John R. Mitchell
Frederic N. M. Squires III
Douglas B. Steveson
Anthony R. Souza
Stephen R. Rottier
Paul L. Hagstrom
Philip E. Sherer
Anthony T. Mink
Edward J. Dennehy
George F. Johnson
Kenneth M. Zobel
Andrew Malenki III
Alan E. Spackman
Steven A. Macey, Jr.
John A. Gaughan
Charles R. Brown
Albert J. Sabol
William A. McDonough
Kenneth C. Kreutter
David T. Jones
Bruce B. Stubbs
Richard S. Muller
Allen K. Boetig
Myron F. Tethal
John H. Fearnow
John E. Quill
Melvin W. Garver
Terrance P. Hart
James S. Brown
Jonathan M. Vaughn
David B. Irvine
Dennis M. Pittman
Edmund F. Labuda, Jr.
Thomas M. Howard
Marc Pettingill
Kim I. MacCartney
John M. Murphy
David J. Maloney, Jr.
Frederick H. Sellers, Jr
John F. McGrath, Jr.
Guy T. Goodwin
James C. Olson
Samuel J. Apple
John L. Beales
David Dahlinger
Robert L. Pray
Donald G. Bandzak
Thomas B. Rodino
David G. S. Binns
Lawrence V. Kumjian
Thomas W. Purtell
Chester J. Walter
Donald B. Parsons, Jr.
William W. Pickrum
Richard M. Cool
Christopher Desmond
Robert J. Vollbrecht
Victor J. Guarino
Theophilus Moniz
Donald B. Erisman
Ernest C. Card
Douglas J. Arnold
James J. Rao, Jr.
Warren E. Dutton, Jr.
Richard J. Guhl
Bruce L. Blandford
James Perozzo
Jack D. Asbury
Donald T. McNulty
Paul T. Pelzer
William F. Meininger
Ronald T. Via
Wayne T. Shipman
Paul K. Bothmann

The following-named temporary officers to be permanent commissioned officers in the Regular Coast Guard in the grade of lieutenant (junior grade):

Donald B. Erisman
Ernest C. Card
Douglas J. Arnold
James J. Rao, Jr.
Warren E. Dutton, Jr.
Richard J. Guhl
Bruce L. Blandford
James Perozzo
Jack D. Asbury
Donald T. McNulty
Paul T. Pelzer
William F. Meininger
Ronald T. Via
Wayne T. Shipman
Paul K. Bothmann

The following-named Coast Guard Reserve officers to be permanent commissioned officers in the Regular Coast Guard to the grades indicated:

Lieutenant Commander

William P. Huber

Lieutenant

James P. Sutherland
Joseph J. McClelland, Jr.
Terence N. Carsten
Rick A. Sisek
Leo M. Kenney
Robert J. Weaver
Ronald W. Tanner
Charles F. Guldenschuh
Michael J. Goodwin

IN THE ARMY

The following-named officer for appointment in the Regular Army of the United States, to the grade indicated, under the provisions of title 10, United States Code, sections 3036, 3284, and 3307:

To be major general, Medical Corps

Maj. Gen. Richard Ray Taylor, xxx-xx-xxxx, Army of the United States (brigadier general, Medical Corps, U.S. Army).

CONFIRMATIONS

Executive nominations confirmed by the Senate, September 19, 1973:

INTERNATIONAL ATOMIC ENERGY AGENCY

Dixy Lee Ray, of Washington, to be the Representative of the United States of America to the 17th session of the General Conference of the International Atomic Energy Agency.

The following-named persons to be alternate representatives of the United States of America to the 17th session of the General Conference of the International Atomic Energy Agency:

William A. Anders, of Virginia.
Clarence E. Larson, of Maryland.
Dwight J. Porter, of Nebraska.
Gerald F. Tape, of Maryland.

DEPARTMENT OF STATE

Ellsworth Bunker, of Vermont, to be Ambassador at Large.

Robert G. Neumann, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Morocco.

