. We can either adopt a long-term, multi-billion program, such as H.R. 12859, which has passed the House of Representatives, or we can adopt a short-range, 2-year proposal, such as that which was first suggested by the House-Senate conference on S. 386.

We can emphasize funding the construction and upgrading of transit systems, as proposed by H.R. 12859. Or we can emphasize funding the operation of existing systems, as was originally proposed in S. 386.

Representing a part of Los Angeles County and knowing our need to construct an efficient, effective mass transit network, I have worked for the passage of a long-term measure which would provide the funding necessary to begin the construction of such a system in our area, and I have endorsed H.R. 12859. In addition, I have worked with the House-Senate conferees to expand their original proposal into a 6-year, \$11.8 billion measure, which I support.

Now, it is up to the Senate to follow through and approve legislation such as that which has passed the House, or to endorse the compromise most recently approved by the conferees to S. 386. Anything less would not be acceptable.

The City Council of Torrance, Calif., representing the third largest city in Los Angeles County, also endorses the long-range proposal and, at this point, I insert in the RECORD the resolution adopted unanimously by the Torrance City Council:

RESOLUTION NO. 74-230—A RESOLUTION OF THE CITY OF TORRANCE ENDORSING AND URGING THE PASSAGE OF THE FEDERAL MASS TRANSPORTATION ACT OF 1974 (H.R. 12859)

Whereas, the number one problem of Torrance and many other areas of Southern California continues to be transportation—the ever-increasing traffic volume, congestion and attendant pollution and depletion of energy; and

Whereas, the nation, and particularly in Southern California with its lack of rapid transportation facilities, faces serious transportation and economic problems resulting from energy depletion and dependence on foreign oil; and

Whereas, the City Council of Torrance has many times endorsed the concept and need for increased mass public transportation in Southern California; and

Whereas, the Torrance City Council, on September 10, 1974, passed a resolution endorsing Proposition A (Transit financing on the November, 1974 ballot) a measure which will provide over \$200 million each year in local money to improve transit systems and which would guarantee the sincerity of our area in wanting to improve public transportation by providing matching funds for large amounts of Federal money; and

Whereas, the Congress of the United States is presently considering two proposals which would aid in the construction, purchase and operation of public transportation systems; and

Whereas, one proposal, S. 386, is a short-term measure allocating, in its present form only \$600 million over a two-year period to the needs of the entire country; and, under the distribution formula of this measure, the Los Angeles metropolitan area would receive only \$48 million, an insignificant amount compared to what is required; and

Whereas, the other proposal, H.R. 12859, is a six-year commitment, authorizing \$11.6 billion, of which the Los Angeles urbanized area, which includes parts of Los Angeles, Orange and San Bernardino counties, would qualify to receive approximately \$321 million over the first two years, provided that state and local officials could guarantee a significant local share in financing needed transit improvements; and

Whereas, S.386, the short-term measure, would not provide the funds necessary to purchase or construct the transit system needed in the Los Angeles Metropolitan area, while H.R. 12859 would provide enough money to, at least, start an effective, viable mass rapid transit system;

Now, therefore, the City Council of the City of Torrance hereby resolves that it supports and endorses the passage of the Federal Mass Transportation Act of 1974 (H.R. 12859) by the Congress of the United States; and it is further resolved that the City Clerk of the City of Torrance is directed to transmit this resolution to our elected representatives in the Congress of the United States.

Introduced, approved and adopted this 8th day of October, 1974.

#### TIME TO QUESTION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. DERWINSKI. Mr. Speaker, one of the actions of this session of Congress that I believe demonstrates the responsibility of the majority of the House Members was the rejection of the land-use bill.

However, since this issue is bound to be raised again by its proponents, the defects inherent in land-use legislation deserve reemphasis. Therefore, I am especially pleased that the Press Publications, serving west Cook County and Dupage County, Ill., commented on this question in a very timely and effective editorial in their issue of October 3. The editorial follows:

#### TIME TO QUESTION

Today no one can build a home without suffering an inquisitorial interview with land-use planners. The most basic property rights can be abrogated by what amounts to no more than a local clique "serving" behind the shield of state or federal law.

The former president of the American Medical Association has commented that a major problem facing medicine is the political effort to convert medicine into a public utility. The doctor was referring to "a host of bills" before Congress which would establish statewide public utility commissions. These commissions would have broad powers to regulate the physicians, control construction of new health facilities, decide what medical schools teach, and control the intern and residency training programs.



As the medical spokesman said, "It is potentially very dangerous to turn over medicine to political domination."

In many areas, constructive activity of every sort is being brought to a halt. More and more time is devoted to paper work and groveling before small people who happen to hold virtually life and death power over fellow citizens whose only offense is seeking to exercise their Constitutional liberties. It is time to question the judgment of those who seem more interested in applying a mountain of regulations than in keeping the country moving.

# COUNT BASIE PROCLAMATION—AT 70 STILL ROLLING ON

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ADDABBO. Mr. Speaker, recently Count Basie celebrated his 70th birthday. People from all walks of life, from working men and women to royalty enjoyed the performance of Count Basie for more than 50 years.

Last month the Governor of the State of New York, the Honorable Malcolm Wilson, issued a proclamation designating September 22, 1974, as Count Basie Day. The proclamation sets forth in abbreviated form the reasons so many applaud "the Count" as a unique and talented American who gives his talent to the world for all generations to enjoy. I place the text of the proclamation in the RECORD at this point, together with an article appearing in today's Washington Post by Hollie I. West.

## PROCLAMATION

For five decades, music lovers of the world have enjoyed the performances of one of the great band leaders and musicians of our time—Count Basie.

His outstanding career began in the early 1920's and he still ranks among the most popular entertainers extant.

The familiar figure of Count Basie seated at the piano and leading his famous band has been seen in motion pictures, hotels, theaters, nightclubs and Carnegie Hall. His audiences have included the Queen of England, at a command performance, the President of the United States, leaders of other big name bands and jazz music lovers from every walk of life.

Count Basie and his band have won some of the highest honors in the music world through their rhythmic and dynamic style.

On the occasion of his 70th birthday, Count Basie will be honored at a Royal Salute by many leaders of our society. The event will be held on Sunday, September 22, 1974, at the Waldorf Astoria Hotel in New York City.

It is fitting that special recognition be given on this occasion to "The Count," who holds a special place in the hearts of music lovers everywhere.

Now, therefore, I, Malcolm Wilson, Governor of the State of New York, do hereby proclaim September 22, 1974, as "Count Basie Day," in New York State.

Given under my hand and the Privy Seal of the State at the Capitol in the City of Albany this twentieth day of September in the year of our Lord one thousand nine hundred and seventy-four.

[From the Washington Post, Oct. 16, 1974]

## COUNT BASIE AT 70: STILL ROLLING ON

(By Hollie I. West)

Count Basie may well be the most enigmatic of all great jazz figures. For two generations people have wondered what lies behind that perennially inscrutable face. It's been said that no member of the jazz pantheon smiles so much and says so little.

The question is who knows Basie? Probably no one except members of his immediate family and Freddie Green, his guitarist of 38 years. So because Basie has been so self-effacing, the general public has remained unaware of his significant musical accomplishments. Many people merely recognize him as a band leader—and that's it.

Basie, the man, is a particularly relaxed individual. His favorite pastime is playing the horses. "You know who got me hooked on horses—Catherine," he says pointing to his wife. "She's better at it than I am."

He also spends a lot of time watching westerns on TV. He likes Glenn Ford and Clint Eastwood. Says Basie: "My man, Frank (Sinatra), is a good old cowboy when he wants to be." The two have worked and recorded together frequently.

Basie says he unwinds most when he's home at Freeport, Grand Bahama. "I like the weather and I get a chance to do some boating, about every other day," he says wistfully. His longtime clothing trademark has been a yachting cap, even before he moved from St. Albans, Queens, to Freeport in 1971. He and his wife of 32 years live there.

Catherine Basie is well known in her own right. A brisk, energetic clubwoman, she has the reputation of being a tireless fundraiser. Mrs. Basie headed the group organizing the \$100-a-plate benefit birthday dinner-dance held for her husband at the Waldorf-Astoria on Sept. 22. A colleague said of her: "About two weeks before the party we'd sold only about 50 tickets. Kathy came in and got on the phone and sold some tickets." About 700 persons attended the dinner.

When Basie celebrated his 70th birthday at the Waldorf, the tributes were plentiful, but none summed up his musical importance.

Most people don't realize that the Basie orchestras, particularly the ones of the late '30s and early '40s, played the principal role in developing the musical approach used by many contemporary big bands: open, swinging arrangements with plenty of space for solos, all bolstered by a vibrant, feather-weight rhythm section that glided rather than plodded as most previous rhythm teams had.

Also, in those bands were instrumentalists—Lester Young and Jo Jones in particular—who had a direct influence on the new jazz that was to emerge in the mid-'40s.

Basie's role was two-fold: He was the organizer of this powerhouse outfit and a pianist who, though not a major force, helped emphasize the melodic vocabulary of the keyboard and demonstrated how the piano could be a more integral rhythm instrument in jazz by encouraging and propelling soloists. Moreover, he performed with a distinctive light touch which scores of pianists have imitated.

The Basie magic has operated almost continuously for nearly two decades. In that time the orchestra has been both a stellar dance band and jazz ensemble. It has gone through two different phases: the early period between 1936 and 1950 when the band was at its artistic height, chock full of outstanding soloists and capable of playing with great fire on any night; then the second period covering 1952 to the present when the band became a well-oiled dynamo, its arrangements more refined and its soloists

less innovative. In short, the band had lost its creative lead among jazz orchestras.

The string of well-known pieces from both periods is impressive: "One O'clock Jump," "Moten Swing," "Sent for You Yesterday," "Blue and Sentimental," "Jumping at the Woodside," "Jive at Five," "Taxi War Dance," "Lester Leaps In," "Rusty Dusty Blues," "Harvard Blues," "April in Paris," "Everyday I Have the Blues," "Shiny Stockings," "Li'l Darling."

The Basie band rolls on, still playing one-nighters—concerts and dances—all over the country. In his 70th year, Basie says he'll begin taking more time off starting in 1975. He wants to spend more time at home.

The Basie saga started in Red Bank, N.J., where he was born William James Basie Jr., Aug. 21, 1904 to a father who was a gardener and mother who was a domestic. He recalls his mother fondly. "She was with me all the way, all the way," he recalls. "She used to take me to dances, so I could play and listen to music. She used to play a little piano."

Basie started playing at resorts in Asbury Park and later became part of the active piano scene in Harlem. Following that he hooked up with the Gonzel White traveling show and toured the country in 1929, winding up in Kansas City, where he remained.

He joined the Blue Devils, a small ensemble based in Oklahoma City, and performed with them until about 1930. After a short stint of playing piano in a theater in Kansas City, he joined the Bennie Moten Orchestra, which was the forerunner of the Basie group in the late '30s.

Following Moten's death in 1935, Basie formed a nine-piece ensemble. John Hammond, the record producer and talent scout, heard the group on a radio broadcast and immediately made efforts to export the band to New York.

"If there had been no one like John Hammond, things would have been very different," says Basie. "I probably would've stayed in Kansas City if John hadn't kept talking about me going to New York."

So the Basie band, enlarged from nine to 13 pieces to appeal more to agents booking ballrooms, made the trek to New York. At first, nothing happened. Dancers and listeners didn't understand the band's light, propulsive touch. The break came when it was booked into The Famous Door, a midtown Manhattan jazz club and the group's reputation began to grow.

It quickly became one of the country's top orchestras, turning out hit after hit.

When the big band business declined after World War II, Basie was deeply affected. He broke up his band and formed a septet. But, he was back with a large group in 1952 and has had one since.

Some people criticize the current band for not playing new compositions. Says Basie: "Why do people say that? The band is always playing new things. We've got a whole book of new charts."

Some of his former sidemen have accused Basie of paying low salaries and that he had to be taken before a Musicians Union board occasionally on these grounds.

Basie says: "I may pay too late but never too little. There's a little misunderstanding about a lot of things. I don't think I pay too little. Sometimes I think I pay too much. I think everybody else is getting rich and I'm getting poor. Everybody's riding around in beautiful cars and I'm walking."

"I don't think anybody can come up to me and say they've been treated badly. I dare them."

"People forget a lot of things. They don't think about the past. You always have to remember how you got here. If there's anything in the world I hate, it's taking a hammer and putting a nail in someone."

"I like everybody. So why walk up and take

a bat and knock me down. God bless them all. I think there's enough out here for everybody."

THE SPRINGFIELD REPUBLICAN, FOUNDED BY SAMUEL BOWLES IN 1824, OBSERVES 150TH ANNIVERSARY OF DISTINCTIVE AMERICAN JOURNALISM, UNDER PUBLISHER SIDNEY R. COOK AND EDITOR JOSEPH W. MOONEY

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. BOLAND. Mr. Speaker, a milestone in excellent American journalism is now being observed with the celebration of the founding of the Springfield Republican 150 years ago.

It was late in the month of September in 1824, a period during which the New England autumn foliage is reaching the peak of splendor, that Samuel Bowles mounted some furniture and his handpress on a flatboat at Hartford and poled northward up the Connecticut River to the town of Springfield where he founded a new weekly, the Springfield Republican.

The Springfield Republican was to become a daily and Sunday newspaper that would be renowned and respected throughout America and the world for its perception, independence, and incisive editorials.

The first Samuel Bowles, for there were to be three who would bear that name, said upon founding the Springfield Republican that he saw no particular reason to support a further succession of "Virginia Aristocrats" who, with the exception of the second President, John Adams of Massachusetts, controlled the Federal Government from this country's inception.

#### BOWLES LEGACY

While anti-federalist in nature, no journal of Bowles would fix invariably on a single approach to public problems. It is this independence of editorial thought that became the Bowles legacy to the current Springfield newspapers, the Springfield Sunday Republican, the Springfield Daily News, and the Springfield Union.

In 1836, when the Whigs, the party the paper had supported, won a victory in New York State in the first returns of the national election, Bowles ran an extra edition to report the results, an extraordinary event for a small community.

#### SAMUEL BOWLES, JR.

With the weekly Springfield Republican firmly established, Sam Bowles, Jr., a man who would in a few years eclipse his father's accomplishments and make the newspaper nationally famous, cajoled the elder Bowles into attempting daily publication. The father would eventually witness the success his malady-ridden son made of the enterprise by dint of hard work and long hours of perseverance. The Springfield Republican under his editorship became

one of the most widely quoted journals in America.

One of the most serious threats to the newspaper, Samuel Bowles, Jr. said in later years, was a battle he and his father fought against a rival paper, utilized by opponents of a stand the Republican took on the appointment of Major Ripley to the commandant's post at the Federal Armory in Springfield, founded by President George Washington in 1794.

Bowles and his father called for the appointment of a civilian to the post. The faction supporting Ripley's appointment tried to put the Republican out of business, but failed.

The elder Bowles died in 1851. In the next 27 years before his own death, Samuel Bowles, Jr., made the Republican noted for national and international coverage, while developing local news in a way that provided a model for newspapers in larger communities.

The Springfield Republican became a legend in the American newspaper world, training many young journalists who later carved niches in the field of American journalism. Among those who embarked on their careers at the Springfield Republican were Charles R. Miller, who became editor of the New York Times, and Charles Dow, one of the originators of the Wall Street Journal.

The travels of the younger Bowles brought him a wealth of acquaintances in both political and literary circles, and provided him with a view of the world few journalists on either side of the Atlantic Ocean at that time could claim.

#### SAMUEL BOWLES III

The third Samuel Bowles, who took over the paper on his father's death in 1878, introduced the Sunday edition of the Republican. An innovation for its time, the Sunday edition maintains the largest circulation of the three Springfield newspapers today.

#### SHERMAN BOWLES

The fourth generation of Bowles, Sherman Bowles, succeeded his father after World War I and was responsible for the acquisition of the city's two rival newspapers, the Springfield Daily News, and the Springfield Union. One of the founding brothers of the Springfield Daily News was Edward Bellamy, who wrote the famous novel, "Looking Backward." He and his brother, Charles Bellamy, established the newspaper as the Penny News on February 24, 1880.

#### SIDNEY R. COOK, PUBLISHER

Sherman Bowles died in 1952 and the Newhouse organization came into ownership of the Springfield Sunday Republican, the Daily News, and the Union in 1966, assuring their roles as separate and distinct journals. Sidney R. Cook, publisher and treasurer of the Sunday Republican, has devoted his lifetime to the high ideals of American journalism on the Springfield newspapers, first under the tutelage of the Bowles family, and now with the Newhouse organization.

#### NEWHOUSE ORGANIZATION—JOSEPH W. MOONEY, EDITOR

Mr. Speaker, on this momentous occasion of the 150th anniversary of the

founding of the Springfield Republican by Samuel Bowles in 1824, I would like to pay tribute to this newspaper for a century and a half of contributions to the noblest of American institutions, a free press. May I also extend my best wishes to Publisher Cook and Editor Joseph W. Mooney for many more years of success with the Springfield Sunday Republican.

### TRIBUTE TO THE REPUBLIC OF CHINA

### HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ARCHER. Mr. Speaker, China is one of the world's oldest nations and the Chinese people have one of the richest cultural heritages in the history of the world. On October 10, 1911, 63 years ago, China as a modern nation emerged on the world scene. During that historic time, the Chinese people overthrew the imperial regime of the Manchu Dynasty and sought to establish a Chinese republic combining outstanding principles of the Chinese heritage with concepts borrowed from Western democratic nations.

The struggle was not an easy one for the Chinese people. Divisions within the leadership, problems of adjustment to a new and almost alien system of government, warlordism, intervention of outside nations, the attack by Japan and the resulting war, and the conquest of the Chinese Mainland by the Communists in 1949 placed enormous strains on the Chinese experiment in democracy and republicanism. Despite these great difficulties, the Republic of China continues its existence on the island of Taiwan. The Chinese Government on Taiwan represents the hopes and aspirations of the Chinese people which became manifest in the October 10, 1911, upheaval.

The record of the Chinese on Taiwan has been an amazing story of courage and determination. When the Communists took over the Mainland in 1949, the so-called "China experts" predicted the fall of Taiwan within 2 or 3 years. These individuals did not fully understand the Chinese spirit. Taiwan has not only survived as an independent entity free of Communist control but this island nation prospered in a program of agricultural and industrial development which has become the model for the underdeveloped nations of the world. After Japan, Taiwan now ranks as the most important trade market in free Asia.

After the Republic of China lost its position in the United Nations and was replaced by the delegation from Communist China, it appeared to be a depressing picture for Taiwan as more and more nations switched their diplomatic delegations from Taipei to Peking. So-called "experts" again predicted the immediate demise of Taiwan and again the Chinese proved the prophets of doom mistaken. Mr. Don Oberdorfer, overseas correspondent for the Washington Post, recently noted that despite the loss of its seat in the U.N. and the loss of diplo-



matic relations with many major nations, Taiwan presently trades with 126 nations and has "unofficial offices" in 70 countries.

Taiwan's foreign trade for 1973, a total of \$8.2 billion, compares favorably with the foreign trade of the much larger population and size of Mainland China, whose foreign trade totaled \$9.3 billion in 1973. The Republic of China continues to expand in the field of foreign trade. Economic experts predict that Taiwan's foreign trade will increase from the \$8.2 billion of 1973 to about \$13 billion in 1974.

Taiwan has become a model in other areas as well. The population on the island enjoys a rising standard of living. More and more of the young people are benefitting from educational opportunity. The defenses of this area are strong. The spirit of freedom and hope remains a strong factor in the hearts of the Chinese people on Taiwan. The Republic of China deserves a great tribute on its "Double Ten" day commemorating the events of October 10, 1911.

#### TAIWAN DEFENSE TREATY NEEDS AMENDMENT

**HON. PETER N. KYROS**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. KYROS. Mr. Speaker, by voice vote on Thursday last this body repealed the Formosa resolution of 1955. Statements by my distinguished colleagues, Mr. Hays and Mr. Sikes, made during this short debate clearly expressed the opinion that repeal of the resolution would not impair, change, or weaken any commitment of the United States to Formosa.

We were told that this action would not repeal any covenants existing between the United States and Formosa. I would like to make clear for the record that while our intent is to continue our commitments to Formosa, we have in fact by repeal of the resolution reduced our obligations to our friends and allies on Formosa. We have cited the mutual defense treaty as the basis of our commitment and have removed the Formosa resolution as a basis of policy.

Since the defense treaty specifically omits the islands of Quemoy and Matsu from coverage, unless the treaty is amended by mutual agreement, we have in effect placed the offshore islands outside the U.S. defense commitment in the Taiwan area.

I do not believe this was our intent and I propose that we consider an amendment to the treaty to cover the overlooked islands.

Mr. Speaker, if for no other reason than to keep faith and reassure our good friends on Taiwan, we should put our understanding down on paper in clear and concise language for all to see and comprehend. It would surely be senseless for us to flirt with the possibility of having to make a quick decision at some

later date to help defend these islands, when on a strict technicality we would be in violation of our own international agreements.

#### CITY COUNCIL OF MANHATTAN BEACH, CALIF., URGES APPROVAL OF LONG-RANGE MASS TRANSIT PROGRAM

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ANDERSON of California. Mr. Speaker, in order to construct a mass transit network in an area such as Los Angeles, a long-range Federal commitment is necessary. Otherwise, an area could not adequately plan a program which covered several years, not knowing the level of Federal funding that would be expected.

The House of Representatives has passed H.R. 12859, a long-term, 6-year mass transit proposal which would allocate \$11.6 billion to the cities.

The Senate, however, has failed to act on a long-term measure, and has, instead, passed a short-term bill.

After the congressional recess, the Senate should consider the long-range mass transit proposal similar to H.R. 12859.

The City Council of Manhattan Beach, Calif., has adopted a resolution in support of H.R. 12859, and I place the resolution in the Record:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, SUPPORTING H.R. 12859 FUNDING THE LONG RANGE MASS TRANSIT PROGRAM

Whereas, public transportation is desperately needed in our urban areas in order to curb air pollution, conserve energy, and decrease our dependence on foreign oil; and Whereas, the Congress of the United States is presently considering two proposals which would aid in the construction, purchase, and operation of public transportation systems; and

Whereas, one proposal, S. 386, is a short-term measure, allocating \$1.6 billion over two years, according to a formula involving population and other factors; and

Whereas, under the provisions of S. 386, using an area's relative population and density as the factors for allocating Federal funds, the Los Angeles metropolitan area would receive approximately eight percent of the funds, or \$128 million over the two-year period; and

Whereas, if the formula for allocating funds authorized by S. 386 is based on population, transit vehicle miles traveled, and work-trips using public transportation, the Los Angeles metropolitan area would receive only five percent of the funds, or \$80.1 million over the two-year period; and

Whereas, the other major proposal, H.R. 12859, is a six-year commitment, authorizing \$11.6 billion, which would allocate a fixed amount of the funds to each urbanized area on the basis of population, and the remainder of available funds on the basis of need; and

Whereas, under the provisions of this measure the Los Angeles urbanized area, which includes parts of Los Angeles, Orange, and San Bernardino Counties, would receive approximately \$321 million over the

first two years of the program, provided that state and local officials could guarantee the share necessary to attract Federal transit money; and

Whereas, S. 386, the short-term measure would not provide the funds necessary to purchase or construct the transit system needed in the Los Angeles metropolitan area, while H.R. 12859 would provide the funds to at least start an effective, viable rapid transit system;

Now, therefore, be it resolved, that the City Council of the City of Manhattan Beach, California, hereby resolves that the enactment into law of the bill H.R. 12859, which has passed the House of Representatives, is in the best interests of the citizens of Manhattan Beach, and the Los Angeles metropolitan area, in that its level of funding and method of allocating money would benefit areas, such as Manhattan Beach, which presently are not adequately served by public transportation.

Be it further resolved that a copy of this resolution be sent to Congressman Alphonzo Bell, Glenn M. Anderson, Charles H. Wilson, James C. Corman and D. M. Clawson of California; to Congressman John A. Blatnick, Chairman of the House Public Works Committee; to California Senators Alan Cranston and John V. Tunney; and to Senator Warren Magnuson, Chairman of the Senate Commerce Committee and Senator Vance Hartke, Chairman of the Senate Sub-Committee on Surface Transportation; together with a covering letter expressing our concern that this legislation be passed before the present Congress adjourns.

#### SUBCOMMITTEE ON CRIME TO HOLD HEARINGS ON AMENDMENTS TO TITLE 28, UNITED STATES CODE, REGARDING JUDICIAL REVIEW OF DECISIONS OF THE INTERSTATE COMMERCE COMMISSION

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. CONYERS. Mr. Speaker, I am pleased to announce that the Subcommittee on Crime of the House Committee on the Judiciary has scheduled hearings on H.R. 785, introduced by my colleague on the committee, Representative WILEY MAYNE. Also under consideration is S. 663, which passed the other body last year. These bills would improve and streamline the judicial machinery by making orders of the Interstate Commerce Commission reviewable by a single Federal district judge and the circuit court of appeals, with final appeal to the Supreme Court of the United States by petition for a writ of certiorari. Under present practice, such orders are reviewed by a specially convened three-judge panel, with direct review by the Supreme Court on an expedited basis.

The hearing will be held on Thursday, November 14, in the Rayburn House Office Building. Those wishing to testify or to submit a statement for the record should address their requests to the House Committee on the Judiciary, Rayburn House Office Building, Washington, D.C. 20515.

## THE STRATEGIC LIMITS OF PROXY WAR

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. BOB WILSON. Mr. Speaker, Lt. Gen. Victor H. Krulak was appointed to the U.S. Naval Academy from Colorado in 1930 and commissioned in the U.S. Marine Corps in 1934. He served with the 4th Marines in Shanghai in the mid-thirties. He took paratroop training and participated in the operations in the Solomon Islands during World War II before returning to duty in Marine Headquarters in 1944. He then joined the 6th Marine Division for the invasion of Okinawa and went to China with that unit. During the Korean war, he served as Chief of Staff of the 1st Marine Division. He returned to the United States in 1951 to serve as secretary of the General Staff at Headquarters, U.S. Marine Corps. In February 1962, General Krulak was called from command of the Marine Corps Recruit Depot, San Diego, to serve as special assistant for Counterinsurgency and Special Activities to the Chairman of the Joint Chiefs of Staff. From 1964 to 1968, General Krulak served as Commanding General, Fleet Marine Force, Pacific. He is now director of editorial and news policy of the Copley newspapers and president of the Copley News Service, San Diego, Calif.

I include a recent article by General Krulak in the RECORD:

## THE STRATEGIC LIMITS OF PROXY WAR

(By Lt. Gen. Victor H. Krulak, USMC, ret.)

## IN BRIEF

After a difficult war, conflicting appraisals abound. In Vietnam, the United States did achieve worthy goals, though at heavy cost after serious mistakes of strategic judgment. Our policy violated ancient precepts of war long ago enunciated by Sun Tzu and validated by the record of history. When the Soviet Union launched a satellite war, the United States, instead of operating at the Great Power level to create a climate for the success of its ally, intervened with its own forces and became bogged down in the conflict. It allowed the advantage of sanctuary to the enemy. It depended heavily on conventional warfare, neglecting the morale of its ally and the vital role of the people in wars of insurgency. Proxy war will come to us again. Let us be more mindful of its strictures.

It is in the nature of warfare that the end of each conflict, large or small, is attended by a backwash of short-term analysts who, having seen the battle from afar or not at all, declare that all is not as it appears, that the presumed victor is in fact the vanquished, that the tactics are bad, the strategy worse, the generals pusillanimous and the politicians capricious.

And they are usually right, but only in part; their wrongness exceeding their rightness to the degree that they had better not have spoken at all.

That is the way it has been with Vietnam. Vicarious and uninvolved observers, speaking without the levelling experience of the battlefield, are anxious to tell the world, in oversimplified terms, that America with all its industrial might was defeated by a tiny land of 17 million agrarian illiterates; driven home across the sea in disarray by an emo-

tionally committed people, so the story goes, by a people whose faith transcended bomb and bullet.

The whole débâcle, the scenario concludes, was nourished and made inevitable by our own weakness, irresolution and moral decay.

The only acceptable conclusion thereafter is that, having been floored by a midget, we are scarcely a thinkable match for a full grown nation—much less a giant.

The truth is, any fair analysis must conclude that Vietnam was a victory for the Free World; a limited victory, but a victory nonetheless.

In 1962, the Republic of Vietnam was tottering; beset by a foreign-controlled insurgent enemy that had the upper hand everywhere. Her armed forces were inconsequential, her institutions weak, her leadership remote from the people, her economy in disarray and her citizenry torn apart by religious strife. The chances of sheer survival were less than slender.

Today the Republic of Vietnam is alive. It has a reasonably stable economy in Asian terms, a healthy sense of nationalism, a government that gives evidence of considering seriously the wants of the people, a growing foreign trade and a military establishment that is able to acquit itself respectably in the field.

In short, the country whose future was so heavily discounted a decade ago now has a decent chance for survival as a free and independent land; this despite the fact that the North Vietnamese are plainly determined to keep today's shaky truce from maturing into a peace.

For the preservation of the spark of freedom in South Vietnam, for offering some hope to 17 million souls, the United States of America is largely responsible. American training, hardware and supplies; American dollars and, most significantly, American courage and American blood turned the trick. The survival of the Republic of Vietnam, the rebuff to the concept of insurgent warfare—a Free World victory—was indeed largely an American generated affair.

Having said this, however, it would be idle further to declare that the American participation in the long and trying conflict was without its warts. Indeed, we succeeded in many respects despite ourselves, finding our greatest strength in our resolution, while falling woefully behind in the areas of imagination and organization.

To begin with, we went to Indochina with little conception of the awesome constraints of proxy war; and we learned all too slowly.

Sun Tzu, the great Chinese military philosopher of pre-Confucian times, said "The wise general learns first the nature of the battle, the character of the enemy and of the ground. He who fails to do these things is likely to become carrion."

We, in truth, made little attempt to apply this counsel to the peculiar circumstances of Indochina. We had no real understanding of the nature of the battle, of the peculiar character of proxy war, where a great nation of vast resource acting as puppeteer, is limited by the adaptability of the puppet, by the nature of the terrain, by the constraints of world mortality, by the intrigue of international diplomacy and by the vagaries of politics at home.

Sun Tzu would, at the outset, have forecast a long and bitter time for the Americans. We failed from the start to meet his simple though timeless criteria. It was not only that we neglected to ascertain the true nature of the battle; we had a poor knowledge of the enemy and little appreciation of the terrain. We were only sure, in 1962, when we entered the conflict in earnest, that we were there because it was right. Our purpose, so we declared, was to help an ally in distress, at his request. Just exactly how

we planned to help, with what, where and with whom was left to *ad hoc* decision. In short, we had no national conception of the character of the "war of national liberation" in which we were about to be involved.

It is interesting now to reflect on the results of the mission of General Taylor to Vietnam in 1961. Grounded upon strong—and generally practical—convictions about the importance of succoring our friends, powerful in its conclusions as to the need for internal support, advice and economic aid, the mission's report still gave us no real clue as to the strategic limitations under which we would labor if we elected to dive into the Indochina jungle. But dive we did; head first; eyes shut.

The principles we failed to perceive in 1962, and failed—with only minor variations—to respect until the very last American was gone, are a simple application of Sun Tzu to this currently popular form of combat. They are these:

The battle of the puppets is for puppets to fight. A puppeteer enters the active conflict only at his peril.

The battle of the puppeteers is conducted in the halls of international power diplomacy, far remote from the active theater of war.

The privileged sanctuary confers great advantages on the antagonist who enjoys it and multiplies the problems of the antagonist not so best.

Insurgent war is fought among the people, who are at once the battlefield and the contesting forces. It is not a war of classic style or dimensions and victory is not the product of a clash of sophisticated arms.

In one way or another we failed to respect each of these firm principles and, while the military shared in the guilt, the record shows that by far the major responsibility for our failures must burden the shoulders of our political leadership.

The battle of the puppets is for puppets to fight. A puppeteer enters the active conflict only at his peril.

The first 17,000 Americans who went to Vietnam were reasonably clear in their purpose. It was to convey our hardware to the Vietnamese and teach them how to use it. They were not intended to fight; their sole combatant concern being their own security and the local security of the logistic installations that were essential to their function. This was understood, and up to this point there was no grave violation of the first constraint of proxy war.

Then came Tonkin Gulf, the Tonkin Gulf Resolution of August 1964, and the responsive commitment of combatant units to the Danang area in March of 1965. Here, again, the principles were largely respected at the start. Our forces were initially confined to protecting the airfield which was the terminus of the Vietnamese lifeline in the northern part of the country.

But the principle of avoiding physical involvement soon was disregarded. A combination of American impatience, a failure on our part to understand the nature of insurgent war and a not unreasonable fear that our ally was nearing collapse caused us to take the plunge into the ground shooting battle.

Even the Vietnamese were apprehensive that our assumption of a full combatant role was ill-advised, and they said so. President Diem had insisted on excluding Americans from the battlefield and, in September of 1965, General Thi, the Vietnamese commander in the northern sector of the country warned us. "You will do better just to protect the airfield, man your antiaircraft missiles and stay out of the countryside. You do not understand the complexity of this war."

We did not heed the Vietnamese advice and, as early as 1965, American men were locked in a death struggle with the Commu-



nist enemy of the South Vietnamese. It could be that this was inevitable; that we having done too little at the outset to help our client, there now was no choice other than to move onto the battlefield. The writer does not accept this fatalism, believing rather that the same puppet-puppeteer relationship that worked in North Vietnam would work south of the 17th parallel too.

In any case, the fat was now in the fire. A million Americans would see action; 50,000 would die, while not a Russian or Chinese life would be at hazard.

What an inspiration this was for our enemies! Chen Yi, the Red Chinese Defense Minister, was so encouraged by our behavior as to see in it the wave of the future—a formula which would involve both the treasure and the blood of Americans for years to come. "Yes," he acknowledged, "we are helping the North Vietnamese. And we will help in other wars of national liberation anywhere in the world we can."

Whatever else we did in Vietnam; however well we did it, we were destined never completely to recover from becoming actively and extensively involved in the shooting battle on the ground. Indeed, that single fateful act was to change the attitude and the behavior of our land. It was to set America against America to be the architect of divisiveness and violence at home. Its scars will remain, raw and ugly, for a generation. In this one case the guilt must be shared equally by politician and soldier because both—in general terms—were agreed on its wisdom. While many military leaders had grave reservations about involvement in the ground war, they did not unite in combined opposition at the topmost level.

Against the sober backdrop of our violation of the principle of avoiding physical involvement, the other three principles may seem somewhat less critical, but we violated them too, to our despair.

The battle of the puppeteers is conducted in the halls of international power diplomacy, far remote from the active theater of war.

A major political task of the puppeteer is to create a favorable international climate for his client. However, while the United States certainly did not eschew international political dealings, both open and secret for this purpose, there seemed to be a far greater fascination for the politicians in both the strategy and the tactics of the Vietnam fighting.

Where strategy was concerned, their basic failing was to ignore history.

The nature, length and intensity of past wars have largely been functions of the capabilities of the antagonists. Both sides did everything they could to win, using all the ingenuity and all the resources at their disposal. In the Vietnam war, this was not the case. Each adversary puppeteer had the capability to do more than he was doing, and the length and nature of the war was heavily influenced by national judgments as to what type and intensity of action best suited their purposes.

It was this unused capability that made it so difficult to estimate the nature of the war even a few months in the future. The opponents exhibited this fact by matching bets time and again, and each time the result was a state of equilibrium at a higher level of intensity.

Equilibrium, as a matter of fact, was one of the dominant characteristics of the war. Either the new actions of one contestant, or the counter-actions of his adversary, created a succession of military plateaus. The plateaus were the basis for miscalculations, sometimes giving the illusion of progress when actually no absolute progress was being attained. Examples of U.S. decisions leading to plateau changes were the initial commit-

ment of ground combat forces, the initiation of air attacks against North Vietnam, the use of Strategic Air Command aircraft, and anti-infiltration ground and air action in Laos. Examples of enemy decisions which generated plateaus at higher levels were attacks against U.S. shipping, growth in infiltration, the increased use of USSR munitions and advisors in North Vietnam, and the attacks of U.S. aircraft by MIGs.

In the main, the enemy decided the plateau on which we fought, and this is the key point. He held the initiative because we relinquished it. Our political leadership caused ours to be largely a relative role. It was their concept to hope for the enemy to come to terms at the current level of conflict, while making plans to punish him more intensely in case he did not. In settling for a reactive philosophy, we guaranteed that the battle would be unduly protracted, to the frustration of the soldiers who knew well that initiative is the handmaiden of victory.

Beyond committing us to the miseries of a reactive strategy, our civilian leadership often exercised direction of our actual battlefield conduct. In far too many cases they literally ordered the day-to-day shooting war.

How many, how very many of our principal military officers of the Lyndon Johnson era will recall their frustration at the fact that the President himself—amply buttressed and supported by a political entourage—actually decided where the weight of our air effort for today or this week should be; actually considered, approved and vetoed minor tactical operations, actually decided where aircraft carriers should be positioned, even selected individual bombing targets for our air campaign—and all of this while the professionals stood by—overruled and frustrated.

And, as an example of political cosmetics getting mixed up with a serious war, who can forget Christmas of 1962 when the conflict was scarcely begun? Our politicians regarded the time as ripe to persuade the American people that our Vietnam involvement was nearing an end. Incredible as it may now seem in retrospect, and without any real relation to the war itself, they directed the withdrawal of 1,000 American men—in organized units—prior to Christmas, on the announced basis that the South Vietnamese were doing so well that our disengagement might properly commence.

And it actually happened! Over the objection of the Joint Chiefs of Staff, who could see no light at the end of any tunnel—and said so—it still happened.

The privileged sanctuary confers great advantages on the antagonist who enjoys it and multiplies the problems of the antagonist not so blessed.

There was a laboratory-like concept among our politicians that the Vietnam war could somehow be artificially isolated, fought in sort of a cockpit called South Vietnam while the neighboring states—North Vietnam, Laos and Cambodia could be excluded by an arbitrary *cordon sanitaire*. The soldiers pleaded the simple case that the privileged sanctuaries were a major ally of the enemy. They sought continually the authority to conduct air and ground operations in the sanctuaries and were turned down more often than they were approved, for political reasons that history has exhibited to be unsound.

There seemed to be an almost paranoid fear of what "they" (the Russians or Chinese) might do if we ventured into the privileged areas to disrupt the enemy's logistic arrangements. Yet, on these occasions when we did so—most notably President Nixon's decision to send forces into Cambodia—the rewards were very great.

And the classic story certainly has to be the almost interminable dialog regarding the closure of the privileged port of Haiphong. How many times responsible military men

preached the simple tactical gospel to President Johnson that Haiphong was the enemy's jugular. How many times he and his political counsellors found some reason to set aside the single greatest operational contribution that the United States could make to winning the battle on the ground.

If war, at large, as Clemenceau said, is too important to be entrusted to the hands of generals, it is generally true the politician fared poorly as tacticians in Vietnam. In this case, the politicians argued that attack of the Haiphong sanctuary was a political and a strategic matter. They contended that dire consequences were to be anticipated as a result of such imprudent action. The specter of a hail of Soviet ICBMs was raised repeatedly, a convenient dilettante's straw man that won all too much credence and protracted the war unduly. Subsequently, we having bombed and mined the place, the act emerges as having been just another sound tactical decision to deny a privileged sanctuary—a decision taken four years and thousands of white crosses too late.

There was not a high military commander in the conflict who would not applaud the words of General Lucius Aemilius Paulus in 168 B.C.—"Commanders should be counseled chiefly by persons of known talent, by those who have made the art of war their particular study and whose knowledge is derived from experience; by those who are present at the scene of action . . ."

Our conduct in terms of the fourth principle was equally questionable.

Insurgent war is fought among the people, who are at once the battlefield and the contesting forces. It is not a war of classic style or dimensions and victory is not the product of a clash of sophisticated arms.

Sun Tzu told us this very thing and Mao Tse-tung popularized the thought twenty-five centuries later—"The people are the sea and the revolutionaries are the fish that swim in it."—but we gave their wise words little more than lip service.

The truth is, the gut of the whole Vietnam conflict was in the tiny hamlets and villages, where the attitude, the loyalty, of the peasant was all-important. The expression "win the hearts and minds of the people"—threadbare, overused, misused—was still the true name of the game but we never really took it seriously. The opportunities to capture the confidence of the peasant were legion. They were sick, oppressed, hungry, overtaxed, and justifiably frightened of the nighttime stealth and terror that had been their lot for more than a generation. They wanted peace—and hope—almost more than anything else.

The related American projects to help these miserable people were impressive—on paper; crop improvement, hospitals, wells, communications, education, paramedical training, road building, irrigation, schools—but few of them had any genuine durability. Coordination was weak and results were meager. The Agency for International Development went its way, the CIA went its way and the military did the same. Mostly their hearts were not in it. There just is no romance in improving the breed of hogs or digging a well, and the whole matter was rendered even more frustrating by the protection the insurgents found in the privileged sanctuaries.

As a result, very little enduring benefit accrued to the pitiable hamlet dweller. He still paid taxes to the government and to the Vietcong as well. He still could not sell his rice, his sons were still fair game for Vietcong seduction or kidnapping, his teeth still hurt, he still suffered from yaws, the world looked understandably bad and he had no visible reason to believe, trust in or help us. And mostly he didn't.

The truth is, with only a few very respectable exceptions, notably in the northern prov-

inces, as a nation we never took seriously Sun Tzu's injunction that the great battle was indeed among the people. What a terrible error this was, and how very much it cost us.

In place of this short and practical route to the core of our problem, we chose alternatively to try and recreate a conflict that existed in our own text books.