Roger Kirk, of Michigan, a Foreign Service Officer of class two, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Somali Democratic Republic.

Theodore L. Eliot, Jr., of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Afghanistan.

James E. Akins, of Ohio, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia.

Carol C. Laise, of Vermont, a Foreign Service officer of the class of Career Minister, to be an Assistant Secretary of State.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Marshall Trammell Mays, of South Carolina, to be President of the Overseas Private Investment Corporation.

Herbert Salzman, of New York, to be a member of the Board of Directors of the Overseas Private Investment Corporation for the remainder of the term expiring December 17, 1974.

MINISTER

Anthony J. Jurich, of Virginia, U.S. Negotiator on Textile Matters, for the rank of Minister.

INTERNATIONAL MONETARY FUND

Arthur F. Burns, of the District of Columbia, to be U.S. Alternate Governor of the International Monetary Fund for a term of 5 years.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT; INTER-AMERICAN DEVELOPMENT BANK; AND ASIAN DEVELOPMENT BANK

William J. Casey, of New York, to be U.S. Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years; U.S. Alternate Governor of the Inter-American Development Bank for a term of 5 years and until his successor has been appointed; and U.S. Alternate Governor of the Asian Development Bank.

UNITED NATIONS

The following-named persons to be Representatives of the United States of America to the 28th session of the General Assembly of the United Nations:

John A. Scali, of the District of Columbia.
W. Tapley Bennett, Jr., of Georgia.
William F. Buckley, Jr., of Connecticut.

The following-named persons to be alternate representatives of the United States of America to the 28th session of the General Assembly of the United Nations:

Margaret B. Young, of New York.
Mark Evans, of the District of Columbia.
William E. Schaufele, Jr., of Ohio.
Clarence Clyde Ferguson, Jr., of New Jersey.
Richard M. Scammon, of Maryland.

(The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

UNITED NATIONS

The following-named persons to be Representatives of the United States of America to the 28th session of the General Assembly of the United Nations:

ROBERT N. C. NIX, U.S. Representative from the State of Pennsylvania.

JOHN H. BUCHANAN, JR., U.S. Representative from the State of Alabama.

EXTENSIONS OF REMARKS

BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, September 19, 1973

Mr. SCOTT of Virginia. Mr. President, our regular newsletter for September is being sent to constituents and I ask unanimous consent to have a copy of it printed in the Extension of Remarks for the information of my colleagues.

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

BILL SCOTT REPORTS

CONGRESSIONAL RECESS

During the Congressional Recess, my wife and I visited the island of Taiwan which, as you know, has been the headquarters for the Free Chinese Government since the takeover of the Mainland by the Communists. We were the guests of the Asian Peoples' Anti-Communist League and I spoke on August 20 at its multiple-nation conference. A copy of my remarks will be furnished any constituent who would like to have it.

We found the people on Taiwan to be very industrious and friendly to Americans. As you may know, they have the highest standard of living of any of the Asian peoples except Japan and the 15½ million people have more import and export trade than the 750 million people in Mainland China.

We also flew to the island of Quemoy in a Republic of China military aircraft, skimming over the ocean to stay beneath Red China radar, and saw the fortifications and defense set-up of this island only 1½ miles from the Mainland. It was an informative and enjoyable trip made without any expense to the taxpayers. We also enjoyed informal conferences with the Foreign Minister, Premier and Madame Chiang Kai-shek, wife of the President of Free China.

HIGHWAY BILL

A prime objective of the recently enacted Federal-Aid Highway Act is to provide the flexibility required for the development and maintenance of an efficient transportation system. The Highway Act will assist Virginia in completing its interstate system. It includes more than $540 million for road construction over the next three years. This year, Virginia will receive $151 million from the Highway Trust Fund towards such construction.