"It is not a war of classic style or dimensions, and victory is not the product of a clash of sophisticated arms," goes the principle, but we elected to try and make it one.

Infiltration is an example. There is no doubt that the Communists saw the 17th parallel demilitarized zone as a highway—not a barrier. For the most part our military commanders had no problem perceiving this but the reaction of the Pentagon civilian leadership was to see it as an exotic problem, responsive to exotic measures. Their solution was to emplace a literal forest of costly electronic sensors and airdropped radio transmitters to detect enemy movement in the area, to utilize airborne television, to denude the earth with massive ploughs, in brief, to supplant the incomparable intelligence-gathering capability of the South Vietnamese people with the dubious and costly characteristics of mechanical and electronic experiments.

The hope, of course, was that it would then be unnecessary to bomb or otherwise attack North Vietnam and thus artificially to confine the battle to South Vietnam—the privileged sanctuary again. Nobody will ever know how much that so-called McNamara Line cost, but everybody knows it was a failure.

In short, we did a lot of things wrong—and that is the melancholy truth. We violated many of the basic rules of warfare, we were wasteful and imprudent. We lacked in vision and we lacked in imagination.

But, in the same breath we can say—with much satisfaction—that the American troops, once they were committed to a battle they did not seek, stayed with it, overcame their own errors—and the errors of the politicians. By sheer determination they sublimated their own doubts, behaved with inspiring valor and drove the enemy to the bargaining table where our political representatives could fashion an end to the fighting.

In the overall, the achievement, however, was not of such dimensions as to dissuade our enemies from further adventures in proxy war. Of that we may be certain.

Proxy war will come to us again and, when it does, we must not ignore the strategic limitations it brings in its train. Let us hope we will find the wisdom not again to be entrapped into commitment of our own manpower in the proxy battle, not again to be disrespectful of the decisive character of the privileged sanctuary, never again to turn the tactical battle over to politicians.

Pray God, in short, that we will heed the words of Sun Tzu and, before leaping, "learn first the nature of the battle."

#### PERSONAL EXPLANATION

#### HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. LEHMAN. Mr. Speaker, due to traffic problems on the way to the airport yesterday, I missed my flight which would have arrived in Washington in time for me to cast my votes on the two veto overrides which the House considered yesterday.

Had I been present, I would have voted to override the veto of the continuing resolution, and to override the veto of the railroad retirement system reform.

#### PERSECUTION OF RELIGIOUS FREEDOMS IN SLOVAKIA

#### HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ROE. Mr. Speaker, I call to the attention of you and our colleagues here in the Congress that the constituents of my district are deeply concerned about the religious freedoms of the people of Slovakia in the Soviet Union where religion is persecuted as reported in a recent article published in the Falcon, official organ of the Slovak Catholic Sokol, leading American Slovak fraternal organization whose headquarters are located in Passaic, N.J., of my Eighth Congressional District.

The distinguished editor, the Honorable John C. Sciranka, president of the Slovak Newspapermen's Association of America and esteemed historian, is also president of the eastern region of the Slovak Catholic Federation of America and a member of the Passaic Historical Commission. It is of historic significance to note that at his suggestion the month of October has been observed as the Slovak Press Month since 1926, in tribute to the first Slovak newspapermen who founded the first Slovak publication in America on October 21, 1886.

Mr. Sciranka's most comprehensive, historically noteworthy review and report as it appeared in the Falcon on October 2, 1974 is as follows:

[From the Falcon, Oct. 2, 1974]

#### REVIEW OF PERSECUTION OF CATHOLIC CHURCH IN SLOVAKIA UNDER COMMUNIST RULE

Persecution of the Church in Slovakia began before the end of World War II.

Communist agents parachuted into the state during the Summer of 1944, set up a pro-Communist National Slovak Council through which they mounted an early offensive against bishops, priests and religious, many of whom were hindered in the performance of their duties, and a number of whom were killed.

On April 16, 1945, church schools were nationalized on the basis of an order issued by the Council the previous Sept. 7. Thus, the regime seized elementary schools, secondary schools and colleges. By the end of the month the confiscation of all church property was ordered.

On April 25, 1945 Catholic youth organizations were disbanded and their property taken over. Severe restrictions were placed on the availability of Catholic books, and the Catholic press. The training of students for the priesthood was crippled.

In 1947, a year following elections in which more than 60 percent of Slovak voters opposed Communist state, all church property was confiscated. In December, Msgr. Jozef Tiso, president of the Slovak Republic, went on trial for "treason"; he was executed the following April.

#### BISHOPS, PRIESTS AND PEOPLE JAILED

Between April and June, 1945, some 20,000 persons were confined to concentration camps. Two bishops—John Vojtasák of Spiš

and Michael Buzalka, Auxiliary of Trnava and 170 priests were jailed. Between 1945 and 1947, it is estimated that 130,000 Slovaks spent time in jail. During the first year following the coup of Feb. 25, 1948, between 120,000 to 150,000 were imprisoned. Between 1945 and 1949, approximately 10 percent of the Slovak Population spent some time in jail or a concentration camp.

In the Summer of 1948, in what might be called the last dramatic public demonstration by Catholics in the country, Slovak peasants rose to the defense of priests and religious, clashing with police and other government agents seeking to enforce restrictive measures against them.

On February 26, 1948, orders were issued for the prohibition and restriction of Catholic publications. More than 53 of them were suppressed by the following January.

In the same year, church-run hospitals and ecclesiastical real estate were nationalized. All primary and secondary schools and junior seminaries were placed under state administration. Within a year, Catholic schools were forced out of existence. The Catholic Action organization was liquidated in November, 1948, in a preliminary step toward the formation in June, 1948, of a puppet organization designed to infiltrate the Church.

#### DIPLOMATIC RELATIONS WITH VATICAN

The regime took the first steps toward ending diplomatic relations with the Vatican in April, 1948, and completed this action by March 16, 1950, eight months after the Holy See condemned active and willing membership in the Communist Party. A state bureau of Ecclesiastical Affairs was set up under a law passed on October 1949, for the purpose of tightening control over the Church.

#### BYZANTINE CHURCH DISSOLVED

Between April and May, 1950, the Eastern Rite Diocese of Presov in Slovakia was dissolved, and pressure was applied to 341 priests and 327,000 faithful to make them an Orthodox Diocese.

All religious houses were taken over between March 14, 1950, and the end of 1951. Men and women religious were expelled, assigned to work brigades and camps, or detained in concentration monasteries under government surveillance. In 1951, about 3,000 priests were deprived of their liberty as the government attempted to force "patriot" priests on the people.

#### TRIALS OF BISHOPS AND PRIESTS

A number of theatrical trials of bishops and priests were held in 1950. In the following year, in Slovakia, three bishops were tried and sentenced to prisons: Vojtasák, 24 years; Buzalka, life, and Paul Gojdic, Byzantine Rite of Presov, life.

In 1958 from 450 to 500 priests were in jail; an undisclosed number of religious and Byzantine Rite priests had been deported; two bishops released from prison in 1956 were under house arrest; one bishop was imprisoned at Leopoldov and two at the Mirov reformatory.

In 1960, a new Constitution gives no recognition to the Church and implicitly aims at the suppression of any traces of religious freedom.

Until now, Mr. Gustav Husak had remained silent in the latest crisis. He was the leader of the Slovak Communist Party and in 1968 the Soviet troops were stationed in Czechoslovakia.

Despite the Communist government's claims that it is tolerant of religion, over the past few years a consistent campaign has been mounted against religious freedom.

Demands by the bishops to be allowed to carry out their religious functions in freedom to run their seminaries without state control and to enjoy the right of giving instruction freely, have been interpreted as



October 16, 1974

examples of their anti-socialist, anti-communist attitudes.

In the early 70's public officials moved in on the Catholic Church to restrict freedom. The Slovak Socialist Republic made it a requirement that priests get government permission to celebrate even a private Mass. Such is life of Catholic Church in our dear but enslaved Slovakia.

**PRESERVING THE OLD POST OFFICE  
AND THE WILLARD HOTEL ON  
PENNSYLVANIA AVENUE**

**HON. FRANK THOMPSON, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. THOMPSON of New Jersey. Mr. Speaker, I would like to call the attention of my colleagues to an editorial in yesterday's Washington Post urging Federal action to preserve and renovate two Washington landmarks, the Old Post Office and the Willard Hotel on Pennsylvania Avenue. Earlier this year, my colleague Kenneth Gray of Illinois and I introduced legislation which would rescue the Old Post Office and turn it into a home for the National Endowment for the Arts. I think the Post's suggestion that the Willard Hotel be preserved as well is an excellent one and is fully in harmony with the upcoming Bicentennial celebration. A text of the editorial follows:

**NEW LIFE FOR TWO OLD BUILDINGS**

Restoring life and dignity to those great landmarks, the old Willard Hotel and the Old Post Office, will do more to restore life and dignity to Pennsylvania Avenue than all the grand proposals made in a decade of elaborate planning studies and dazzling models. In fact, it now seems clear in retrospect that the grand Pennsylvania Avenue plans of the past were doomed as long as the planners doomed these two buildings. The Old Post Office, you will remember, was to be demolished so that the Federal Triangle could be completed with additional offices for the Internal Revenue Service. The Willard Hotel was to be bulldozed to make way for an enormous pavement, to be called the National Square. The proposed destruction of two of our most beloved historic buildings did not endear the grand plan to the local citizenry. Nor did it make much urban sense. How much life and, for that matter, dignity, could we expect to see pulsating between the tax collectors and an empty square?

There are now new planning studies, prepared by independent and competent private firms. They show that the desirable is also feasible. The feasibility study for the renovation of the Old Post Office was made for the National Endowment for the Arts, which hopes to occupy office space in the grand granite pile. The renovation proposal would also yield beautiful new offices for other federal and District of Columbia government agencies. But more important, it would convert the majestic but now inaccessible inner court of the building into an exciting tourist attraction. It would be a place for shops, restaurants, arts and craft exhibits and public celebration.

The Willard Hotel feasibility study was prepared for the National Trust for Historic Preservation. After careful consideration of other possibilities, the study concludes that the best and most profitable use for the historic, once graceful hotel would be to turn it again into a historic, graceful hotel. The restored old charm would be enhanced by a

swimming pool and health club, an elegant shopping mall and duplex apartments in place of the top floor ballroom.

Both these renovations should promptly be undertaken. Both require public money. The \$30 million remodeling of the Old Post Office can profitably be started with a \$7 million appropriation. The \$20 million private investment for rehabilitating the Willard requires one-time \$4 million federal subsidy to get the project started. In asking Congress for these funds, the city and the various agencies concerned can now muster a number of impressive arguments.

"Recycling" the Old Post Office, to begin with, would yield federal office space for less money than new buildings would cost. It would demonstrate that government offices and shops can happily co-exist in the same building. (Such mixed use, as the Canadians have found, keeps the buildings and the city alive with the offices close and brings the government rent income to boot.) Turning the Old Post Office into a lively activity center would in addition, help Pennsylvania Avenue and the downtown business district. It would also be a great help to the tourists on the Mall who now lack the convenience the Post Office would offer.

Restoring the Willard, which has stood empty since 1968, would first of all meet the demand for more hotel rooms downtown. It would bring income and elegance to a somewhat seamy area close to the White House. And both projects together would go far toward solving the foremost problem all the Pennsylvania Avenue proposals have failed to solve: They would attract people at all hours. Both projects furthermore, would set federal examples of creative new use of old buildings and show that it makes financial sense to respect our architectural heritage.

**NEW YORK CITY BAR ISSUES  
UNANIMOUS STATEMENT ON  
NIXON PARDON**

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. RANGEL. Mr. Speaker, on September 11, Cyrus R. Vance, president of the Association of the Bar of the City of New York issued a statement, adopted unanimously by the executive committee of the association, denouncing President Ford's "premature and unwise" pardon of Richard Nixon. This pardon constitutes a denial of equality of justice in the United States. The association's eloquent statement deserves our attention.

The statement of the Association of the Bar of the City of New York follows: STATEMENT BY ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK

Our Government is founded on the principle of equal justice for all. Lawyers have a special commitment to that principle. Ordinarily the power of pardon has been exercised only if there has been a finding of guilt, and after a full, fair and open trial. The power to pardon is a sacred trust to be used only in the rare circumstance that full justice requires that it be tempered by mercy. On the basis of the facts now available, the Association believes that President Ford acted prematurely and unwisely in issuing an unconditional pardon to Richard M. Nixon.

Any further use of that power in connection with the Watergate affair at this time, whatever its motive, would have the effect of keeping hidden the facts which justice and, therefore, the welfare of the nation de-

mand be revealed. We strongly urge the President to permit the administration of justice to proceed without further hindrance and to join with the organized Bar in its efforts to regain public confidence in the principle of equal justice under law.

**HOUSING IN MINNESOTA IS IN BAD  
SHAPE**

**HON. BILL FRENZEL**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. FRENZEL. Mr. Speaker, yesterday in the debate on the rule for the bill extending the powers of GNMA, Ginny Mae, I observed the evil effects of the usury law in my State of Minnesota. Bills like the GNMA legislation which will stimulate housing in this country would not do a thing for Minnesota, because our usury law forbids conventional mortgages at over 8 percent interest.

The State does not mind letting its people borrowing from small loan companies at 33 percent, nor from commercial loan companies at 18 percent. It lets its people borrow from commercial banks at rates up to 14 percent to buy cars. But, the one possession that the State would not let a Minnesotan borrow at more than 8 percent for, is the one thing Minnesotans want and need most—a home.

The State usury law has effected "protected" Minnesotans from buying or owning homes. It "protects" our construction workers from enjoying their jobs.

Because of its obsolete usury, Minnesota usually is unaffected by attempts to stimulate the housing industry, or to provide more dwelling units for the people of this country.

In the future, I shall try to amend this sort of bill so that it will work in my State. If we really believe housing is a national problem as I do, we cannot let obsolete State usury rates reduce the impact of national legislation to improve housing.

Attached for the RECORD are are two letters typical of those I have received on the subject of State usury laws. The first is from the Minnesota State Builders Association describing the "financial strangulation" caused by Minnesota's usury law. The second is a thoughtful letter from the Chairman of the Federal Reserve in response to my query indicating the FRB opposition to arbitrary usury ceilings.

The letters follow:

MINNESOTA STATE  
BUILDERS ASSOCIATION,

Minneapolis, Minn., October 4, 1974.

HON. WILLIAM E. FRENZEL,  
House of Representatives,  
Washington, D.C.

DEAR MR. FRENZEL: The housing industry in Minnesota is in serious straits.

New housing production is down significantly from 1972, and down from 1973. As a consequence a number of building companies are in or approaching financial trouble, there is heavy unemployment among building tradesmen, and the capacity of the industry with expertise to provide the housing our growing population needs is being eroded.

The archaic 8% interest limitation (usury) law in Minnesota brought financial strangulation to Minnesota months in advance of the onset of monetary restraint problems of other states. And, this old law will keep Minnesota families from needed housing until after people in other states have been freed from the shackles of "tight money." But even worse, during the interim while new housing is so entirely dependent on Federal forward programs, the Minnesota usury law will prevent some programs from helping Minnesotans.

For example, the recent FHLMC three billion dollar offering reportedly would have brought a desperately needed infusion of mortgage money to Minnesota. But, because of Minnesota's law, no money came here. Recent "Parades of Homes" in the Twin Cities and outstate have confirmed what we've known to be true. The turnout of families that want and need new housing was at record levels, but their ability to buy is nil.

We urge you to look favorably on the proposals of the National Association of Home Builders for reforms and programs to mitigate the problems that plague this important industry and its important customers.

Please make an especially critical appraisal of programs moving through Congress to determine whether they offer relief to Minnesotans or whether Minnesota's share will be divided among the other states.

Finally, we ask that you use your good offices to assist our state's legislative and executive branches of government to understand the consequences of their inaction and narrow perspective on mortgage interest rates.

Sincerely yours,

KENNETH M. REINHARDT,  
President.

FEDERAL RESERVE SYSTEM,

Washington, D.C., September 10, 1974.

HON. BILL FRENZEL,  
House of Representatives,  
Washington, D.C.

DEAR MR. FRENZEL: I am pleased to respond to your letter of August 26 in which you raised a number of questions concerning State usury laws that currently restrict the availability of home mortgage financing.

Eliminating State usury ceilings—or raising them to levels at which they would no longer impede the flow of funds into mortgages—would undoubtedly help the housing market at this time. In many States usury ceilings currently are below market rates, and individuals cannot compete effectively for conventional home mortgage funds. Some ceilings may even prevent an appreciable volume of lending on conventional mortgages under the special interest subsidy programs announced by the Administration earlier this year. These programs relate to certain advances from the Federal Home Loan Bank System and to certain loans purchased by the Federal Home Loan Mortgage Corporation. In some States these restrictive usury ceilings apply also to FHA-insured or VA-guaranteed home loans, and they may therefore limit the effectiveness of GNMA's special Tandem Plan as well.

In addition, some States have usury ceilings which apply to loans to corporate borrowers as well as to unincorporated businesses and individual borrowers. At least a dozen States currently have rate ceilings low enough to restrict lending to builders of residential construction. In the open market, such loans generally carry rates several percentage points above the bank prime rate.

The Federal Reserve Board has for some time urged that the restraints imposed on the mortgage market by arbitrary usury ceilings be removed. Preferably, such remedial action should be taken at the State level. However, in some States this step apparently involves constitutional problems which may require a long time to resolve. Under such

conditions, emergency measures at the national level may be needed. In this regard, the Federal Reserve Board has expressed general support for legislation recently introduced in the Senate which would permit lenders to set interest rates for loans to business above State usury ceilings. The legislation currently pending would be a temporary measure and the States concerned would be allowed to supersede the provision by positive action. Similar legislation applicable to conventional home mortgage loans to individuals could, of course, be introduced.

Insofar as FHA/VA loans are concerned, exemption from usury law constraints in all States would not only permit potential borrowers to compete more effectively for funds in local markets, but would enhance the effectiveness of the national mortgage market where loans underwritten by the Government are actively traded. Such exemptions might also encourage State governments to take similar action with respect to conventional home mortgage loans. You may wish to explore with the Department of Housing and Urban Development and the Veterans Administration whether or not amendments to existing legislation would be required to provide the FHA/VA exemptions on a national basis.

As you indicated, national banks may currently lend at rates exceeding State usury ceilings. Specifically, such banks are allowed by statute (12 U.S.C. 85) to charge one percentage point above the discount rate on 90-day commercial paper in effect at the district Federal Reserve Bank. This statute could, of course, be amended by Congress to provide for a larger margin, although it would be more appropriate to tie the maximum loan rates which banks can charge to a market-determined interest rate. Since such amendments would place other types of mortgage lenders at a greater competitive disadvantage, legislation exempting all federally-insured institutions from State usury laws would appear preferable.

I hope these comments will be helpful to you.

Sincerely yours,

ARTHUR F. BURNS.

#### A SALUTE TO VOLUNTEER FIREMEN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. DERWINSKI. Mr. Speaker, too often we take for granted the dedication and services that volunteers in all areas willingly provide. As I represent a suburban area, many of the local fire departments are manned by volunteer firefighters who not only sacrifice their time but their lives.

I believe that the lead editorial in the October 10 Worth-Palos Reporter very properly salutes these dedicated volunteer firemen. The editorial follows:

A SALUTE TO VOLUNTEER FIREMEN

(By Pat Bouchard)

This is National Fire Prevention Week and, following REPORTER tradition, we dedicate this week's issue of our newspaper to local volunteer firemen.

These volunteers are committed to continually learning about the latest in firefighting techniques and to updating their equipment. The lowering insurance rates in the area are testimony to the effectiveness of their efforts. See section two of this edition for reports on each of the local departments.

In our eagerness to salute these men we sometimes forget to also honor their wives and families who willingly sacrifice time spent with the husbands and fathers busy at the firehouse training and caring for equipment.

Let's not forget how much we owe to the firemen who not only perform at fires, but who answer other calls from persons in distress. Midnight calls for the ambulance to aid heart attack victims are not uncommon. In addition, many traffic accident victims owe their lives to the prompt response of local fire department ambulances.

We repeat, remember the services rendered by the volunteer firefighters when they call upon you to help when they sponsor fund raising events in the community. Much of the money raised through these events is used to improve service and equipment which may someday save the life of a loved one.

#### UNEMPLOYMENT

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mrs. HECKLER of Massachusetts. Mr. Speaker, unemployment rates of recent months require that the Congress act—and act now—to stem rising joblessness. The willingness of the present Administration to initiate a public service jobs program is encouraging. However, the current economic situation demands more effective, meaningful action.

Mr. Speaker, I am today introducing legislation which would provide additional public service jobs as the need for them is triggered by rising unemployment rates. The program goes into effect with \$1 billion of Federal funds when the unemployment rate averages 4.5 percent or more for 3 consecutive months. As unemployment increases, so does funding for the program. The legislation has the potential of providing \$4 billion for a public service jobs program if the unemployment rate averages 6 percent or more.

The distribution formula would be especially helpful to hard-hit areas. Half of the funds to prime sponsors would be apportioned according to the total number of unemployed; the other half of the funds would be distributed on the basis of the number of unemployed over a 4½-percent rate. This formula would be particularly beneficial to areas like Fall River, Mass., in my district. In recent months the unemployment rate there has ranged between 8 to 10 percent. With half of the distributed funds based on the unemployment rate areas of 4½ percent and over, Fall River and areas like it would be the rightful recipients of this desperately needed Federal assistance.

Funds for the public service jobs would be distributed under existing Comprehensive Employment and Training Act programs thus putting massive Federal support behind a program that has been well received in many areas.

In the case of Fall River, Mass., there is genuine interest in the CETA program but sufficient Federal support coupled with a well-administered program does



not now exist. This legislation could very well be the key to an effective jobs program.

Mr. Speaker, we are all aware of the thousands of eager, hardworking men and women who have lost their jobs in recent months as a result of economic dislocations. These are often the family breadwinners whose check is an absolute necessity to the family's existence. This program will enable many of these workers to enter the ranks of the employed once again.

This legislation is designed to attack the unemployment problem where it is severest while maintaining the self-respect of those involved. I urge its speedy enactment.

#### A SALUTE TO VOLUNTEER FIREMEN

### HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. BRAY. Mr. Speaker, last Sunday, October 13, 1974, I had the pleasure of speaking at the dedication of a new station for Company No. 9, the Wayne Township, Marion County, Ind., Volunteer Fire Department's larger and better-equipped quarters.

Wayne Township has the distinction of being the world's largest volunteer fire department, under one chief, with close to 400 men in nine fire companies. The State of Indiana itself has a total of 50,000 volunteer firemen, with around 500 departments.

The history of volunteer fire departments in this country goes back over 200 years, to Colonial times. In fact, not until after the Civil War were professional, full-time fire departments established. Before then, all firefighters in the American Republic were volunteers.

Historians say that it really began, on a major scale, with good organization, in Benjamin Franklin's Philadelphia. Heavy losses from fire were frequent. Public-spirited citizens made mutual pledges to stop whatever they were doing when the fire alarm rang—and it was sounded from either the townhall or the meetinghouse—and, organized into squads with specific duties, to go to the scene of the fire.

Before long, volunteer departments began to import what were, according to our standards today, somewhat primitive fire engines from England, which had hoses, and water tanks; pressure was supplied by hand pumps. These replaced, to a degree, the old bucket brigade—which is still in use in emergency situations.

Unfortunately, they were not too effective, these old hand-pumpers. New York City had one in the 1850's, called Big Six; it was the most powerful in the country, yet could only throw a stream of water 30 feet in the air.

The system, as it was, may have had its faults, but, again, historians say it was incomparably better than nothing. The volunteer firemen concept turned, to

quote one leading historian, J. C. Furnas, into a "national institution." Mr. Furnas, in his best-selling "The Americans: A Social History of the United States—1587-1914," elaborates:

Membership was by invitation; the members chose their captain by vote as much for his personal popularity or prestige as for his fire-fighting skill; the building where the engine and hose carts were stored became an informal clubhouse, as enjoyable to hang out in as the livery stable or the back room of the tavern. Except that they are better equipped and trained, all this remains true of the volunteer fire companies that still provide fire protection in many small American communities—

Until 1865, in New York City. Volunteer organizations did not like this very much, even when employment offers were made to the higher trained volunteer firemen. Neither did they like the newly developed steam-powered and horse-drawn water pumps—the old ones were pulled by hand, by the volunteers. Furnas, again:

When Cincinnati bought such a steam engine, it was taken for granted that to turn it over to a volunteer company would mean its swift destruction. A local iron founder, a rough-and-ready hero of the volunteers, was persuaded to recruit a paid company to handle it. But even he, personally driving it to his first fire, thought it necessary to augment his force by the toughest of his own foundrymen and a battalion of 250 heavy-fisted Irish borrowed from a local ward heeler to protect the operation—and sure enough this small army barely sufficed to best the mob of volunteers bent on riot and sabotage.

The volunteer groups were terribly proud of their organizations. Furnas:

Salomon de Rothschild, scion of the great European banking house, accustomed to lavishness, was amazed at the extravagance of the parade of 6,000 volunteer firemen of New York City honoring the visiting Prince of Wales in 1860. Each carried a torch in one hand and with the other grasping a rope hauling along "Engines (of) all shapes... (and) colossal size... a foreman spends everything he can to decorate (them) with jewels, paintings, and gold and silver ornaments. . . ." When the end came, instead of letting the old machine rot and rust away, one of the superseded New York volunteer companies, violent to the last, made one final run and wheeled her to a watery death in the river.

Interestingly enough, today, in Indiana, the State Fire Marshal William Goodwin is the first former volunteer fireman to hold this post for the State.

There is no rivalry between volunteer fire departments and the regulars today. They work together in any emergency—fire rescue, or ambulance service. At a recent major fire on East Washington Street in downtown Indianapolis, volunteer fire companies from suburbia and the rural areas joined the Indianapolis fire department and performed yeoman service in assisting to bring this fire under control.

These men are a valuable and very important part of every community. They are carrying on a long and proud tradition—spiritual descendants of men like George Washington, who, himself, was once a volunteer fireman. They have—and always will have—great im-

portance, and this importance is increasing.

Today the volunteer firemen perform valuable services for their communities in many other fields, as well as firefighting. They are active in assisting their fellowmen in all types of emergencies to an increasing degree, in performing ambulance service, rescue, and first-aid service. The volunteer firemen along with the civil defense volunteers are fast becoming the minutemen of today. Sometimes their dedication and valor is forgotten, but it is there, ready to serve their community. And that is what really counts.

Go to any volunteer fire department and you will find a cross-section of public-spirited citizens: doctors, lawyers, professional men, factory workers, farmers, mechanics, truckdrivers. They give their time in the best American tradition: voluntary action, for the community in which they live. We should never forget them.

#### SLOVENIAN DAY

### HON. CARLIS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mrs. COLLINS of Illinois. Mr. Speaker, on behalf of the hundreds of Sloven-Americans living in the Seventh Congressional District of Illinois, it gives me great pleasure to announce traditional Slovenian Day in Chicago.

By proclamation of the Honorable Richard J. Daley, our mayor, November 2 will be recognized as Slovenian Day. Throughout their 1,000 years of history, valiant Slovenians have maintained their national identity, despite the encroaching tide of peoples surrounding their country. On Saturday, November 2, polkas and folksongs will ring from St. Stephen's Center at 1835 West 22d Place, Chicago, in celebration of the 56th anniversary of Slovenian Independence from the Austro-Hungarian Empire.

Festivals such as Slovenian Day enrich the ethnic cultures of our city. Slovenians have retained their ancestor's spirit and pride in Chicago, as in Slovenia. Guests of Slovenian descent will attend the festival dressed in native costumes. They will feast on home-style sausage—Slovenian "klobase"—and "potica"—Slovenian nutbread. This gala affair will attract over 1,500 people from various States and Canada.

Since 1948, Slovenia has been one of the six people's republics of Yugoslavia. It has a territory of nearly 8,000 miles and a population of over 1,725,000. Today, Slovenia's chief products are textile, steel and wood.

Throughout their long history, Slovenians have contributed much to America and the world. Their intellectual attainments include printing the first book in any Slavic language in the year 1550. One hundred and fifty years later, a

Slovenian named Mark Kappus informed Europe of his important discovery that California was not an island, as was commonly believed.

The 18-century Slovenian mathematician Georg Vega developed 10-place logarithm tables which are still published throughout the world, and Lovrenc Kosir originated the postage stamp.

They have aided the world's spiritual as well as intellectual growth. Bishop Frederic Baraga who came to this country in 1830 to devote his life to the Indians of the Upper Great Lakes was so revered that he was known as the "Apostle of the Lakelands" or "Apostle of the Chippewas." While converting the Indians to Christianity, Father Baraga wrote the first dictionary and grammar books in the Chippewa Indian language.

Of the more than 400,000 Americans of Slovenian origin who reside in the United States today, many have made admirable contributions to the advancement of our country. Among these distinguished Sloven-Americans are the Honorable JOHN A. BLATNIK, Congressman from the Eighth District of Minnesota, and chairman of the Public Works Committee, on which I have the privilege of serving; the Honorable PHILIP E. RUPPE from the 11th District of Michigan; the Honorable JOE SKUBITZ of the Fifth District of Kansas; the Honorable Ludwig J. Andolsek, Commissioner of the U.S. Civil Service Commission; and the Honorable Frank J. Lausche, former five-term Governor of Ohio, and U.S. Senator.

There is another group of Sloven-Americans who deserve to be recognized. I refer to the members of the Slovenian American Radio Club. On November 2, in conjunction with the Slovenian Festival, the radio club will celebrate its 24th anniversary of consecutive broadcasting. I congratulate and commend the Slovenian American Radio Club and their very able president, Ludwig A. Leskovar.

Mr. Speaker, I ask that the names of all the officers of this notable radio club be included in the RECORD. The names of the officers follow:

**OFFICERS OF THE SLOVENIAN AMERICAN RADIO CLUB**

Executive Officers: Dr. Ludwig A. Leskovar, President; Stanley Simrayh, Vice-President; Mary Foys Lauretig, Secretary; Alma Helder; Treasurer; Stephanie Osterman, Recording Secretary; Roman Possedi, Sr., Sergeant at Arms.

Auditors: Otmar Tasner, Michael Fleischhacker, Minka Grasic.

Cultural Narrator: Frank A. Schonta.

Director of Special Events: Corinne Leskovar.

Directors: Frank Mikec, John Blatnik, Joseph Osterman, Fred Orehek, Anna Tasner, Frank Karner, Frances Maxwell, Anton Skamperle, Ludvik Jelenc, Jerome Soukal, Ursula Krizisnik, John Oblak, Frank Dolenc, Mike Kores, Peter Gorenc, Dr. Leopold Humar, John Amon, Stefan Turk, Daniel Posega, Frank Augustine.

Slovenian Program Staff: Ludwig A. Leskovar, Director; Corinne Leskovar, Announcer; Tony Gaber, Assistant Announcer.

In closing, I extend my sincere best wishes and congratulations to the Slovenian community in Chicago on the 56th anniversary of their independence.

**AN OPEN LETTER TO PRESIDENT FORD**

**HON. ANDREW YOUNG**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. YOUNG of Georgia. Mr. Speaker, during and since the economic summit there has been much talk of biting bullets and making hard decisions, but so far the administration has merely continued the Nixonomic policy of "old time religion"—cut the Federal budget and keep interest rates high—with a bit of volunteerism and jawboning added.

I would like to insert into the CONGRESSIONAL RECORD two thoughtful articles by Dr. Walter W. Heller, regent's professor of economics at the University of Minnesota. In the first, appearing in the Wall Street Journal on August 12, 1974, he points out the complex nature of our current inflation, particularly the effect of fuel and food prices. Any serious proposal to fight inflation will have to deal realistically with these problems. I suggest that the President's proposals to date have not done this. The second article, also in the Wall Street Journal, deals with the myths surrounding that cornerstone of "old time religion"—cutting the Federal budget. If we are to cut the budget, it is important to know what it can and cannot accomplish and this discussion by Dr. Heller is useful in shedding light on a foggy subject. I believe budget cuts should be made, but will not blindly accept the target figure of \$300 billion set by the administration's economists who got us where we are now—double digit inflation and an unemployment rate expected to soon hit 6 percent.

The articles follow:

**AN OPEN LETTER TO PRESIDENT FORD**

(By Walter W. Heller)

As you enter the presidency, the No. 1 problem on your domestic docket is inflation. In tackling it you have an opportunity that has come only once in the lifetime of this republic, one that enables you to make a good beginning, backed by the will, the support and the hopes of the vast majority of Americans.

It's an odds-on bet the present corps of economic advisers—Messrs. Rush, Simon, Greenspan and Ash—will recommend that you use that priceless opportunity to maintain unflinching adherence to the "old-time religion," to the catharsis of tight money and budget cutting.

But before you accept that counsel and that appealing Rock of Gibraltar image it implies, you should take a fresh hard look at the inflation problem, bearing in mind that new options open up to restore credibility and integrity to the White House. No one expects you to find a quick, magic cure for inflation—there are none. But people rightfully expect you to ask the tough, searching questions that will reveal the true risks and rewards of present policies and point the way to a broader and better balanced anti-inflation program.

A nagging question pops up at the outset: Why should the economic game plan that failed so miserably in 1968-71 work in 1974-75? Tightening the fiscal and then the monetary screws generated 6% unemployment and the depression of 1970, yet failed to subdue inflation. But, you will be told, that's because "we failed to stay the long course."

At that point, it's fair to ask how deep a valley of disinflation lies ahead of us under present policy. What the President, the Congress and the public need is a candid calculation—free of self-delusion and false optimism—of the projected benefits and costs of monetary-fiscal austerity:

—How much inflation will it squeeze out of the economy, and by when?

—How much will it cost in lost jobs, output and profits and in business and financial failures?

**A PARTIAL, CHILLING ANSWER**

Careful econometric studies by James Tobin (in the latest Brookings papers) and by Otto Eckstein of Data Resources provide a partial and chilling answer. They agree that the cost of simply adhering to severe monetary and fiscal restraint to check inflation will be sustained and heavy unemployment. Mr. Eckstein calculates that it would take at least two years of 8% unemployment to beat inflation back to a 4% rate. I think you will agree with him, Mr. President, this would be "overkill" and that the financial system would collapse before we cracked inflation.

That raises a closely allied question: Given the kind of inflation we are suffering today, are demand-suppressing measures enough? Are they the right medicine for this inflation? I don't mean to say that understanding how the inflation genie got out of the bottle necessarily tells us how to get it back in. But surely the medicine—and the dosage—should be different if inflation is merely a lingering legacy of demand-pull forces than if specific supply crunches and cost push forces are the villains.

The plain fact is that 1974 inflation, born of 1973's combinations of excessive demand and commodity crunches, is rapidly maturing into a new spiral of wages chasing prices and prices chasing wages—into a self-propelling price-wage spiral all too reminiscent of 1969-70 and all too resistant to a monetary-fiscal squeeze. The result? Further turns of the monetary and fiscal screws will wring less and less inflation and more and more life blood out of our economic recovery.

This is becoming painfully evident as the first-half slide turns into second-half torpor. Every day new cracks are appearing in the facade of economic strength behind which the ordained optimists have been hiding. A first step toward more realistic policy must be to recognize the 1974 slump for what it is. Not merely an "energy spasm," "a shortages economy" or a pause that refreshes, but a costly stagnation arising out of a shortfall in aggregate demand.

Let's drop the debate over whether it deserves the label "recession" and redirect our attentions to the real problems: How far below our output and employment potential are we prepared to drive the economy by policies to cut demand? And in view of the limits of demand management policy in subduing the new inflation, what measures to curb cost-push pressures and to improve supply management should now be considered?

Here, above all, Mr. President, you are in a unique position to de-escalate the inflationary spiral. Labor, justifiably aggrieved about the erosion of its real earnings, is stepping up its demands. Business, also pointing to inflation inroads and citing huge capital needs, is pushing up prices and profit margins. Now is the time, backed by a flood-tide of goodwill, to practice not just the politics but the economics of reconciliation. Now is the time to bring business and labor together in a dialog, leading under your guidance to economic detente for the benefit of the American consumer.

That will mean reaching out to bring labor into the fold. It will require evidence that the strong pro-business bias of recent White House economics will become not a



pro-labor but a pro-public bias. And it will also require a liberal (or even conservative) dash of "reasoning together" and "ask not . . ." spirit that seems to underlie your early words and actions as President.

#### NOT AN EASY TASK

Translating this new mood into specific initiatives to defuse the price-wage spiral won't be easy, especially after the unfortunate discrediting of wage-price controls under the inept freezes and phases of recent history. But without some kind of a wage-price watchdog and a new set of even-handed wage price guides—backed not just by powers of suspension (and in outrageous cases even by rollbacks) the outlook for inserting a circuit-breaker in the new round of cost-push inflation will remain bleak. Building on the base of the Bentsen-Nixon proposals for a wage price monitoring agency, the White House and Congress can forge this missing link in the anti-inflation chain.

This may go against your free-market instincts, Mr. President. But it shouldn't. Monitoring would be focused on those powerful unions and business units that wield excessive market power, those areas of the economy where competition is a poor policeman; in other words, government presence would be a stand-in for the forces of competition.

For the longer pull, much of the relief from stubborn inflation must come from the supply side. An intensive review of government policy to enlarge critical supply capacities, increase productivity, and monitor emerging supply crunches is long overdue.

In light of our traumatic experience with shortages in the last couple of years, you should call for a thorough exploration of the potentials for supply management. This should range all the way from better information devices like shortage alerts and prompt export reports or even licensing to the use of special financial aids (without building new tax shelters) and the milder forms of credit rationing.

Rationing of credit by price alone is channeling too much of our limited financial resources into speculative investment in land, inventories and foreign exchange to the detriment of investment in productive capital. And, as always, super-tight credit is squeezing small business, housing and municipal borrowers. To curb such inequities and channel more credit into productive uses, Federal Reserve policy could, where feasible, apply more selective methods of supplying credit.

And a gradual phaseout of the Regulation Q ceiling that shortchanged small savers and distorts the flow of financial resources is clearly in order. These moves facilitate a gradual retreat from excessive tightness that is needed to permit a moderate economic expansion.

A government that is dead serious about fighting inflation ought also, at long last, under your leadership, to put an end to the laws, regulations and practices that make government an accomplice in many cost and price-propping actions, running from over-regulation of transportation rates and under-enforcement of antitrust laws to fair trade laws and the Davis-Bacon Act—not to mention maritime subsidies, import quotas and the Buy America Act. Such actions will step on the toes of articulate well-heeled pressure groups—but now is the time, under your leadership, to take those political risks.

#### SUPPLY SIDE OF EQUATION

While dealing with the supply side of the equation, let me emphasize how important it is not to undermine some of our natural defenses against inflation by stopping expansion dead in its tracks. For if we do, we would deny ourselves the short-run productivity offsets to rising costs that we normally reap from a rising volume of sales and output. The longer we stunt productivity by

choking off recovery, the more likely it is that lower productivity growth and hence higher unit costs will be built into conventional markups.

Further, remember that investment, innovation and risk-taking thrive in an atmosphere of expansion and wither in an atmosphere of stagnation. Super-tight credit undermines the health of equity markets, pushes money costs skyward, and threatens profits and financial stability. In the face of a policy of calculated stagnation, no program of tax gimmicks or special incentives will be able to induce the increases in capital spending the nation needs to boost productivity, expand supplies and ease price pressures.

Finally, Mr. President, in formulating your anti-inflationary program, be sure to take it out of the narrow context of economic gains and losses into the broader perspective of its social impact and consider the inequities and unfairness that it could generate. Out of these inequities grow a sense of grievance and alienation, an undermining of morale and social cohesion that may be inflation's greatest cost.

A telling reason why so many segments of our society have rejected current policies—have indeed felt they add up to an anti-them instead of an anti-inflation program—is that they are its victims rather than its beneficiaries.

Monetary policy boosts their housing costs. Budget policy has been squeezing social programs while enlarging defense outlays. And tax policy has thus far shown too little concern for those who are being short-changed by inflation.

#### DISTRIBUTING BENEFITS AND BURDENS

A truly balanced attack on inflation would couple the restraints of fiscal and monetary policy with measures to redress the grievances of skyrocketing fuel and food prices. I urge you to consider as an integral part of a compassionate anti-inflation program not only more generous unemployment benefits, food stamps and housing allowances but relief from payroll taxes for the working poor and increases in personal income tax exemptions and low income allowances. Distributing the benefits and burdens of economic policy more fairly will facilitate a more sustained battle against inflation.

If we simply declare total war against inflation without weighing the resulting manifestations of the human and financial landscape, experience tells us that we will invite an eventual public backlash. This is a plea, not to be soft on inflation, but to strike a sensible balance between benefits and costs in your anti-inflationary program, thereby staying between the bounds of economic and political tolerance rather than risking repudiation of the battle before it is won.

Just one final thought, I realize that if you follow the foregoing counsels, it will enhance the prospects of your continuation in the presidency after 1976. But in the belief that partisanship stops at inflation's edge, that's a risk I'll have to take.

#### BUDGET CUTTING AND INFLATION

(By Walter W. Heller)

As the month of economic summitry draws to a close and the White House draws from it some guidelines for presidential action, budget-chopping seems to be high on the agenda. But before Mr. Ford and the Congress conclude that the budget is the taproot of today's inflation and decide on budget-cutting as their chosen path out of the inflationary wilderness, they should take a hard look at the "facts" and arguments on which the budget hard-liners rely to make their case. A realistic reappraisal will surely assign budget cuts a more modest role in the battle against inflation.