Of major interest to Northern Virginians is my amendment to expedite the completion of I-66 from the Capital Beltway into Washington. The highway is an integral part of our overall balanced transportation system for the Washington area. The amendment requires completion of the draft environmental impact study by October 1, ap-

propriate public hearings and final review of the project by the Secretary of Transportation by December 31. Interstate 66 has been under consideration for seventeen years and I am hopeful that construction of this vital highway can commence in the spring.

RICHMOND OFFICE

Our Senate office in Richmond is staffed and open Monday through Friday of each week. I will be at the office on Friday, September 28 to meet with any constituent who cares to stop by and discuss proposed legislation or any problem he may have with the Federal Government. You may want to call our Richmond office secretary at 649-0049 to arrange an appointment but you can stop by the office in Room 8000 of the Federal Building, 400 North 8th Street, with or without an appointment.

ENVIRONMENT

The Environmental Protection Agency has proposed transportation control plans for the Washington area in an effort to reduce air pollution. Some days ago the need for reduction of pollution was evident by the visible haze over the Capital City. Perhaps reduction of pollution can best be accomplished by making rapid rail transit and bus service so convenient that a large number of commuters and visitors to Washington will voluntarily choose mass transit rather than driving their cars into the city.

However, the tentative plans appear to be punitive in nature calling for the imposition of a parking tax and reduction of both on-street and off-street parking. I advised the Agency that the completion of the rapid rail transit system now under construction should have a salutary effect on the pollution problem as would the completion of Interstate Highway 66 between the Beltway and Washington. It seems obvious that free moving traffic does not pollute to the same extent as bumper to bumper traffic which must stop and start at traffic control signals and other places along a highway.

The Agency was also reminded that Congress exercises exclusive legislative jurisdiction over the District of Columbia and that only recently the Senate had forbidden the imposition of a parking tax in the D.C. Home Rule Bill.

The Deputy Administrator has now advised me that the tentative plan has been revised and the provision calling for a parking tax has been eliminated.

The President's nominee to head the Environmental Protection Agency, Russell E. Train, has recently been confirmed. While indicating a strong desire to protect our environment, he has also stated that proper consideration will always be given to the impact of any anti-pollution proposals upon our standard of living.

STATE OF THE UNION

As you may know, the President has submitted a supplemental State of the Union message to the Congress and urged that attention be given to critical problems confronting the country. These problems relate to such important matters as government spending, inflation, energy shortages, and crime control.

It is interesting to note that 23 of the 50 bills which the President listed in his message, have already been passed by the Senate. Hearings have been had on a number of others and they are awaiting consideration in the Senate. However, it is hoped that serious consideration can be given to all of the President's recommendations. Having the Legislative and Executive Branch of the Government controlled by different political parties does present many problems but members of Congress are generally responsive to the views of their constituents regardless of their party affiliation.

You might be interested in knowing that we have had 383 roll call votes to date and that while consideration is being given to adjournment by November 1, past experience indicates that Congress will be in session well beyond this date.

DEEPWATER PORTS

Earlier this summer, the Special Senate Committee on Deepwater Ports, of which I am a member, held four days of hearings to consider legislation that would authorize the development of deepwater ports. The President in his recent State of the Union message urged prompt action on this legislation by the Congress.

Deepwater port facilities are being considered as a method of helping to meet the energy needs of the country, including the Atlantic Coast Region by providing facilities for the docking of especially large tankers several miles from our coastline as a substitute for smaller tankers along the coast or in river estuaries.

Further hearings will be held to receive additional testimony and following this the special committee will meet in Executive Session to reach agreement on specific provisions of the legislation. I am hopeful that our Committee will favorably recommend this legislation prior to the end of the year.

VETERANS MEASURES

On September 1 more than 50,000 additional burial places were made available around the country for veterans. These were Veterans Administration cemetery sites previously limited almost exclusively to those who died in VA facilities. Now, as a result of a new law, the National Cemetery System is under the jurisdiction of the Veterans Administration.