Under the somewhat incendiary heading of "myths," let me examine some of the mis-

apprehensions, dubious assumptions and questionable assertions that seem to underlie the zeal of the budget-cutters. To them, the term "myth" may be a red flag. But it saves space and may serve to organize the mind.

Myth No. 1: Profligate budget expansion has plunged us into this inflation.

Part of the answer to this myth is well known: skyrocketing food, fuel, and commodity prices, coupled with excessive dollar devaluation, accounted for the great bulk of our 1973-74 inflation. Though excess demand compounded the problem in 1973, inflation even then was as much a supply-squeeze and cost-push phenomenon as it was a product of demand-pull. Today, it is rapidly maturing into a self-propelling price-wage spiral.

Less well known, perhaps, is that recent real budget increases are being held to modest levels: the real volume of total federal spending (in constant dollars) is somewhat lower today than it was at the end of 1972.

Two perspectives on the "huge" \$30 billion spending increase (to \$305 billion) in the current year's budget also cut it down to size:

—In high-employment terms, revenues are rising \$33 billion this year. Indeed, with normal economic growth plus inflation of only 5% a year, federal revenue increases between now and 1980 would average \$44 billion a year, according to Brookings projections.

—Of the \$30 billion budget increase this year, \$19 billion is mandated under open-ended programs, and another \$7 billion is earmarked for boosts in defense and federal pay, leaving only \$4 billion for "relatively discretionary domestic programs." Only a 2% increase, far less than the rates of inflation, is projected for social grant programs.

Myth No. 2: Huge federal deficits have poured fuel on the fires of inflation.

That surely was a valid view in the Vietnam inflation, but just as surely is not the case in the 1973-74 inflation.

On the contrary. After being very stimulative in 1972, the budget came hard about in 1973-74. Measured in terms of a high-employment economy (and regardless of the rulebooks being sung for the high-employment budget concept, it remains the best shorthand measure of the budget's economic impact) the budget turned from a \$2 billion deficit in fiscal 1973 to a \$10 billion surplus in fiscal 1974. And it's heading for a surplus of over \$15 billion (annual rate) in the first half of calendar 1975. Even if one prefers to use 4½% unemployment rather than 4% as a measure of high employment, the shift toward restraint—and it's the shift that counts most in the impact on aggregate demand—would still be over \$15 billion.

On a national income accounts basis, the actual federal budget deficit has also been shrinking steadily: from \$20 billion in fiscal 1972, to \$15 billion in 1973, to less than \$2 billion in fiscal 1974. Indeed, the NIA budget was in balance by mid-1974.

Granted, a surplus last year would have been even better. But the key point is that even after adjusting for the revenue-boosting impact of inflation, federal fiscal policy has been leaning against the inflationary wind.

Myth No. 3: When you add back into the budget the net borrowings of "de-budgeted" agencies (federally sponsored agencies like Fannie Mae and the Home Loan Banks and wholly owned agencies like the Ex-Im Bank and the Postal Service), the "total" federal deficit last year was not \$3.5 billion but \$21 billion.

But that surely mixes oranges with apples. The Commerce Department quite rightly excludes the credit operations even of the on-budget agencies from its national income account calculations of the federal budget. Why? Because they represent the trading of

one asset (cash) for another asset (debt obligations) rather than the purchase of goods and services or transfers of purchasing power.

Federal off-budget credit operations are an important part of total U.S. financial flows—federal agency securities represented 31% of the net increase in all money and capital market securities in 1973. It is obviously desirable to coordinate their borrowing and lending activities with Federal Reserve policy. And the net impact of their credit operations—along with those of thrift institutions and others—must be weighed in formulating U.S. fiscal policy.

But in effect to single out one set of lenders like FNMA and FHLB and imply that their net lending should be matched with increased taxes runs counter to economic logic. Would the advocates of this position have us boost taxes by, say, \$15 billion to match their net lending this year and then, if there were a net repayment of \$10 billion next year, cut taxes by \$25 billion at that time?

Indeed, if one is going to play the budget consolidation game, it would be a good deal less illogical to combine state-local budgets with the federal budget. This consolidated budget shows an actual surplus of nearly \$4 billion in 1973. I say "less illogical," because recent state-local surpluses are directly related to rapidly growing federal grants that help generate federal deficits. But I do not press the point.

Myth No. 4: Cutting the budget offers us so much anti-inflationary clout that we should move ahead on it and make fiscal policy more restrictive than it is.

A variety of econometric studies have all come to the same conclusion on this subject: short of brutal budget-slashing, budget cuts do not offer much in the way of relief from inflation. The University of Michigan, IBM and Data Resources models—as well as studies cited by OMB director Roy Ash last June—all conclude that cutting federal spending by \$5 billion would shave only 0.1% or less off of the rate of inflation. In exchange for this negligible benefit, the cost would be in the range of 100,000 to 200,000 jobs.

Myth No. 5: Since budget-cutting would give the economy a psychological uplift, it would cost far less in lost jobs and lost output than the computer models indicate.

Nothing we know on the basis of common-sense economic analysis or past evidence supports the assertion that cutting the budget will generate a sudden surge of confidence in the stock market and other financial markets, and that the resulting contagion will invigorate rather than subdue the economy. What a budget cut may do is to free funds for use in credit-hungry private markets. That indirect effect, not any psychological impact, might provide some offset to the direct demand-weakening effect of the cut.

Myth No. 6: In the face of raging inflation, budget policy has to be a one-way street, namely, cut, cut cut. The main contribution the federal government can make to the battle against inflation is to tighten its own belt.

This view fails to recognize that a comprehensive budget policy for "fighting inflation" has to embrace measures to compensate the low and moderate income groups who are bearing the brunt of both inflation and recession. This requires bigger outlays for public service jobs, unemployment compensation, job training, food stamps, housing allowances, and the like. It calls for payroll and income tax relief for the working poor and those of moderate incomes.

In other words, the resources freed by pruning unneeded or wasteful expenditures from the budget—and of removing oil and other tax shelters—can find ready and re-

sponsible outlets in redressing the grievances of those groups (and industries like housing) that have been ground under the hobnailed boots of inflation and monetary-fiscal austerity.

In passing, one should note that a number of summeaters, especially in the business and financial community, seem to support a different version of budget offsets. They wave the balanced-budget banner and urge expenditure cuts, yet in the next breath press for larger "tax expenditures" in the form of tax cuts on investment income, capital gains, savings, capital spending, and so on. Economic summery is hardly synonymous with economic symmetry.

Myth No. 7: Surely, out of this year's \$305 billion budget, one can readily find savings of \$5 billion to \$10 billion, a mere 2% or 3% cut.

Granted, many programs are marbled with fat that makes them juicier and tastier without making them more nourishing. Granted also, some savings can be achieved in the process of shifting budget priorities. But even with its improved procedures and staff, Congress will find this a slow and painstaking job.

Quite apart from its depressing effect on a sagging economy, a crash program to cut the current budget "below \$300 billion" when we are already one-quarter into the fiscal year is likely to be disruptive and inefficient. It will focus on those programs that the government can get its hands on quickly rather than those that are wasteful and of low priority. Equity and efficiency will be poorly served.

Myth No. 8: Nonetheless, since we must balance the budget in fiscal 1976 and develop surpluses thereafter, it is imperative to get started on budget-cutting now.

A balanced budget could be the right economic policy for fiscal 1976 if (a) the economy is well on its way to full employment by then and (b) the Federal Reserve can be relied upon to balance overly tight fiscal policy with an easing of monetary policy. But if these conditions are not satisfied, a balanced Bicentennial budget will be a will-o'-the-wisp—budget cuts that retard recovery and the expansion of tax revenues that goes with it would prove to be self-defeating.

But what of the federal surpluses we will need later in the 1970s to irrigate the capital markets, to help finance the huge capital outlays we will need to meet our energy needs, expand capacity, and apply the latest technology? The requisites of non-inflationary capital spending, as now projected, clearly call for those surpluses. But they do not, of themselves, call for budget cuts.

The Brookings projections already cited indicate that revenues will grow so rapidly that, even with only moderate restraint on the expenditure side, the federal budget will generate large surpluses. Given present budget initiatives and only 3% inflation, these projections show a \$39 billion net high-employment surplus by 1980.

Myth No. 9: When all is said and done, the fact is that the 1969-71 "economic game plan"—the lineal ancestor of today's "old-time religion"—was subduing inflation even before Mr. Nixon slapped on the wage-price freeze. Inflation had already receded from the 6%-plus level in 1970 "to the 3½-4% zone by the first half of 1971."

Neither the conclusion nor the numbers stand up under close analysis. Since the alleged effectiveness of fiscal-monetary restraints in 1971 is so central to the argument for budgetary austerity today, it is important to demonstrate how misleading it is:

Although the rise in the CPI slowed down from 6% in 1969-70 to 4½% by mid-1971, two-thirds of that improvement was

simply a swing in mortgage interest rates, up 10% in 1969-70 and down 11% by mid-1971. Commodities other than food kept rising at about a 4% rate throughout the period.

The wholesale price index showed little change, rising 3.7% from 1969 to 1970 and 3.5% from mid-1970 to mid-1971. The consumption component of the GNP deflator rose 4.8% in 1969-70 and 4.4% from spring 1970 to spring 1971, with prices of consumer services and durable goods actually rising.

The "chain price index for gross private product," perhaps the best comprehensive index of quarterly price movements, rose 4.8% (annual rate) during the second quarter of 1971, actually a bit more than the 1969-70 increase.

The weight of the evidence led Arthur Burns to conclude in his statement to the Joint Economic Committee in July, 1971, that substantial progress had not been made in checking inflation.

The foregoing effort to separate fact from fiction on the budget is not designed to shield the budget from its fair share of belt-tightening and waste-cutting in the face of virulent inflation. Rather, it seems to reduce the twin danger that we will vent our inflationary frustrations in unwise and unwarranted budget cuts and let the zeal for fiscal restraint block the tax and budget relief so urgently needed to temper the wind to the shorn lambs.

#### A FABLE THAT'S MORE FACT THAN FICTION

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ALEXANDER. Mr. Speaker, the longer I am in Washington the more I realize that it is the people back home who best articulate the problems that confront our Nation. I would like to share with my colleagues a fable sent to me by one of my good constituents from the first district, White Shaver of Wynne. I recommend it to my colleagues as a pretty fair assessment of the American economy:

#### A FABLE

In time of old there was a man traveling thru the country in a buggy called the Man of Plenty.

He had a great horn in his buggy full of gold.

He drove up in front of Mr. Greedy's house in the country and called him and his wife. He told Mrs. Greedy to bring Mr. Greedy's hat. She did.

"Now, Mr. Greedy and Mrs. Greedy, I have all the gold that you will ever need, but remember when I fill your hat, all that goes on the ground will immediately turn back to dirt."

Now here is the picture. Mr. Greedy is holding one side of the hat, Mrs. Greedy the other. Mr. Greedy said just a little more; Mrs. Greedy said just a little more.

That went on for several minutes, finally a few coins fell on the ground, and the gold turned back to dirt immediately.

Finally they kept saying just a little bit more and the top fell out of the hat.

The climax. We cannot keep calling for more and more and more in our economy without the top falling out of the hat.—Selected.



## SUICIDE: A SIN OR A RIGHT?

## HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. FRASER. Mr. Speaker, Helen Epstein, a free lance writer and NYU faculty member, has written a fascinating essay on suicide, "A Sin or a Right?" published in the September 8, 1974, New York Times magazine.

Suicide is today the second leading cause of death among young people. Black suicides are increasing in number and the suicide rate among women is approaching that of men. Writes Ms. Epstein:

Each year twice as many Americans kill themselves as kill each other.

Dr. Herbert Hendin writes:

Problems of the suicidal group tell in exaggerated form what's bothering everyone in a culture.

The suicide rate is indicative of social tension.

Mr. Speaker, I suspect suicide is a subject that is seldom treated in the pages of our RECORD. I certainly do not suggest, by placing Ms. Epstein's essay in the RECORD, that there is a Federal solution to this issue. A. Alvarez is quoted in the article as writing that suicide is "as much beyond social or psychic prophylaxis as it is beyond morality \* \* \* ." But the facts surrounding suicides in our Nation are another social indicator we legislators ought not ignore. I believe the Epstein article is a very brief, but very good summary of what is known about suicide.

A SIN OR A RIGHT?

(By Helen Epstein)

About once an hour, the telephone rings at New York's Save-A-Life League. The caller may start talking or burst into tears, or say nothing at all. Sometimes there is a challenge: "I've got these pills here and I'm going to take them unless you tell me why I should live." Or questions: "How much Valium is lethal? How long does it take the gas to work?" Other times there is awkwardness and embarrassment: "I've never called you before; how do I start?"

The calls come from men and women, old and young, black and white, homosexual and heterosexual, rich and poor. Six thousand people each year call Save-A-Life; 10,000 call the Los Angeles Suicide Prevention Center; 20,000 call San Francisco Suicide Prevention—and these are only three of nearly 200 such facilities in the United States. "Six of every 10 callers we get will go on and try to commit suicide," says Harry Warren, director of Save-A-Life, whose Baptist minister father founded the organization in 1906.

Over the last few years, the Holiday Inn motel chain has been engaging chaplains to be on call in the event their guests try to kill themselves; universities and church have established crisis-intervention centers; and radio stations have broadcast community alerts to the problems of suicide. In San Francisco, where over 510 people have jumped to death from the Golden Gate Bridge, the "right to suicide" has become a political issue. Researchers grind out over 500 studies each year correlating suicide to factors so varied as poverty, pregnancy, homosexuality and Pacific tidal patterns, yet the phenomenon continues to elude scientific comprehension.

In the last decade, however, suicide rates throughout the world have undergone a change. Youth rates are rising and, in America, suicide now takes second place only to accidents as the leading cause of death among young people. The gap between male and female rates is narrowing and black suicide is rising. Puerto Ricans in jails, Vietnam War veterans, students and women doctors have especially high rates. Lawyers commit suicide five times as often as the general populace; dentists and physicians, six times as often; psychiatrists 10 times as often. It should be noted, however, that professional organizations take pride in procuring figures like these; no one knows how many cleaning women or sanitation workers do or do not kill themselves.

Each year twice as many Americans kill themselves as kill each other. Experts estimate the number of suicides in America from 25,000 to 60,000 yearly and at least 200,000 more people in this country try to kill themselves and fail. It is on the basis of these statistics that the World Health Organization places the United States far behind world suicide leaders Hungary, Austria, Czechoslovakia, Sweden, Denmark and West Germany, but it qualifies this placement by noting that these countries may simply be keeping the most unbiased and accurate records.

"Suicide is a personal event that takes place in a socio-cultural framework," says Norman Farberow, co-director of the Los Angeles Suicide Prevention Center. "In most Anglo-Saxon cultures, killing oneself is strictly taboo. Self-destructive events are therefore denied both by the perpetrator and those around him. This denial extends not only to the family and survivors but through all levels of society, including the official entrusted with the responsibility of making accurate certification."

In Czechoslovakia (which has twice the American suicide rate) the law states that all self-inflicted fatal injuries must be classified as suicide. No such blanket rule exists here and certification of death, when it occurs outside a hospital or in the absence of a physician, is made by a coroner or medical examiner. In some counties, this may be a political appointee; in others, a person whose background is law, public administration or medicine.

This is important because the statistics that researchers must depend on are actually the cumulative judgments of several thousand coroners ill-equipped to draw the line between accident and intent. The growing coincidence of alcohol, drugs, and death complicates the coroner's task, as do traffic accidents. The vagaries of circumstance, combined with cultural stigma and possible financial problems for the surviving family, lead many coroners to classify a probable suicide as an accident or a death of indeterminate cause.

Statistics on attempted suicides are even less reliable. Most people who try to kill themselves are rescued by friends and treated by the family doctor, if at all. They return to their routines hoping to avoid the public record—with good reason. Suicide is still a crime in eight states; and the religious still regard taking one's life as a sin against God; and whether or not suicide can occur among mentally healthy persons is still a debate within the medical profession. "We know that we do not have to let people kill themselves even if they say they want to," concludes a Public Affairs Committee pamphlet endorsed by the National Institute of Mental Health. With the exception of maverick Thomas Szasz and a small group of less vocal scientists, it would appear that the medical profession has assumed the paternalistic role held until now by the church.

This is a peculiar thing, given that two million living Americans have tried to commit suicide and several of our more prominent figures have succeeded. George East-

man (who founded Eastman Kodak) killed himself, as did poets Hart Crane, Sylvia Plath and John Berryman; painter Mark Rothko; Arthur Chevrolet (designer of the first Chevy); writer Ernest Hemingway; Dr. Benjamin Sieve (developer of the birth control pill); former Senator William F. Knowland, and Secretary of Defense James Forrestal.

The traditional profile of the American suicide has been less spectacular than any of the aforementioned. He has been a relatively successful, white, middle-aged man with a wife and children whose chances of killing himself rose gradually through middle age and then precipitously after the age of 60. This kind of man committed suicide in droves in 1933 and set the all-time American record. But, like all composites, the profile obscured a more complex reality. The incidence of suicide has always been greatest among people of any sex, age or racial group who have made previous attempts on their lives. Women (using drugs, poisons, gas) have traditionally attempted suicide three times as often as men. Men (using violent means like hanging, jumping, or shooting) have actually died by suicide three times as often as women. Traditional explanations for the 3 to 1 ratio of male to female suicide have centered around the theme of men being both more decisive and more efficient than women. The highest-risk age group has been the elderly, who account for about 25 per cent of all suicides in the United States. Among ethnic groups, the American Indian has led all others with a rate that is twice the national average and, on some reservations, five or six times that.

These trends have not been difficult for researchers to explain. Suicide among the elderly has been attributed to decline in status, income, power, health and mobility in a culture which glorifies all these qualities. The desire to end a serious illness, or to die before succumbing to one, swells the ranks of elderly suicides.

Suicide among the 827,091 (1970 census) Indians in the United States has been described as the result of geographic isolation on reservations (or else displacement, physically and psychologically), the conflict of cultural transition, low self-esteem and the absence of role models. Government paternalism and generalized social discrimination exacerbate these problems and result in an extremely high rate of alcoholism and homicide, as well as suicide.

"The trouble is that suicide is a multi-varied phenomenon," complains Dr. Ari Kiev, who heads the suicide unit at New York's Payne Whitney Psychiatric Clinic. "All the statistics—history of attempted suicides, a recent major stress, an illness, family tradition of suicide, correlation of age and sex—all these are worth nothing because they don't tell you why some of the people in a given group are killing themselves while most of them are not. They don't give you any information about the simultaneous operation of factors."

All of Kiev's patients have made previous suicide attempts and he lists his high-risks as: the middle-aged male recently separated from his wife and/or unemployed; the alcoholic female; the young drug abuser; and the isolated elderly person. Unlike some specialists who view drug use and alcoholism as slow surrogates for suicide, Kiev believes they are attempts at self-medication which are addictive and may lead to accidental deaths. The illness addicts are trying to cure, he says, is clinical depression, and he estimates that half the Americans who commit suicide are suffering from it.

"Some of my patients have had clinical depression for considerable periods of time," he says, "but it's only when they begin to find it difficult to function that they come in for help. They are not aware that they have a treatable condition because the symptoms are so common among the general population."

The kind of chemotherapy Kiev administrators has been available for the last 15 years, and the psychiatrist feels it has not been used sufficiently to alleviate the symptoms of depression that mark a potential suicide.

"I don't think doctors should decide if someone should take his life or not; religions have been set up for that," Kiev contends. "But I think my obligation as a physician is to point out the fact that one's perspective may be colored by a temporary condition, and the decision to commit suicide should be postponed until treatment is completed."

Dr. Herbert Hendin, author of "Black Suicide" and "Suicide and Scandinavia," represents a different school of thought. As a psychoanalyst, his role is essentially passive and noninterventionist. Hendin's research on suicide among ghetto blacks was published in 1967, and it was the first major study in that area. Previously, researchers had assumed that the phenomenon associated with blacks was violence, and because classic psychiatric theory held that suicidal people were non-violent, no one bothered to check the statistics. When Hendin did so, he found that suicide among black men between 20 and 35 was twice as frequent as among white men of the same age group. Moreover, he found that black homicide and suicide reached their peak during that same period.

"Suicide is a barometer of social tension," he says. "The problems of the suicidal group tell you in exaggerated form what's bothering everyone else in the culture. Black suicides in this country hold up an enlarged mirror to the frustration and anger of the black ghetto. It is not a problem in the black middle class, which puts more controls on rage."

Frustration and rage are thought to be basic to all suicidal groups, although they can be masked by ostensible tranquillity and deadness. This Hendin found particularly true of suicidal students at Columbia and Barnard Colleges, whom he has been studying for the last five years. "Student suicide has traditionally been attributed to a concern with achievement, and in America the theory has been that parents pressured their children to perform," he says. "But, in the students I saw, this pressure was not a crucial factor in their being suicidal. Rather, the child's relationship with his family involved developing an emotional deadness as a kind of protection against life. Their parents wanted quiescent children; they were fairly egocentric—and I think that's true of the whole culture."

"Another thing is that students have enormous difficulty relating to the opposite sex. Women are afraid to be victims; men are afraid to be victimizers—and this results in extreme polarization. When I was growing up, social scientists were concerned with alienation. Now it's far beyond that. These young people often don't want to be in touch. They conceive of a life lived in tune with their emotions as extremely painful and dangerous. They almost envy machines for their efficiency. This is a society that puts function above feeling, and I think that's particularly true of young people."

The study of suicide among various groups in America has not been systematic and research regarding women had not received much coverage until the women's movement (and glorification of suicides Virginia Woolf and Sylvia Plath) attracted sufficient attention. In California last year, a state study (conducted by a woman) found that the male-female suicide ratio had narrowed to less than 2 to 1 for the first time in that state's history, with the highest increase attributed to black women between the ages of 20 and 24. In New York City, another study confirmed these findings but experts are reluctant to speculate on their significance.

"In general, the rate for men is still higher than the rate for women," says Norman Farberow. "Although the change in the suicide rate for women has occurred concurrently with the development of women's lib, it is in-

appropriate at the moment to correlate the two. Suicide is far too complex a phenomenon, although women's lib may be contributing to feelings of loneliness, lack of security and the changing nature of formerly stable social elements."

"I'd say the same factors apply to women as apply to blacks," says Dr. Howard Bogard, a psychologist who trains people in crisis intervention. "Many women have begun to redefine their roles in Western culture. The role redefinition leads to confrontations; result in frustration; frustration leads to anger, rage, depression, and suicide. If the statistics are correct about women. It may be that coroners have traditionally been chauvinistic and simply did not accept that women were capable of committing suicide. Or maybe they've suddenly gone the other way. The coroner may now think: I'll fix them. I'll treat them the same way I do men. They're suicides."

Everyone who researches suicide, says Bogard, does so in terms of his own personal and professional needs, and it is often more enlightening to read poets like John Donne, statesmen like Thomas Masaryk, novelists like Albert Camus or critics like A. Alvarez for insights into the subject. Philosophers, clerics and other wise people were pondering suicide for centuries before sociologist Emile Durkheim wrote what is considered to be the classic "scientific" work on the subject, in 1897. He saw suicide as a factor of social deprivation; Freud attributed it to the death instinct; for Jung, it was an expression of longing for rebirth. Current theory attempts to synthesize the sociological and psychological approaches in the manner of Dr. Ari Kiev.

"The suicide rate reflects the stimulus overload in our society," he says. "We have a high degree of freedom and a multiplicity of choices to make. At the same time, traditional mechanisms like religion and custom—which served to screen out the stimuli—have been lost and the individual has no framework within which to make choices."

"The stimulus overload makes it difficult for anyone to make decisions. The depressed person has great difficulties in saying no to the pressures placed on him, in disappointing other people's expectations. When he does so, he feels guilty, worthless, confused and even more indecisive. Suicide can seem a way of asserting control over one's life."

This is a view grounded in current affairs, an explanation with geographic and social limits. The phenomenon of suicide is clearly too old and too mysterious to yield quickly to a generation of scientists impatient for definitive answers. A. Alvarez, a failed suicide whose book "The Savage God" deserves to be placed alongside Durkheim's classic, concludes his discussion of suicide this way:

"The sociologists and psychologists who talk of it as a disease puzzle me now as much as the Catholics and Moslems who call it the most deadly of mortal sins. It seems to me to be somehow as much beyond social or psychic prophylaxis as it is beyond morality, a terrible but utterly natural reaction to the necessities we sometimes create for ourselves. And it is not for me. Perhaps I am no longer optimistic enough. I assume now that death, when it finally comes, will probably be nastier than suicide, and certainly a great deal less convenient."

#### RICE BILL INTRODUCED IN SENATE

##### HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ALEXANDER. Mr. Speaker, on Thursday last, Senator JOHN McCLELLAN

introduced S. 4121, a companion bill to H.R. 15263, the Rice Act of 1974. The Senator has expressed deep concern about the need for this legislation in the coming years of economic uncertainty. Assurance has been given me that a major effort will be made to bring this bill to the Senate floor this session.

Both S. 4121 and H.R. 15263 are in harmony with President Ford's request to remove acreage controls on rice. They extend to all farmers the opportunity to grow rice, and they will instill again the notion of competition in agriculture. The old program limits our rice economy, and now we must formulate new policies instead of remaining with old ones which served a bygone era of surplus.

I commend the Senator from Arkansas and the cosponsors of this bill for their leadership and their action. I give my assurance to the Senate and the House that I will continue to urge the Rules Committee of the House to report to the floor H.R. 15263 in order that the House be given the choice of either accepting or rejecting this important part of the President's economic proposals. I feel this is a significant first step in rebuilding the confidence of the American people and regaining the economic stability which has so rapidly diminished in recent years.

#### AID TO TURKEY

##### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. FORD. Mr. Speaker, as one who vigorously supported the Rosenthal-du Pont amendment to cut off all economic and military aid to Turkey, I viewed with great disappointment the failure of this body to override President Ford's veto of that legislation.

Today we are again faced with a critical choice on this issue. The Appropriations Committee has deleted the Rosenthal amendment from the bill and has substituted a provision postponing the cutoff until December 10. This compromise is unacceptable because it flatly states that the laws which Turkey has violated by misusing American equipment to invade and occupy one third of Cyprus shall not apply until December 10, 1974.

I rise in support of the substitute amendment Mr. Rosenthal will offer today to the continuing resolution which:

First, limits the delay in applying the law to Turkey until November 30, 1974;

Second, requires that no U.S. military equipment given to Turkey at any time can be shipped to Cyprus after the continuing resolution becomes law. A violation of this provision by Turkey would cause an immediate cutoff of all military aid to that country.

This substitute amendment has been carefully drafted to meet the overwhelming House and Senate positions—291 to 69, 62 to 16, respectively—that aid to an aggressor country renders that country ineligible for further aid while also giving the President 45 additional days of flexibility which he has sought.



The time is long overdue for the United States to exercise stiff pressure on the Government of Turkey to cease its aggression on the island of Cyprus. It is outrageous that American taxpayers should be supplying arms to Turkey that are used in attacks upon a friendly country in violation of NATO commitments.

#### ANTI-INFLATION PROGRAMS

### HON. WILLIAM M. KETCHUM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. KETCHUM. Mr. Speaker, earlier, I inserted in the CONGRESSIONAL RECORD, part I of an editorial which was aired by KERO-TV of Bakersfield on inflation. In his second editorial, Mr. McKinley outlined some specific anti-inflation programs that we should consider carefully in forming our economic policy. I know my colleagues will enjoy reading Mr. McKinley's perceptive comments:

#### PART II—A SOLUTION: A WORKABLE PROGRAM TO COMBAT INFLATION

Yesterday, I discussed the root causes of our current inflationary economy, and a Federal Reserve Board policy of tight money and high interest rates that can only be judged a dismal failure. What, then, can be done about inflation? I suggest the following six-point, anti-inflation program.

The first step, and one which should be put into effect immediately, is easier money and lower interest rates. Tight money has reduced output and raised costs. An easing in monetary policy will increase output, restore order to the financial markets, halt the rising tide of business failures, and put people to work again. Higher production is the best way to beat inflation.

The second step is a cut in government spending. There is fat and waste in the Federal budget and this unnecessary spending can and must be eliminated. Federal officials smugly advise the American public to pull in their belts and suffer patiently while the economy stagnates. I suggest that it is the bureaucrats who should pull in their belts so that the private sector can have the resources necessary to expand production and jobs.

The third step is to increase incentives to the business community to encourage expansion of factories and modernization of machinery. This can be done with a more liberal investment tax credit; depreciation allowances adjusted to reflect inflation; and other forms of tax relief necessary to spur plant and equipment expenditures. Modern plants mean larger, more efficient output which is the way to bring down prices.

The fourth step is the establishment of a national commodity reserve. Substantial stocks of raw materials and basic commodities would be accumulated in this reservoir through government purchase when supply is ample and prices weak. These reserves would be released on the market only when prices rose more than, for example, 10 per cent. This would effectively stabilize prices, and equally important, would make this country less dependent on foreign sources.

Fifth, Congress should establish, immediately, an agricultural production bonus program. Government bonuses would be paid for production above the base period. The increased farm production would bring food prices down, and the bonus payments would keep farm income high. No greater blow

could be leveled against inflation than a drop in food prices.

Finally, Congress should establish a national commission on free market prices. The commission would be charged with carefully reviewing the many existing laws and regulations which inhibit price competition. The commission would then recommend to Congress solutions designed to repeal these laws.

All the steps in this program follow one central theme—what this country needs to bring down prices is more production, more employment, more plant capacity. Inflation can be beaten if we discard restrictive monetary policies and concentrate our efforts on increasing output.

#### KAY MAGENHEIMER RETIRES

### HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. GROVER. Mr. Speaker, Gov. Malcolm Wilson and the Honorable Robert Moses were among those who paid tribute to Kay Magenheimer upon her retirement, October 3, from the Long Island State Park and Recreation Commission upon her completion of 25 years in State service in addition to 22 years in private industry.

An internationally known poet and active in religious and community affairs, Miss Magenheimer was the first woman in the history of the commission to advance to head account clerk. Starting on October 1, 1949, with the New York State Department of Transportation—known then as the Department of Public Works—she was transferred to Jones Beach on a promotion in 1956; then in 1958, to the administration headquarters of the commission in Babylon where she remained until her retirement.

Kay Magenheimer is listed in the "International Who's Who in Poetry" and the forthcoming "Dictionary of International Biography." She is also a nominee for the forthcoming "Who's Who of American Women." She is the author of the 1963 prize-winning book of poems "Love's Stigmata" and the forthcoming "Ah, Camelot."

She is deeply involved in religious and community work having been cofounder, with Msgr. Eugene J. Crawford—former spiritual director of the Sisters of St. Dominic, Amityville, and now pastor of Holy Redeemer Church, Freeport—of the Amityville Chapter of the Third Order of St. Dominic, Secular, now known as the Dominican Laity; and, for almost a decade, a member of the board of directors of Our Lady of Consolation Home for the Aged in Amityville; and a member of the New York State Regional Committees for the 1960 and 1971 White House Conferences on Aging.

The retirement luncheon, held at La Grange Inn, West Islip, and attended by close to 150 of her coworkers, family and friends, was highlighted by the presentation to the Honorable Robert Moses of an engrossment of her 1964 poem entitled "Robert Moses." The en-

grossment, executed by the well-known artist and calligrapher, John Erhardt Miller of Lindenhurst, "was my personal contribution to the celebration of the 50th Jubilee, this year, of the founding by Mr. Moses of the parks and parkways system of the State with the establishment of the commission in 1924," said the poet.

Jan Anderson, widely-known in stage, radio and newspaper work, rendered a heart-stirring interpretation of the poem which embodies in a few verses the true personality and genius of Robert Moses.

Speakers at the event included New York State Senator Owen H. Johnson—fourth district; Judge Anne Mead, former deputy county executive of Suffolk County and the first woman to be appointed to the bench in Suffolk County; Harthorn Bill, general manager of the commission; Miss Margaret Bunk, administrative officer and personal emissary of Austin Emery, director of the Long Island Region of the Department of Transportation; Howard P. Kraiss, secretary of the commission; Jan Anderson; Salvatore Lepore, vice-president of Marine Midland-Tinker National Bank; Rev. Robert C. Kirwin, former chaplain of St. John the Baptist High School, West Islip, and founder and present pastor of St. Thomas More Church in Hauppauge, who gave the invocation; Rev. Michael Guinan, long-time former assistant pastor of St. Joseph's Church in Babylon, and now pastor of St. Ignatius Martyr Church in Long Beach, who gave the benediction.

A dozen members of the Business and Professional Women's Clubs of Bay Shore and of Babylon had a prominent table; and congratulations were offered the retiree on behalf of the district as well as the local clubs by Mrs. Jeanette Dolny, assistant district director.

Greetings from her family were extended by Miss Magenheimer's nephew, William M. Bennis, Jr.

Copy of the telegram received by Miss Magenheimer from Governor Wilson follows:

Dear Miss Magenheimer: It is a pleasure to add my good wishes to those of your many friends who are honoring you today. Your contributions to literature, government and your concern for the aging, and indeed for all our citizens, are most commendable. Personally, and on behalf of all of the people of the State, I extend warm best wishes for a most enjoyable and productive retirement. Sincerely, s/Malcolm Wilson.

In addition to the messages from the Governor and Robert Moses, telegrams were received from Congressman JAMES R. GROVER, JR.; the Honorable Alexander Aldrich, commissioner of the New York State Department of Parks and Recreation; the Honorable A. Holly Patterson, chairman of the Long Island State Park and Recreation Commission; the Honorable Rhea M. Eckel Clark, director of the New York State Office of the Aging; and from Florida, from Vincent Leitch, retired administrative finance officer of the commission with whom Miss Magenheimer worked for many years.

During her own speech, Miss Magen-

helmer gave some personal, heart-warming examples of the humanity of Mr. Moses; and then surprised her coworkers and the officials of the commission by expressing her thanks for her long association with them in the form of a poem: "From This Time On."

Miss Magenheimer's family settled in Babylon 54 years ago. She is a graduate of Babylon High School, class of 1925, after which she studied at what is now the State University at Albany, and Hunter College in New York City. Having recently sold her property in Hauppauge, where she lived since 1965, she now lives in West Babylon. The poet has returned home for her retirement years and will now devote her full time to writing.

Her retirement poem follows:

FROM THIS TIME ON  
(By Kay Magenheimer)

I shall tarry  
With this shining memory.  
But, more—  
And evermore—

I shall recall  
Friendship's windfall over the years:  
Yours and mine,  
By accident or design.

Nor shall I forget  
The debt  
Owed each of you:  
For there were *entre nous*  
Our Good Morning! Good Night!  
May your holidays be bright!  
Hi, Cherubs! Be good!  
(And, to the boss)  
I'm glad you understood . . .

Beyond that,  
I thank you  
For your eyes shined with dew  
Over your wedding albums;  
For the triumphant look of your bridegrooms.

I thank you  
For the strength of working fathers;  
The stamina of working mothers.  
For their sacrifice, their fortitude,  
Their dreams for their broods . . .

To every new grandchild  
Who beguiled  
Its grandmother (and the office force),  
My memory will have recourse.

To my young co-workers, a grace-cup  
For being fed up  
With sham and dishonesty.  
We spoke . . . I am your legatee.

All of you joyed me with your happiness;  
Pained me when you were comfortless.  
No matter: Your names,  
In prayer, were flames.

To the Commission  
Entrusted so long with my ambition,  
I say: You were my home  
Away from home.

You were my bread;  
The arrow-head  
That delivered me  
From my enemy.

But, more—  
And forevermore—

I am mindful,  
And grateful,  
That—from this time on—  
You also provide the anchorage  
To steady the ship of this, my greatest age.

## DEBATE ON CONFERENCE REPORT ON S. 3007

### HON. LLOYD MEEDS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 15, 1974

Mr. MEEDS. Mr. Speaker, during the consideration of the conference report on S. 3007, authorizing appropriations for the Indian Claims Commission for fiscal year 1975. The press of time and other business necessarily precluded a detailed explanation of the matters involved.

Because of the importance of the matter and the necessity that a clear record be made on this issue, I feel that such a complete explanation of the issue and the conference consideration must be made. Therefore, I want to take this opportunity to make that record.

I insert the following legislative history at this point:

LEGISLATIVE HISTORY AND BACKGROUND INFORMATION ON H.R. 16170, PROVIDING FOR THE AMENDMENT OF THE INDIAN CLAIMS COMMISSION ACT

#### LEGISLATIVE ACTION

In order to provide an authorization for the appropriation of funds for the expenses of the Indian Claims Commission for fiscal year 1975, the Administration submitted draft legislation to the Congress which was introduced as H.R. 12356 and S. 3007.

The Senate completed action on its bill, S. 3007, prior to House action on the House bill. The Senate bill passed the Senate on May 28, 1974, which provided that not to exceed \$1,450,000 be authorized to be appropriated for the Commission for FY 1975. In addition, the Senate added a new section 2 which amended the Indian Claims Commission Act of 1946, as hereinafter explained.

The House bill, H.R. 12356, was reported favorably by the Interior Committee on June 5, 1974. The bill was taken up on the suspension calendar on June 17, 1974, and passed. As passed, the bill was identical to section 1 of the Senate passed bill. The House vacated action on the House bill and took up the Senate bill by amending with the language of the House bill. This, in effect, amended the Senate bill by striking the provision amending the Indian Claims Commission Act.

On June 18, 1974, the Senate disagreed to the House amendment and requested a conference.

#### CONFERENCE COMMITTEE ON S. 3007

House and Senate conferees were appointed and went to conference on July 25, 1974. The only point in disagreement was section 2 of the Senate passed bill, providing for the amendment of the Indian Claims Commission Act of 1946, which was stricken by the House.

After initial discussion of the proposed Senate amendment of the Indian Claims Commission Act, the House conferees refused to accept the amendment on the grounds that (1) there had been no House hearings on the proposal; (2) the Full House Committee on Interior and Insular Affairs had not had an opportunity to express its will on the proposal; and (3) it would be inappropriate to ask the House to consider a proposal which might represent several million dollars in cost to the Government without such a record.

The conferees agreed to recess the conference with the understanding that a House

bill, containing the language of section 2 of S. 3007, would be introduced, hearings held with markup by the Subcommittee on Indian Affairs, and a vote thereon by the Full Interior Committee.

It was understood that once the Full Committee had voted on the legislation, the House conferees would return to the conference guided by the action of the Committee.

H.R. 16107

On July 30, 1974, Congressman Meeds introduced, for himself, Mr. Regula, Mr. Lujan, Mr. Abdnor, and Mr. Thone, the bill H.R. 16170 which contained the exact language of section 2 of the Senate-passed bill, S. 3007.

That bill amends section 2 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1050; 25 U.S.C. 70 et seq.) by providing that "expenditures for food, rations, or provisions shall not be considered as payments on the claim."

When the Indian Claims Commission renders a judgment against the United States in favor of an Indian claimant, the United States is entitled to appropriate deductions for all payments made by the U.S. on the claim and other legal offsets. In addition, the Commission may, in its discretion, offset certain gratuitous payments made by the United States.

The proposed amendment to the ICC Act contained in H.R. 16170 and the Senate-passed S. 3007 provides that the cost of any expenditures the United States made on behalf of the Indian claimant for food, rations, or other provisions could not be offset against any award as payments on the claim.

While couched in general terms which will be applicable to all pending claims before the Indian Claims Commission, the intent of the proposed amendment is directed toward the claim of the Teton or Western Sioux tribes in Indian Claims Commission Docket 74-B, the so-called Black Hills Claim.

#### HISTORY OF THE BLACK HILLS CLAIM

The claim of the Sioux for compensation for the taking of the Black Hills in 1877 has been before Federal tribunals for over 50 years. It was first filed before the Court of Claims in 1923 under a special 1920 jurisdictional statute and, after dismissal therefrom, before the Indian Claims Commission in 1946.

Prior to 1851, the Western Sioux traditionally and aboriginally had a hunting range which covered a vast area in the northern Great Plains which extended into seven existing states.

Primarily because of the discovery of gold in California in 1849, droves of gold-seekers and other travelers began to flow on overland trails cutting across the hunting grounds of the Sioux and other Great Plains Indian tribes. In order to secure these overland trails, the United States entered into the 1851 Treaty of Fort Laramie with the Sioux and six other Indian nations. The treaty provided for the safe passage of white emigrants through the lands of the Sioux and the other tribes and it also attempted to define the respective borders of the seven tribes to secure peace among them, which the United States greatly desired. This treaty constituted recognition of title in the Sioux to over 60,000,000 acres of land west and south of the Missouri River.

Again, because of the discovery of gold in Colorado in 1859 and in Montana in 1861, greater numbers of white emigrants began to pour over these overland trails, disrupting and destroying the hunting capacity of the Indian tribes and leading to conflict between the Sioux and the white travelers.

In 1865, the United States signed peace treaties with individual bands of the Western Sioux, but these failed to maintain the peace, leading to the eruption of the so-called Powder River War of 1866-67.



In 1868, the United States signed the 1868 Fort Laramie Treaty with the Sioux. The treaty provided that:

1. The United States agreed to abandon all its forts along the Powder River;
2. The United States confirmed in the Sioux recognized title to a tract of land which constituted essentially all of the present state of South Dakota west of the Missouri River, known as the Great Sioux Reservation;
3. The Sioux surrendered all of their rights to permanently occupy lands outside of the Great Sioux Reservation, except that they retained the right to hunt in a large area which constituted their former aboriginal hunting area;
4. The lands within the Great Sioux Reservation were set aside for the "absolute and undisturbed use and occupancy" of the Sioux and the United States "solemnly" agreed that it would not permit anyone, not otherwise authorized by law, to pass over, settle, or reside on the reservation; and
5. No further lands of the Sioux would ever be ceded without three-fourths consent of the adult male population.

Even prior to the 1868 treaty, it was known that the Black Hills area of the Great Sioux Reservation was valuable for gold. There had been various official and non-official explorations of the area. After 1868, the Army attempted to keep the gold-seekers out, but was largely ineffectual, notwithstanding the promise in the treaty.

In 1874, Lt. Colonel George A. Custer conducted an official exploration of the Black Hills area and confirmed the existence of gold.

Responding to public pressure to open the gold fields to non-Indian exploration and settlement in spite of the treaty provision, the Secretary of the Interior sent a Commission to the Sioux to negotiate a sale, but failed. This Commission was negotiating at the same time Custer was exploring.

In 1875, President Grant and the Secretary of the Interior determined that they could no longer fulfill their treaty commitment to keep whites out of the Sioux country and decided to buy the land. In 1875, the Allison Commission was sent to the Sioux for this purpose, but again the Sioux refused to sell.

In November of 1875, the Administration decided to cease all efforts to keep unauthorized persons out of Sioux country and withdrew the Army. It also began to assert pressure against the Congress to unilaterally take the Black Hills area. The Congress refused to do so.

Without waiting for congressional action, the Administration, in the words of the Indian Claims Commission, decided to precipitate the situation into a crisis.

In December of 1875, the Secretary of the Interior instructed his agents to order the Sioux, who were off the Great Sioux Reservation hunting—as they had a right to do and with the permission of the agents—that if they did not return to the reservation by January 31, they would be declared hostile and treated accordingly by the Army.

Because of the severe winter, they could not possibly comply with the deadline and they also needed to conduct their spring hunt.

Upon their failure to return by the deadline, the Secretary turned them over to the Army. In the Spring of 1876, the Army mounted a massive campaign to round up the Sioux. As a result of this campaign, General Custer met the Sioux at Little Big Horn and was severely defeated.

The defeat of Custer so incensed the general public and the pressure was so great on the Congress that they attached a rider to the Appropriations Act of 1876 which provided that unless the Sioux agreed to sell the Black Hills area, all food and rations would

be cut off and, in the words of the Indian Claims Commission, they would be allowed to starve.

Pursuant to this rider, a Commission was sent out to the Sioux to secure their agreement. Notwithstanding the provision of the 1868 treaty requiring three-fourths consent of the adult male population to further cessions of Sioux land, the Commission obtained less than 10% of such consent to the 1877 agreement.

This agreement was ratified by the Congress as the Act of February 28, 1877. This Act unilaterally took the Black Hills area from the Great Sioux Reservation amounting to approximately 7,300,000 acres; obtained the rights to three rights-of-way across Sioux lands to the Black Hills area from the Missouri River; and free navigation of the River. In return, the Act reiterated certain promises of the 1868 treaty for rations and made new promises to supply food, rations, and other provisions.

#### DOCKET 74-B

Docket 74-B of the Indian Claims Commission is the Sioux claim for the taking of the Black Hills area and for gold taken from there. To date, it is estimated that over \$2 billion worth of gold has been taken from the area.

After an earlier decision of the Commission that the Sioux had recognized title to the area taken by the 1877 Act, the Commission, on February 14, 1974, decided that the 1877 value of the land taken was \$17,100,000 and that the value of the gold taken between 1868 and 1877 was \$450,000.

However, they also found that this was a unilateral taking by the United States in violation of the 5th Amendment to the Constitution. Therefore, the United States is liable for the payment of 5% simple interest annually on the total amount of the award. If there were no offsets against this amount, the Sioux would be entitled to an award of approximately \$104,000,000.

However, the Commission determined that the United States was entitled to prove, at a later hearing, and offset any expenditures it made on behalf of the Sioux under the 1877 agreement as a payment on the claim. These expenditures were almost all in the form of food, rations, and other subsistence provisions. Additionally, these offsets would be applied under a formula which offsets them on a year-by-year basis with a portion applied to the principal amount of the award and a portion to the interest. The net effect of this is that the award would be totally wiped out.

#### LEGISLATIVE ALTERNATIVES

1. The Congress could reject any amendment of the Indian Claims Commission Act. This would result in no award to the Sioux.

2. The Congress could accept the provisions of H.R. 16170 and the bill S. 3007 as passed by the Senate. This would totally disallow the United States to offset any expenditures for food, rations and other provisions as payments on the claim. This would mean that all the appropriations under the 1877 Act would be disallowed. The United States could prove and offset any other compensation and, in the discretion of the Commission, prove and offset any gratuitous expenditures. This would mean that the Sioux would recover a major portion of their award. It would also mean that the enormous cost to the Government of researching and proving these items as payments would be avoided.

3. The Congress could accept a modified version of the Senate language which would permit the Commission, in its discretion, to permit or disallow these expenditures for food, rations, and other provisions as payments on the claim. Here, the Commission, as with respect to gratuitous expenditure, could allow the offset if it found that the United States had conducted itself honor-

ably in dealing with the tribe. Any amount it did allow as payments on the claim would be offset under the formula on a year-by-year basis. The cost of research and proof would still be present.

#### COMMITTEE ACTION ON H.R. 16170

The Subcommittee on Indian Affairs held hearings on the bill, H.R. 16170, on August 8, 1974, at which time Administration and public witnesses were heard. The Subcommittee marked up the bill on September 12, 1974, and referred the bill favorably to the Full Committee without amendment.

The Committee on Interior and Insular Affairs considered the bill on September 25 and October 3, 1974. After thorough discussion and debate on the proposal, the Committee, by a roll call vote of 31 ayes and 3 nays, adopted the proposal. By unanimous consent, the Committee agreed to table the bill H.R. 16170 without further action and instructed the House conferees on S. 3007 to return to the conference with the Senate guided by the action of the Full Committee.

Pursuant to the direction of the Committee, the House conferees on S. 3007 returned to the conference with the Senate on October 7, 1974. The House agreed to recede from its amendment and concur in the language of the Senate bill, after which a conference report was filed with the House.

CLIFFORD G. MCINTIRE

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ARENDS. Mr. Speaker, those of us who were privileged to know our former colleague, Clifford G. McIntire, were deeply saddened to learn of his untimely passing recently.

Cliff served in these Halls for seven terms as Representative from the Second District of Maine from 1951 to 1965. He came from an important farming region of the Nation and was formerly general manager of the Maine Potato Growers, Inc. Thus, he brought valuable experience to the House Committee on Agriculture where he served for so long. His contributions to our Nation's agricultural policy are widely recognized—and even after he left the House, he continued his efforts in behalf of the American farmer as director of legislation for the American Farm Bureau Federation. In addition, he served on the President's Task Force on Rural Development and the Public Land Law Review Commission.

Cliff was one of the most conscientious and diligent Members I have ever known, and he was completely dedicated to the cause of good government. His service here reflected his hardy New England heritage and his respect for individual freedom and our free enterprise system. His patience, his gentlemanly demeanor, and his personal integrity won him countless friends on both sides of the aisle.

Cliff always gave so generously of his time and talents. The fatal accident which brought such an early end to a well-earned retirement brings sorrow to all of us. Betty joins me in extending our heartfelt sympathy to Cliff's lovely wife, Wilda, and their children.

**VETO ON CONTINUING APPROPRIATION, HOUSE JOINT RESOLUTION 1131—THE FOLLY AND ERROR OF AMERICAN MILITARY AID TO TURKEY**

**HON. WAYNE OWENS**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 15, 1974

Mr. OWENS. Mr. Speaker, the failure of this body to override President Ford's veto of the continuing appropriations bill represents an unfortunate day for American foreign policy. I returned from Utah for the express purpose of joining in this congressional effort to override this veto and to act to restore compassion and evenhandedness to our policy in Cyprus. I deeply regret the failure of that effort; and I deplore the continued use of American tax dollars at this time to finance the purchase of tanks, bullets, and other military hardware for the armies of Turkey.

The resolution on the Turkish question passed by this body was not a rigid or thoughtless usurpation of Executive prerogative in matter of foreign affairs. Instead, it represented what many of us felt was a forceful expression of our conviction that American foreign aid funds are to be used for preparedness for progress and for peacemaking. Can a resolution requiring evidence that American foreign aid laws are being complied with and that progress toward peace is being made really jeopardize the possibilities for a Cyprus settlement? Is such a resolution inconsistent with the highest principles of American foreign policy? I think not.

As we are now forced to stand mute on this question of continued military aid to Turkey, we should be reminded of the role we as a nation and our tax dollars have already played in the bloody and senseless tragedy of Cyprus. American weapons armed the Turkish troops that invaded Cyprus. The American taxpayers provided \$148.6 million in total military aid to Turkey in 1973. Our foreign policy leaders have played an active role in the failure thus far to provide the evenhanded leadership that could have helped to resolve the disputes. We are hardly a passive onlooker to the tragedy of Cyprus. We are and have been closely involved in that matter. We cannot afford the luxury of refusing at this point to take a position that would help to restore evenhandedness to our foreign policy in Cyprus.

In August, I cosponsored a resolution that called for the cutoff of all military aid, economic assistance, and all military sales to Turkey until all of Turkey's Armed Forces were withdrawn from Cyprus. My vote to override the President's veto was based on the same concerns I had then. I believe we should respect the sovereignty and self-determination of the people of Cyprus. I believe that the power and prestige of the United States should be used to advance peace and evenhanded justice, not conquest and occupation. I believe that the

Turkish resolution passed by this body was an important step in the direction of correcting a misguided and inhumane foreign policy. While I am saddened by the veto of that resolution and the failure of this body to correct the error of that veto, I remain firm in my conviction that American policy with respect to Turkey, Greece, and Cyprus, must and will change. I pledge my efforts to continue wherever and however I can, to fight for that change.

**JACK COHN: SOLUTION TO INFLATION**

**HON. RAY J. MADDEN**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. MADDEN. Mr. Speaker, most of the economists have submitted their analysis of the Nation's inflationary problems and very few seem to assert in simple terms any one major step that our Government could follow in an effort to restore prosperity, reduce living costs, and place our Nation back on a normal economic equilibrium. This morning, I received a letter from Jack Cohn, a highly successful retired retailer, formerly of my congressional district, who now lives in Miami Beach, Fla.

A survey of Mr. Cohn's recommendations seems to present some sound advice on a couple of issues that would be a major step in reducing inflation.

Had he added to his comments the fact that the immediate reduction of interest rates and the closing of some of our fabulous and in many cases fraudulent tax loopholes to large conglomerates, including big oil, his solution to our inflation menace would be almost complete.

I include with my remarks Mr. Cohn's brief letter on the inflation problem:

MIAMI BEACH, FLA.

Dear Ray: After listening to and reading about inflation, it surprises me that none of the experts touch upon the growth of our population.

Our country is growing at the rate of about 35,000 people per week. Imagine a new city each week with this population. The services, housing, utilities and food needed to sustain them, I think we need more production in all lines.

When in central Illinois this summer all the farmers were complaining about crop failure on account of the wet and cold spring. My thoughts were that if crops are smaller and damaged to any extent prices will go up. You have the results today of higher corn and soy bean prices. So you can control prices if you have over production. Expand farming, industry and services to take care of more population.

Another point of trouble is the taking of farm acreage out of production. All over our country new shopping areas, new housing subdivisions and new highways are taking thousands of farm acreage out of production, while food demands rise.

So you in Washington had better work on production and more production in all lines. Excess inventory will level prices.

Respectfully yours,

JACK COHN.

**FAIRBURY CHAMBER AGRIBUSINESS BANQUET**

**HON. CHARLES THONE**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. THONE. Mr. Speaker, Monday evening, October 14, I had the pleasure of attending the 25th annual Agri Business banquet at Fairbury, Nebr.

It was well attended, well organized, and the guest speaker was James R. Craig of Springfield, a most skilled and inspiring speaker.

The president of the Fairbury Chamber, Sam Ellis, and banquet chairman Ed Hall were in charge of this business salute to Nebraska's basic industry of agriculture. Responding for some 4,501 area guest-farmers was Marvin Schultis, an outstanding area farmer from the Diller area. His response reflects the trials and tribulations of farming and some down-to-earth commonsense philosophy. It follows:

FAIRBURY CHAMBER AGRIBUSINESS BANQUET

We in production agriculture in the Fairbury area can be mighty glad that there are businessmen here in town who are concerned about us and we appreciate these banquets that they have hosted for so many years.

One significant problem for the farmer and everyone else this year as the weather—as everyone is well aware. I thought I might relate to you in a little more detail what the weatherman did at my place in less than a 6 month period of time. For a 3 week period starting April 28th we had 7.65" of rain (and this was supposed to be planting time.) The rains continued and we got small amounts of field work done between them. When we finally got the last milo planted it quit raining and we suffered from drought and severe heat. Around the middle of August we started getting some hopeful rains. Then on Aug. 17th we were severely damaged with a hail and a tornado took 2 large grain bins. In September we had an early frost to take care of what the hail didn't and it was very dry during this time. Lately we have had a rain which makes us hopeful that more will come.

Things have changed for us in Agriculture and I know tremendous changes have taken place in your businesses as well. The shortages that we have experienced have been a big problem for both the farmer and the businessman. We have seen our inputs soar to an all-time high which really creates a problem for all of us. I think it is necessary that we understand one another's problems more fully as our problems become your problems and vice-versa.

At the same time, we also benefit from each other's successes. I don't mean to give the impression from my response so far that everything that has happened this year has been bad. (Those things are just easier to think of.) We have many, many things to be thankful for which we should never forget. Prices are very good in some areas and, of course, many of our blessings are not always materialistic in nature.

We need you businessmen here in Fairbury and I know you need the farmers in this agricultural community. I'm sure there is much to be done in the way of public relations between agriculture and the public. This means of breaking bread together this evening is one small way of breaking a barrier between businessmen and we in production agriculture. Certainly, we appreciate



what you are offering for us in the way of goods and services, and we do want to thank you for being our hosts at your 25th annual banquet.

# MORE DISTRICT OF COLUMBIA FRAUD

**HON. H. R. GROSS**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. GROSS. Mr. Speaker, the growing problem of documentation fraud is apparently nowhere more rampant than in Washington, D.C.

Like so many other things in this mismanaged city, the District of Columbia's welfare department, which has charge of the vital records section, has made another incredible mess.

A recent article in the Washington Star-News outlines the prevalent misuse and abuse of birth and death records in Washington and should be required reading for all those who think this city is ready for so-called "home rule."

I include the article for insertion in the RECORD at this point.

[From the Washington Star-News,  
Oct. 3, 1974]

## PEOPLE OF ALL AGES USING PHONY BIRTH CERTIFICATES

(By Robert Pear)

Federal and D.C. officials are investigating the growing use of fraudulent birth certificates, which one city official says has become a "frightening" problem.

The certificates are used for a variety of purposes—by drug traffickers to conceal their identity, by aliens who purport to be American-born, by persons who claim nonexistent dependents in order to fatten their welfare checks and even by athletes who falsify their age to compete in a particular class.

Welfare investigators from the D.C. Department of Human Resources are reported to have been spending two nights a week examining records in the department's vital records section on the first floor of the police headquarters building.

"You can buy a blank birth certificate on the streets of D.C. for \$25 and use it to get welfare," a knowledgeable source in the department said yesterday. "Even if they catch you after 10 or 11 months, they cut off your welfare but they don't throw you into jail or take you to court."

Contributing to the potential for abuse, city officials say, is the fact that the office of vital records does not use erase-proof paper or pre-number its blank forms, as federal authorities recommend. Thus, the officials say, it is difficult to trace stolen forms.

In addition, rigorous identification is not required to get a copy of a birth record. "We just require you sign an application," said a vital records officer. "You don't have to give proof you are who you say you are."

John H. Crandall, chief of the vital records section, says the staff has been cut back at a time when the demand for birth and death records has more than doubled. There were 17 employees in 1966 when the office issued 56,000 copies, he says, compared with 14 this year, expected to provide more than 120,000 copies.

He attributes part of the new demand to devotees of astrology, concerned about their natal hour. "No two ways about it," he says, "They've increased our business."

Meanwhile, on the national level, the U.S. State Department has stepped up efforts to

detect the use of fraudulent birth certificates in passport applications.

"Documentation fraud is rampant in this country," Frances G. Knight, the outspoken director of the passport office, said in recent testimony before the Senate internal security subcommittee, "not only in those documents which are submitted with passport applications, but those submitted for Social Security, for health benefits, for pensions, for almost any service or financial profit which can be chiseled out of the federal government."

She says the cost of document fraud to the U.S. government, by a conservative estimate, is \$1.5 billion.

William E. Duggan, chief of the legal division, has worked in the passport office for 34 years, and according to an admiring colleague, "He knows more ways to cheat on legal documents than anybody else."

Duggan says one of the more difficult plots to detect is the use of birth certificates of deceased children. Several such cases have occurred in D.C., he says.

The technique involves getting a birth certificate of an infant who died shortly after birth—a child who, if it had lived, would be about the same age as the impostor pretending to his identity. The names of such children apparently are obtained from graveyards, from newspaper files and even from vital records offices by persons pretending to do genealogical research.

In one case of another type, recalled by officials of the human resources department, a group of men under the age of 40 formed a basketball team to compete in a league for men over 40, with the idea of winning television sets and money offered as prizes.

One of them snatched a blank birth certificate from a woman in the vital records office while talking to her. He took it to a printer who made a dozen facsimiles, which the men filled out.

They won the championship, but eventually were tracked down and had to apologize to the league. It could not be determined whether any legal action was taken against them.

In another case, a woman changed the year of birth on her son's certificate so that he could qualify as one of the top 10 tennis players in the country in a certain age bracket. The altered document "looks great, especially when you have to change only one digit," an official said.

City officials who expressed concern about these abuses asked to remain anonymous because of a policy in the human resources department requiring employees to clear press contacts with a public relations person.

As an indication of the need for tighter controls, officials report that a cook apparently walked off with some blank birth documents from a print shop at D.C. General Hospital, where they were stored.

The fraud problem has reached such proportions that the Justice Department is expected to announce soon the formation of a federal advisory committee on false identification, with representatives from the Passport Office, the Immigration and Naturalization Service, the Department of Health, Education and Welfare, the FBI, the Social Security Administration and other agencies.

Law enforcement authorities say they often have found blank certificates in the automobiles or residences of persons arrested on serious charges. "False identification is to a criminal what burglar tools are to a burglar," Duggan says. He describes the problem as "the mystery of identification in our present open society."

The problem comes at a time when demands for personal identification—whether in connection with school, job or credit applications—are growing. The trend is reflected in the fact that 60 percent of the copies now issued by the District are birth records, whereas the majority used to be death records.

Since last autumn, the city has been requiring new applicants for driver's licenses to identify themselves by means of birth certificates. Likewise, parents registering a child for kindergarten need to show a birth certificate.

A person who phones the D.C. government and asks about birth records often is referred to a tape-recorded message. "If you prefer to shop by mail" rather than come in person, it says, "please give us date of birth, mother's maiden name, father's name, child's name." The cost is \$1, plus a self-addressed, stamped envelope. The recording says nothing about who may request a certificate.

Russell E. Booker Jr., chief of registration services in Virginia, favors national legislation on the subject, complaining that "each state does its own thing." He says the United States is one of the few developed countries without a national policy on registration.

Arguments against a nationwide system of birth and death registration have been made on the ground of states' rights.

Loren E. Chancellor, an expert in registration techniques at the National Center for Health Statistics, says the problem is directly related to the number of local record offices across the country, which he estimates at 2,000 to 3,000. If other states controlled the issuance of certificates through one central office, as Maryland and Virginia do, there would be less opportunity for fraud, he says.

In Maryland, according to Vernon R. Randall, chief of the vital records division, applicants must state the reason they need a copy of a birth certificate. Fraud has not been a serious problem, Randall says. The charge, as in Virginia, is \$2 a copy.

From time to time in Virginia, people complain that the bureau has issued a copy of their certificate to someone else. "If we cannot identify the applicant or his relation to the registrant," Booker says, "we send a form letter and ask him to identify himself." Only the registrant, his immediate family and his attorney are entitled to copies.

## SUBCOMMITTEE ON CRIME TO HOLD HEARINGS ON AMEND- MENTS TO THE ORGANIZED CRIME CONTROL ACT CONCERN- ING BLACK POWDER

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. CONYERS. Mr. Speaker, I am pleased to announce that the Subcommittee on Crime of the House Committee on the Judiciary has scheduled hearings on H.R. 14549 and H.R. 14018, introduced by my colleagues on the subcommittee, Representatives WILLIAM S. COHEN and HAMILTON FISH, JR. Also under consideration are 11 similar House bills and S. 1083, which passed the other body last year. These bills would exempt commercially manufactured black powder and certain igniters used in antique weapons from the regulatory provisions of title XI of the Organized Crime Control Act of 1970.

The hearing will be held on Thursday, November 14, in the Rayburn House Office Building. Those wishing to testify or to submit a statement for the record should address their requests to the House Committee on the Judiciary, Rayburn House Office Building, Washington, D.C. 20515.

## TRIBUTE TO GEN. CASIMIR PULASKI

## HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. McDADE. Mr. Speaker, there stands in Courthouse Square in the city of Scranton a beautiful monument to a man whose name will live as long as this Nation lives, Gen. Casimir Pulaski. He came from his native Poland to give his life for American freedom, and will be loved as long as freedom is loved.

Last Sunday the General Pulaski Memorial Committee of Lackawanna County held its 17th annual Pulaski Day Dinner. Rev. A. B. Bocianski, pastor of Saints Peter and Paul Church in west Scranton gave the invocation, and Rev. V. R. Pelyyak, pastor of Sacred Hearts Church of Mayfield gave the benediction. The opening remarks were given by the general chairman and president, Mr. George Yavorek, and the welcome by Mayor Eugene Peters. Janet Wagner, accompanied by Miss Kathy Kanavy, entertained the guests with songs, and Mr. Frank Baranowski, Jr. acted as toastmaster for the evening.

The highlight of the evening was, of course, the address given by Attorney Stanley J. Glod, of Washington, D.C. Mr. Glod has had an outstanding career. He is a graduate of John Carroll University of Cleveland, magna cum laude, and a graduate of Georgetown Law School. He has served in the intelligence section of the U.S. Army, and is today a lieutenant colonel in the Reserves. He has studied abroad, and is fluent in Polish, German, and several Slavic languages, and has specialized in international trade and diplomatic-consular affairs.

His address was, I believe, a significant contribution not only to the guests who were present, but to all who might read or hear it. With this in mind, I am taking the liberty of appending the text of his remarks, so that my colleagues here in the House might have the benefit of these fine thoughts:

## ADDRESS OF STANLEY J. GLOD

Mr. Chairman, Mr. Mayor, Reverend Fathers, distinguished jurists, distinguished editors and representatives of our media, distinguished guests, ladies and gentlemen, I am truly honored to be invited to speak before you on this memorable occasion.

If I may digress, permit me to briefly address a few remarks to the gathered assembly in our native Polish language.

(Brief remarks by the speaker in the Polish language.)

I cannot help but feel somewhat out of place appearing before you to-day, sandwiched between two dates commemorating such stalwart figures in our American history as Christopher Columbus and General Casimir Pulaski. On the other hand, this occasion is most fitting since, without the efforts and leadership of these brave men, we might not be here to-day. Being true ethnics from Italian and Polish backgrounds, Columbus and Pulaski provide a natural entree for my remarks, which I would simply entitle: "The ethnic in the mosaic of American life—his impact for the future."

I am personally proud and gratified in returning once again to my home State of Pennsylvania, where the seeds of ethnicity gave birth to our Nation nearly two hundred

years ago, have developed and grown since that time, and will flourish for years to come in the bright future that lies ahead.

The recent surge of ethnicity in our country has produced some most interesting rhetoric, advanced noteworthy causes, promoted national legislation and spurred countless politicians in attempts to give the ethnic his "place in the sun." Suddenly, the ethnic has become the most wanted person in any group or organization, or simply chic to just have as one's friend. However, to be satisfied with such conclusions would not tell the whole story, for some of what I have said is true, with much of it being false or, at least, misleading. Let us briefly examine the plight of the ethnic to this point in our Nation's history, with a greater emphasis being given to where he should be headed in the future.

As a rather cursory glance at the past, perhaps some of the most encompassing comments came from educators and historians who are currently involved in a furor over the proposed bi-lingual education in our public schools, as authorized and funded by the 1974 Education Act. One commentator succinctly and accurately defined the place of the ethnic in American history by stating:

"That when a country is established by European settlers on the land of indigenous residents, built through the work of slaves imported from Africa, and then populated and developed by immigrants from all over the world, its 'inheritance' is precisely that of world history and culture."

Indeed, how could it be otherwise in a nation born out of many nations, a country founded and inhabited by emigrants from all parts of the globe, whose dedication was to build a new land on the time-tested stones of their heritage.

Yet, this same "charter group," so to speak, encounters problems today, the likes of which they neither created nor contemplated. It is perhaps enlightening to note that the basic foundation stones of our Nation, as conceived by our forefathers and embodied in the creative documents such as the Bill of Rights and Constitution, provide an ample basis for equality between persons of varying races, creeds and colors. By and large, the clear and simple language of those precious words rang hollow, as though paying only lip service to an otherwise sound framework of government. Through the years of maturation, education and experience within the ethnic and minority communities of our country, the value and benefit of the simple concepts created by our forefathers began to assume life and identifiable form. One could conceivably argue whether progress indeed has been made, or to what degree. However, the essential consideration is that movement is evident despite its degree or pace. Change has always been a painful process in any civilization and we are no exception. Change at the upper strata, therefore, would prove to be even more gradual and painful.

It is not my purpose to argue the merits or speed of the swing toward the ethnic community, but rather to extoll the fact that a change is indeed taking place. The past is prologue and ours is to recognize the change for what it is—the greatest challenge to our talent and fiber, to be seized and exploited, not shunned and equivocated.

Just a few years ago, a whole past trend of inequity, distrust and suspicion toward ethnics from the national majority surfaced explosively and much to the surprise of the usually quiet, industrious ethnic. Provoked partly by the awakening of America's blacks, ethnic identity became a point of insistence in practically all walks of life. Astute politicians were quick to grasp the potential involved on both the local and national levels. They appealed to ethnic groups for support and thus discovered a handy vehicle for conveying the newly-generated interest to

influence Government action at the national level. Thus, as an initial token of this resurgence, an ethnic heritage studies bill was passed by Congress in June, 1972.

The bill, although still far from accomplishing its original purpose and caught in the tightening vice of shrinking budgets, nevertheless signalled a turning point in ethnic life in America. For the first time perhaps in our nation's history, ethnics banded together with a regenerated fury that had not been exercised since the first days of this Republic. The ethnic cause was now one, with a family spirit that exhibited a capability of transcending any adversity or obstacle.

At this point, ethnics today stand and search for proper directions in which to exercise their newly-won influence for the future. They, perhaps more than anyone, realize and appreciate that the path leading to the present crossroads has not been an easy one. They certainly know where they have been—now the question is where they are headed in the future?

Some problem areas merit our close scrutiny. I would personally characterize in one word the substance of the problem in America as "tokenism." Webster defines it as "having only the semblance of." I would describe it as "too little, too late," or even "too cheap a price for so great a sacrifice."

Caught in the chasm of multiple immigrations and comprised to a large extent of disadvantaged peoples from many nations, ethnics formed the basic "working class," or, in some cases, a source of servitude. For many ethnics, entry into high political office and top level management positions in both government and industry has been for a long time a closed door. A far-off dream attainable by only the certain few from the "blue blood" stream of Americans.

On the other hand, involvement in politics is not new for the ethnic. We currently enjoy a smattering of Congressmen and Senators—again a mere token for our numbers and strength. The same is true within other top levels of Government and in the executive business suites of our larger corporations across the Nation. Where does the fault lie? Is it a form of inherited inertia or squeamishness? If it indeed was a lack of speaking out or being heard—because of some mythical, self-imposed sense of inferiority—it is time to "stop." Let us be introspective and self-critical, looking inside ourselves for a reason in not bettering our lot.

It was only within the past five to six years that the ethnics formed a substantial power block within one of our major political parties. The formation of the Heritage Groups Council within the Republican National Committee during the 1968 Presidential campaign was a first of its kind in national politics. The more recent formation of a similar group within the Democratic National Committee was a welcome event. The formation of influential heritage groups within our two major parties is a necessary prerequisite for an effective and viable participation of ethnics in the political process of Government. More and more will these groups become effective spokesmen for the ethnic community in making its policies and positions known and heeded at the national party levels. If effectively operated and, perhaps more importantly, participated in, the ethnics can, for the first time in the history of our political annals, propose qualified candidates from their own ranks to run in important State and national elections, or to be considered high level appointments within the Government. However, it must be remembered that this is at times a slow and tedious process requiring our utmost patience and best efforts.

Above all, it must be remembered that total ethnic participation in our two-party system, long overdue as it is, is a necessary



prerequisite to the implementation of the many programs and policies with which we ethnics are so vitally concerned. By way of example, a more effective ethnic voice could have produced better and far-ranging heritage studies legislation than the current bill, with a guaranteed form of funding being predicated upon a strong quid pro quo from legislators and officials charged with that responsibility.

All of these measures are positive action programs. However, no flexing of arms by the ethnic community is advisable, or even possible, without a renewed and thorough involvement of our youth. For too long, have we continually voiced our concern with our youth and their evident absence from our councils of decision-making. Where are they, we ask? Why don't they care to participate with us in the strengthening and propagating of our many fine ethnic traditions?

In June of this year, I had the privilege of chairing a "Polonia press conference," sponsored by "perspectives," a Polish-American cultural and educational quarterly, published in Washington, D.C.

The conference, believed to be the first of its kind, provided a forum for open and frank discussions of problems relating to the present posture and future direction for ethnics of Polish-American heritage. An in-depth examination of our history, media and inter-ethnic relations was highlighted most significantly by the participation and contribution of our Polish-American youth in the workshop on "ethnic youth, education and leadership." A deep sense of pride in our culture, coupled with a dedication toward an "action" oriented theme pervaded their discussions and resolutions.

Backed by a series of concrete community-oriented accomplishments in the areas of theater, dancing, study group trips to Poland, and substantial area rehabilitation programs, the Polish-American youth group has given the lie to the archaic approach that they are either "too young, inexperienced" or otherwise "unable" to successfully venture forth into various walks of life so thoroughly dominated by an Anglo-Saxonized society. Unlike some of their predecessors and those who merely pay lip service to their activities, this "new breed generation" has already proven that they have sufficient brains and brawn to overcome the squeamishness of old and provide the caliber of leadership for the future direction of Polonia that is both refreshing and admirable.

To their efforts, I say "Bravo," for our future is truly in their capable and willing hands. We must not extinguish this zeal by our indifference or callousness to their needs. This would amount to a gross violation of a sacred trust reposed in us.

This serves as but one glowing example of effective action. Again, I repeat, why have we not accomplished greater successes and victories? Why have our young people removed themselves from our midst? Why have we not used our strength and numbers to greater political advantage, or to gain positions of influence and leadership throughout the network of our society? These are all questions which we must openly and honestly ask ourselves.

Upon a thorough examination of conscience, I feel confident that you will arrive at the same conclusions as I did. In my opinion, the blame lies within us. Our divisiveness, petty jealousies, back-biting and lack of a true unity, such as that achieved by our black and Jewish brethren, lie at the core of our problem.

These bad qualities, when coupled with the uncompromising rule by certain segments within our various organizations who would advocate a return of eastern European motherlands to pre-World War I, or even monarchical posture, combine to render our most prestigious organs sterile, powerless, and in

some instances, the laughing stock of those who wish to keep us divided. Although the sensitivities and background of those who adhere to such constricting views must be understood, they should not be blindly submitted to. The advocacy of these archaic policies is not only impractical, but also not in consonance with the established precepts of international law. We must learn to accept the world, with its member nations and their problems at a point where we find them, and go forward in a spirit of peaceful cooperation and harmony among nations. Anything less than this is totally unrealistic in the context of the 21st century and its fearsome technology.

Thus, there is no small wonder that our youth, being uninterested in pursuing old-world politics which tend to divide and confuse, are alienated and "turned off." They look to concepts, ideas and leadership which relate more to the present world. They no longer accept blind obedience, unquestioned loyalties or, more recently, questionable wars with peoples whom they have never seen or been associated. They seek to expand their relationships with their peers in this country and the youth of other countries on a one-to-one basis, unfettered by a past which they neither created nor controlled. Detente to them is a live concept, requiring understanding and compromise on both sides of the Atlantic. It is a fresh start that they seek with other nations, and not a binding allegiance to ancient themes or mythical ideologies. Their lead should be ours as well.

Organizations tied to such old-line concepts have become totally unresponsive to present needs and thus will never rally our youth to their meeting tables. What is perhaps worse is that such concepts are reflective of a certain segment which has consistently stifled any progress or expansion of horizons. The majority, which thus far has been too silent, must stop "the tail wagging the dog." Kielbasa, ham and golabki are no longer our only common traits or characteristics. Our youth have gone into the world and successfully competed among their peers, without any assistance from a polonia racked by petty jealousies and divisiveness. It should not come as any surprise that they no longer need us. Conversely, we need them—their vitality, leadership and fresh concepts in order to keep polonia, or any ethnicity alive. The time for such a partnership is now.

In reflection, the ethnic has truly come of age, but in a transfigured form. Indeed, our country wouldn't be what it is without the ethnic, old or new. The new breed ethnic, however, no longer need be blindly obedient, squeamish nor submissive to the dictates of the majority. Thanks to the unswerving dedication of hard-working, immigrant parents, the new ethnic has proven himself a highly intelligent, industrious and capable leader in every sector of our American life. The legacy and traditions given by our parents are sacred. Their work is done. It is now our responsibility to carry out the mission for which we have been so well prepared.

Ethnics now are not without clout. It is accurate to say that, when united, ethnics control the majority voting power in all of our large cities across the Nation. The power of such a voting bloc upon State and national issues and interests is truly staggering. Unfortunately, up to now, we have failed to capitalize on this strength. The persistent divisiveness in our midst has to be, without doubt, the prime culprit. A unification of our voice on any issue would serve as a strong ultimatum to any political candidate for high office. Without us, when united, they cannot win. Astute politicians readily understand power politics and are, therefore, so very eager to court us. However, we must not succumb to the temptation by accepting the mere "bread crumbs" and "tokenism" that they have thus far meted out simply

to keep us silent or content in a state of false security.

The direction of our future now becomes quite clear. These times demand a strong two-party system which we should actively construct and support. This time, however, the "tree of politics", Democrat or Republican, should blossom with many ethnic branches. Let this truly become the age of the "ethnic inflation" throughout every strand of our American life. What better way to achieve these goals than to make our impact felt in time for our Nation's bicentennial just as it was felt in those first trying days two hundred years ago. It is equally as vital now as it was then.

In closing, permit me to leave you with several thoughts.

First: If we are to survive, a reunification of spirit in our group thinking and action is vital to combat the killer disease of divisiveness and jealousy.

Second: We must purge ourselves of unquestioned loyalties to the archaic notions advocated by a dying and largely unsuccessful segment within our ranks.

Third: A rededication and opening of our ruling councils to our youth is already dangerously overdue.

Fourth: A pooling of our combined strength and talents within the political arena is essential for the preservation of a healthy two-party system, and the continuing propagation of the familiar customs and traditions which served as the building blocks of this Nation.

Fifth: Our list of grievances, demands and accompanying ultimatums to Government leaders, legislators, and political candidates should be reasonable, clear and forthright.

All that I have said represents but a modest beginning. The future now, as was the case in the past, will largely depend on our hard work in acquiring the necessary skills, education and qualifications leading to positions of leadership and influence. Such a future can never be built upon complaints, comparisons, equivocations, excuses, apathy or complacency. We certainly have our wounds to bind and heal in the process of building a healthy, unified body of policy and action. The challenge and choice for a better tomorrow is ours today. Therefore, in the recent words of our President when assuming office: "Let's get on with it."

Thank you.

#### DOLLAR POLLUTION

#### HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. BENNETT. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

Mr. Speaker: H. K. "Bud" Smith, executive vice president of the Jno. H. Swisher Cigar Co., also a member of the Democratic Executive Committee and an outstanding conservative in the Democratic Party in Florida, wrote me recently the following thought provoking and helpful letter, which I think makes a lot of sense:

DEAR CHARLIE: President Ford described the enemy "Inflation" and the destruction it brings as worse than an invading army. Yet, to the layman words like "Inflation, Recession, Devaluation", etc., are still a bit difficult.

Mr. Meany came up with "Veto Proof Congress" and the President responded this week

with "Inflation Proof Congress" (originated by U.S. Chamber).

Here's a phrase for national use from your friend Bud that I hope you'll get to the White House and to the Congress.

For some years the words "Air Pollution" and "Water Pollution" have had household use—everyone understands them. Now I suggest that our great enemy be labeled "Dollar Pollution!"

Three examples easily understood by all:

(1) "Featherbedding" causes Dollar Pollution—we must call for productivity on the part of Labor.

(2) Monopolies, price fixing, and cartels like the Arab Oil Countries cause Dollar Pollution—we must call for stopping them and keeping free enterprises competition on the part of Business.

(3) Government Deficits—printing phony money—is Dollar Pollution. We must have elimination of waste, give-aways, and a balanced budget for years on the part of Government.

Charlie, take it from here—"Dollar Pollution" is your contribution to win!

Warmest regards,

H. K. SMITH,

Executive Vice President.

P.S. We must achieve greater productivity of machines, men, and money.

#### CASE WESTERN RESERVE LAW SCHOOL ON THE PARDON OF RICHARD NIXON

**HON. CHARLES A. VANIK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. VANIK. Mr. Speaker, along with most of the Members of this body, I am still receiving public reaction to President Ford's hasty pardon of former President Nixon.

I have just received a statement passed by the boards of governors of the Student Bar Association at the Franklin T. Backus School of Law, Case Western Reserve University of Cleveland, Ohio.

This resolution succinctly and eloquently states a protest which deserves the attention of every Member of this body.

The statement follows:

CASE WESTERN RESERVE UNIVERSITY,  
Cleveland, Ohio.

This statement was passed by the Board of Governors of the Student Bar Association at the Franklin T. Backus School of Law, Case Western Reserve University, on September 24, 1974. A vote of 18-6 was recorded.

Somewhere in our legal education or before it, we gain an appreciation of the idea that our government is one of laws and not people; where equal justice is guaranteed. Later, we realize that such absolutes can never be satisfied, so we hone our appreciation of the difference between right and wrong. In the end, to be able to recognize those differences is what justice is all about. These differences have been blurred by President Ford's pardon of former President Nixon. The judicial process, as the even handed finder of facts, was the correct vehicle to determine truth or lies, guilt or innocence, right or wrong. To the extent that President Ford's pardon will obscure the final finding of truth, it will have harmed the nation. Our society's fundamental consideration of ethics created the judicial process. To frustrate that process with a swift decree is not fair to the history which has created it.

To forgive for crimes not yet charged, to show mercy where there is not yet punishment, to be swift and sudden where there once was prudence—these are some considerations now to be weighed by our nation.

#### NATIONAL CONFERENCE ON HOUSING AND THE HANDICAPPED

**HON. WILLIAM B. WIDNALL**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. WIDNALL. Mr. Speaker, last month, the Goodwill Industries of America, sponsored by grants from HUD and HEW, convened an historical First National Conference on Housing and the Handicapped. I was unable to meet my commitment to address the conference because of an intervening call to participate in the President's Economic Summit Seminar on Housing and Construction which was held in Atlanta at about the same time.

However, I was able to provide staff representation at the conference and I have now received a summary report of the conference proceedings and resolutions of future actions in support of handicapped persons. I want to share the pertinent facts with my colleagues because this signal event offers the long sought promise of a new beginning, a new awareness and a positive effort in support for our population of handicapped persons.

The statement of purpose and the summary report of the conference are being provided at this point so that others may be fully informed and may hopefully join in sustaining this most needed effort:

#### NATIONAL CONFERENCE ON HOUSING AND THE HANDICAPPED

##### STATEMENT OF PURPOSE

The importance of providing housing for the handicapped is being increasingly recognized in the United States. National voluntary and governmental agencies are taking action to meet the housing needs of handicapped persons. The current increased emphasis on rehabilitation services for severely disabled persons, the impact for deinstitutionalization programs, and the prevention of re-institutionalization when housing facilities are not available, has increased the awareness of the need for housing.

A national program of community based housing specifically designed to meet the needs of physically and mentally handicapped persons is essential if rehabilitation, education and social services are to be successful in improving the quality of life for these citizens in our society.

It is the purpose of the Conference to bring together selected persons knowledgeable about the needs of housing for the handicapped and current efforts being made to increase and improve such housing in the United States.

The Planning Committee for the Conference has set forth the following objectives:

(1) Focus attention on the critical lack of housing for the handicapped and disabled in most communities;

(2) Identify the range and nature of housing needed for handicapped, including community services to support non-institutional living arrangements;

(3) Review currently available financing systems on Federal, State and local levels;

(4) Exchange information on present housing programs that might be adapted or used in other communities;

(5) Assess the impact of national deinstitutionalization programs on increased need for community housing for the handicapped;

(6) Develop a national program of housing for the handicapped, including recommendations for future action and legislation to provide community based housing responsive to the needs of handicapped;

(7) Explore strategies for implementing such recommendations through unified efforts.

##### SUMMARY REPORT

More than 150 representatives of government and volunteer groups from across the United States participated in the September 10-12 conference in Houston, convened by Goodwill Industries of America.

In his opening remarks to the Conference delegates, Dean Phillips, President of Goodwill Industries of America, stressed the importance of providing adequate housing for the handicapped to enable them to leave institutions.