The law also authorized the VA Administrator, in conjunction with the Secretary of the Army, to study the future of Arlington National Cemetery, as well as the possible need for another National Cemetery in or near the District of Columbia, and report back to Congress. This could include consideration of my proposal for an auxiliary cemetery at or adjacent to the Manassas Battlefield Park.

The new law (P.L. 93-43), also provides a $150 plot allowance for veterans buried in private cemeteries, in addition to the existing $250 burial allowance, and carries funeral allowances up to $800 on behalf of veterans dying from service-connected causes.

Another recently enacted bill, of interest to veterans, provides a more flexible approach to veterans medical care. The committee fact sheet describing the bill in detail is available from the office upon request.

The Senate has passed S. 275 which would in effect restore about 80% of the pension cuts by the Veterans Administration as a result of the 1972 Social Security increase. It would increase veterans' pensions by 10 percent and raise the income limitation by $400.

AGRICULTURAL BULLETINS

We will be glad to forward any of the following Bulletins to you upon request.

Lawns

G 89—Selecting fertilizers for lawns and gardens.

G 123—Lawn weed control with herbicides.

G 169—How to buy lawn seed.

House

G 82—Selecting and growing house plants.

G 184—Interior painting in homes and around the farm.

F 1889—Fireplaces and chimneys.

Food

G 40—Freezing combination main dishes.

G 161—Apples in appealing ways.

G 166—How to buy meat for your freezer.

HOME RULE

Prior to the August recess, the Senate passed a D.C. Home Rule Bill. This is a controversial measure largely because of the dual nature of the City of Washington. It is both a city in which local citizens want self-government and the Nation's Capital with a Federal interest that needs to be protected.

An amendment I offered to bar the imposition of a parking tax was adopted by the Senate but another amendment to transfer jurisdiction over the penal institutions at Lorton in Fairfax County from the District of Columbia Government to the U.S. Bureau of Prisons was defeated by a 39-44 vote. Copies of my statements on these amendments are available upon request.

WHAT IS YOUR OPINION?

We would like to get the feeling of the people of Virginia on a number of important issues confronting the Congress. Knowing your views helps me carry out legislative responsibilities. The results will be tabulated and reported in a subsequent newsletter.

(*Space provides for yes, no, and no opinion answers*)

1. To control inflation, would you:

a. reduce Federal spending

b. impose tough economic controls

c. increase taxes

d. tighten money supply

e. expand supplies and productivity

2. U.S. troop strength in Europe should be:

a. continued at present levels

b. reduced through mutual agreements with Communist countries

c. unilaterally reduced

d. increased in number

3. Should Federal laws and regulations generally be strengthened in the following areas?

a. occupational health and safety

b. consumer protection

c. environmental pollution controls

d. small business activities

4. Do you favor efforts to increase U.S. trade with Communist China and the Soviet Union?

5. What action should the United States pursue regarding military spending:

a. increase spending for military research and weapons

b. increase benefits to active and retired servicemen and dependents

c. reduce spending for military research and weapons

d. reduce benefits to active and retired servicemen and dependents

e. continue personnel benefits and weapons purchased at present levels

In the event you are not currently on our mailing list and would like to receive the newsletter on a regular basis, please fill out and return the following form. We would also appreciate being advised of any mistakes in names, addresses, or duplications.

Name ______________________

Address ______________________

____

(city) ______________ (zip code)

COMMUNITY NEWSPAPERS AND THE POSTAL SERVICE

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ROUSH. Mr. Speaker, a short time ago a weekly newspaper in my district went out of business. The Waterloo Press was the oldest paper in DeKalb County, Ind. Most prominent among the reasons the paper folded was its inability to comply with the complex restrictions placed upon it by the U.S. Postal Service.

Few institutions serve the cause of free press in this country as well as the community-based weekly newspaper. There are a score of such publications in my

district and they provide a valuable service to their communities.