"If we are not careful in our planning," he warned, "we will merely replace the old institutions with new segregated housing that will increase our problems in the future. The lack of adequate community services is a barrier to the reintegration of the mentally and socially handicapped in our society. Careful planning is needed to avoid developing many small institutions with inadequate services that will become new ghettos for the handicapped."

Dr. Andrew S. Adams, Commissioner of the Rehabilitation Services Administration, Department of Health, Education and Welfare, addressed the Conference and praised the group's conclusions to continue their strong efforts in behalf of housing for the handicapped.

Other Conference speakers were Mercer L. Jackson, Minority Staff Member, Housing Sub-Committee, Banking and Currency Committee, and U.S. of Representatives; Edward H. Noakes, Chairman, Task Force on Barrier-Free Design, American Institute of Architects; Philip Roos, Executive Director, National Association for Retarded Citizens; and Jayne Shover, Executive Director, National Easter Seal Society for Crippled Children and Adults.

Organization assisting Goodwill in conducting the conference included:

American Occupational Therapy Association.

American Physical Therapy Association.  
Council of State Administrators of Vocational Rehabilitation.

Department of Health, Education and Welfare.

Department of Housing and Urban Development.

Epilepsy Foundation of America.

International Association of Rehabilitation Facilities.

National Association of Private Residential Facilities for the Mentally Retarded.

National Rehabilitation Association.

Paralyzed Veterans of America.

President's Committee for Employment of the Handicapped.

United Cerebral Palsy Associations.

Veterans Administration.

Young Men's Christian Association.

Following the recommendations adopted at the first National Conference on Housing and the Handicapped, a permanent coalition is now being formed to bring together all interests working to improve environmental and living arrangements for the mentally and physically handicapped.

The Planning Committee for the Conference, at the request of the delegates in a recommendation adopted at the closing session, is now initiating formation of the proposed coalition to carry out the groups recommendations for action.



Immediate action was called for by Conference delegates to assess State and local needs for housing for the handicapped under the community development provisions of the new Housing and Community Development Act of 1974. Conferees were alerted to the need for incorporated statements setting forth housing needs for the handicapped into State and local housing plans.

Significant long-term recommendations adopted, to be undertaken by the coalition, included the following:

Develop a data information and referral system to collect, analyze and disseminate information to developers, members of the proposed coalition and users of the housing;

Establish an awareness program to sensitize the entire housing market, including builders, developers, lenders and the government;

Support research into, and evaluation of, existing housing for the handicapped, with analysis of costs, benefits, flexibility, adaptability and other factors;

Educate handicapped and disabled persons to be aware and to exercise their civil rights;

Develop a compliance mechanism to ensure enforcement of design codes relating to accessibility;

Seek better coordination of all service programs for handicapped and disabled persons;

Support national health insurance legislation that would include, but not be limited to, attendant care for personal needs, prosthetics, prescriptive medication, psychological treatment, and dental, eye and orthopedic care and equipment.

#### FINE ARTS PARK; BLENDING OLD AND NEW DREAMS IN MINNEAPOLIS

**HON. DONALD M. FRASER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. FRASER. Mr. Speaker, this month has marked the opening of two important new arts facilities in the United States: the Hishhorn Museum here in Washington and the new Fine Arts Park in Minneapolis.

A graceful 1915 classic revival building designed by McKim, Mead and White for the Minneapolis Institute of Arts in 1915 provides the core around which the new arts complex in Minneapolis has been built.

Fine Arts Park is now the home for the Institute of Arts and for two other local cultural institutions, the Minneapolis College of Art and Design and the Children's Theater Company and Theater School. This new facility, which brings together the visual and performing arts, was opened to the public October 6. It was designed by the noted Japanese architect Kenzo Tange in association with the Minneapolis firm of Parker/Klein Associates.

In his first completed work in the United States, Tange has skillfully blended a contemporary structure with the classical facade of the original McKim, Mead and White building. William Marlin, writing in the *Christian Science Monitor*, says that—

The new structure achieves a communion with the urban context, creating a sense of

cultural invitation that will have people running through Washburn Park, every which way, in droves.

I would like to take this opportunity to insert Marlin's article, reprinted in the October 13 Minneapolis Tribune, in the RECORD:

[From the Minneapolis Tribune, Oct. 13, 1974]

#### FINE ARTS PARK BLENDS OLD AND NEW DREAMS

(By William Marlin)

Once there was a 12-year-old boy living here in Minneapolis who knew something about art.

The something he knew was, simply, that he wanted, maybe even needed, to know more. This is why, for a couple of summers, it had been arranged for him to take courses at the Minneapolis Institute of Art.

Doing so, he found out about the famous New York architects, McKim, Mead, and White, who, about 1915, had created the institute's classic-revival building, a mile or so south of the center of town, its dignified, columned entrance looking out on Washburn Fair Oaks Park.

Those columns, which then seemed so-o-o big, became a compulsive presence.

For the 12-year-old boy, for reasons he still can't quite comprehend, couldn't keep away from them, couldn't stop walking around them, and refused to enter the institute any other way.

There were even days when, to take in the full effect, he would first walk all the way to the other side of Washburn Park, around which big old houses were ranged, and just stand there looking at the columns through the trees.

There is a very personal and, for me, poignant reason for telling you about the new Fine Arts Park which has been created around McKim, Mead, and White's old institute building.

The Fine Arts Park, which officially opened last Sunday, achieves a communion, by way of architecture, between the programs and people of the three organizations that make up the Minneapolis Society of Fine Arts—the Institute of Arts, the Minneapolis College of Art and Design and the Children's Theatre Company and Theater School.

Designed by Kenzo Tange of Japan, in association with the Minneapolis firm of Parker/Klein Associates, the new structure achieves a communion with the urban context, creating a sense of cultural invitation that will have people running through Washburn Park, every which way, in droves. In his first completed work in the United States, Tange has skillfully compressed his sweeping sensitivity to urban and regional form into a composite of functional, deftly detailed buildings which, while preserving the identity and serving the distinct needs of the three organizations housed here, also established a closewoven, convenient proximity.

Planes of structure, volumes of space, both obedient to an over-all coordinate system, slide in and out, up and down one another—thus setting up sensory as well as physical inter-action.

This expresses the essential purpose of this architecture as, more than material object, an integrative process. For the reality and validity of a work—be it a single structure or, consistent with Tange's personal priority, the structure of whole cities—are determined by depth of human response, the extent of use, the meaning people draw from being proximate to the process.

I think back to those columns of the old classic facade of the institute, now restored and set off by the quiet, clean new surfaces of white glazed brick—those columns, too, needed comprehension to be complete.

Emotion, experience, encounter—these unweighables weigh the columns of the ma-

terial world. And to the extent that they are given room to do the work, culture evolves. Aply, the Fine Arts Park is such a room, a metaphorical enclosure for a wide variety of individual and cooperative pursuits.

The tactile, textured and leafy grain of the surrounding neighborhood is enhanced, not eroded, by the simplicity of the new structures.

There is contrast without clash, beginning with the old facade itself, which is set off on either side by glass-enclosed interior spaces acting as gentle gestures of transition between classic and contemporary components.

The original institute, carefully remodeled, has been extended southward with two new wings, doubling its space; inside, subtle interior design and exhibition features by Massimo and Elena Vignelli, masters of minimalist splendor, bear quiet, functional witness to the older order, serving expanded needs.

Immediately south of the institute's new eastern flank is a bridgelike link in the form of a lobby to the innovative children's theater and school. It is a link between both to the internalized, outdoor courtyard and, with a restaurant upstairs on the third and fourth levels, still another dimension of use is introduced.

Across the courtyard, just to the southwest, the College of Art and Design, completed earlier and in operation about a year, contains four levels of studio space—a virtual poem to integrative process in which a lot of lively reading goes on between space structural lines.

The unique demands of each discipline are fully and flexibly served but from almost every vantage point of the college, space moves, vision is drawn into parts of the building, outside and, again, inside of the institute and, again, through it to the north for glimpses of the neighborhood and downtown beyond.

Concepts are thus modulated as space is, with a momentum toward understanding the elements that connect, rather than divide, human life.

#### DISAGREEMENT WITH PROPOSED WAGE, PRICE, AND PROFIT CONTROLS

**HON. MARJORIE S. HOLT**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mrs. HOLT. Mr. Speaker, Senator Mike Mansfield has proposed an omnibus economic program that is a blueprint for total Federal domination of the lives of the American people.

Mansfield proposed wage, price, and profit controls, but that is not all. He wants Government control of credit, rationing of all energy, control of raw materials, redistribution of income by taxation, and a public service employment program.

Instead of allowing the economic mechanisms of a free society to work, the Mansfield plan would create monstrous bureaucracies in Washington to control all the major economic decisions affecting our lives. He ignores the fact that the Federal Government caused our economic problems with wild spending that exceeds revenues by many billions of dollars every year.

The answer to inflation is not more Government, as Mansfield suggests. The answer lies in less Government and more

activity by the private, productive sector of the economy. The American people should never be made slaves to a central bureaucracy managing the economy.

That is the sure road to bungling inefficiency, poverty for all, and the end of freedom in these United States.

#### WHO'S NEXT?—BOSTON BURNS WHILE CONGRESS FIDDLES

#### HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. MILFORD. Mr. Speaker, in today's edition of the Dallas Morning News, Editorial Writer David Hawkins posed a very important question. Since his question was asked of Congress, I would like it placed in the CONGRESSIONAL RECORD. Perhaps some of our Members can answer his question.

The article follows:

#### WHO'S NEXT?—BOSTON BURNS WHILE CONGRESS FIDDLES

(By David Hawkins)

"No single tradition in public education is more deeply rooted than local control over the operation of schools."—U.S. Supreme Court, July 25, 1974.

Boston is busing and burning as the Supreme Court starts its fall session, but busing and the violence it breeds isn't on the docket. The court halted a few buses last summer when it gave a qualified quietus to interdistrict busing, but it gave only a nod to the neighborhood school and waved the intradistrict buses on.

Boston and Denver didn't benefit. They have plain busing—and the court, which blessed that nastiness five years ago when it made Charlotte the test example, has nothing to add to that decision—no words to ward off the violence.

Charlotte still has flareups. Dallas' Tri-Ethnic Committee is suddenly worried about revivification of our own mummified busing order which, like a chancery suit in a Dickens novel, has been lost in the Fifth Circuit Court of Appeals for three years. The Dallas committee fears violence if the court says, bus—and the plaintiffs have moved for judgment in the case.

No TV cameramen are watching Dallas because Boston, not the South, has the camera eye. And what does the eye see?

Sen. Edward Kennedy being almost mobbed for remonstrating in the early days of the Boston boycott with the most liberal constituency in the U.S.—the only one that went for McGovern.

Then there was NAACP Director Roy Wilkins saying, "And they call this the cradle of the abolitionist movement," and the New York Times reporting a white crowd chorus-ing, "There's one—get him."

And all the violence since. Boston could outdo Little Rock, New Orleans, Birmingham—maybe Paris during The Terror—but with one difference from the days when the Kennedys held the Capital: No official threats to compel obedience to law, no rephrasing of the question, raised by a predecessor of Atty. Gen. William Saxbe of whether Alabama was "another country." It is a question worth asking about Boston.

The talk of marshals and the Guard or troops is all local. The federal government won't help though police patrol the halls of South Boston high schools (putting down

fighting and conducting weapon searches), as other officers face bareknuckled mobs and escort the buses in, and as the Irish rebels welcome the help of the Ku Klux Klan.

President Ford, moreover—though he deplores the violence—says that busing Boston is wrong. So does the Klan.

Boston is it, the Klan says—stop busing here and it will stop period. And it's hard not to see that that's true. The fact that it is Boston may explain the fascinated silence. Boston is the antithesis of things Southern—a center of the Bicentennial, as of the hypocritical integrationist blather of recent decades. Yet it is acting just like Birmingham.

But even as we smile at Boston's reaction to the bus, we grudgingly back Boston in its revolt. We agree with Kennedy that Bostonians are not bigots—and we welcome them to the club.

For now that the Southern segregationist wrapping is stripped from busing by Northern reaction, do we not agree that Yankee antibusing crowds represent a fight for freedom after all? Southerners couldn't say that—but Yankees, with their practiced moral fervor and their habit of making street issues of freedom, can convince where we cannot. Who has more moral credibility than a Bostonian?

Not that the country needs much of a conversion to the Boston view. Casper Weinberger, secretary of HEW, says busing isn't the answer to the imperatives of integration even as he marvels at Northern resistance. President Ford is no buser either and, at heart, neither is a Congress that has legislated at least three times against busing for racial balance.

And neither, most of all, are the three-fourth of adult Americans who have made it plain for so very long that what is banned in Boston is hated elsewhere, too. Yet, we seem to be as completely out of effective remedies for stopping busing as we are out of any real resolution to enforce it by force.

Congress has failed in innumerable efforts to give us an antibusing constitutional amendment with which to override the court. Congress is our new champion against the imperial presidency—but it and the White House both are so far deaf to the demands of three Americans out of four.

Do we make the constitutional amendment a must issue—assert our own ultimate authority—or do Boston, Denver and perhaps even Dallas go on burning while Congress fiddles?

#### HON. JOHN F. SHELLEY

#### HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 1974

Mr. CASEY of Texas. Mr. Speaker, the death of John Shelley is a cause for sadness not only among those of us who had the privilege to know him and to serve with him, but for all those who believe in justice and equality for all men.

As I worked closely with him while we served together on the Committee on Merchant Marine and Fisheries, I came to have a deep respect for his sincerity, his dedication, and his ability to work untiringly for those things in which he believed.

I know that any Member of the Congress who knew Jack, recalls him as I do—a man with whom you might dis-

agree on issues, but never fail to like and respect. We have truly lost not only a friend, but a great American.

#### MONTANA BEEF PRODUCERS

#### HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. SHOUP. Mr. Speaker, Montana beef producers cannot continue to survive under the administration of the present Secretary of Agriculture.

The reason is simple. He does nothing. Beef prices at the producer level have been halved. During the same time period of this drastic price drop, retail price level of beef cuts of all kinds have increased in price, and are rising.

In August of 1973, calves sold by the hundredweight at \$68.20; today the sales price is \$25.

In August of last year retail beef cost on the average \$1.41 a pound; today the price is \$.43, and rising.

Beef is backing up in feed lots in Montana. Beef import quotas remain suspended, and grass fed beef imports more likely than not will become unmanageable in our market places, as foreign producers take advantage of our plight.

Producers of other food products are equally disadvantaged and equally baffled.

Earl Butz, the Secretary of Agriculture, issues periodic "Butz-backed" manifestos or advises the President of the United States to issue them, generally urging farmers and beef producers to greater production levels.

What for, Mr. Speaker? Who is going to buy the production at today's retail price levels, except to avoid total starvation?

We help foreign nations who hate us, with nonrepayable loans and giddy gifts and experimental boondoggles which produce nothing but requests for more grants.

Why, in God's name, Mr. Speaker, cannot we do something that will stabilize our own marketplaces, reduce inflation, and get this country progressing again?

Every day, Mr. Speaker, day after day, I plead, cajole, and demand action from downtown Federal agencies.

Every hour, Mr. Speaker, day after day, the situation worsens.

I suggest, Mr. Speaker, that the time has come for this Congress to take a look at the needs of our middle-ground Americans who supply the bulk of our taxes, the majority of our brains and an overwhelming amount of our national faith in hoping to keep this country a work state instead of a welfare state.

I include our farmers, our home builders, our wheatgrowers, our people, all of them, who go about their jobs daily, educate their children and pray in their churches each Sunday. They are praying for us, Mr. Speaker, as well as for their families and their country. I hope their prayers are answered soon, Mr. Speaker.



## INFLATION

## HON. WILLIAM M. KETCHUM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. KETCHUM. Mr. Speaker, as the Congress continues to grapple with the problem of inflation, we need all the constructive advice we can get. Recently, station KERO-TV of Bakersfield, Calif., aired a two part editorial by Mr. Gordon W. McKinley, senior vice president of McGraw-Hill, Inc., which contains some excellent insights on the cause of today's inflation, and helpful suggestions on how to deal with it. Today, I want to share the first part of the editorial with my colleagues and commend it to their attention:

## EDITORIAL

I am sure that each and every one of you has felt the impact of inflation in one way or another. It is the most serious economic problem we face today. Yet—tragically—our Government has no effective program to solve the problem. The Federal Reserve Board's solution is to restrict the supply of money and force interest rates to the highest levels in this century. McGraw-Hill Broadcasting Company believes that this tight-money, high-interest rate policy is mistaken. The policy has failed miserably thus far, and will only make inflation worse if it is continued. We call for a prompt move to easier money and lower interest rates.

We do not doubt the sincerity of the Federal Reserve Board. We are convinced, however, that the board has badly misjudged the true nature of the inflation virus that now grips the American economy. The board apparently believes that we are in a classic kind of "demand-pull" inflation. They picture the economy as fully employed, with consumer demand very strong and with prices rising simply because we are unable to turn out goods fast enough. Under these conditions, the solution is clear: restrict the money supply so that we do not have too much money chasing too few goods.

Unfortunately, a close look at the real economy of our country does not look at all like the classic case envisioned by the Federal Reserve Board. For one thing, the economy today is not fully employed in any meaningful sense of that term. For another, Government statistics show that our manufacturing industries taken as a group are operating at just 80 per cent of capacity—a rate of utilization which in the past twenty-five years has occurred only during periods of recession. And, in the first quarter of this year, our real gross national product fell by a larger amount than in any other quarter in the past sixteen years. Unemployment is rising, and business failures are multiplying. Industrial production today is actually below that of a year ago. These are not the signs of a fully employed economy.

The fact of the matter is that today's inflation is not at all the demand-pull situation I mentioned earlier. Instead, it is a new cost-push inflation, stemming from a worldwide shortage of basic commodities. Look at the record. The first symptom showed up in a sharp rise in the price of grains and other foods, followed by a staggering jump in petroleum prices. Then, in dramatic succession, price increases developed in other raw materials and foods, from bauxite to bananas. Steel, paper, cement, chemicals and many others joined the list—all booming at the same time that broad areas of the economy are declining. The distinguishing characteristic of today's inflation is that prices are being forced up by rising costs despite

a complete absence of vigorous consumer demand.

Now the question: What happens when a Federal Reserve policy of tight money and high interest rates is used in an attempt to halt this new type of cost-push inflation? The answer is all too clear: The whole economy is dragged down in a futile effort to reduce the prices of raw materials and basic commodities. The home construction industry is crippled and vital plant and equipment expenditures are discouraged. The loss of 600,000 homes and apartments this year will unquestionably mean higher home prices in the future. And curbing plant expenditures now will directly affect our ability to raise productivity and lower costs in the future. To the extent that tight money is curbing the output of housing and new plant and equipment in 1974, it is depriving us of our most effective means of combating inflation in the future.

The net effect of the current high interest rate, tight money policy has been to reduce output, not prices. And, even if tight money is pushed to the point of a severe recession, it will not be successful in curing today's inflation. Deliberately provoked recessions are not the cure for inflation. Following the 1970 recession, inflation accelerated so rapidly that an administration committed to the free market was forced to accept direct wage and price controls.

There are ways of curing today's inflation without infringing on free markets, and in our editorial tomorrow I will outline an anti-inflation program which we believe is practical and workable.

## WHERE ARE OUR POLITICAL GIANTS?

## HON. DAVID W. DENNIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. DENNIS. Mr. Speaker, I was most interested to see in the Washington Post of Friday, October 11, 1974, a column by Mr. Joseph Alsop entitled "Where Are Our Political Giants?" which states that—

If Senator Taft walked into the present Senate, it would have almost the effect of Gulliver's arrival in Lilliput.

Permit me to say that I sadly agree with Mr. Alsop's assessment not only of the other body, but, also, I am sorry to say, to a considerable extent with his equally unflattering references to the performance of the House of Representatives. Mr. Alsop is probably unfair to us as individuals, but there is entirely too much truth to his uncomplimentary assessment of our overall performance.

I insert in the Record at this point the article by Mr. Alsop:

## WHERE ARE OUR POLITICAL GIANTS?

(By Joseph Alsop)

"Yet, if Sen. Taft walked into the present Senate, it would have almost the effect of Gulliver's arrival in Lilliput."

"We are up to our knees in pygmies!" This anguished cry came from the doomed heroine of a pseudo-Congolese romance a century ago. And if you survey the Western political scene today, you cannot help but feel the pygmies are gaining on us fast.

This may be no more than jaundice resulting from antiquity. This reporter is about to leave on his last working trip abroad—a brief

one to see the aftermath of the British election, but still the end of a series that began much more than a quarter of a century ago.

In those very different days just after World War II, Clement Atlee and Ernest Bevin led the British government, and Winston Churchill led the opposition. In Germany, Konrad Adenauer was the man to watch. In Italy, it was Alcide de Gasperi. In France the great post-de Gaulle triumvirate, Jean Monnet-Robert Schuman-Maurice Petesch, was already taking shape for the future.

As to the United States, our President was Harry S. Truman, that doughty hero, and you could hardly look around you without spotting another hero. Acheson, Forrestal, Marshall, McCloy, Patterson, Lovett, Cohen, Vinson—but the list is too long to complete! Then there were giants in the land.

We have, I think, some giants now. The United States has never had a more able public servant than Henry A. Kissinger, as far as this reporter has been able to judge. We also have an extremely decent, rather Truman-like President, who could turn out to be a hero if he could be given half a chance.

The trouble is that he is most unlikely to be given half a chance. If President Truman had not been given half a chance, he would also have been remembered as a pygmy. Most people thought he was a pygmy in 1946-1947—more shame to them, including this reporter! The same rules will work with President Ford.

He has inherited brilliant public servants, as noted already; but he has not inherited a government team as President Truman did. He has not brought a single good manager into the White House, as President Truman brought Clark Clifford. He has brought chaos to the White House, although he has now wisely chosen Donald Rumsfeld to tidy up the chaos.

Yet President Ford's real bad luck, as compared with President Truman, is quite elsewhere in Washington. The worst of his bad luck rather obviously centers on Capitol Hill. In President Truman's day, after all, it was the fashion—again joined by this reporter, alas—to denigrate the "isolationist" Robert A. Taft.

Yet, if Sen. Taft walked into the present Senate, it would have almost the effect of Gulliver's arrival in Lilliput. One can see the new isolationists of the Foreign Relations Committee staring at Taft with minuscule but envious wonder, as the Lilliputians stared at Gulliver.

When President Truman inherited, moreover, and through Taft's time later on as well, the people who dominated the Senate and the House were men of different views, like Sen. Arthur H. Vandenberg. They were men who understood the necessary role of the United States in the world. They were men who could be immensely courageous about that role, as when they voted the Marshall Plan.

Comb the Senate and the House today to find a single Arthur Vandenberg or Christian A. Herter. What you will mostly find instead should not be forthrightly described in any family newspaper.

The truth of the matter is that President Ford's task is immeasurably more difficult than President Truman's task. President Truman inherited the leadership of a victorious nation with immense self confidence, overwhelming power and incomparable wealth. President Ford has inherited the leadership of a nation in great albeit invisible danger, with waning power and deep economic problems.

President Truman had a Congress that "put the country first when they really had to"—as old Sen. Charles McNary used to say of the few politicians he liked and admired. President Ford has a Congress overwhelmingly dominated by the other party, and worse still, overwhelmingly composed of persons

who put themselves first and the rest nowhere.

After the election next month, everything will no doubt be much worse. But it is already high time to place the blame for our troubles where it mainly belongs—on the Congress.

#### WILLIAM SUMMERS JOHNSON

#### HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. STEED. Mr. Speaker, a respected former professional staff member of the House, William Summers Johnson, died September 19 in Hawaii, where he had made his home the last 9 years.

An expert economist, he served from 1955 to 1959 as chief economist of the House Select Committee on Small Business. During this period I was carrying out a number of hearings and had frequent occasion to observe his expertise. He made a solid contribution to a sound outlook for our economy, and his expertise will be missed.

The Honolulu Advertiser on September 20 summarized his career briefly in the following article:

#### EX-FINANCE DIRECTOR DIES

William Summers Johnson, former City finance director and former State economist, died yesterday in the Honolulu Convalescent Home. He was 61.

The family home is at 240 Makee Road. Private services, by invitation, will be held over the ashes tomorrow in Waimanalo. The ashes will be scattered at sea afterward.

The family suggests that, instead of flowers, contribution be made to the American Cancer Society or the Heart Fund.

A doctor said Mr. Johnson died of complications resulting from a stroke in August 1972. Mr. Johnson had never fully recovered from the stroke.

Mayor Frank F. Fasi, who appointed Mr. Johnson finance director when he took office in 1969, said "The people of Honolulu have lost one of their quiet champions—a man who worked vigorously and effectively behind the scenes on their behalf."

Fasi said Mr. Johnson "will be sorely missed and warmly remembered."

Mr. Johnson was a highly respected and sometimes controversial economist.

He came to Hawaii in 1965 after serving in Washington. After working with the War Production Board during World War II and the Federal Trade Commission, he served as chief economist of the House Select Committee on Small Business from 1955 to 1960.

He also served as a staff director of the House Committee on Banking and Currency and during 1961 and 1962 was the executive director of the House-Senate Joint Economic Committee.

When he was named State economist for Hawaii in 1965, he was described by one State official as "one of the real pros in the business. He is knowledgeable, competent, experienced and personable."

Mr. Johnson's cautious view of Hawaii's tourist growth, however, made him an occasional center of controversy.

In the 1968 Legislature, he charged that the Hawaii Visitors Bureau was constantly underestimating the visitor industry boom and its effects on the Islands' economy. His criticism of HVB testimony drew an angry demand for his resignation from then Sen. William E. Fernandez, who was chairman

of the Committee on Economic Development, Tourism and Transportation.

In recent years Mr. Johnson had advocated a hotel tax to support Waikiki improvements.

"We can turn tourists away and still have them running out of our ears," he told legislators. He added that tourists "are not paying their fair share of taxes."

In January 1969, Mr. Johnson accepted appointment as City Finance Director.

In May 1971, Mr. Johnson became indirectly involved when it was learned that H.I.C. box office manager Elroy Runnels was \$65,000 short of the amount owed to promoters.

Immediately after the H.I.C. incident, Mr. Johnson's relationship with the City Administration and especially the corporation counsel became increasingly strained.

During a misunderstanding involving personnel assignments in his department in June 1971, he resigned. But after conferring with Fasi the next day, he decided to remain on the job.

Johnson is survived by his wife, Ruth F.; mother, Eleanor S. of Georgia; brothers, Albert of Raleigh, N.C., Frank of Cordele, La., and Joseph of Alexandria, Va.

#### KING CAUCUS AND THE RED BOOK

#### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ANDERSON of Illinois. Mr. Speaker, yesterday a curious little red-bound pamphlet crossed my desk bearing the title, "Summary of Major Changes in Rules X and XI of the Rules of the House of Representatives." The pamphlet was dated October 10, 1974, and had been printed by the Government Printing Office. Turning the page I learned that this was a committee print, of sorts, in that it bore the name of the Committee on Organization, Study and Review, below which was the name of "JULIA BUTLER HANSEN, Washington, Chairman," and 10 other committee members, all of whom happen to be Democrats.

Mr. Speaker, I say all this is quite curious because there is no standing or select committee of the House named the Committee on Organization, Study and Review; nor are there any House committees to my knowledge which are comprised solely of Democrats. I think most Members will recognize that although this publication is disguised as a House committee print, it is in fact the product of the so-called reform committee of the Democratic Caucus, a purely partisan organ. Since it was that very same caucus task force which successfully delayed House consideration of committee reform for 6 months and then brought forward such a watered-down version that the House nearly drowned in attempting to salvage anything resembling reform, it is not surprising that the preface of the red book contains the following deceptive piece of hyperbole:

(The rules changes) provide new and better ways to meet future legislative challenges and again marked the 93rd Congress as responsive to needed reform... strengthen the legislative process and improve Congress' ability to solve the Nation's problems.

The preface goes on to note that a changing society demands dynamic leadership, the House has never been a static institution, and the new reforms "are a ringing confirmation of this historical fact and a significant watershed in its continuing evolution."

Mr. Speaker, anyone remotely familiar with the actual contents of House Resolution 988 as finally adopted, anyone who is aware of the successful efforts of the caucus task force to block House consideration of meaningful reform by the device of its substitute, knows just how misleading those statements are. I can understand the caucus committee wanting to put the best face possible on its status quo power product. But I simply cannot understand by what authority it can commandeer House funds, not caucus funds, and the Government Printing Office, for the purpose of peddling this partisan pap.

Presumably this whole publication process was initiated through what is called a "clerk's requisition" which indeed can be used for printing informational materials for the membership. Such a requisition was ordered in the case of the red book, though no one seems to know who made the request. This allowed for the printing of 1,000 copies. Then, another peculiar thing happened. A request for an additional 4,000 copies was made through the Joint Committee on Printing and approved. Again, no one seems to know from whom this request originated. It is clear that the original order of 1,000 was more than enough to suit the needs of the membership. It is also clear that the extra 4,000 copies were delivered to the chairman of the Caucus Committee to be distributed as she, not the House, sees fit. Again it should be pointed out that the cost for all 5,000 copies is being borne not by the Democratic Caucus but by the House as an institution, even though this is not an official House print. And the total cost, according to a GPO estimate, is around \$900.

Mr. Speaker, one hears a great deal in this body about "pride in authorship" and one can understand the enthusiasm of the caucus task force in wanting to put its imprint on House Resolution 988 through an official-looking red-bound brochure. But ripping off House funds for this purpose is another matter, especially when one considers that our official Select Committee on Committees, which has been allocated \$1.5 million for its 2-year study will soon be publishing an official and authoritative version of House Resolution 988 as adopted by the House. One is tempted to call this a duplication of effort, though the fact that the red book contains at least a dozen glaring errors will insure that the products will not be exact duplicates. A more accurate description of the red book is that it is a duplicitous effort.

Mr. Speaker, perhaps some Members may be tired of hearing me harp about the reemergence of "King Caucus" in the House, but this is but one more example of a caucus attempt to set itself up as a super-legislative committee. The misrepresentation of our actual accomplishments in the "committee reform amend-



ments," the misuse of House funds to publish and peddle this "King Caucus" red book, not only to House Members but to 4,000 other mysterious donees, the mysterious authorization of this publication—all are typical machinations of the secretive and powerful "King Caucus."

Mr. Speaker, I am asking today that a full accounting be made of the authorization of this publication as well as of the intended recipients of the additional 4,000 copies which have been printed. Have these red books been properly authorized according to the provision of title 44, chapter 7 of the United States Code? Are they being used strictly for the informational needs of the House or are they being distributed by the caucus for the needs of the caucus? These are important questions which must be answered.

### EARL BUTZ—CHAMPION OF FARMERS

### HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. MYERS. Mr. Speaker, I would like to call attention to a front-page article in the Washington Star-News of Sunday, October 13, written by John Fialka about my fellow Hoosier, Secretary of Agriculture Earl L. Butz.

It has been my privilege to work with Earl Butz for many years. We have been on the campaign trail together. I feel I know and appreciate this hard-working public servant better than most.

Earl Butz is friend and champion of farmers, scourge of wasteful spenders of tax dollars, and a college professor who puts erudite and complex economic issues into basic English everyone can understand.

Mr. Fialka has captured in his article the essence of Earl Butz. I commend this delightful article to my fellow Members as a true picture of the hard working, witty, highly effective Cabinet member from Indiana.

Butz is straightforward. Fialka reports:

He didn't come to Washington to be popular. He came here to turn the nation's farming system around.

Even the Secretary's worst enemies will admit the revolution in agriculture has occurred.

Fialka notes that Butz is proud of helping farmers earn more money. He quotes the Secretary:

When farmers were a political problem, when they were kicked around, on the public pap and all that, they thought of themselves as second-class citizens. They allied for being farmers. I think that is gone. Now they take the same pride in their profession that the banker does or the lawyer does in his profession.

Fialka's article is replete with examples of the famous Butz humor—sometimes biting, always making a point, but never malicious. Members will find the

article interesting, no matter on which side of the aisle they sit.

I am placing the full text of Mr. Fialka's perceptive piece in the RECORD for the information of my colleagues:

NO IRS OR ANDS FOR BUTZ

(By John Fialka)

Scene: It is 7 a.m. at Dulles Airport. You are bleary-eyed, groping your way off a plane after an all night flight from San Francisco.

The government agency you head has just mismanaged \$500 million worth of grain trades with the Russians. The President is concerned, the secretary of the Treasury is anxious, the secretary of State is upset.

You knew more than most people about signs the deal was coming and during the most crucial moments of the transaction you were out on the West Coast giving speeches to personnel executives and fertilizer salesmen.

Now you are summoned to a meeting at the White House.

For most Washington bureaucrats, this scene would probably be the end. For Earl L. Butz, Secretary of Agriculture, who lived this scenario a week ago Saturday, it may have been just another day on the job.

For perhaps unlike any secretary of Agriculture before him, with the possible exception of Henry Wallace, Earl Butz is a power in his own right. He is like the new breed of flashlight battery, always bouncing back.

On Monday it was a hostile press. Clark Mollenhoff of the Des Moines Register, who can summon up more hostility than most reporters, was delivering a short trade.

Why couldn't Butz deal more harshly with the big grain companies? Why couldn't he put some "teeth" in a new voluntary program just announced to require advance reporting of big grain trades?

"Well, Clark," the secretary replied after a moment of thought, "for you maybe we could put in an upper plate."

On Tuesday it was a hostile Senate permanent investigations subcommittee. Sen. Henry M. Jackson, D-Wash., began by berating Butz for staging a repeat of the disastrous Russian wheat deal of 1972, which wasn't detected for four weeks after a Russian buying team had snapped up half of the U.S. wheat crop.

That wasn't the case at all, replied Butz. A new reporting system had "caught" the latest trade in time and Secretary of the Treasury William Simon would soon be flying to Moscow to help patch it up with the Russians.

At the end of the committee hearing, the senators were all smiles. What could have been a roasting for Butz had fizzled. Jackson smiled and thanked him for what had been a "good session."

"I'll bet you were smiling over the weekend too, when you called for my resignation," said Butz, smiling.

By the end of the week, much of the dust had settled and Butz, seemingly relaxed during an interview, was being asked whether he liked his job.

"I never had a job I didn't like. It's got its ups and downs, but you've got to roll with the punches in a job like this. No secretary of Agriculture was ever universally popular, I knew that when I came in. I didn't come for that reason."

No. Butz did not come to Washington to be popular. He came here to turn the nation's farming system around and even his worst enemies on the Hill will admit that the revolution that has occurred in agriculture in the past three years has been, in part, engineered by a determined man pulling the switches in the gray building at 14th and Independence.

If he leaves Washington soon—and there have been rumors to that effect since he came in November 1971—he probably will leave a more lasting mark on the U.S. do-

mestic scene than any other Nixon Cabinet member.

For example, on the day he was sworn in, Nov. 11, 1971, he summed up in one phrase the major solution to government controls and major surpluses that were devastating the farmers out in the Midwest: "The price of corn is too low."

That day, corn was selling for \$1.15 a bushel. Today the price is hovering close to \$4. It hasn't been all at. Butable to Butz, but he certainly had a hand in it.

He helped Congress dismantle major subsidy programs and did away with a set-aside program that encouraged farmers not to plant full acreages.

In 1973, the first year of full crop production for the big money crops like corn, wheat and soybeans, farmers made more money than they had ever seen before. If there is one thing of which he is proudest, it is probably that.

"When farmers were a political problem, when they were kicked around on the public pap and all that, they kind of thought of themselves as second-class citizens. They allied for being farmers. I think that is gone. Now they take the same pride in their profession that the banker does or the lawyer does in his profession," he asserted.

This year was another full production year. If it hadn't been, Butz points out, the queer combination of drought, rains and frost that caused severe crop damage would have been "an out and out disaster."

But the benefits of Butz's free market ideology have not endeared him to consumers who have had to pay the high prices. Point that out to him and Butz will deliver a practical soliloquy about there is only a nickel's worth of wheat in a pound of bread and about how the real price increases occur after the goods leave the farm. The real villain is always somewhere else in our complicated food marketing system.

And it is the complexity of the system that often helps him sell his message to Congress. One veteran Hill staffer, who has been watching secretaries of Agriculture come and go for a generation, pointed out that when most senators and congressmen have become glassy-eyed over the intricate details of some legislative nuance in agriculture, Butz is still in there, pounding away with facts and figures.

"There is no question that this guy is a remarkable personal operator who comes time after time up to the Hill and has taken hearings away from senators and literally put himself in charge," he noted.

Until Butz came along, there was one item in the arcane world of agricultural politics on the Hill that secretaries of agriculture automatically stayed away from—peanuts.

Meddling with the subsidy program for peanuts instantly produces an awesome gallery of enemies, each of whom comes from a major peanut production area. First there is Rep. W. R. (Bob) Poage, D-Tex., chairman of the House Agriculture Committee.

Then there is Sen. Herman E. Talmadge, D-Ga., chairman of the Senate Agriculture Committee. And if that isn't enough, there's House Speaker Carl Albert of Oklahoma to deal with.

That has not stopped Butz from going after the peanut subsidy program, hammer and tongs, at every conceivable opportunity. Peanuts, he argues, should be no exception to the benefits of the free market.

"Besides," he adds, "I couldn't live with myself if I wasn't consistent."

Butz's consistency, plus his frequent road trips to cultivate farm groups and agribusinessmen, have given him added clout on the Hill, even a grudging friendship with many of his frequent adversaries.

According to an oft-told story, Butz once took one of his aides who had been meddling with the peanut program to see Talmadge.

Butz asked for the senator's support in giving the man's promotion.

"Aw, come on, Herman, I know you're opposed to me, but..." began Butz, before Talmadge cut him off.

"Listen, I voted against you at your confirmation, but I am not opposed to you," Talmadge is supposed to have interjected. "If I was opposed to you, you wouldn't be here."

It has not been an easy life, overhauling agriculture. People have repeatedly attacked him for his close ties to the big business interests in the raising and marketing of food.

Agribusiness, Butz admits, is part of his clientele. "Indeed it is, and I make no apology for it. That's been demagogued a great deal. They drag that thing across the trail just like last Tuesday when one of the senators (Sen. Richard C. Clark, D-Iowa,) asked me about hiring people from the grain trade."

"My answer was I wanted somebody down here who knows the grain trade and the best way to do that is to get somebody who's been in it. If you get somebody out of the Senate or out of the classroom to do that you get somebody who doesn't understand it."

Having an answer for almost everything takes long hours. Butz comes to his office on a normal day at around 8 a.m. and leaves at 6:30 p.m. with an envelope full of papers to attend to in the evening.

After supper and a brief swim in the pool at his apartment complex in Southwest Washington, he explains, "I sit down there at my desk and my wife sits there and looks at the back of my head until about bed time."

As a University of Purdue professor, he learned about agriculture. As a member of his college debating team, he found out how to handle himself on his feet. As a former assistant secretary of agriculture in the Eisenhower administration, he learned how to master the political ropes in Washington.

That is why, even when another Russian grain deal comes along, there are few men in Washington who manage to land a glove on Earl Butz.

Perhaps the only man who can do it with any consistency is Sen. Hubert Humphrey, D-Minn., who can rattle off farm statistics with any man living.

But Butz and Humphrey appreciate this. On Tuesday, during his appearance before the Senate subcommittee, Butz was suddenly reminded of a story about the country preacher who used to pop a cough drop in his mouth and timed his sermons by how long it lasted.

"Then one day he popped a button in his mouth by mistake," added Butz, looking in Humphrey's direction.

"And what Cabinet post did he get?" Humphrey shot back.

ernment of Chile. Surely, the Congress can no longer avoid the issue as to whether to allow the CIA to continue to conduct in foreign countries subversive activities which it would be illegal for them to carry out in this country. I am not referring to the CIA's intelligence-gathering activities, but to the so-called covert operations more colloquially known as the CIA's "department of dirty tricks."

Unquestionably, the House of Representatives and the Senate need to tighten up their oversight of the CIA. Surely, the revelations of Watergate indicate the dangers of allowing any portion of the executive branch to operate without full accountability to the people's elected representatives.

But beyond this lies the question as to whether any amount of oversight can justify a continuation of a secret branch of Government whose activities violate our traditional respect of the rights of people to choose and operate their own form of government. Such activities are not only a threat to American institutions and America's reputation, but tend to run counter to our national objective of a stable world living under the rule of law.

The distinguished editor of Saturday Review-World, Norman Cousins, in an article published in the Cleveland Plain Dealer for Monday, October 14, poses this question in a most cogent way. He points out that strengthening the United Nations, rather than terror and subversion, gives us the best chance to serve the national interest and the human interest in building a peaceful world. Mr. Cousins' article follows these remarks:

MUST THE CIA IMITATE EVIL IN ORDER TO STOP IT?

(By Norman Cousins)

NEW YORK.—Two men named Joseph played powerful roles in the birth and growth of the CIA. One was Joseph McCarthy, who gave the government jitters about anything that smacked of "softness" on communism. The other was Joseph Stalin, who regarded Communist parties throughout the world as indispensable instruments for advancing Soviet foreign policy.

The CIA from its inception has had two broad purposes. One has been development of information useful to our foreign policy planners, especially in matters of national security. The other has been direct-action programs, all the way from secretly underwriting cultural activities to undercover operations, some of which have not stopped short of seeking the overthrow of other governments.

In its information activities, the consensus among people who have seen CIA reports is that they are of a high order. On several occasions, when I have had government assignment and have had access to CIA analyses of background papers, I have found them extraordinarily valuable and authoritative.