The U.S. Postal Service, in its effort to achieve its congressional mandate, poses greater and greater obstacles for these papers to remain in operation. I would like to share with the House some comments from an editorial which recently appeared in the Saint Joe News whose editor is Mr. T. E. Haberkorn, Jr.:

You may have noticed a news item in the daily newspapers about a raise in postal rates for newspapers and magazines which goes into effect September 9 for items postmarked after 12:01 a.m. local time (they can't even leave Sunday alone when it comes to raising rates!). A raise had been set for July, but it was cancelled due to the President's Phase something-or-other guidelines. But now, according to the news release, "The Cost of Living Council ruled that the increases are exempt from Phase 4 price controls." Isn't that nice? If they need more money in Washington, they just say, "You're not exempt any more"!

You'll have to forgive me if I speak sarcastically or cynically about this; I find it extremely difficult to keep a level temper in the matter because it relates to the continued existence of this newspaper and many others.

It isn't just the increase in rates; it's also the mounting regulations. It is no exaggeration to say that the Postal Department could at any time put me out of business by demanding exact compliance with postal regulations as they have developed under postal reform. The Department has established how many subscribers I must have not more than six months in arrears in subscription payment. It has the power to demand payment of six cents per copy per week to mail those papers. Historically, newspapers have been granted special rates since the post office began, as a means of preserving freedom of speech, freedom of the press, and a readily accessible source of public use at the local level. For decades, weekly newspapers were mailed in their own county free of charge, an indication of the wisdom of our forefathers when they recognized the importance of having a means of disseminating information to the public, at public expense, to protect the public.

But the idea that the post office should operate "in the black" was started a few years ago, a totally wrong idea in my opinion, and the Congress a couple of years ago made the Postal Department a so-called "independent" agency—which sounds fine except for one thing. The Department was ordered by the Congress to get "in the black" in five years. As a result, second and third class mailings were particularly considered in rate raises to the point where post office harassment over rates has put some papers out of business and others face the same fate—including The Saint Joe News. The free mailing privilege was eliminated several years ago without fanfare; I didn't even know it happened until a couple of years ago.

Mr. Speaker, I was not a Member of this House in 1970 when the Postal Reform Act passed. Had I been here I would probably have supported the Congress efforts at postal reform. At the same time, I feel that the Postal Service provides such an important community service—particularly such things as delivering community newspapers—that we should not be wedded to the proposition that the Postal Servcie pay its own way.

Mr. Haberkorn's editorial goes on to point out some of the ironies of Postal Service policies.

While all this is going on, can you understand my upset when I read Jack Anderson's report of the plush offices being set up for the top brass in the Postal Department? While they dabble in thick carpet, their underlings are promoting "efficiency" by harassing guys like me about nickels and dimes in a little post office that is a disgrace to the community in physical appointments. While the public says it has a lower opinion of the Postal Department overall (you used it less last year than the year before), "efficiency" is being promoted by giving a smalltown paper a hard time about its private business affairs, such as when did John Doe pay his subscription. When I have told others about my plight, their first reaction was, "What does the government have to say about it—that's YOUR business!" That reaction came from Republicans AND Democrats.

Don't get the idea that our new postmaster at Saint Joe is causing trouble for me; he isn't. In fact, he has been very helpful in trying to "negotiate" between me and his superiors in the matter. He's caught in the middle; he knows the unfairness of some of the regulations, but he has his job to do.

I should say, too, that information about the matter has come from three or four sources within the Postal Department, not necessarily local. One postmaster told me he recommended the elimination of some four or five jobs in his post office to help cut down on expenses and increase efficiency. But he was overruled by a superior who was more concerned with creating jobs than with saving you and me money. And it was a Postal Department employee, not me, who said, "It is no longer a 'service' (referring to the postal system); it is a business matter aimed at getting receipts equal to costs."

Two months ago this House considered the rule on a bill which would have helped the small newspapers. I supported that measure and voted for the rule which would have allowed its consideration. Unfortunately, a negative majority was able to defeat the rule and we were never able to vote on those provisions. Perhaps it is time to consider such legislation again. If we do, I think the House should consider some of the recommendations that Mr. Haberkorn makes:

Any action related to second class postal rates today ought to include re-establishing free in-county delivery of weekly newspapers paid for by general funds as a public responsibility in maintaining freedom of speech and freedom of the press.