I refer not to cloak-and-dagger material but rather to data and analyses concerned with economic, political and intellectual matters. I know of few academic or professional journals, in fact, that publish articles as scholarly and incisive as exist in the background materials produced by the CIA.

When we deal with the direct-action program of the CIA, however, we are dealing with an entirely separate matter. The questions raised by these activities are basic to

our conception of the institutions of American society.

The first question has to do with the fact that the agency is separated from the constitutional process. Vast sums of money running into the billions have been spent by the CIA. The appropriations have not been publicly discussed or debated. This fact in itself would probably not pass constitutional scrutiny.

Haldeman and Ehrlichman, in the Watergate revelations, were shown to have turned to the CIA as a possible way of getting large sums of money quickly for their clandestine operations. They were acting on the fact that it is possible for the agency to use money without needing to account for it publicly. Only the integrity of CIA officials prevented the CIA from becoming drawn into the Watergate miasma.

The point is not that the CIA resisted top White House officials, but that top officials should have seen the CIA as a device for accomplishing illegal purposes. It should also be pointed out that top officials have the power to replace the CIA's leaders with men of their choosing.

The declared position of the United States historically, politically, ideologically—is complete respect for the right of other people to choose and operate their own form of government. This right was not respected in Laos or in the CIA's action in Chile, an intervention, paradoxically, that resulted in the strengthening of the Communist party, as the present action of the Christian Democratic party in making common cause with the Chilean Communists may indicate.

The ultimate question about such activities, of course, is whether they are subversive of American institutions. It is nonsense to say we have to imitate evil in order to deal with it. What happens instead is that we become part of the evil we think we are trying to fight.

If we want to create a stable world society in which all peoples can enjoy the right of self-determination, we are not without resources or options.

The most important and sensible thing we can do toward that goal is to help build a world rule of law. The strengthening of the United Nations, rather than terror and subversion, gives us our best chance to serve both the national interest and the human interest.

CONGRESSMAN CONYERS STATES  
OPINION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. CONYERS. Mr. Speaker, the House attempts at overriding two regrettable Presidential vetoes were, unfortunately, held while I was returning to Washington from my home district, and I was thus unable to vote "aye" on each.

The immediate ban on military aid to Turkey, a sensible means of condemning Turkey's invasion of Cyprus and violations of our aid agreements, was not sustained. However, the solvency of the railroad retirement system is now nearly assured thanks to this legislation being maintained over President Ford's objections.

Hopefully, we can avoid the too-familiar problems of the congressional will being continually opposed by a misguided administration.

"MUST THE CIA IMITATE EVIL IN ORDER TO STOP IT?"

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. SEIBERLING. Mr. Speaker, we owe a debt of gratitude to our colleague, MICHAEL HARRINGTON, for bringing to the attention of the Congress the shocking facts about the CIA's activities which helped subvert the lawfully elected Gov-



**CONDEMNING U.N. DECISION ALLOWING THE PALESTINE LIBERATION ORGANIZATION TO PARTICIPATE IN U.N. DEBATE**

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. BIAGGI. Mr. Speaker, I was shocked and horrified to learn of yesterday's decision by the United Nations General Assembly to invite the Palestine Liberation Organization to participate in the upcoming U.N. debate on the creation of a Palestine State.

This action is particularly shocking when one realizes that it was done in clear violation of the U.N.'s own charter which governs participation by countries in U.N. affairs. The expressed national covenant of the PLO, namely the destruction of the sovereign State of Israel is a virtual denunciation of the principles which have governed the U.N. for more than a quarter century.

The decision to debate the issue of an establishment of a Palestine State had already angered the Israeli Government. This action compounded their anger, and justifiably so. Throughout her 26-year history, the beleaguered, yet courageous, nation of Israel has been besieged by constant threats to her security and survival by such external enemies as the PLO. She has been forced to fight two major wars on her soil in the last 7 years, and as she enters her second generation, peace remains but an elusive dream for her people. Our memory does not have to stretch back too far to remember one of the PLO's most recent acts of terrorism directed against a group of Israeli innocent schoolchildren.

What was particularly distressing was the overwhelming vote in favor of extending this invitation to the PLO. Out of the 105 nations who voted affirmatively, almost one-half of these nations maintain diplomatic ties with Israel. There was some solace for Israel in the fact that the U.S. delegation chose not to go along with this travesty and voted against the resolution.

The decision to invite the PLO will most certainly damage if not permanently scar the reputation of the United Nations. At the least, she stands to lose the support of one of her most steadfast supporters, Israel. In a world organization dedicated to preserving peace in the world, it is totally contradictory and incomprehensible that the U.N. was willing to forsake her standards by allowing the PLO, an organization bent on forcing their will through violence, into her esteemed halls.

This is indeed a sad day in the history of the United Nations. It is a day which all men of peace and good will mourn. It is only my wish that the U.N. members who voted for this resolution would have had the opportunity to read the following material which outlines the terrorist acts of the PLO and other groups since 1970:

**EARLIER ACTS OF TERRORISM**

A list follows of major Arab terrorist activities since Feb. 10, 1970, when an attack on an El Al Israel Airlines plane at Munich killed one passenger and wounded eight. An Egyptian and two Jordanians were arrested but they were later set free.

July 22, 1970—Six Palestinians hijacked an Olympic Airways plane. None was brought to justice.

Sept. 6, 1970—Pan Americans, Trans World Airlines and Swissair planes were hijacked by Arabs. All were eventually blown up. None of the terrorists was arrested.

Sept. 6, 1970—A woman terrorist was wounded and her male companion killed in an attempt to hijack an El Al plane. The woman was later released.

July 28, 1971—An attempt to blow up an El Al plane with booby-trapped luggage given to a woman by a male Arab friend did not succeed.

Sept. 20, 1970—A similar attempt to blow up another El Al plane failed.

Nov. 29, 1971—Wasfi Tal, Premier of Jordan, was assassinated by four Palestinian guerrillas while entering his hotel in Cairo. Suspects were taken into custody but no prosecutions have been reported.

Feb. 22, 1972—A Lufthansa airliner was hijacked to Aden where the hijackers were paid \$5-million for its release. The hijackers went free.

May 8, 1972—Terrorists hijacked a Belgian Sabena airliner to Lydda, where two men were killed by Israeli security guards. Two women were subsequently sentenced to life imprisonment.

May 30, 1972—Three Japanese gunmen belonging to the Popular Front for the Liberation of Palestine killed 26 persons at Lydda Airport.

August 16, 1972—A bobby-trapped tape-recorder exploded in the luggage compartment of an El Al plane, causing slight damage. Two Arabs were released by Italian authorities after a short detention.

Sept. 5, 1972—Members of an Arab guerrilla organization attacked the quarters of Israeli athletes in the Olympic Village in Munich. Eleven members of the Israeli Olympic Team were slain. Five of the terrorists were killed. Three others were later freed.

Oct. 29, 1972—A Lufthansa plane was hijacked to Zagreb, Yugoslavia, where it was released after Arab terrorists responsible for the attack on the Israeli athletes at Munich had been set free. The hijackers were never brought to justice.

March 2, 1973—Eight guerrillas invaded the Saudi Arabian Embassy in Khartoum, the Sudan, and killed three diplomats. The terrorists were taken into custody and are reportedly awaiting trial.

April 4, 1973—Two Arabs made an unsuccessful attempt to attack passengers of an El Al plane in Rome. They were arrested but later released and sent to Lebanon.

April 9, 1973—Arab terrorists attempted to attack an Israeli plane at Nicosia, Cyprus. Eight were arrested and sentenced to seven years' imprisonment. They were quietly released later.

April 27, 1973—An Italian was killed in the Rome office of El Al by a Palestinian Arab who was later placed under psychiatric observation.

July 24, 1973—A Japan Air Lines jumbo jet was hijacked and blown up in Tripoli, Libya. None of the five terrorists was brought to trial.

Aug. 4, 1973—Two Arab terrorists killed five persons and wounded 45 in a machine-gun attack on passengers in the Athens airport lounge. Last week the terrorists were freed by the Greek government and given safe passage to Libya.

Sept. 28, 1973—Three Jewish immigrants from the Soviet Union were taken hostage aboard a train for Vienna. Austrian authori-

ties arrested two Palestinians who were then freed and flown to an Arab country.

Nov. 25, 1973—Three Arabs hijacked a KLM jumbo jet and flew it to Abu Dhabi. There is no record of an arrest by Abu Dhabi authorities.

April 11, 1974—Three Arab guerrillas killed a total of men, women and children in the northern Israeli border town of Qiryat Shemona before dying themselves in the explosion of their dynamite charges while under siege by Israeli security forces.

**THE LAW OF THE SEA**

**HON. DONALD M. FRASER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. FRASER. Mr. Speaker, the U.N. Law of the Sea Conference is probably the biggest international conference ever held, with more than 140 nations participating. Its task is to reach agreement on practically all uses of the oceans, including the breadth of territorial sea, economic resource jurisdiction, fisheries, commercial and naval navigation, deep seabed mining, marine environment and scientific research. The large number of participants and the complexity and wide range of the issues make it extremely difficult to reach agreement on a treaty quickly. Three years of preparatory meetings were held before the Conference was convened. After an organizational session in New York in December 1973, a substantive negotiating meeting was held in Caracas this past summer and another session is planned for Geneva in March of 1975.

Every nation in the world has an interest in the creation of a workable system of orderly use of the oceans. The alternative to such a system is international chaos with conflicting national claims leading to seizure of fishing vessels and other sharp disputes among nations. It is therefore, in the interest of our country, as well as others, to exercise restraint over temptations to make unilateral claims before the ocean treaty is concluded. This is especially true here in the U.S. Congress where passage of the 200-mile fishing bill and the deep seabed mining bill could seriously endanger the chances for concluding the kind of treaty that would protect our country's wide-ranging maritime interests.

On October 15, the Washington Post published an editorial which makes a reasonable and convincing case for congressional restraint on law of the sea. I insert it to be printed in the RECORD:

[From the Washington Post, Oct. 15, 1974]

**CONGRESS AND THE LAW OF THE SEA**

The years-long international effort to bring the order of law to the world's oceans could tip now into failure or success according to the judgment shown by Congress. The reason is simple. In the first session of the United Nations' Law of the Sea Conference in Venezuela last summer, a broad consensus was formed but not formalized on a number of key issues. The task of final assembly into a treaty package was put off until a second session, due to take place in Geneva next spring. Meanwhile, however, certain fishing

and mining interests in the United States, impatient at the pace of negotiations and anxious about their outcome, have brought their considerable weight to bear on the Congress. They wish the Congress to act unilaterally and solely in the American interest (as they see it), on matters which the administration has promised to settle in negotiation with other nations. If Congress does so act, there is little doubt that other nations will also act on their own. This will destroy the Law of the Sea Conference and it will end, for all practical purposes forever, the possibility of carrying the rule of law to sea. A greater guarantee of endless international strife is hard to imagine.

The fishing interests have grouped behind a bill sponsored by Sen. Warren Magnuson (D-Wash.). It would extend the U.S. fishing jurisdiction out to 200 miles in order to prevent more efficient foreign fishing fleets, especially those of Russia and Japan, from further depleting stocks of haddock and other species off American shores. The aroused American fishermen unquestionably have a legitimate grievance. The issue is how it should be treated. The Commerce Committee, of which Magnuson is chairman, would enact a 200-mile rule promptly. The Foreign Relations Committee, more sensitive to the foreign-policy damage which unilateral action would do, voted against the bill 9 to 8. It is now in the Armed Services Committee, where a more sympathetic hearing can be expected for the administration argument that a unilateral American move on the fishing front could trigger moves by others to, say, restrict American naval passage through various straits and coastal waters. As a major sea power with a worldwide commercial and strategic reach, the United States has a larger interest than any other country in avoiding steps off its own coast that will provoke other states to impose limits off theirs.

The play of commercial, political and strategic factors is no less intense over the issue of mining the deep seabed in international waters. It has become a firm expectation on the part of the world community, especially of poor countries and of countries with little or no access to the sea, that the mineral resources of the deep seabed are part of a "common heritage" and should not be exploited only by the few states with the means to go after them. This expectation has grown even as embargoes and threatened scarcities have made the developed states ever more determined to go at seabed resources themselves. The issue of what kind of international "regime" should be set up to do the job remains a disputed matter at the Law of the Sea talks.

Meanwhile, American mining interests have launched a bill, sponsored by Sen. Lee Metcalf (D-Mont.) which would set up the United States government alone to regulate deep seabed mining until an acceptable international authority comes along. The Interior Committee, which is understandably responsive to mining interests, has reported out the bill favorably. The Foreign Relations Committee, which has another perspective, is considering the bill now. The spectacle of the Congress passing a law which arrogates to the United States alone authority to regulate the mining of the "common heritage" would be incredibly inflammatory and would without doubt produce anarchy, if not open conflict, on the high seas. The legitimate American interest in deep seabed mining must be carried forward in a framework of international agreement.

In the few years in which nations have been considering a treaty of the seas, a widely shared craving for resources that are under national control has produced all but final agreement on the concept of a 200-mile economic zone. Such a zone would give a coastal nation economic jurisdiction out to 200 miles. Since it would remove from the "common heritage" a large part of the resources

that were originally supposed to fall within it, and since it conceivably could tempt nations to vie for isolated islands in order to win the 200-mile zone around them, the new concept has been widely criticized, especially by the landlocked and the poor. In any event, the hardening of the zone concept makes it all the more important to ensure that the resources of the deep seabed "common heritage" are fairly exploited and that all of the other issues of the seas—fisheries management, environmental controls, navigation, research and the like—be worked out on the basis of agreed international rules. The role of congressional restraint in making this possible is absolutely critical.

#### MADRONA MARSH

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ANDERSON of California. Mr. Speaker, all of us can fondly remember the home town of our youth and the places we used to frequent for adventure, for play, and for enjoyment. And our values today reflect those experiences which were largely comprised of entertaining ourselves outdoors, inventing games, exploring, and especially in southern California, enjoying the fresh air and sunshine.

But, today, in the name of "progress" much of the landscape has been transformed from meadows and ponds into concrete playgrounds, highrise buildings, or factories. And the youth of today, instead of enjoying the natural setting, is forced to play in the shadow of an apartment building, dodging cars while exploring a parking lot.

To protect and preserve a segment of the quickly vanishing environment, I have introduced H.R. 14463, a bill to establish a national wildlife refuge in Madrona Marsh—a marsh supporting numerous species of wildlife, located only a stone's throw from the highly commercialized area of the Del Amo shopping and financial center in Torrance, Calif.

Mr. Speaker, this proposal and others like it are necessary to preserve the natural setting in our urban areas so that we, our children, and our children's children, can know and understand the history of the land, the importance of nature, and the wildlife which is rapidly disappearing.

These thoughts are eloquently and emotionally transcribed by Michael Thomas, a resident who grew up in the South Bay area, and who is now raising a family in the Torrance area. As his words are far more expressive than my own, I place in the Record a letter from Mr. Thomas detailing his concern for Madrona Marsh and the need to preserve this small natural setting:

JULY 15, 1974.

To: Torrance City Council, 3031 Torrance Boulevard, Torrance, Calif.

Attention: Mayor Ken Miller; Councilmen Jim Armstrong, George Brewster, Katy Geissert, George Surber, Bill Uerkwitz, Don Wilson.

Subject: Madrona Marsh.

GENTLEMEN: Quite a few years ago when I returned home after serving in the Asian

Theater, I went down to the local beach in Redondo, where I had done so much of my youthful frolicking, and with genuine alarm and surprise noticed a large and hideous building "rising" out of the water. It's called the Portofino Inn. I was really outraged at this intruder that had wantonly consumed so much of "my" beach.

At a quickened pace I marched over to the pier and did several "takes" at the face-lifting the wharf was getting. I stood with hands on hip, getting more upset with each passing second. And then I suddenly laughed at myself because for a brief moment the thought raced through my mind, "I didn't give anyone permission to change things around like this."

I shook my head and returned slowly to my car. Thinking, looking back, I concluded that I was more upset that someone had "defaced" a fond memory than made changes without my approval.

I'm not one who is usually given to public protest, for I've always let the ballot box do my talking for me. I've only recently realized that maybe I've taken my heritage a little too much for granted. You see, I come from a very old California family. I'm seventh generation Californian and my two sons and daughter are eighth. My family rode with General Fremont, worked the Mother Lode, and have fought in every war that Californians were ever called upon for participation. Today, we're in education, military, law enforcement and social welfare. I'm sort of the black sheep of the family. I've built a very successful business career. And for the last ten years while doing this, I've turned my back on my own community.

A couple of years ago, I bought a home in Marble Estates, just a few blocks from Madrona Marsh. I settled in Torrance because as long as I can remember Torrance to me was a real community. I even met the girl I married when she was a nurse at the old Torrance Memorial Hospital. I thought Torrance would be a great place to raise my children. And I could think that without qualification because as a kid I enjoyed many days in my old stomping grounds, Madrona Marsh. Madrona and the seashore were the best places for a kid to be a kid. And that's exactly what I wanted for my own.

I shared my experience with you about the changing of "my" beach earlier in this missive because I'm beginning to feel the same way about Madrona. But this time I'm not away fighting some myopic minded politician's war. I'm here this time. And I just couldn't think very highly of myself if I sat back and watched you people cover up Madrona Marsh with cement! I just can't imagine why Torrance needs to destroy Madrona.

Have you taken a good look around you, lately? Our town is no longer a town. It's on the verge of becoming a clunky metropolis. We have more shopping centers than we know what to do with; more restaurants with badly prepared food and lousy service; more theaters that require the showing of "X" and "R" rated features to survive; more traffic congestion as a result of the foregoing. And in more abundance, short sighted politicians that think progress means a fiscal government and endless construction.

Don't look now but Torrance is turning into another Pasadena. How long before we have our own raids on massage parlors?

Haven't you people lost sight of something? Progress doesn't mean building and changing and razing and building and so forth and so forth. How well have you progressed in preserving the community? Haven't you noticed that when people in Torrance want to relax and enjoy recreational activities they leave Torrance. In short, Torrance is becoming a place where people do not live. They reside, eat, sleep, pay taxes and get the hell out when they have the first chance.

The disposition of Madrona Marsh is the



first opportunity where the people of Torrance can restore that dwindling element of community pride. The Marsh can be improved upon in many ways to the extent of making it a valuable wilderness area as has been proposed by so many groups. But in addition, the surrounding area should be dedicated to the people of Torrance as a really worthwhile recreational area. Tennis courts, indoor pools, horseback riding and even an arcade where folks of common attitude can assemble to promote the development of common interests, hobbies, and skills.

Remember when we were all in public schools and were given opportunities to develop in school facilities those interests or hobbies not normally provided for under the regular school curriculum? Remember the Chess Club, the Thespians, the Auto Clubs? And what about hobbies! A place for hobbies to meet and develop new friendships and pursue the activities that tax their interests and curiosity instead of their pocket books. How many people have old stamp and coin collections gathering dust somewhere for want of a place to share with people of common interests? How about those shell collections and model collections covered with cobwebs out in the garage?

Well, I think you get the picture. Torrance is in need of leadership that really cares about the needs of its people. Torrance must be made to be a place where people can LIVE, again. And improvements upon and preservation of Madronna Marsh is the best place to start.

I think it is also wise to note that the last election did not focus upon Madronna, nor very few real needs of the people of Torrance. You can bet your boots that the next election will!

Sincerely,

MICHAEL D. THOMAS.

TORRANCE, CALIF.

## PATENTS RESOLUTION

### HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. LAGOMARSINO. Mr. Speaker, I would like to call to the attention of my colleagues the following patents resolution which was adopted on October 8 by the board of directors of Inventors' Workshop International. The resolution was drafted by one of my constituents, Mr. Floyd B. Quigg, of Ventura, Calif., whose long-time interest in inventors and our patent system is well known to me:

"Whereas, the United States Constitution empowered the Congress to set up and maintain the Armed Services with all necessary facilities appurtenant to their duties to be paid for by all the taxpayers, in order to protect this Nation from invasion; and

"Whereas, the Constitution also empowered the Congress to set up and maintain the Patent Office and Copyright Office with all facilities necessary and appurtenant to their respective duties to be paid for by all the taxpayers in the same manner, in order to protect this Nation from stagnation; now be it

"Resolved, by the membership of Inventors' Workshop International, that the Congress be urged and petitioned to apply this principle forthwith, in all legislation now and hereafter enacted concerning the Patent Office and the Copyright Office, in behalf of the entire Nation."

## MARRIAGE AND DIVORCE IN THE SOVIET UNION

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following:

LOVE, MARRIAGE . . . DIVORCE

(By Robert G. Kaiser)

Moscow.—Volodya and Luba, both 19, are children of working class families in Moscow. Volodya's family is a little more prosperous than most, so it took responsibility for their wedding.

The expenses were considerable and in the end there had to be some economics. The new suit they wanted to buy for the groom was skipped. (It would have cost about 100 rubles, or nearly two-thirds of his mother's monthly salary.) They thought about having a wedding party in a Moscow cafe, but at 10 rubles per guest this idea too had to be dropped.

They decided to hold the party in the two rooms of a communal apartment that Volodya, his parents and sister had shared for 15 years.

There was so much work on the day of the wedding, preparing food for the party and getting both families ready, that Volodya's mother skipped the wedding ceremony.

While she stayed in the kitchen, preparing salads and plates of cold hors d'oeuvres, the young people, their friends and a few representatives of the older generation set off for the Palace of Weddings on Griboyedova Street.

Volodya and Luba had gone there three months earlier to apply to marry. With other nervous, giggling young couples, they sat at one of the small wooden tables and filled out the form.

By law they had to wait a month before their marriage could be registered. But they wanted to come to the Palace of Weddings on a Saturday. Although nearly 50 couples can be married there every day, there was a three-month wait for a Saturday wedding. (There is no wait at most neighborhood registry offices, where marriages are accomplished by shuffling and signing papers, without ceremony.)

Finally, their turn had come. They arrived in taxis which Volodya's father had reserved for the morning through a friend of his, a taxi driver. Two of the cars were decorated with streamers and balloons. The lead car had a baby doll attached to the front grill—a good luck symbol that would have cost more than 10 rubles, had Volodya's mother not found that a friend of hers still had a doll from her daughter's wedding. They borrowed it. A teddybear was similarly fastened on the second car.

The wedding palace was bustling. The young couple left their coats in the cloakroom and found a seat in the corner of a waiting room. Luba was nervous about her long white gown, custom-made by a state tailor shop for 90 rubles. They waited with four other young couples, each surrounded by a group of friends and relations.

Every 10 minutes or so another party was called by name. A woman lined them up behind the bride and groom in the hallway. Then she threw open big double doors and invited them into a brightly lit room with high ceilings, elaborate mouldings, a red carpet and a large statue of V. I. Lenin. (The place was a wealthy merchant's house before the Bolshevik Revolution.)

Two women conducted the ceremony, which took only a few minutes. The young

people signed a document and were told their marriage was now officially registered.

One of the officials handed them their internal passports, now amended to show their new marital status. Then they were declared man and wife.

Their friends and relatives gathered around; many gave Luba a flower. They went into an anteroom for a glass of champagne. Volodya and Luba had decided against spending 21 rubles to have a movie taken of their wedding, but a friend took snapshots. In keeping with the atmosphere of the Palace of Weddings, the party's mood was restrained. Everyone looked a little self-conscious. Strangers kept staring at them.

After several minutes another woman official of the palace asked them to move along, their time was up.

From the wedding palace the group drove to Red Square, where Volodya and Luba laid a bouquet of flowers at Lenin's mausoleum. (This is an officially encouraged custom that is now popular, especially among working-class young people.) Then home for the beginning of two days of celebrations.

The crowd included school friends, relatives and their parents' closest friends. For many years Volodya's family had been living in their communal flat with four other families—sharing kitchen and bath with them, seeing them every day. But after some discussion, they decided that they really didn't want to invite any of the neighbors to the party.

Volodya's sister agreed to spend that night with their aunt, so the bride and groom had a room to themselves for their wedding night. Later they planned to move in with the same aunt. She had a two-room flat, but lived alone, so there was room for them.

Married life. Love, struggles, surprises, and often a sad ending. Almost one in three Soviet marriages now ends in divorce—nearly one in two in Moscow and Leningrad. The successes and failures of Soviet marriages are often attributable to the most universal of reasons, but this society also gives marriage a special quality.

Young people like Volodya and Luba (whose story is really a composite of several Moscow weddings begin their married lives in difficult circumstances. They face immediate practical problems—finding a place to live is the most important—as well as a new way of life for which they are often ill-prepared.

A young married couple cannot expect to have an apartment of their own for years. They may get a room in a relative's flat, or if they can afford it, try to rent a room on the "free" market. The rent on a two-room apartment is about 15 rubles a month, but a room in Moscow—rented from someone with "extra" space—costs 30 to 50 rubles a month. Most likely, they will spend the first years of their marriage living with his parents or hers.

Even crowded together this way, the young couple will be entitled to privacy. Some young people acknowledge that this is a strong stimulus to marriage. It is difficult to find a place to make love in this country, and marriage at least solves that problem. (Not that it is otherwise insurmountable; an unpublished poll of 22-year-old Leningrad University students found that less than 5 per cent of them were virgins.)

Early marriages are now common, but Soviet social scientists don't approve of them. Alevtina Suvorova, an associate of the state's Institute of the General Problems of Upbringing, revealed in a recent article that in more than half the marriages in Moscow, the bride and groom are 18 to 20 years old.

"Accelerated sexual development," she wrote, "does not run parallel with social development. Young people do not have sufficient psychological maturity. As a result

there are early marriages; ill-considered alliances doomed in many cases to a short existence."

Surveys of betrothed couples and newlyweds reveal that these young people are confident in advance of their ability to raise children, Suvorova wrote. But, "when a baby is born, optimism and faith in one's abilities to teach and raise it disappear. In the striking majority of cases, parents turn out to be absolutely helpless . . ."

In Soviet society, marriage is also challenged by the extraordinary strains of everyday existence. A new family that sets up housekeeping independently is thrown into "a whole new way of life," one Muscovite who survived it recently recalled. "Our young people are spoiled—they don't know self-reliance."

Ms. Suvorova wrote: "Our children . . . are not properly prepared for marriage." She was referring to the most practical matters. For instance, young couples on the eve of marriage "haven't yet encountered questions of the family budget, housekeeping or a husband's role in domestic duties."

Subsequent surveys of the same couples soon after their weddings showed that: "Husbands who used to worry about their girl friend's cooking abilities soon understand that those abilities may perish in oblivion if they don't learn how to balance income and expenses. But alas, it turns out that only 17 per cent of newlyweds know how to plan a family budget."

In the Soviet Union, keeping a household afloat and organized is no easy matter. Budgets are tight, especially in young families. Official statistics reveal that in a typical family, the husband's wages represent just more than half the family income. Thus, economic necessity compels many wives to work.

Shopping is time consuming and difficult. Few people have cars and 55 per cent of all families do not have refrigerators so it is normal to do some shopping every day. Shops do not always have what one needs in stock, so a woman must often try several stores (It usually is the woman, sociologists confirm.) It may take several hours to track down a good piece of meat for a special occasion. Fresh fruits and vegetables are most easily found in the markets where farmers sell the produce of their legal private plots, but a trip to the market is an expedition for most people.

Moscow shops are comparatively well-supplied, but the same isn't true in provincial towns and cities. In many places the stores are out of bread by late afternoon. In some towns, especially in winter, fresh milk rarely appears, and causes a small sensation when it does. In Novosibirsk, a city of over a million inhabitants in western Siberia, the state stores had no fresh meat all winter. It was available only in the farmer's markets—for high prices.

All this may sound pretty awful to a Westerner, but Russians are used to it. Shopping is simply part of their day, every day. Many men and most women carry a string bag with them at all times, in case they see something good on their daily rounds.

There are some things that a young couple will simply do without. Rugs, for instance, are extremely difficult to find. This winter a crowd of at least 10,000 people stood in line, some for 12 to 18 hours, to sign up to buy a rug during the next year. This happened in southwest Moscow, and Moscow has priority for such consumer products. Bare wooden floors are common in Russian apartments.

Housework is difficult. Labor saving devices are not yet common, and are often poorly made. Slightly more than half of all Soviet families have a small washing machine, but it is not very efficient. Thirteen households in 100 have a vacuum cleaner. There is no such thing as a dryer or a dishwasher in the Soviet Union. Nor is there a good dishwash-

ing detergent. Many women do the family laundry by hand every day, in the kitchen sink or bathtub.

Westerners spoiled by the abundance of their wealth may find it hard to believe that Russians can live this way, but they do, millions of them happily.

Russians don't compare their lives to Americans' or West Germans', but to the Russian past. By that standard the vast majority seems to believe they are doing very well. Before the 1950s almost no one in Moscow outside the ruling elite could think of living in his own apartment; now two-thirds of the population do. Consumer goods and food products are almost all more abundant than 10 or 15 years ago. Life is improving—by fits and starts, but inexorably.

The burdens of daily life fall most heavily on women in Soviet society. They fulfill the historic woman's role as cook, cleaner and shopper, they hold full-time jobs, and they serve on the front line of the struggle with Soviet shortages and merchandising. Women initiate the majority of divorce proceedings in this country—two-thirds of those in the city of Leningrad, for example.

Marriages collapse in the Soviet Union almost as regularly as in the divorce happy United States. Thirty per cent of all divorces involve "young" couples—presumably those under 30. Most of them already have children.

The principal cause of Soviet divorces is not one of the sociological factors mentioned earlier in this article, but drunkenness. A. M. Chechot, a sociologist, polled 1,000 men and women (500 couples) who were divorcing in Leningrad. Of the 500 women polled, 210 said they left their husband because they were drunks. A third of the 500 women said their men had beaten them.

In the same sample, 104 of the women and 140 of the men said their spouses had been unfaithful.

Chechot also found that the strains of everyday life contributed substantially to divorce. Twenty-two per cent of his sample blamed arguments with parents, (presumably largely in-laws) for their divorces, a hint of the consequences when generations are forced to live together in close quarters.

The shortage of living space was cited as a ground for divorce by 11.5 per cent of those questioned.

Under Soviet law every citizen has a right to divorce. When a marriage turns sour, the partners can dissolve it almost as easily as they originally made it.

When there are no children, the couple can make a joint application for divorce to their neighborhood records office, wait three months, pay 50 rubles each and receive a piece of paper solemnizing the dissolution of their union. It is simply a matter of paperwork.

If there are children the procedure is slightly more complicated. The parents must appear before a counselor who makes an attempt, usually a pro forma attempt, to persuade them not to divorce. If they persist, the paperwork goes forward.

If one of the spouses is reluctant to divorce, or if there is a dispute over custody or the distribution of joint property, a court fight is possible. They are rare. A reluctant partner can only postpone, not prevent the divorce. Except in extraordinary circumstances, mothers get custody of the children.

"I went into the record office on Tuesday, it was noon. I looked at the clock," one recent divorcee recounted.

"I had a letter from Yuri [her ex-husband] agreeing to everything. I gave the man the papers. He said, 'Do you have any questions for me?' I shrugged—no. He said, 'You can pick up your document in the clerk's office.' That's all there was to it. I walked out a free woman. It was four minutes past twelve, I looked at the clock."

## ISRAEL MUST NOT GIVE UP LAND WITHOUT AGREEMENTS

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. RONCALLO of New York. Mr. Speaker, although I am pleased and grateful that Secretary of State Kissinger has again traveled to the Middle East in pursuit of a lasting and just peace, I am deeply concerned by returning reports of U.S. pressure on Israel for unilateral withdrawal and concessions without concrete assurances that Israel's integrity will be maintained.

My colleagues know well that Israel, now as in the past, is prepared to welcome peace and longs for this opportunity. If possible, she is openly willing to settle the entire matter with one bold step. Yet, if a just and lasting settlement can only be pursued through a series of gradual withdrawal stages, this too is openly welcome. However, I gravely fear that in our efforts to halt hostilities and appease the Arab States we will disregard the horrible history of broken Arab promises and aggression. It must be clear to all of us that only real and binding agreement can protect the State of Israel from threatened annihilation. Past U.N. intervention and buffer zones have crumpled at the will and convenience of Arab aggression, with little world protest.

The world nations care little for the survival of the democratic State of Israel. In the face of worldwide silence during the unprovoked Arab attack to achieve Israel's destruction 1 year ago, this lesson, at a price of 2,600 Israeli dead, must surely be evident. Indeed, the U.N. has continuously illustrated world hypocrisy with its onesided condemnation of Israel while refusing to make mention of Arab terrorism. In this light, we should not really be surprised by the total disregard of morality and decency illustrated by Monday's—October 14—U.N. agreement to grant a voice to the Palestine Liberation Organization. This group, headed by Yasir Arafat represents not the Palestinian's but only the 10,000 or so murderers trained and paid for the slaughter of innocent human beings. Mr. Arafat continues to serve as head of the FATA Black September murder group linked to the killings before all the world of the Israeli athletes at the Olympics in Munich in 1972 and other terrorist actions. As Yosef Tokuah, Israeli's representative to the U.N. noted, can there be a stigma more degrading for the United Nations than to become a forum open to bearers of barbarism.

True negotiations must provide for concessions on both sides. If we are to advocate further negotiations in the Middle East, I implore my colleagues not to force or permit Israel to give up any land on a unilateral basis. Concessions on both sides are imperative, specifically agreements of the most binding nature that the integrity and survival of the people and State of Israel are assured. Then and only then can we hope for a just and lasting peace in the Middle East.



CAYCE-WEST COLUMBIA WORLD  
CHAMPION

## HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. SPENCE. Mr. Speaker, I am proud to say that my home county of Lexington is well known for producing fine athletes and good sportsmen. This is partly because young people in Lexington County who express interest in athletics are given all necessary support and encouragement from their parents, and from the community as a whole. Teams of all types from my area of South Carolina have distinguished themselves throughout the years on the national level, but today I want to pay special tribute to our latest athletic nonpareils:

In late August, the Cayce-West Columbia Colt League All Stars impressed all comers by winning four straight games against the best teams in the world to sweep the Colt League World Series in Lafayette, Ind. Among the teams defeated by Cayce-West Columbia during the series were the Gil Hodges All Stars, Venezuela, Lafayette, and Puerto Rico. In winning the series so impressively, the Lexington County boys also swept all available honors from the competition, including the batting trophy which goes annually to the highest batting average in the tournament.

It is important to note that, while most teams depended upon a few team "stars" to offer leadership and win their games, the Cayce-West Columbia All Stars played all 15 players on the team, and everyone of them made substantial contributions to the series victory.

As proud as I am of their victory, Mr. Speaker, I was even more gratified by these excerpts from the press coverage:

The Cayce-West Columbia All Star team which won the world championship last week in Lafayette, Indiana, were the class of the eight-team field, off the field as well as on.

Representatives of the National Office of Boys Baseball, Inc. said the obvious in post-tourney ceremonies, praising the fifteen players, coaches, and fans for their sportsmanship and courtesy throughout their ten day stay in the Northland.

Their hustling style of play and never-say-die attitude enabled them to leave with many, many more fans than when they began.

These qualities do not arise by accident. They are due in part of the outstanding leadership exhibited by their coach, Billy Whitten, and by my good friend W. B. McDowell, who has managed this team for many years. Coach McDowell's teams have always been successful, and can usually be found at championship levels. But his greatest achievement is the moral caliber of his teams.

Mr. Speaker, this is what is really important to the families and friends of these boys in Lexington County—and this is why the community is so proud of its team. I want to take this occasion to thank the members of the Cayce-West Columbia Colt League All-Stars for the recognition they have brought to South Carolina. Their names are as follows:

CAYCE-WEST COLUMBIA WORLD CHAMPIONS  
TEAM

Johnny Epps, 411 9th Street, West Columbia, S.C. 29169.

Woody Newton, 770 Rambling Road, West Columbia, S.C. 29169.

Billy Hayes, 1733 Terrace View Drive, West Columbia, S.C. 29169.

Mike Jeffcoat, 808 Pinedale Road, West Columbia, S.C. 29169.

Ernest Watford, 1718 Wadsworth, Cayce, S.C. 29033.

Mr. Eric Warren, 2511 Rainbow Drive, West Columbia, S.C. 29169.

Mr. Mike Medders, 1101 "O" Avenue, Cayce, S.C. 29033.

Roger Rallent, 3131 Trail Stream Road, West Columbia, S.C. 29169.

Jeff Twitty, 1731 "C" Avenue, West Columbia, S.C. 29169.

William Olawsky, 3011 Leapheart Road, West Columbia, S.C. 29169.

John Nabors, 2233 Baxter Street, Cayce, S.C. 29033.

Jeff Hipp, 1408 Cardinal Drive, West Columbia, S.C. 29169.

Phil Carter, 208 Pine Lane, Cayce, S.C. 29033.

Bobby Burton, 1354 Wilma Drive, West Columbia, S.C. 29169.

Ken Cain, 1544 Sewanne Drive, West Columbia, S.C. 29169.

Mr. W. B. McDowell—Manager, 616 Railroad Avenue, Cayce, S.C. 29033.

Billy Whitten—Coach, 3017 Hopedale Drive, West Columbia, S.C. 29169.

Lester Newton—Business Manager, 770 Rambling Road, West Columbia, S.C. 29169.

Mr. Speaker, these boys and their families are not only constituents—they are also personal friends of mine. I am grateful for this opportunity to brag on them.

## SAM SOLINS

## HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. HECHLER of West Virginia. Mr. Speaker, West Virginia lost a great citizen Sunday in the passing of Sam Solins of Welch, W. Va. Sam Solins was a great patriot, a friend of the high and mighty and a helper of everyone. Perhaps his closest friendship was with President Harry Truman, whom he persuaded to come to Welch in 1941 when he was a U.S. Senator, and again in 1957 after he left the White House. Sam Solins regularly corresponded with President Truman, and always hosted his visits to West Virginia.

There follows an account of Sam Solins' life and influence, along with an editorial from the Welch Daily News of October 14, 1974:

## LOCAL ATTORNEY DIES SUNDAY

Samuel Solins, a distinguished Welch attorney and civic leader, died Sunday night in Stevens Clinic Hospital following a long illness. He was 84 years old.

A veteran of World War I, Solins was one of the founders of the American Legion. He was one of twelve delegates from West Virginia who attended the St. Louis Caucus in 1919 which originally organized the American Legion.

Solins was a charter member of the McDowell County Post No. 8 in Welch and had served as its Commander. He was also a First Vice-Department Commander of West Virginia.

As chairman of the Post 8 Speakers Bureau, he succeeded in obtaining many nationally prominent personalities for the annual Veteran's Day observance in Welch each year.

Mr. Solins secured former President Truman, then a senator, as the speaker for the 1941 celebration which led to their friendship. Due to Mr. Solins' efforts the former President accepted a second invitation to return to Welch in 1957.

Born in Baltimore, Md., on July 26, 1890, Samuel Solins was a son of Charles and Jennie Solins. He and his family moved to Kimball when he was a young child. He attended McDowell County Public schools and was a member of the Temple Emanuel in Welch.

Solins graduated from the College of Law at West Virginia University in 1911. He was said to have worked in a shoe store at Morgantown after school and on Saturdays to put himself through school.

Upon his graduation from law school, Solins was first associated with Judge E. C. Marshall. He later established his own practice, which has continued to the present date. He served as Assistant Prosecuting Attorney in McDowell County for one term and was the first Divorce Commissioner appointed in the county.

Mr. Solins was a member of the American Bar Association, West Virginia Bar, State Bar Association, McDowell County Bar and the Virginia State Bar Association.

Solins entered the service in August, 1917, and served at Camp Greenleaf, Ga. He attended Officers' Candidate School at Fort Benjamin Harrison and had obtained the rank of captain when he was discharged.

He was a member of the Officers Reserve Corps and served in the West Virginia National Guard for more than 30 years. He also served in the State Guard during World War II.

Samuel Solins was also active in the Welch Rotary Club for many years. He served as the President of the Welch Rotary Club and the State Rotary Foundation Fellowship committee. He was a member of the Welch Rotary Community Service Committee at one time.

Mr. Solins served as president of the McDowell Public Library for more than 20 years. He was president of the McDowell County Library Association during which time he secured financial support for the then failing library through appropriations and private contributions.

Samuel Solins served on the District Executive Board of Boy Scouts and the Appalachian Council of Boy Scouts of America. He was a member of the Masonic Lodge No. 12, A.F. & A.M., Beni Kedem Shrine, and served as the Chef de Gare of the 40 & 8.

Solins was also instrumental in promoting the first World War Memorial Building in the United States, which still stands in Welch. He was a member of the Executive Board of the Welch Swimming Pool, when it was being constructed, and helped organize a Welch Tennis Club. He was known to have played each day during the 1930s.

Survivors include his widow Bertha Ballard (Jimmy) Solins; a sister, Mrs. Rebecca Solins Robinson of Honolulu, Hawaii; four nieces, Mrs. Fanny Hinchee and Mrs. Helen Bloom, both of Greensboro, N.C., Mrs. Charlotte Samet of Hickory, N.C., Mrs. Estelle Golding of Rochester, N.Y.; and two nephews, Harold Robinson and U.S. Navy Capt. Jack Warren of San Diego, Calif.

The family requests that contributions be made to the Temple Emanuel or the McDowell County Public Library.

Funeral arrangements are not expected to be completed until later this week at the Douglas Mortuary in Welch.

## SAM SOLINS—A GENTLE MAN

Sam Solins is dead. Sometime Sunday night his physical body, worn by 84 years of life, failed him.

Yet, those who knew and loved Sam Solins know that his spirit was indomitable.

It is as if one of the largest and staunchest trees in the forest has been felled, leaving a void that will never be filled.

Sam was everything that this country used to consider important. His life was dominated by patriotism, fair play and a common, decent life that represented old and cherished values.

His two-mile walks before lunch became something of a local legend. He could, at times, exhibit a rapier wit but the cutting edge was too blunted by his own softness and basic kindness.

Without question, he was the most persistent mortal who ever lived. When Sam Solins set his mind to do something or get something done, there was no logical way you could refuse him.

Through his direct efforts, this community has been graced with national dignitaries of every level—from President on down. Or we would rather say, Presidents on down.

Sam Solins was kind and generous. He was gentleman and gentle man. This community will miss him dearly.

# 1973 FOOD SUPPLEMENT REGULATIONS

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. KYROS. Mr. Speaker, the depth of concern nationwide over the FDA's controversial 1973 food supplement regulations is matched only by the extent of confusion and misunderstanding that still surrounds this emotional, but very important issue.

As legislators, I believe it is our responsibility to bring some rationality back into the discussion, even if that means standing up to the high-powered organized-mail effort by the health foods industry which has sought—and has succeeded to a remarkable extent—to simplify, distort, and emotionalize this serious and complex issue.

Certainly, there is need for legislation in this area. A majority of both Houses of Congress, including myself, have sponsored one bill or another based on the so-called Hosmer bill, H.R. 643, or the so-called Proxmire bill, S. 2801. But the simple fact of the matter is that the industry-written and supported Hosmer-Proxmire bill is a manufacturers' bill. The bill reported by the Public Health and Environment Subcommittee, H.R. 16317, is the true consumers' bill—designed not only to guarantee his freedom of choice—which it emphatically does—but to see that he is adequately protected.

The defects of the Hosmer-Proxmire bill and its dangerous, if unintentional, "side effects" are set forth in the "Dear Colleague" letter I drafted last week. This letter also states, in clear and understandable terms, why the subcommittee's bill is a more responsible, consumer-oriented measure.

In view of the fact that congressional offices continue to be literally bombarded with industry-initiated form letters and post cards in support of the poorly drafted Proxmire bill, I ask my colleagues to

consider the arguments set forth in my letter. After four exhaustive markup sessions in which we considered all aspects of this matter, I can assure you that this is a complex and intricate legislative issue. We must not allow it to be distorted or overly simplified, no matter how easy or politically popular that might be. To do so would hardly be in the best interests of our constituents.

The letter follows:

WASHINGTON, D.C., October 10, 1974.

DEAR COLLEAGUE: Controversy surrounding the Food and Drug Administration's right to limit the combinations and potencies of safe food supplements has raged for more than a decade now. We can bring this controversy to an end this session with the passage of responsible legislation which would clearly set forth FDA's rightful jurisdiction—or lack thereof—in this area. In doing so, however, I think we want to be very sure that we are not limiting FDA's legitimate and productive efforts to monitor other areas of the food and drug industries.

Unfortunately, S. 2801 (the Proxmire bill, which is patterned after the Hosmer bills, H.R. 643 and H.R. 10093) would do just that. Since you are no doubt still receiving hundreds of form letters in its behalf, I think several points should be brought to your attention. In the first place, I do not want to imply that this is not a well-intentioned piece of legislation. A majority of Senators and more than 200 Members of the House—including myself—have sponsored this or similar bills. However, I firmly believe that in doing so, we were indicating our concern over this issue and our desire to see some sort of legislative remedy enacted. We were not, I think, indicating our unwavering support for any specific language. I believe just as strongly that, however well-intentioned, the Proxmire-Hosmer approach contains several defects which would make it unacceptable to most Members of Congress:

1. The Proxmire-Hosmer bill removes FDA's regulatory authority over all "special dietary foods," not just food supplements. "Special dietary foods" include infant foods, foods with artificial sweeteners, hypoallergenic foods and low sodium foods. Do we want to limit inadvertently FDA's authority over all of these food categories in order to assure the availability of vitamin and mineral supplements?

2. The Proxmire-Hosmer bill prohibits FDA from limiting the potencies or combinations of any ingredient in all "special dietary foods." Would this action nullify FDA's recent decision to uphold the ban on cyclamates? Would it allow possibly unsafe levels of vitamin D to be added to infant formulas? Since the intent of the legislation is presumably to safeguard dietary supplements, it seems both unnecessary and dangerous to make it applicable to all ingredients in all special dietary foods.

3. Under the Proxmire-Hosmer bill, FDA is allowed to place limits on ingredients only if the product is "ordinarily injurious to health." This means that people—substantial numbers of people—must actually be harmed by the product before it can be restricted in any way. This provision, which puts the burden of proof on the FDA, clearly undermines the trend toward greater rather than lesser consumer protection. This is especially disturbing in that it applies to all special dietary foods, including infant foods. Can we really endorse any bill containing a provision which would make every consumer a human guinea pig?

4. Perhaps the refrain we have all heard most often is that the FDA must be prevented from classifying vitamins as drugs, but the Proxmire-Hosmer bill contains no provision doing that. The bill says that FDA cannot limit the potencies and combinations of in-

gredients in special dietary foods, but that would not prevent FDA from declaring that a high-potency vitamin is a drug and not a special dietary food, as they did in their 1973 regulations. Since the recent Court of Appeals decision overturned this specific part of the regulations, this is now a somewhat academic flaw, but it does seem to raise legitimate questions about the skill employed in drafting the bill.

5. The Proxmire-Hosmer bill contains a paragraph stating that nothing shall prevent the FDA from applying Section 403(g)—the standard-making provision—or Chapter V—the drug chapter—of the Food, Drug and Cosmetic Act. In their testimony before the Public Health Subcommittee last October, the FDA pointed out that this paragraph appeared to nullify the entire effect of the bill. They argued that under the Proxmire-Hosmer bill, therefore, they would be able to issue the very same regulations they issued last year.

For these reasons, I feel that the Proxmire-Hosmer bill is a classic example of that type of well-intentioned legislation that has been used as a rallying-point for years, during which time no one has ever examined it very closely. And I would suggest, too, that we not be overwhelmed by the recent 81-10 passage of the Proxmire bill by the Senate. This bill was brought to the floor as an amendment to the health manpower act after only two days of subcommittee hearings. It was never marked-up and reported.

I feel just as strongly that the approach taken by the Subcommittee on Public Health and Environment in H.R. 16317 is the proper one. H.R. 16317, as you may know, is the food supplement bill reported by the Subcommittee following a four day mark-up in which all aspects of the problem were carefully considered. This bill gives consumers what they have been asking for in the way of limiting FDA's authority over conventional food supplements. At the same time, it provides added consumer protection and does not remove FDA's legitimate authority over other areas of the food and drug industries.

Along with me, the sponsors of the Subcommittee bill are Representatives Paul G. Rogers (Chairman of the Subcommittee), David E. Satterfield III, Richardson Preyer, James W. Symington, William R. Roy, Ancher Nelsen, James F. Hastings, H. John Heinz III, and William H. Hudnut III.

As you are undoubtedly beginning to receive new form letters from the National Health Federation in opposition to H.R. 16317, I would like to respond to the eight points they make. I am enclosing a copy of their letter for easy reference:

1. FDA already has authority to classify high-potency, potentially toxic vitamins as prescription drugs, as they have done in the case of vitamins A and D. The Subcommittee bill grants them no additional authority. Whether or not the FDA has used this authority properly is a matter for the courts to decide (Federal district and appellate courts have already upheld the vitamin A and D regulations), but it is not affected either way by our bill. It is also important to note that if this authority were rescinded, the FDA could still remove potentially toxic preparations from the market, but there would then be no legal way to make them available for use under medical supervision by those people with vitamin deficiencies and other pathologies.

2. While it is true that the Subcommittee bill protects only supplements in "tablet, capsule, or liquid-suspension form", such products constitute the vast majority of the dietary supplement products currently sold. However, if the definition were expanded to include such preparations as flakes and powders, FDA's regulatory authority over conventional foods which may contain additives or which may be fortified



with vitamins and minerals would be rescinded. It was, therefore, necessary to distinguish those specific types of products to be covered. I would stress that crystalline and powdered forms of vitamins can still be sold in bulk, as they are now. The sale of these products is not affected either by the FDA's current regulations or by our bill.

3. As stated above, the Subcommittee bill would not give FDA any new power to classify vitamins at potentially toxic doses as prescription drugs, but neither would it remove any of the Agency's current authority. The bill simply re-affirms that it is not intended to interfere with current authority in that field. The bill does, indeed, retain FDA's authority to regulate potencies and combinations of all products specifically represented for use by children or by pregnant or lactating women, because the Subcommittee felt that special protection was needed for these vulnerable consumer groups.

4. The definition of "foods for special dietary uses" in the Subcommittee bill (which is the same definition as in the regulations the bill addresses) is not significantly different from the old 1941 definition. The omission of the words "pathological" and "conditions of disease" is a clarification, but it makes no practical difference, as it has never been possible to make therapeutic claims for vitamins except when they are sold as drugs. This will still be true—not because of our definition, but because of the drug definitions of the Food, Drug, and Cosmetic Act, which are unchanged.

5. The bill does not "make possible" the classification of vitamins as food additives. It merely affirms that, where the FDA already regulates some vitamins or minerals as food additives (for example, iodine and folic acid), those regulations are not meant to be affected by the bill. Obviously, this safety provision applies only to vitamins and minerals when actually added to food. It would in no way affect commonly marketed vitamin and mineral supplements.

6. H.R. 16317 covers "vitamins, minerals, and other ingredients of food." It does not arbitrarily exclude "essential nutrients such as protein, various amino acids, unsaturated fatty acids, and the like." The bill in no way, then, is more restrictive than the recent U.S. Court of Appeals decision.

7. The FDA regulations would prohibit entirely the inclusion in dietary supplements of the so-called "non-essential" nutrients, such as the bioflavonoids, PABA, and inositol. The Subcommittee bill would allow the inclusion of these nutrients; however, manufacturers would be prohibited from promoting their products on the basis of these "non-essential" ingredients. Thus, the consumer's freedom-of-choice in the purchase of these safe products is protected, but misleading promotion is prevented.

8. The Subcommittee's decision to grant FDA concurrent authority with the FTC over the labeling and advertising of dietary supplements was a carefully considered one. Our hearings and mark-up sessions demonstrated that the major legitimate complaint against the industry was that in the past food supplements have been, and in some cases still are, promoted fraudulently to the consumer, taking advantage of one's natural concern about food and health. FDA sought to combat this by limiting the availability of the products themselves. It seemed to us much more reasonable to allow free choice among those products which are safe, but to take steps at the same time to ensure that they are properly promoted. Certainly, reputable manufacturers and publishers need have no fear of prosecution if they avoid false or misleading statements in their promotional material. Our Subcommittee intends to watch closely FDA activities in this area to ensure

that this new power is in no way misused, as some seem to fear.

In short, I feel that the Subcommittee's carefully drafted bill, H.R. 16317, strikes a reasonable balance between the consumer's right to purchase safe food supplements in any potency and combination with the government's responsibility to ensure that these products are properly promoted. I believe it would be a great mistake for the House to consider passing instead a Proxmire-Hosmer type bill, which may have great public support, but which also has serious defects of which the public is not yet aware.

Sincerely yours,

PETER N. KYROS,  
Member of Congress.

The Honorable \_\_\_\_\_,  
U.S. House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN: H.R. 16317, if enacted, could prove worse than the oppressive Food and Drug Administration's vitamin regulations it is intended to correct:

I strongly oppose H.R. 16317, and redouble my support for the Proxmire-Owens type Bills, (S. 2801 or H.R. 10195) for the following reasons:

1. H.R. 16317 would wrongfully permit FDA to classify, then regulate, combinations and potencies of vitamins and other food supplements as "dangerous" prescription-only drugs. (See p. 2, lines 7-8; p. 3, lines 14-19 and 24-25; p. 4, lines 1-11 of the Bill.)

2. H.R. 16317 discriminatorily would permit continued sale of nutritionless "junk foods" in all forms, such as powders, flakes, crystals, liquid beverages, creams, pastes, wafers, biscuits, chips, etc., while nutritious food supplements would be covered by the Bill only in tablets, capsules, or liquid drop forms; (See p. 2, lines 1-5 and 9-22; p. 3 lines 1-2; and p. 5, lines 15-19 of the Bill.) Dr. Linus Pauling and other authorities have noted that dietary supplements in crystals, powders, and other bulk forms, in addition to being more economical, are better for the individual than tablet or capsule forms because they eliminate unnecessary additive binders, fillers, and coatings otherwise needed to keep pills intact, and which may also interfere with assimilating the contents.

3. H.R. 16317 would give FDA power it now lacks to classify vitamins and minerals as prescription-only drugs based primarily on potency and would needlessly give FDA power to bar vitamin or other food supplements now available for use by children or pregnant or lactating women. (See p. 3, lines 14-16 and 20-23; and p. 2 lines 6-15 of the Bill.)

4. H.R. 16317 drastically decimates FDA's own long-standing (since 1941) definition of "foods for special dietary use" (and which is a key provision of all the Proxmire-Owens type Bills), substituting a "watered-down" version which would make possible barring special dietary foods for the aged, for nutrition-related pathological conditions, and nutrition-related disease situations, among others.) See p. 4, lines 12-26; p. 5 line 1 of the Bill.)

5. H.R. 16317 would make possible classification of vitamins and minerals as "food additives", although they are and always have been foods. Various products could thus be banned as "unapproved" food additives. (See p. 3, lines 8-13 of Bill.)

6. In effect, the scope of H.R. 16317 is limited to vitamins and minerals, thus excluding other essential nutrients such as protein, various amino acids, unsaturated fatty acids, and the like. This arbitrary exclusion of nutrients would even negate the recent (August 15, 1974) judicial ruling of the U.S. Court of Appeals for the Second Circuit, wherein the Court specified that a dietary supplement could include all essential nutrients. (See p. 2, lines 1-8 of the Bill.)

7. H.R. 16317 would facilitate discrimina-

tion against various natural dietary supplements currently available to the consumer, by unnecessarily requiring labeling and advertising to preclude prominence or emphasis to any unique qualities of ingredients. Thus, a true statement as to the superiority of a natural factor could be barred, for example. (See p. 2, lines 21-25; p. 3, lines 1-7 of the Bill.)

8. H.R. 16317 would give FDA, for the first time in history, control over advertising of food supplements while continuing Federal Trade Commission powers over the same subject matter. The Bill would bring about absolute criminal liability as to advertising without intent as a factor. Seizure and injunctive powers would also be vested in FDA as to advertising of dietary supplements. On the other hand, advertising of over-the-counter drugs and thousands of foods would be exempt from these FDA powers. (See p. 2, line 8; p. 3 lines 1-7; p. 5 lines 8-25; p. 6 lines 1-9.)

Please oppose H.R. 16317. Please support a Proxmire-Owens type bill (S. 2801 or H.R. 10195) for immediate enactment. The Proxmire bill, S. 2801, passed the Senate as an amendment to the Senate manpower bill with a vote of 81 yeas-10 nays, on Sept. 24, 1974.

Sincerely yours,

(Signature).

P.S.—Please forward this letter to Rep. Harley O. Staggers, chairman of the House Committee on Interstate and Foreign Commerce with a supporting letter of your own.

#### SOCIAL SECURITY BENEFITS

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. TALCOTT. Mr. Speaker, many concerns and responsibilities of the Congress are brushed aside or avoided.

The Wall Street Journal has quite properly opened some long-needed dialog concerning the soundness of the social security system.

Its editorial, together with a letter to the editor from Mr. Bert Seidman, director of the Department of Social Security, AFL-CIO, vividly point up the urgent need for an in-depth examination of the social security program.

We owe it to our children and our children's children to undertake the examination immediately.

We have a habit of glorifying all the increases in social security benefits and claiming credit for our so-called "generosity" to the beneficiaries. We neglect, however, to inform our constituents of the additional costs to them and their employers. We neglect to discuss the increasing future costs to future participants and future employers. We neglect to advise present and future beneficiaries of the condition of the social security trust funds. We neglect to warn them about the consequences of insolvency.

Every trust fund is in jeopardy if the trustees neglect to pay attention to the current and long-range actuarial and economic conditions.

Presently, the producers are paying for the benefits to the nonproducers. The reliability and soundness of the fund is questionable. A deficit is growing. We cannot continue our present trend much longer.

We have already observed, to our regret and an extraordinary cost to the general taxpayer and consumer, what can happen to the railroad retirement system by neglect and unwise management.

I insert an editorial from the Wall Street Journal of August 15, 1974, as well as the letter to the editor from Mr. Seidman:

[From the Wall Street Journal, Oct. 15, 1974]

#### A LETTER FROM THE AFL-CIO

We print elsewhere on this page a letter from the AFL-CIO and urge that it be read. We hope that it constitutes the opening of a continuing discussion on the soundness of the Social Security system between organized labor, The Wall Street Journal, and others who wish to participate.

This forum has become necessary because the usual one, on Capitol Hill, has become closed to this sensitive issue. Even those politicians who are disturbed about the condition of the system are wary about bringing it up, fearing they will be identified as enemies of the elderly. Yet the questions are there and are, in our opinion, of immediate and critical importance.

In our previous comments, we have attempted to define two distinct problems. One is actuarial. The other is economic. Bert Seidman, director of the AFL-CIO's Social Security department, has responded to the actuarial issue. We hope to elicit a response to the economic one, for the two are bound together.

As noted earlier, the net unfunded liability of the system as of June 30, 1973, amounted to \$2.1 trillion, a figure Treasury reports has now grown to \$2.4 trillion as of June 30, 1974. Mr. Seidman quite rightly observes that the Social Security Administration does not publish this number; it is not required to do so. But by law, Treasury must do so. And while it may be meaningless to an SSA actuary, it cannot be dismissed by an economist. The number represents the difference between what current participants have been promised over the next 75 years and what they will contribute to the system. That difference of \$2.4 trillion, which was computed by SSA, is also discounted to its present value—meaning it would take that much today earning interest to support benefit levels.

Mr. Seidman is also right that the number does not take into account future participants, including those not yet born, who will be required to pay this \$2.4 trillion plus interest to the current participants with their future contributions to the system. The question is how much future participants will have to cough up to meet current promises, and that the answer is \$2.4 trillion plus interest seems to us not irrelevant. Indeed it seems to us that the SSA doth protest too much.

The deficit Mr. Seidman prefers to address is the official SSA figure that assumes a steady stream of entrants, which is based on a set of SSA projections into the future and amounts to 3% of payroll—that is, a mere 3% of all payrolls of all U.S. companies for the next 75 years.

Under this comforting method of accounting, the deficit amounts to a trifling \$1.3 trillion, also discounted to present value. Even Mr. Seidman might get some hint of our concern by observing that this deficit increased to the present \$1.3 trillion from \$176 billion over the 12 months between the last two calculations.

Between the calculations, the SSA took a look at the 1970 census and adjusted its assumptions about how many future participants there will be to pay the \$2.4 trillion, how much they will earn and what the inflation rate will be. For even the \$1.3 trillion to hold up, the current SSA assump-

tions will have to come true. That is, women of childbearing age will have to have 2.1 births; not the current 1.9 and falling. Annual real wage increases will have to average 2%, which they have not done for 20 years. And the rate of inflation in the Consumer Price Index in the long run must average no more than 3%.

Mr. Seidman believes these actuarial assumptions can be met through the insistence of the American people that they be met. But there is the economic problem. The economy can grow only through the formation of capital, the deferral of current consumption in order to produce future goods and services (including that \$2.4 trillion, which in the economic problem is the appropriate number to look at). The Social Security system, operated on a pay-as-you-go basis, forms no capital. It simply transfers current consumption from producers to nonproducers.

Closing the deficit through general revenues compounds the problem. Assume all the SSA projections are met. Assume Congress henceforth does not add new benefits. Then the low deficit of \$1.3 trillion, made up out of general revenues over 75 years, would require tens of billions per annum. Taxing the private sector by this additional amount, none of which goes into capital formation, makes it impossible to achieve the required economic growth to sustain the system. And of course the deficit will rise next year and the years after that so long as the three crucial SSA projections are not met, with ever increasing demands on general revenues.

Mr. Seidman asks what should be done. There are in general only three possibilities. Cut benefit levels drastically and do nothing about capital formation. Or, leave benefit levels alone and design policies that build the amount of capital required. Or, something in between.

But really the first thing that has to be done is the broadening of understanding that something has to be done. At least the letter from the AFL-CIO moves us in that direction.

[From the Wall Street Journal, Oct. 15, 1974]

#### SOCIAL SECURITY BENEFITS

Editor, The Wall Street Journal:

The shrill cry of alarm about the fiscal soundness of Social Security in your editorial "No Kidding, Mr. Meany" (Aug. 23) is completely unwarranted.

The editorial zeroes in on the charge that on June 30, 1973, "the net unfunded liability of the system was \$2.1 trillion." It then goes on to declare: "What this means is that current members of the system, working and retired, have been promised \$2.1 trillion more—in constant dollars—than they will henceforth pay into the system."

We asked the Social Security Administration's actuaries about that \$2.1 trillion. They told us it is a figure they never publish because it is absolutely meaningless. It is meaningless because it is based on the ridiculous assumption that those currently in the system will continue to pay taxes and draw benefits but there will be no new entrants into the system.

This makes no sense because by law practically all employees and the self-employed too must be covered by Social Security. Compulsory coverage is a feature of social security systems all over the world and nobody in his right mind is proposing to change it. Incidentally, SSA tells people who insist on having the \$2.1 trillion statistic that it is meaningless. If the Wall Street Journal was so informed by SSA, it concealed this fact from its readers.

Contrary to the impression your editorial creates, we in the AFL-CIO do not believe that the Social Security System is perfect or that it couldn't stand any improvement. Of

course it can. For one thing, its benefits should be improved—not necessarily across-the-board, except automatically as prices increase but for certain groups like the disabled and early retirees—and its financing should be made more equitable.

Although your editorial doesn't mention it, there is also a possible long-term fiscal problem which may need attention down the road. Under certain assumptions (unforeseen because they relate mainly to the recent decline in the birthrate) there could be an actuarial deficit over the next 75 years amounting to 3% of payroll. If this is a problem, it should not be a cause for undue concern because it can be readily met—by payments to the system from general revenues as in social security systems throughout the world. Labor force adjustments involving what can be expected anyway if our economy can be kept healthy—more women and elderly persons in the labor force—will also help to balance the lower birthrate.

We just don't share your exaggerated fears about the American economy. We don't expect permanent 10%-plus inflation or flat real wages. We think the American people will insist on a growing economy with reasonably stable prices which will fully support an adequate level of Social Security payments.

But your editorial leaves us in the dark as to what you think ought to be done. Would you join the Secretary of the Treasury in proposing to cut Social Security benefits in this period when raging inflation has forced many of the elderly to scrounge garbage cans and subsist on pet food? Or perhaps you would just abolish Social Security and turn everyone over to the tender mercies of the private insurance companies.

As for us, we are working to improve every aspect of the system—benefits as well as financing. And to allay anyone's fears, we haven't the slightest doubt that "the money will actually be available to pay the Social Security benefits union members have been promised when they retire."

BERT SEIDMAN,

Director, Department of Social Security,  
AFL-CIO.

Washington.

#### WHY ARE WE IN JOHANNESBURG?

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. RANGEL. Mr. Speaker, the United States, in the past few years, has been in the process of military contingency planning for South Africa. This change in policy and support of a nation with a firm policy of apartheid is not justifiable. An article, written for Esquire which will appear this month, eloquently outlines the details of this situation. This action should not be allowed to go by unnoticed. The United States must not be allowed to continue to interfere in the governments of other nations.

The article written for this month's issue of Esquire follows:

WHY ARE WE IN JOHANNESBURG?

(By Tad Szulc)

For well over a year, the North Atlantic Treaty Organization and the United States have been engaged in top secret contingency planning to extend their air and naval operational responsibilities to the vast strate-



gic vacuum stretching from the South Atlantic to the Indian Ocean, covering the sea-lanes around South Africa's Cape of Good Hope and the approaches to the oil-rich Persian Gulf.

Steadily growing Soviet naval power in the area and the consequent need to protect vital tanker routes around the Cape are among the justifications for what may become in time, if it is pursued, the greatest shift in N.A.T.O.'s strategic objectives since its creation in 1949 as a deterrent to the Soviet threat in Europe.

But, as much as anything, the American interest—perhaps even more than N.A.T.O.'s—appears to relate to the security of southern Africa in the context of mounting dangers posed to "white supremacy" regimes by black liberation movements.

United States policy, as it quietly evolved under the Nixon Administration since 1970, was a "tilt" in favor of the Republic of South Africa, Rhodesia and the Portuguese territories of Angola and Mozambique—away from strong traditional support for self-determination by black populations. However, given the sensitivities of the black American community and church and liberal groups, the new policy was carefully concealed.

A secret White House document, a copy of which was obtained by Esquire, spells out the policy for southern Africa approved by the President in February, 1970. The key section of this document, a National Security Council Decision Memorandum (NISDOM), is based on the so-called Option 2 for African policy prepared by the N.S.C.'s Interdepartmental Group for Africa. After its adoption, Option 2 acquired the name "Tar Baby" in bureaucratic colloquial usage. This policy, known among White House and State Department officials as one of "communication" with South Africa, provides the rationale for the current military contingency planning for the defense of southern Africa. These plans follow earlier unpublicized decisions to relax unilaterally the long-standing United Nations arms embargo against South Africa and the United States embargo against Portugal in Africa, and other steps designed to help the white regimes preserve the status quo.

The guiding principles of American policy are: political stability and concurrent containment of Communist influences in Africa's southern cone; continued use of air and naval facilities in South Africa and the Portuguese colonies in support of United States naval presence in the Indian Ocean and other activities; easy access to South Africa's raw materials, notably uranium; and concern with orderly trading in her gold.

The United States maintains in South Africa a guided-missile tracking station and a N.A.S.A. spacetracking station. It enjoys overflight and aircraft-landing rights to support these stations and for general purposes. The Central Intelligence Agency and the South African secret services cooperate closely under the terms of a secret intelligence agreement, similar to United States intelligence accords with N.A.T.O. governments. The United States also has about one billion dollars in private investments in South Africa.

It is interesting to observe how startlingly wrong, in the light of subsequent events, was the premise upon which Tar Baby was constructed by Henry Kissinger's N.S.C. staff and recommended by him to Nixon. The following is the fundamental assumption of the 1970 NISDOM:

"The whites are here to stay and the only way that constructive change can come about is through them. There is no hope for the blacks to gain the political rights they seek through violence, which will only lead to chaos and increased opportunities for the Communists. We can, by selective relaxation of our stance toward the white regimes, en-

courage some modification of their current racial and colonial policies and through more substantial economic assistance to the black states [a total of about five million dollars annually in technical assistance to the black states] to help to draw the two groups together and exert some influence on both for peaceful change. Our tangible interests form a basis for our contacts in the region, and these can be maintained at an acceptable political cost."

The Portuguese military coup last April overthrew the dictatorship at home when the leadership of the armed forces finally concluded that the thirteen-year colonial war against nationalist guerrillas in Africa could not be won and that Lisbon had to grant the rebels self-determination if not outright independence.

This, of course, was a complete victory for the nationalists and it demolished the Kissinger assumption that "there is no hope for the blacks to gain the political rights they seek through violence." It also could presage anti-American sentiment among these blacks.

Independence in Angola and Mozambique may mean, whenever it comes, the denial of their deepwater ports to the United States fleet. It may mean the loss of oil concessions held by American companies off the shore of Angola. And it certainly means the encirclement of South Africa and Rhodesia by a bloc of black states—most of which are likely to serve as a base for cross-border guerrilla operations in the two "white supremacy" countries. Until last April, Angola and Mozambique were a protective belt around South Africa and Rhodesia.

The central question arising at this time is whether the totally unexpected events in Portugal will hasten or deter military contingency planning for southern Africa by N.A.T.O. and the United States. South Africa and Rhodesia have obviously become more vulnerable to black pressure.

What is unclear is how Washington and/or N.A.T.O. interpret the new situation, although the military are known to believe that the "loss" of the Portuguese colonies is a strategic threat to the West. South Africa has been increasingly pressing for some form of defense alliance with the West; the decision facing the United States and its allies is whether to be drawn into possible military adventures in southern Africa after our experience in Vietnam.

The secret contingency planning for southern Africa and the Indian Ocean—being conducted by the Norfolk, Virginia, headquarters of SACLANC, the acronym for Supreme Allied Commander, Atlantic—concentrates on the development of air-naval task forces to operate in that immense maritime area. In a sense, it aims at finding a new role for N.A.T.O., whose statutory southern boundary is the Tropic of Cancer, at a time when the European situation is fairly stabilized.

The need to counteract the rising Soviet naval penetration in the Indian Ocean (including warship movements and access to bases in Somalia and Aden at the lower end of the Red Sea) and to protect the southern entrance to the Persian Gulf, as well as the sea routes used by the huge tankers serving European and American ports, is the justification for the SACLANC planning.

These studies parallel the United States' desire to establish a major air-and-naval base on the tiny British island of Diego Garcia, a speck of land in the Indian Ocean, to support the fleet there after the Navy's base rights for its small Middle East force in Bahrain in the Persian Gulf are phased out. If ports in Angola and Mozambique are closed to us in the future (they are too small for aircraft carriers, but adequate for smaller warships), the Navy will have no land-support points between the North Atlantic in the West and the Philippines in the East—a strategic nightmare. Except for aircraft

from an occasional United States carrier plying these waters there are no facilities for aerial surveillance of Soviet ships.

For this reason the United States has been negotiating for Diego Garcia with Britain and eyeing with mounting interest the excellent South African naval bases, particularly Simonstown. Up to now, Washington has refused South African offers of its naval facilities because of the military embargo the United States still ostensibly maintains against the Pretoria regime and because black American sailors coming ashore are subject to South African racial-segregation laws. Except for medical emergencies, no United States warship has docked in South Africa since 1967, when shore leave for the crew of the aircraft carrier *F.D.R.* was canceled because of discriminatory practices.

But changed conditions may bring new decisions in Washington as well as in N.A.T.O. This is presumably why N.A.T.O.'s Defense Planning Committee issued a secret instruction in June, 1973, to SACLANC to undertake the contingency planning for the southern African region and why pressures are growing for military coordination with the South Africans. SACLANC was authorized to plan "outside the N.A.T.O. area."

The French navy conducted joint exercises with South African warships in April, 1974—thus far a purely, bilateral affair—and it is known that one of the variants in SACLANC's secret planning contemplates joint air-naval task forces with South Africa for whatever emergency may arise in the future.

In June, 1974, the N.A.T.O. Ministerial Council, holding its annual meeting, took a major step toward the expansion of its interests beyond the region of its original responsibilities as defined in 1949. Under the old definition, N.A.T.O. was concerned with Europe, North America, the North Atlantic and the North Sea. N.A.T.O. fleets operated in the Mediterranean (Greece and Turkey, as well as Italy and France, belong to N.A.T.O.), but the Middle East was out-of-bounds as was everything south of the Tropic of Cancer.

But the Ottawa Declaration of June 19 introduced a whole new concept for N.A.T.O. planning. Its Article 11 said: "The allies . . . are finally resolved to keep each other fully informed and to strengthen the practice of frank and timely consultations by all means which may be appropriate on matters relating to their common interests as members of the alliance, bearing in mind that these interests can be affected by events in other areas of the world."

This, of course, is a carte blanche for N.A.T.O. to become involved wherever it wishes. It may mean the Middle East, or the Indian Ocean—or southern Africa. The uncertainty is whether the United States and some of its allies, encouraged by the license issued in Ottawa, may choose to regard South Africa's internal security in the face of black pressures as a justification for direct air or naval support, using SACLANC's contingency planning.

In such an event, Washington's Tar Baby, already at best an ambiguous policy, would be transformed into clear support for the white regimes as proposed in Option 1 (there were five options) of the N.S.C. study. Option 1, rejected by Kissinger as too extreme and politically untenable at home, recommended that since "the whites are in control and insurgent violence will not seriously threaten that control," the United States' "economic, scientific and strategic interests in the region . . . are worth preserving and expanding. The political costs of closer relations with the white states will not be excessive."

Among the "Operational Examples" in this option were the following: "Relax arms embargo against South Africa with liberal treatment of equipment which could serve either military or civilian purposes or which could serve the common defense"; "Authorize rou-

time naval visits and use of airfields"; "Relax enforcement of sanctions against Rhodesia"; "Relax the unilateral U.S. embargo on the Portuguese territories to permit export of dual-purpose equipment" (dual purpose means use in metropolitan Portugal in the N.A.T.O. context as well as in Africa against the guerrillas); "Limit economic aid to the black states to regional and multi-donor programs"; and "Publicly discourage insurgent movements."

Tar Baby, the second option, as it developed in practice, achieved many of the notions incorporated in Option 1 of the N.S.C. Study Memorandum No. 39 (known bureaucratically as NISSOM-39). This policy's somewhat naive concept was that through the "selective relaxation of our stance toward the white regimes," the racist regimes would start treating their blacks more humanely. The idea was that if the U.S. persisted in this approach, it would work.

And this is how the Nixon-Kissinger policy acquired its name: the Tar Baby, of course, is the character in the "Uncle Remus" stories who by his stickiness catches Br'er Rabbit.

In hindsight, it can probably be argued that Tar Baby's stickiness may turn against its creators. It may well alienate the new independent regimes when they come into being in Angola and Mozambique as well as much of black Africa, where the basic policy has been to defuse Communist influence. And it is likely to find little favor with blacks and liberals at home.

A senior State Department official, thoroughly familiar with the African situation and personally opposed to Tar Baby, commented privately not long ago that the Nixon Administration's policy was "hypocritical and immoral" and "gave us the worst of both worlds."

He wistfully recalled the words of the late Adlai Stevenson addressing the U.N. Security Council on August 2, 1963: "All of us sitting here today know the melancholy truth about the racial policies of the government of South Africa. Our task now is to consider what further steps we can take to induce that government to remove the evil business of apartheid, not only from our agenda, but from the continent of Africa. . . . In the absence of an indication of change, the United States [will] not cooperate in matters which would lend support to South Africa's present racial policies. . . . The United States has adopted and is enforcing the policy of forbidding the sale to the South African government of arms and military equipment, whether from government or commercial sources, which could be used by that government to enforce apartheid either in South Africa or in the administration of South-West Africa. . . ."

But seven years later, in 1970, the whole moral and practical tone of American policy was changed. This is how the secret Option 2 states the "General Posture":

"We would maintain public opposition to racial repression but relax political isolation and economic restrictions on the white states. We would begin by modest indications of this relaxation, broadening the scope of our relations and contacts gradually and to some degree in response to tangible—albeit small and gradual—moderation of white policies. Without openly taking a position undermining the United Kingdom and the U.N. on Rhodesia, we would be more flexible in our attitude toward the Smith regime. We would take present Portuguese policies as suggesting further changes in the Portuguese territories. At the same time, we would take diplomatic steps to convince the black states of the area that their current liberation and majority-rule aspirations in the south are not attainable by violence and that their only hope for a peaceful and prosperous future lies in closer relations with

white-dominated states. We would emphasize our belief that closer relations will help to bring change in the white states. . . ."

"This option accepts, at least over a three-to-five-year period, the prospect of unrequited U.S. initiatives toward the whites and some opposition from the blacks in order to develop an atmosphere conducive to change in white attitudes through persuasion and erosion. To encourage this change in white attitudes, we would indicate our willingness to accept political arrangements short of guaranteed progress toward majority rule, provided that they assured broadened political participation in some form by the whole population."

The document then recommends these "Operational Examples":

"Enforce arms embargo against South Africa but with liberal treatment of equipment which could serve either military or civilian purposes." (This wording differs from the "extreme" first option, but permits considerable latitude in providing a variety of useful military items.)

"Permit U.S. naval calls in South Africa with arrangements for non-discrimination toward U.S. personnel in organized activity ashore; authorize routine use of airfields."

"Conduct selected exchange programs with South Africa in all categories, including military."

"Without changing the U.S. legal position that South African occupancy of South-West Africa is illegal, we would play down the issue and encourage accommodation between South Africa and the U.N." (This is a reference to a U.N. decision that South Africa's mandate over South-West Africa, first granted by the League of Nations, has lapsed and that the territory should be given independence.)

"On Rhodesia, retain consulate; gradually relax sanctions (e.g., hardship exceptions for chrome) and consider eventual recognition." (American companies owning chrome mines in Rhodesia pressed the Administration to grant them an exception from the U.N. sanctions against Rhodesia following her 1965 Unilateral Declaration of Independence—U.D.I.—and imposition of minority white rule.)

"Continue arms embargo on Portuguese territories, but give more liberal treatment to exports of dual-purpose equipment."

"Toward African insurgent movements take public position that U.S. opposes use of force in racial confrontations. Continue humanitarian assistance to refugees."

Under this option, advantages accruing to the United States would preserve its "economic, scientific and strategic interests in the white states and would expand opportunities for profitable trade and investment."

The secret paper further observes that "U.S. diplomatic support and economic aid offer the black states an alternative to the recognized risks of mounting Communist influence."

It also notes that the proposed policy "would reduce a major irritant in our relations with Portugal, and afford the Caetano government opportunity for liberalization." Indeed, the Nixon policy did remove the "irritant"—Portugal bitterly complained in the past about the African policies of Presidents Kennedy and Johnson—but Premier Marcello Caetano was ousted by his own antiwar military commanders last April and chances are that Nixon's "tilt" will produce a wholly different irritant in Lisbon.

Curiously, however, the N.S.C. study also warned that Tar Baby could have negative consequences as well. It said:

"Relaxation of the U.S. stance toward white states could be taken by the whites as a vindication of their policies. Many black states, led by Zambia and Tanzania, probably would charge us with subordinating our professed ideals to material interests and tolerating white-regime policies."

"There is a serious question whether pro-Western leaders of the black states could continue to justify their stance to their populations if the U.S. officially declared its opposition to current liberation efforts. Radical and Communist states would be the beneficiaries."

"Unilateral U.S. relaxation of sanctions against Rhodesia would be a highly visible violation of our international obligations and would be damaging both to the U.S. and to the U.N."

"The current thrust of South African domestic policy does not involve any basic change in the racial-segregation system, which is anathema to the black states. There is virtually no evidence that change might be forthcoming in these South African policies as a result of any approach on our part."

"Requires extensive diplomatic and economic involvement in a situation in which the solution is extremely long-range and the outcome doubtful at best."

Despite these caveats, the Nixon Administration accepted most of the N.S.C. recommendations in Option 2 and, in some cases, even went beyond them. The paper containing the five options was presented by Kissinger to Nixon and the full National Security Council on December 19, 1969. In February, 1970, after consulting with Nixon, he ordered the drawing up of the NISSOM document—the Decision Memorandum—which was known as Tar Baby.

In the case of South Africa, the United States gave a most "liberal" interpretation to the relaxation of the arms embargo. In all the "grey areas," the benefit of the doubt was given the South Africans. Thus they were allowed to buy Bell helicopters here with the full knowledge in the United States Government that they would be used in police military operations along with choppers bought from France, which does not observe the U.N. embargo. The same thing occurred with twin-engined executive Learjets, which can be outfitted for reconnaissance and even certain combat or suppression missions. Herbicides and defoliants of the type used in Vietnam were also sold to South Africa.

Portugal benefited in the same manner. TAP, the Portuguese airline, was able to buy in the United States a number of Boeing 707 jet airliners. Although a commitment was signed that the jets would not be used for military purposes, TAP, which flies a regular route between Lisbon and Angola and Mozambique, regularly transported combat troops to Africa, according to C.I.A. reports.

Portuguese officers were trained in counter-insurgency at the U.S. Army's jungle-warfare school at Fort Gulick in the Panama Canal Zone and at Fort Benning, Georgia. Portuguese jet pilots received training in West Germany, the headquarters of the U.S. Air Force in Europe.

In the case of Rhodesia, the United States finally closed down its consulate in Salisbury only after Prime Minister Harold Wilson requested it in a sharply worded note to Nixon. The consulate was accredited to the British Crown. At the December, 1969, N.S.C. meeting, Richard Helms, then C.I.A. director, had urged strongly that the consulate remain open because it served a crucial intelligence function. Later, William P. Rogers, then Secretary of State, claimed credit for the closing of the consulate as a gesture against white supremacists.

Economic aid to the black states rose at the same time in a less than spectacular manner. From a total of \$155,000,000 in the fiscal year 1970, for all the black countries, it rose to \$176,000,000 in 1971, dropped to \$135,000,000 in 1974, and is planned to go up to \$169,000,000 in 1975.

What is likely to happen next in United States and N.A.T.O. relations with South Africa and Rhodesia, now that Angola and Mozambique (where Rhodesian and South African units supported the Portuguese



against the guerrillas) are gone as the protective buffer for the white regimes?

My own impression from Washington conversations is that SACLANT and the Pentagon planners will proceed with their contingency planning, perhaps with even greater urgency than before. Instability in the Persian Gulf, the Soviet naval activities in the Indian Ocean and the new "soft underbelly" in southern Africa (Angola and Mozambique) obviously provide a rationale for further strategic planning on a wide scale.

N.A.T.O. as a whole is unlikely to authorize a formal expansion below the Tropic of Cancer because of assured opposition by the British Labour government, now back in power (previously, the Conservative government strongly favored a move to the south), as well as by the Scandinavian, Dutch and Belgian governments. Even the new Portuguese regime (Portugal belongs to N.A.T.O. and is headquarters of the IBERLANT Command) may have second thoughts about it. But, significantly, a N.A.T.O. spokesman in Brussels said last May, in confirming that SACLANT was studying contingency plans for the Indian Ocean and the South Atlantic, that this imposed no commitment on any member nation to become engaged there.

In other words, this left the United States and any other interested N.A.T.O. member free not only to use SACLANT's plans but to become involved in whatever operations it deems necessary under its own flag. N.A.T.O., indeed, can be quite flexible, what with its operational traditions in the Mediterranean and the membership of Greece and Turkey, hardly North Atlantic powers.

Meanwhile, contacts between South Africa and the United States have intensified during 1974. Connie P. Mulder, Interior and Information Minister (and possibly the next Prime Minister), spent five days in Washington in January, conferring with Vice-President Ford, Congressional leaders and Vice Admiral Ray Peet, a top Pentagon planner whose responsibilities include the Indian Ocean.

In May, Admiral Hugo H. Biermann, chief of the South African Defense Forces, came to Washington after Secretary of State Kissinger overruled his African Bureau's recommendation to deny the Admiral his visa under the military-embargo policy. Biermann, an outspoken advocate of close defense ties with the United States, met with the Acting Secretary of the Navy, J. William Middendorf, and dined with seventeen admirals at the home of a Maryland Republican congressman. It was all part of South Africa's vigorous lobbying for a defense arrangement with the United States—and other N.A.T.O. members—in the name of Indian Ocean security.

An ambassador from a friendly black African country, hearing about these frantic activities, asked an American friend: "Do you Americans really want another Vietnam—in Africa?"

#### MINORITIES FOR MANAGEMENT

### HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. VEYSEY. Mr. Speaker, an article was recently called to my attention regarding a 2-day orientation session held at the Harvard Business School to encourage more Mexican-Americans to apply to HBS. I would like to share the article with my colleagues:

#### MINORITIES FOR MANAGEMENT

(By Dean W. Currie and Thomas E. Hitchcock)

Today the need for members of minority groups with management capabilities is felt by most segments of American society. Business and public organizations alike are seeking more minority management personnel. Minority communities themselves want skilled business leadership. The Harvard Business School is working to meet this need by attracting outstanding individuals from minority groups to the MBA Program.

A key element in attracting anyone to the MBA Program is personal contact with someone who is aware of the issues and opportunities in graduate management education. A recent poll of first-year HBS students conducted by the Admissions Office revealed that more than 65% of the successful applicants to the School had spoken to an HBS alumnus about the School prior to applying.

Generally speaking, minorities remain disadvantaged in this process. Societal forces of long duration have severely limited the involvement of minorities in the business of managing our country's institutions. As a result, there are few minority role models to provide inspiration, information, and advice regarding managerial career opportunities.

Accordingly, HBS alumni—individually and through College Relations Committees (as previously reported by John Gladney in the *HBS Bulletin* of Sep/Oct 1973)—are working actively to provide the personal contact, information, and encouragement that are so crucial to a minority individual's decision actually to seek a Harvard MBA. Coupled with that alumni work, another effort, undertaken this spring by the Admissions Office, sought to expand the base of individuals knowledgeable about the MBA Program.

#### HELP FROM UMAS

Working closely with the United Mexican-American Students (UMAS) at the School, the MBA Administration set out to identify a handful of individuals who, because of their positions, personal attributes, and concern for people, seem to attract large numbers of Chicanos and other students seeking guidance on graduate education and career opportunities. We invited several such people to the School. Once here, they were given first-hand experience of the educational process and opportunities to discuss in depth the variety of management career opportunities available to HBS graduates. With this kind and quality of information, we felt the participants could then return to their communities better able to encourage outstanding Chicanos to look to Harvard for graduate management education.

In identifying people to invite, we focused initially on educational institutions with substantial enrollments of Mexican-Americans. Subsequently, however, we also found an opportunity to link up with National Education Service Centers (NESC). This organization comprises ten Centers which are federally funded extensions of the League of United Latin American Citizens (LULAC) and whose aim is to increase the number of Spanish-surnamed students attending U.S. colleges and universities. The fit was ideal, not only in view of NESC's objective, but also because its Director of Field Operations, Rodolfo H. Castro, is an HBS alumnus (MBA '73).

Thus, last April, seven people came to Soldiers Field at our invitation to participate in two days of orientation to the School. We were especially fortunate in the diversity within the group. It included the Director of Mexican-American Studies at the University of Houston, the Resident Poet and Associate Professor of English at New Mexico State University, the Assistant Dean of Students at the University of Texas, and four NESC Field Directors from Phoenix, Albuquerque, Topeka, and Colorado Springs.

#### ORIENTATION AND DIALOGUE

In planning the two-day activities, we established two objectives. One was to provide a first-hand introduction to the MBA Program's educational objectives and teaching philosophy. The first evening of the visit was devoted entirely to small-group dinner discussions between the visitors and HBS professors whose classes they would attend the next morning. In this intimate setting, each instructor was able to relate the particular case and teaching objectives of the next day's class to the educational philosophy and goals of the overall MBA experience. The guests were given copies of the cases to read that evening to help them appreciate more fully the class discussions. Then, after attending classes the next morning, they joined the Chicano students for lunch and had an opportunity to exchange ideas about the HBS approach to education for management.

Our second objective was to engage in substantive dialogue with our guests on the issues involved in attracting capable Mexican-Americans to graduate management education in general and to the Harvard Business School in particular. As a prelude to these discussions, however, we felt it would be helpful to convey something of the expectations and opportunities of our MBAs as they complete the two-year program.

Hence, part of an afternoon was devoted to a meeting with Professor Wickham Skinner, Chairman of the Production and Operations Management teaching area. He had been spending a substantial portion of his time during the 1973-74 academic year studying the relationships in the ongoing work of some 20 individuals at the School in the areas of career counseling, career development, and placement.

The visitors then met with Ms. Beverly Spaine, Director of MBA Career Development Projects. Her assignment has been to develop both information and contacts in increasingly popular but poorly understood career markets, such as small business and the nonprofit sector, in order to provide better access to those markets for HBS graduates. An essential element in these conversations—as in all phases of this project—was the active participation of Chicanos currently at the School. Their contribution provided perspective within which the discussions of career opportunities took on particular relevance.

The remainder of the afternoon focused directly on a detailed discussion of the recruiting and selection processes, financial aid, and the issues involved in attracting outstanding Chicanos to the MBA Program. Having based this project on the premise that highly respected individuals and role models are key elements in encouraging Mexican-Americans (and, indeed, most others) to attend the Harvard Business School, our aim here was twofold: first, to provide our guests with a thorough understanding of both the selection process and criteria; second, to learn as much as we could from our guests about the weaknesses in our own concepts and assumptions about the people we are trying to recruit.

The time spent in the first day and a half of the project proved its usefulness. Our guests were able to apply their understandings of the MBA educational and career opportunities to a rigorous questioning of the admissions process and financial aid programs. The result was exactly the kind of learning experience, on both sides, which we had hoped for. Our guests gained a much clearer impression of the type of person the School hopes to attract and some ideas on how to identify such people.

For our part, the concerns expressed by the visitors crystallized the ways in which the School is regarded by Chicanos. The discussion also emphasized the need for the

very type of first-hand information the project was designed to provide.

The close of the two very full days was marked by cocktails and dinner at the University Faculty Club—an affair which nobody seemed to want to end. In fact, it didn't. Unbeknownst to any but themselves, the members of UMAS had reserved a room at a nearby restaurant, where we retired for a relaxed and fraternal conclusion to an experience from which we'd all learned a lot.

#### EXPANDING OPPORTUNITY

One fact remains eminently clear, however. The task of expanding opportunity for graduate management education to more Mexican-Americans is one that the Harvard Business School can effect in only a limited way. We shall, of course, do all we can and demonstrate to others our commitment to the task. But the challenge is overlaid with long-standing societal forces which cannot be overcome with a wave of the hand.

Our hope for this experiment, therefore, remains modest. By increasing the sources of first-hand information within environments where the School has heretofore had little influence, we hope to expand awareness and interest in professional management education. We hope also that in the future the Harvard MBA Program will increasingly be perceived by outstanding Mexican-Americans as attractive, meaningful, and worthy of their serious consideration.

### A PARDON IS NOT JUST A BEAUTIFUL DOCUMENT TO FRAME AND HANG ON THE WALL

**HON. HOWARD W. ROBISON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. ROBISON of New York. Mr. Speaker, what I have termed our lingering "obsession" with Richard Nixon—although he is now a private citizen—helped make President Ford's pardon of the former President such a controversial and, for the new President, at least a temporarily politically hurtful action.

I have previously outlined here on this floor or elsewhere my own attitude toward the pardon—my questions about its timing, or about the apparent fact that it was granted without consultation on President Ford's part with such as the special prosecutor, the Attorney General, or the congressional leadership, but ending up with my own conclusion that President Ford took the unexpected action he did, and when he did, out of his sincere desire to help this Nation and its people shift their focus from Watergate and Nixon to the great problems facing them and the world.

The fact that President Ford did not achieve—or, at least, has not yet achieved—his ambitions in that latter regard is already political history; and I regret for us all, as well as for him, that such has been the case even as I hope that, when the President appears tomorrow as now planned before the Hungate subcommittee of the Judiciary Committee to further "explain" the facts behind his decision to grant the pardon, he will be able to clear up some of the supersuspicions—what else could one call them?—that, in the aftermath of Water-

gate, some people hold about his true motives.

One area for such suspicions—certainly one location where, so to speak, the suspicious wished to look under the rug—was in regard to the impact of the pardon upon the pending Watergate trial proceedings, as just now begun, and the attitude toward the pardon of Special Prosecutor Leon Jaworski who, many critics just naturally assumed, had to be both affronted and discouraged by the fact of the pardon.

Mr. Jaworski has, as we now know, resigned his job and returned to private law practice. In doing so, he is fully entitled—and has earned—the plaudits being directed toward him for a task well and competently performed, under some of the most difficult circumstances imaginable. I too, would wish to congratulate Mr. Jaworski—and to thank him—for a job well done.

However, the contrasting treatment by two of our national newspapers, today, toward the effect of the Nixon pardon upon Mr. Jaworski's work, and upon his attitude toward the pardon is worth noting.

The "New York Times" intoned, editorially today, that:

The questions to be put to Mr. Ford (during the Hungate hearings) should not skirt the issue of the Presidential pardon itself. There is, for instance, the matter of possible conflict between the pardon and the charter granted the special Watergate prosecutor—an issue disposed of much too cavalierly by Leon Jaworski in his letter of resignation last week.

By contrast, the Wall Street Journal thought to inquire of Mr. Jaworski for his more specific views upon the pardon—something the editors of the Times rather cavalierly overlooked, one might say. In any event, the result of the Journal's reportorial research is contained in a front page article in its today's edition, by Karen J. Elliott.

Ms. Elliott's report is revealing and, I think, useful enough under the immediate circumstances to be called to the attention of my colleagues. I will insert the full article, but I would like to highlight at least these portions: That Mr. Jaworski denies that the pardon prompted his resignation; that he has kept silent about it up to now because he wished, first, to have the Watergate jury chosen and sequestered; that he considers he has completed his primary task—that of outlining Mr. Nixon's role in the coverup; that, in this regard, the evidence to be now presented in the Watergate trials is the "best prepared case I have been associated with" and that the "evidence will show he is guilty, just as much as a guilty plea."

As to some of that, Mr. Speaker, we shall just have to wait and see what the outcome of the trials may be. But what is clearly pertinent to the public debate that has been carried on ever since that Sunday morning the pardon was granted, is Mr. Jaworski's belief—which happens to be one I have shared and presented all along—that the offering of the pardon and Mr. Nixon's acceptance of it clearly signifies the former President's guilt of at least the obstruction of justice

charge which was incorporated into Article I of the Judiciary Committee's impeachment resolution.

Listen, my colleagues, to what Mr. Jaworski states in this regard:

A pardon isn't just a beautiful document to frame and hang on the wall. You are offered a pardon only because it is believed you can be charged and convicted. You accept it only if you want to be cleared.

Mr. Speaker, in this, as in those other ways already commented upon, Leon Jaworski has performed a public service by helping to set the record straight. The full Journal article is now set forth:

THE PARDON OF NIXON WAS TIMELY, LEGAL, JAWORSKI BELIEVES

(By Karen J. Elliott)

WASHINGTON—Special Watergate Prosecutor Leon Jaworski sees nothing wrong with President Ford's decision last month to pardon Richard Nixon.

Mr. Jaworski, talking publicly about the controversy for the first time, concedes that the pardon prevented an indictment and trial of Mr. Nixon. But he believes that sufficient evidence has, or soon will, become public to show conclusively that the former President was guilty of obstruction of justice.

"The evidence will show he's guilty, just as much as a guilty plea," the special prosecutor declared during an interview yesterday in his sparsely furnished office here. Next week, Mr. Jaworski is leaving the job he has held for 11 months and is returning to Houston to resume the practice of law.

The special prosecutor believes, furthermore, that both the offering of a pardon and Mr. Nixon's acceptance of it clearly signify his guilt.

"A pardon isn't just a beautiful document to frame and hang on the wall. You are offered a pardon only because it is believed you can be charged and convicted. You accept it only if you want to be cleared."

#### AN ALL-OUT DEFENSE

Mr. Jaworski's attitude about the pardon has been a subject of intense speculation here for weeks. Many have assumed that the special prosecutor, who has gained a reputation in Washington for toughness and integrity, objected to the decision. It even has been suggested in recent days that his supposed anger over the pardon is what prompted him to resign his post.

In fact, his statements yesterday amount to an all-out defense of the most controversial aspect of the pardon: its timing prior to a Nixon indictment and trial. Thus, the Jaworski position could have significant political benefit for President Ford, whose popularity with the public has dropped dramatically since he granted the pardon.

The special prosecutor said he has kept silent on the pardon and on Mr. Nixon's role in the Watergate cover-up for two reasons: He wanted to wait until a jury was chosen and sequestered for the trial of five of Mr. Nixon's former top aides, and he wanted to wait until he had announced his resignation. All that has happened, and now Mr. Jaworski is talking: There will be more newspaper interviews, and on Sunday he is scheduled to appear on NBC's "Meet the Press" program.

Mr. Jaworski denies that the pardon prompted his resignation. He said in the interview yesterday that he decided three weeks ago to resign because he has completed what he has always considered to be his primary task—outlining Mr. Nixon's role in the cover-up.

His own departure, he said, won't slow the investigations that the prosecutor's office is conducting into the milk-fund scandal and into illegal political contributions by corporations. Action is expected soon against other companies, he said.



**"THE BEST-PREPARED CASE"**

The special prosecutor said that evidence to be presented during the current Watergate trial will further enmesh the former President in the cover-up. Mr. Jaworski, who won't be participating in the prosecution, called it "the best-prepared case I've been associated with."

Mr. Jaworski's attitude about the controversial pardon rests on the assumption drawn from an early Ford news conference that President Ford always intended to pardon Mr. Nixon eventually. Thus, to Mr. Jaworski, all that is at issue is the timing of the pardon.

Mr. Jaworski insists that if Mr. Nixon's case had been allowed to proceed to indictment and trial, the public would have learned nothing more about the former President's role than will come out in the trial of his former aides. "It's a mistake to believe there would have been more evidence for the public if he had been tried," the special prosecutor said.

"If he had been pardoned after indictment, the public would have no new information. If he had gone to trial, he could have invoked his Fifth Amendment guarantees against self-incrimination, pleaded nolo contendere, or even pleaded guilty, and we wouldn't have learned any new details," Mr. Jaworski said.

The special prosecutor wouldn't say whether he would have prosecuted the former President if Mr. Ford hadn't pardoned him. "Nothing is served by talking about hypothetical situations now," he declared.

But Mr. Jaworski said that if the former President had been charged, his trial wouldn't have come for many months. "We gave no consideration to doing anything with the former President until after the cover-up jury was sequestered," he said.

A major task still facing the special prosecution force is a report to Congress on the Nixon investigation and on other aspects of the Watergate case. That report will exclude much evidence against the former President unless Congress specifically authorizes its inclusion. Without such authority, Mr. Jaworski believes, a prosecutor can't ethically disclose evidence against a man who hasn't been charged; Mr. Jaworski has asked Congress for authority to include such material in the report.

"We can paint a very full picture of Mr. Nixon's role in obstructing justice, but the difficulty arises in other areas where we didn't bring charges," he said. The Watergate grand jury named Mr. Nixon as an unindicted coconspirator in the obstruction of justice for which his former aides are being tried.

Mr. Jaworski is turning philosophical as he prepares to leave for a rest at his Texas ranch, where he will "watch the deer and birds and think about something besides Watergate for the first time in a year." Watergate, he believes, has shown that the American governmental system works. "Here are top men in government who haven't been spared from investigation, exposure and conviction," he said.

But he isn't sorry to be leaving. "The whole thing is a tragedy," he said. "And I don't get any satisfaction from being involved in a national tragedy."

**SEAPOWERS STILL KEY TO NATION'S DEFENSE****HON. PETER N. KYROS**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. KYROS. Mr. Speaker, I would like to commend to the attention of my col-

leagues in the House of Representatives the very fine remarks of the Navy's new Chief of Naval Operations Adm. James L. Holloway III as they appeared in the Washington Post of October 15.

Our new CNO places great importance on maintaining the offensive firepower and flexibility of the Navy's surface ships. Maintaining a swift, mobile and efficient Navy is not only important to us now because it means we can get the most out of our defense dollars, but also because the Soviet Union is continuing its efforts to complete an integrated fishing, merchant marine, and naval fleet.

Admiral Holloway cogently describes some of the Navy's recent technological advances, builds a strong case for its increased economy and effectiveness, and at the same time outlines some of the room for improvement.

I think all Americans should be pleased with his objectives as outlined in the interview and included at this time in the Record:

**NAVY SEEKS MORE FIREPOWER**

(By Michael Gettler)

A major increase in the offensive firepower and flexibility of the Navy's surface ships is the primary goal of the Navy's new boss, Chief of Naval Operations Adm. James L. Holloway III.

To get that extra striking power, the admiral, in an interview last week in his Pentagon office, said he plans to speed up development of the Navy's new Harpoon ship-killing missile and expand both the number of ships that will carry this new weapon and the number of missile-firing batteries on each vessel.

Harpoon is designed to hit enemy vessels as much as 60 miles away, far beyond the range of Navy guns. Wide deployment of this missile, Holloway feels, will also bring with it much of the new flexibility the fleet needs.

It would, for example, allow many vessels now equipped primarily from air attack to operate more independently of the carriers and contribute more to offensive rather than purely defensive operations.

With the price of ships soaring, and the size of the U.S. fleet reduced from almost 900 vessels five years ago to just over 500 today, Holloway says the Navy must get more out of each ship. The service, he said, "simply can't afford to build new ships only to protect carriers" from air or sea attack.

The Navy has been criticized by many observers in recent years for putting too much emphasis on very expensive vessels such as nuclear-powered frigates that are laden mostly with antiaircraft missiles to defend the carriers.

Holloway, in effect, indicated that he will move away from that concept. He feels that the Navy's new carrier-based F-14 fighter has "three times the capability" of the current F-4 fighter to protect carriers from air attack. And, he pointed out, the era of long-range antishipping missiles—already in the hands of the Soviet navy and air force—has made obsolete the idea of carriers operating with tight screens of escorts.

Task forces now are dispersed dozens of miles apart, so that a nuclear-tipped missile exploding near one ship will not destroy others.

"We really want to drop the term 'escort,'" Holloway said. "Carriers don't need a ring of ships around them anymore. The threat is so much faster now. The attack range of submarine-launched [antishipping] missiles is 25 miles or so. In a conflict, the fleet disposition is dispersed over many miles of ocean, linked by radio communications, not visual."

It is in those widely dispersed formations that Holloway believes U.S. surface ships must be able to do more offensively—especially attacking enemy surface ships—than they now are equipped to handle. Aides to Holloway say the admiral does not want the Navy to repeat what many officers consider to be a serious mistake in putting so little armament on the new 1052-class of destroyer escorts and 963-class of destroyers now in production.

Holloway is clearly looking to Harpoon—which can also be fired from planes and submarines—to give U.S. ships more punch quickly.

We plan to "exploit Harpoon," the admiral said, deploying it not only as planned on new patrol frigates and missile gunboats not yet in full production but "increasing the number of installations on all surface combatants—cruisers, (large) frigates, destroyers and escorts."

"There will be a big retrofit program also," Holloway said, referring to plans to put the new missile on some older vessels as well.

Ironically, when Harpoon gets to the fleet late next year, the U.S. Navy will become about the last major navy in the world to recognize the potential of long-range antishipping missiles.

The Soviets have had such weapons for years, and it was the sinking of an Israeli destroyer in 1967 by a Soviet-equipped Egyptian missile boat that first sent shock waves through the U.S. Navy high command. The navies of France, Israel and many other countries developed these weapons well ahead of the U.S.

Harpoon, however, may be one of the best, longest-range, and most expensive (upwards of \$250,000 apiece) of the antishipping missiles.

The missile carries a radar set in its nose and, once fired in the general direction of the target, uses that radar to home in on the target.

Now some three months into his new job as CNO, Holloway says that while he, of course, "inherits the hardware" from his predecessors, his main hope and "the most important thing is that our ships should be multipurpose, flexible and stress an offensive capability."

Holloway says the Navy is also reviewing its plans for another "sea control ship" the service wants badly but which Congress has vetoed.

That ship is a new mini-aircraft carrier to carry helicopters and vertical take-off jets for convoy duty and submarine-hunting. Holloway says the Navy is now looking at giving such ships expanded roles, including mine-sweeping, carrying Marine assault helicopters and even carrying Army helicopter gunships.

Holloway, at 52, moved into the job last July when Adm. Elmo R. Zumwalt retired. Like his predecessor, Holloway has no illusions about the growing power of the Soviet navy and, in particular, its submarine forces, which make it difficult for the United States to keep the Atlantic sea lanes open in wartime.

The Navy says it is currently \$2 billion in the red on new ships already authorized by Congress, strictly due to inflation. The overhaul of 15 older ships, also approved on Capitol Hill, has been deferred along with aircraft and base maintenance which the Navy claims is essential but which is being postponed because of rising prices.

All of this, Holloway says, will at some point lead to a deterioration in fleet readiness which must somehow be dealt with by the Navy, Congress and the public. In the case of vessels under construction, the Navy can either ask for more money from Congress, request a redistribution of money from future programs to keep current projects going in the hope of recouping in later years or simply build fewer ships.

For the maintenance account, the Navy is faced with the choice of either spreading money thinly to keep the 500-ship fleet operating, or dropping to a smaller but better maintained Navy.

Holloway, in effect, expressed a fear that decisions concerning the relative size and strength of U.S. armed forces will be made almost unwittingly by factors other than national policy.

"We've got to keep in front of our people at all times what the purpose of the Navy is," he said. "It is to carry out the assigned tasks of national strategy. So the number of ships the Navy maintains and where they are should depend on national strategy; not where the CNO says they should be or just because we've done things a certain way before."

On personnel matters, Holloway had praise for the efforts of Zumwalt to ease many burdens of military life for enlisted men.

But Holloway, as expected, said he now wants to "slow down the rate of change a little and consolidate our position." He added that he wants to "emphasize and strengthen those (Zumwalt-style reforms) that have given a good payoff" and discard some others.

The admiral said he hadn't decided yet what would be discarded, but that his review would take into account "changing world conditions." He did not deny that such changes might involve shifts in some of the overseas homeporting arrangements set in motion by Zumwalt. This could mean an eventual change in plans for the U.S. Navy homeport arrangement in Greece, where six destroyers are based and where anti-American sentiment has risen sharply in recent months.

#### DEVELOPMENT OF ALTERNATE SOURCES OF ENERGY

#### HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. CASEY of Texas. Mr. Speaker, this Congress has given a great deal of attention to providing new ways and means of developing alternate sources of energy.

I know that our efforts will pay dividends for all Americans as we decrease our dependence on foreign sources of energy and find new low-cost domestic power sources.

One of the most obvious energy sources is the Sun and we have already authorized a large-scale effort to develop the technology necessary to utilize solar energy for heating and cooling purposes.

Today I would like to bring to the attention of my colleagues some of the research that has already been done in the field and some cost analysis projections that I believe we can all accept with a great deal of optimism.

The findings are from a paper presented by Prof. A. F. Hildebrandt of the College of Natural Science and Mathematics at the University of Houston while appearing before the Federal Energy Administration Project Independence hearings at Houston on September 19, 1974.

The University of Houston is already providing considerable leadership in the energy research field, as is demonstrated in the report, entitled "Large Scale Solar Thermal Conversion." The report follows:

#### LARGE SCALE SOLAR THERMAL CONVERSION

(By Prof. A. F. Hildebrandt)

It has been realized that a sizable fraction of our energy requirements could be supplied within the continental United States from solar energy if developed. The NSF/RANN Program has initiated a broad vigorous program in solar home heating and cooling, photovoltaic or solar cell conversion, ocean thermal gradients and wind power. Because these studies could provide pollution-free energy for the distant future from within the United States, I believe the studies should be fully supported.

The major portion of my presentation here is concerned with solar thermal conversion and more specifically on the potential of utilizing the solar tower concept for large scale conversion of solar energy. [1] This concept is currently under study by Dr. Lorin L. Vant-Hull and the author at the University of Houston in conjunction with McDonnell Douglas Astronautics Corporation and now several other groups under NSF/RANN grants. The concept consists of redirecting solar energy from a square mile area (2.6 km<sup>2</sup>) via individually controlled flat mirrors or heliostats as shown in Figure 1. The solar radiation is reflected onto a central receiver or boiler atop a 1500 foot tower. The absorbed heat can then either be converted to steam for electric power generation or used for the production of chemical fuels. As depicted in the insert, the size of the heliostats varies from 4-6 meters dimensions as determined by economics, and indirectly introduces a lower bound for the tower height. The temperatures obtainable with such a point focus concentrator is readily in the range of 800-1200°K.

The amount of energy that can be collected with a square mile unit in the desert southwest with 40 percent of the ground covered with mirrors is 500 megawatts Thermal or 200 megawatts Electric for five hours in the winter and somewhat more energy for ten hours in the summer. Because of the point focus requirement clear sunny days are required. Ideal locations for initial development exist several hundred miles west of San Antonio, Texas out to the Mojave desert in California for a width of several hundred miles.

The cost of heat produced via a solar concentrator once developed (after the tenth plant construction) is shown in Table 1. The capital costs include the heat collection costs but do not include electric generating facilities. The estimate of \$8/bbl of oil equivalent is competitive with present fuel costs. Capital costs are equivalent to \$100/kW Thermal.

The intermittent nature of solar energy needs to be addressed but there are power grids where studies have shown definite peak power requirements to be related to direct solar radiation. This would mean no storage or backup would be required. For night operation and some cloudiness thermal storage in the earth strata, using wells appears very attractive. Also pumped hydro storage is being studied for suitable areas. Another backup for a solar plant is to use low cost gas turbine peaking plants. Such peaking units are somewhat inefficient and require expensive fuels but if the yearly operating time is small compared to that of a solar plant, the combination of a solar plant with a peaking unit is an attractive one.

For a deeper penetration into the energy market chemical production and transmission is required. One chemical process most often discussed is the electrolysis of water into hydrogen and oxygen. Electrolysis may prove attractive in certain circumstances but lacks in overall efficiency with thermochemical means. The electrolysis process is 70 percent efficient and is preceded usually by a 30-40% electric-conversion cycle.

Thermochemical processes have been proposed by DeBeni for the breakdown of water into hydrogen and oxygen and, for the

temperature possible with the point focus concentrator, efficiencies are estimated at 60-70 percent.[2] The DeBeni process however is multi-step and has not been thoroughly proven. An attractive alternative to this would be to decompose methane and water reversibly, over a catalyst at high temperature and pressure into H<sub>2</sub> and CO.[3] These chemicals would be transmitted as gases in a pipeline to a distant user and reformed into methane and water over a catalyst with the production of heat. The methane and water would be returned to a nuclear reactor or solar plant as the case may be via a second pipeline, the overall system being closed. Such a chemical transmission line would be more expensive than conventional transmission systems and have a smaller economic radius than for burning methane.

On the other hand the production of a chemical compound is estimated as 60-70 percent efficient compared to 30-40 percent for electric power generation and permits storage of solar energy in gas wells, gas storage facilities and as liquids. The most ideal location for initial solar development is in the southwest where direct radiation is high. The thermal transmission costs will tend to pull developments closer to the regional end use.

In summary, solar energy will be an acceptable form of energy once converted into electrons, molecules and heat as delivered by utilities. Utilities have the distribution system and customers to make an impact.

There are no scientific feasibility questions remaining for solar such as for fusion and there are no really new technology requirements although some modifications are required to integrate solar into utility structures. The process outlined is energy economic and building plants can be bootstrapped. Also, there are sufficient resources to produce such plants. Further, there is no air pollution and virtually no thermal pollution. Although water tower cooling for the electric plants is visualized, later plants could well incorporate dry air towers with a few points loss in efficiency.

To show the potential of solar thermal conversion let us consider the energy requirements of the United States in the year 2000 estimated to be in the range of 10<sup>17</sup> BTU's. This is equivalent to about one cubic mile of oil. An equivalent amount of thermal energy could be collected from a square of land 175 miles on the side in the southwest, 40 percent covered with mirrors, and would require 1.5 trillion dollars for capital. Although somewhat more than this amount of solar energy would be required because of delivery processes it does demonstrate the magnitude of the potential and the magnitude of the problem. It would seem reasonable that an appreciable fraction of our requirements could be met with solar. Advantages are that solar is non-depletable and within our continental boundaries. In particular solar development could explicitly and implicitly affect our balance of payments favorably.

The NSF/RANN program has requested some 288 million for solar thermal for the next five years. This is to produce a ten megawatt plant. Pending favorable results a full square mile plant may be possible by 1981-85. Since it probably will take three to five years to build a plant after development it probably will be near 2000 before a significant impact could be made. In order to show a significant impact (10%) prior to 2000 would require an accelerated national program similar to that of our completed lunar program. Full-scale plants could certainly be developed in less than ten years. A billion dollars a year could result in a full-scale plant in 5-6 years. This would require a coordinated effort of Government, Industry, and Universities. Full scale plant production could take place by ten years or less.



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TABLE 1.—Estimated Costs

450 m tower, receiver, and heat exchangers (slip cast concrete)	\$10,000,000
2.6 km <sup>2</sup> mirror field (45% coverage at \$30/m <sup>2</sup> )	35,000,000
Total Capital Investment	45,000,000
Depreciation: straight line for 20 years	2,250,000
Local Taxes and Interest (6%)	2,700,000
Maintenance of mirror field (30 men at \$10,000/year)	300,000
Operation of tower facilities (4 men at \$12,500/year)	50,000
Materials, supervision, and overhead	350,000
Net cost	5,650,000
Return on average investment at 10%/year	2,250,000
Total cost (including return)	7,900,000
Cost per kw-hr-Thermal	
This solar furnace will produce 1731 x 10 <sup>6</sup> kw-hr-T/year (avg. of 1480 kw-hr-Tm <sup>2</sup> of mirror absorbed per year by the boiler).	
Net cost per kw-hr-T	0.31
Total cost (including return)	0.46
Equivalent cost of natural gas per thousand cubic feet	1.35
Equivalent cost per barrel of oil (6 x 10 <sup>6</sup> BTU/Barrel)	8.00

## STUDENT LOAN TAX CASE SHOWS HOW SYSTEM WORKS

## HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, October 16, 1974

Mr. FOUNTAIN. Mr. Speaker, earlier this year a great many young North Carolinians were startled to receive tax-due notices from the Greensboro, N.C. office of the Internal Revenue Service.

The IRS was assessing them retroactively on the basis of a relatively new tax policy, which held that educational loans containing the forgiveness repayment provision represented taxable income. Affected were doctors, dentists,

medical technologists, X-ray technicians, teachers, nurses, and others.

Upon learning about this situation—with young professionals trained in critical specialties being assessed taxes as high as \$1,000—my distinguished colleague, Congressman IKE ANDREWS, immediately asked the IRS to correct this inequity administratively.

When that proved initially fruitless, he introduced legislation, H.R. 14392, on April 25, which I cosponsored, providing that those who had been assessed and who had paid retroactive taxes covering the past 3 years would be eligible to file for and obtain refunds.

During the summer and early fall, 143 other Members of Congress agreed to cosponsor Congressman ANDREWS' bill. This legislation was also endorsed by some 19 national health and education groups. Even so, he persisted in his efforts to correct this problem administratively.

His efforts have succeeded, as is explained to some degree in an editorial contained in the Raleigh, N.C., Times on Monday, October 14. The IRS has made a wise revaluation of its original decision. I commend my able colleague, Mr. ANDREWS, for his fine work and am pleased to insert at this point in the RECORD this editorial, "Student Loan Tax Case Shows How System Works."

The editorial follows:

[From the Raleigh (N.C.) Times, Oct. 14, 1974]

## STUDENT LOAN TAX CASE SHOWS HOW SYSTEM WORKS

In April, shortly after the floodlight of publicity had illuminated President Nixon's tax problems, the IRS, in a prime case of over-kill, lowered the boom on some 3,000 young North Carolinians.

They were young professionals who had taken advantage of the state's loan-scholarship programs while in college, agreeing to pay off loans with service after graduation. Some are serving in health care areas. Teachers are teaching in North Carolina for every year they received financial aid.

Suddenly, the IRS began mailing out unexpected tax bills to these students, giving them only 15 days to pay. IRS had ruled that the loans were income and while the student could pay back the state with service it had to pay IRS in coin.

Many of the young workers, hard pressed by unexpected tax bills as they were just launching their careers, took their cases to Fourth District Congressman Ike Andrews who introduced a bill that would have eliminated the three years retroactive clause of the bill. As a result, IRS last month suspended collections until Dec. 1975 or until it handed down a policy.

Now, IRS has issued that policy. Tax on such loans issued before June 11, 1973 are forgiven.

While the concession is one for which we can be grateful, IRS needs to go further. The students loan program is a good one. It enables many young people to go to college. It enables the state to retain teachers, doctors and other professionals within its boundaries.

This case, which led to the revaluation by IRS, offers an encouraging example of how the over system should work. Citizens, feeling wronged, turn to their elected representatives for relief. Time passes but the input pays off.

It is a process, however, that requires constant use. Now, the public and Rep Andrews need to keep prodding IRS until this needless, nitpicking tax is removed altogether.

## THE LATE "VAL" MONETTE

## HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 16, 1974

Mr. FISHER. Mr. Speaker, funeral services were held on yesterday, October 15, in Smithfield, Va., for the late and lamented Valmore Monette. Affectionately known as "Val," he was a widely recognized patriot and philanthropist. As an example, he contributed liberally to many different churches, as well as many other worthy causes.

Mr. Monette was a self-made man. He managed to accumulate considerable wealth through good management, expert planning, and his ability to choose and retain highly competent employees. In addition, he was a hard worker who took understandable pride in his achievements.

Above all, "Val" was a patriotic American who devoted his talents and his resources to the cause of good government. He was a fervent defender of the American concept of competitive free enterprise, and he was an active and proud defender of the American heritage.

Many of us who knew Mr. Monette thought of him as a personal friend. He and his charming wife always enjoyed their rather frequent visits to Washington where he was welcomed by scores of people who knew him.

In many respects "Val" was a most remarkable man. This Nation, if it is to survive, needs more people of his caliber to speak out and support its preservation. He never wavered in his devotion.

To his wife, Pamela, and other members of the family I extend my profound sympathy in their bereavement.

Under leave to extend my remarks, I include an article which appeared in the Richmond Times-Dispatch. It follows:

## VALMORE MONETTE, CONTRIBUTOR, DIES

SMITHFIELD.—Valmore H. Monette, a wealthy Smithfield businessman who headed a worldwide operation as a manufacturers' representative to the commissaries and post exchanges of the U.S. armed services, died Friday afternoon in Portsmouth General Hospital. He was 71.

A spokesman for the family said the cause of death was apparently a heart attack.

Mr. Monette was also a substantial contributor to politicians who shared what he called his "American and patriotic view."

He traveled and wrote extensively to state and federal politicians in addition to contributing thousands of dollars to them, including influential members of the House Armed Services Committee.

From his 400-acre farm near here, Mr. Monette supervised Army supermarket accounts for a wide range of manufacturers, among them Hershey Foods, Rath Meats,

Chef Boy-Ar-Dee, Woolite, Smuckers Jellies, Helene Curtis, Reynolds Metals Co., Sara Lee, Geritol and Morton Salt.

In 1973, a congressional committee investigating charges that Mr. Monette had made illegal contributions cleared him of the charge. They found that he had made contributions from a personal checking account. They also found that Mr. Monette had neither a personal nor a corporate contract

with the federal government because V. H. Monette and Co. acted only as an intermediary for manufacturers dealing with the armed forces.

Mr. Monette, a native of Florida, Mass., was the son of a blue-collar worker. Despite dropping out of school at age 14, he founded a multimillion-dollar business by being an intermediary between the commissary marketing business and the manufacturer.

He is survived by his wife, Mrs. Pamela McCreary Monette; two daughters, Miss Ann Monette and Miss Marcy G. Monette of San Rafael, Calif.; three sons, David G. Monette of Portsmouth, Richard W. Monette of San Antonio, and Alan V. Monette of El Paso; two sisters, and five brothers.

A funeral service will be held at 2 p.m. Tuesday at Colonial Funeral Home here, with burial in St. Luke's Memorial Park.

## HOUSE OF REPRESENTATIVES—Thursday, October 17, 1974

The House met at 11:30 o'clock a.m. The Reverend Jack P. Lowndes, pastor, Memorial Baptist Church, Arlington, Va., offered the following prayer:

*In all thy ways acknowledge Him, and He shall direct thy paths.—Proverbs 3: 6.*  
Our sight is short, our wills are vain, and sometimes our purposes are uncertain. Steady us, O God, that we may walk a straight path and reach the goal Thou hast for us.

Grateful for women and men who serve here in the House of Representatives, we pray that the Speaker and those who serve with him will have Thy strength, guidance, and protection.

We confess our sins and pray for forgiveness. May Thy mercy and grace continue with us today and until we meet again. In Jesus' name. 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, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On October 11, 1974:

H.R. 10088. An act to establish the Big Cypress National Preserve in the State of Florida, and for other purposes;

H.R. 11510. An act to reorganize and consolidate certain functions of the Federal Government in a new Energy Research and Development Administration and in a new Nuclear Regulatory Commission in order to promote more efficient management of such functions;

H.R. 11546. An act to authorize the establishment of the Big Thicket National Preserve in the State of Texas, and for other purposes; and

H.R. 16032. An act to authorize the Secretary of the Treasury to change the alloy and weight of the 1-cent piece and to amend the Bank Holding Act Amendments of 1970 to authorize grants to Eisenhower College, Seneca Falls, N.Y.

On October 14, 1974:

H.J. Res. 898. Joint resolution authorizing the President to proclaim the second full

week in October 1974 as "National Legal Secretaries' Court Observance Week."

On October 15, 1974:

H.R. 4861. An act to amend the act of October 4, 1961, providing for the preservation and protection of certain lands known as Piscataway Park in Prince Georges and Charles Counties, Md., and for other purposes.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to the amendment of the Senate numbered 65 a bill of the Senate of the following title:

H.R. 14217. An act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Wednesday, October 16, 1974, he did on that day sign an enrolled joint resolution of the House as follows:

H.J. Res. 1163. Joint resolution making further continuing appropriations for the fiscal year 1975, and for other purposes.

### PROPOSED REVIEW OF MILITARY ASSISTANCE AND MILITARY SALES PROVISIONS

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

Mr. ZABLOCKI. Mr. Speaker, during the past month, there has been serious debate in the House about violations of our laws governing the provision of military assistance—and military sales.

I believe that laws which are on our statute books should be applied evenhandedly—or repealed.

For that reason, I intend to move in our Committee on Foreign Affairs for a thorough review of how the laws on military assistance have been applied in the past.

This means, also, that the Congress should review the exact provisions of the various agreements under which we have provided military aid, and military sales, to different countries.

I believe the Congress must determine

whether there are flaws in the law—and whether the intent of the law has been circumvented on occasion by the terms of executive agreements.

I believe it will be informative for all of us to have the full facts in this matter—and then to make a fresh judgment about what should be done about the law as it stands today.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I will be delighted to yield to the gentleman.

Mr. GROSS. Mr. Speaker, I want to commend the gentleman for the statement he has just made, and I sincerely hope that when the recess ends, the gentleman will lose no time in starting hearings on this most vital subject.

Mr. ZABLOCKI. The gentleman from Wisconsin intends to do just that.

### COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON MERCHANT MARINE AND FISHERIES—DEPOSITIONS IN MATTER OF KONIAG, INC., ET AL. VERSUS ROGERS C. B. MORTON

The SPEAKER laid before the House the following communication from the chairman of the Committee on Merchant Marine and Fisheries:

COMMITTEE ON MERCHANT MARINE AND FISHERIES,  
Washington, D.C., October 16, 1974.

HON. CARL ALBERT,  
Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: On October 15, 1974, notices of taking of deposition issued by Duncan, Brown, Weinberg & Palmer were delivered to Ned P. Everett, an employee of the House Committee on Merchant Marine and Fisheries, and to Peter Stockton, a former investigator for this Committee, notifying them that their depositions would be taken at the offices of Duncan, Brown, Weinberg & Palmer on Monday, October 21, 1974, in the matter of Koniag, Inc., et al. v. Rogers C. B. Morton.

I previously wrote you on October 7, forwarding copies of similar notices delivered to Frank M. Potter, Jr., who has since received an amended notice calling for his deposition to take place on Tuesday, October 22, 1974. Copies of my previous letter and all of the notices involved are attached for your information.

It is believed that the subject matter of all of these depositions relates to hearings held before my Committee earlier this year.

This material is presented for such action as the House in its wisdom wishes to take.

Sincerely,

LEONOR K. SULLIVAN,  
Chairman.