The balance of the newspapers ought to be distributed at the traditional low bulk rates to help keep the papers in business.

Such action ought, too, to include simplification of bookkeeping procedures related to small weeklies. The present time-consuming and useless weekly report of numbers of copies and pounds to each mailing zone could be replaced with a single simple ledger, recording a report of numbers and pounds and the postage paid. For several years now I have been filing a marked advertising copy with the local post office each week, telling how much the papers weighed to each zone carried out to six decimal places! The ledger method would be simpler and would reflect trust in the postmaster to file an honest report for the government, and trust in the editor to report correct mailings.

The Saint Joe News editorial concludes in this way:

For 25 years, I have attempted to treat my subscribers like friends, not taking them off the list when their time ran out, not billing regularly but oftentimes just waiting until they remembered to pay. I have sent free papers to servicemen, to newlyweds, if they wanted it or if I knew their address. I hoped it would be looked upon and considered as old-fashioned neighborliness, not "poor business practice" as the Postal Department suggested recently. Now, suddenly, I am supposed to change my ways because the government says so. I don't like that. I don't think it is right. And it is almost funny that the government, the worst business handler in the country, the most costly and inefficient example you could find, is telling ME what constitutes "poor business practice"! Good heavens!

Good heavens, indeed. I think this House should re-evaluate its position on the proposition that our Postal Service should make a profit at the expense of the free and independent community newspaper.

SIGNING OF CONSTITUTION—186 YEARS AGO TODAY

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. PREYER. Mr. Speaker, 186 years ago today, September 17, 1787, William Blount, Richard D. Spaight, and Hugh Williamson, three of North Carolina's forefathers, and 36 delegates from throughout our then small country, joined in Philadelphia to sign the Constitution as the supreme law of our land. Today I join with all Americans throughout our Nation, particularly the North Carolina Chapter of the Daughters of The American Revolution, in celebrating Constitution Week, September 17–23. In this special week, and especially in these troubled times, we should pause to study and rediscover our greatest document: the unifier for almost 200 years of a proudly diverse people.

For my State of North Carolina, history will report that the State ratifying convention in Halifax refused in 1776 to ratify the proposed Constitution until amendments were adopted to safeguard certain rights which they felt essentially inherent to all citizens of a free country. As Thomas Jefferson stated in a letter to his close friend, Adm. John Paul Jones, the dangers which lurked in the failure to guarantee these certain rights would be "permanent, afflicting and irreparable—in constant progression from bad to worse." The Bill of Rights of our Constitution fulfilled these desires of my State's leaders and many others throughout the infant States.

Upon reflection history may well report that they were correct in their demands to protect their rights as a free people for now we constantly look toward the Bill of Rights for safety and protection from threats to our well-being. But in our study of this part of our great history, we should not overlook the motive of those men 186 years ago to have a Bill of Rights. They demanded a document to state that these rights shall be always protected; they did not wish a document to create these rights. For they rightly believed then, as we do now, that these rights cannot be created by any document or any person, but are undeniably inherent rights to be enjoyed by all.

This is a week appropriate for us to pause, examine ourselves, and establish new directions for our country. This is a week to remember the greatness of our past and the greatness of our potential.

CEDERBERG RELEASES POLL RESULTS

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. CEDERBERG. Mr. Speaker, I wish to take this opportunity to announce the results of my recent poll in Michigan's 10th Congressional District. Questionnaires were mailed to 164,000 residents of this district and nearly 22,000 persons responded with their views.

A sampling of these returned forms were then tabulated by a commercial data processing firm in Springfield, Va. In order to insure the most representative sample possible, the sample itself consisted of responses from each county of the district in direct proportion to the total population of the district. Constructing the sample in this manner prevented the most heavily populated county from distorting, solely by its numbers, the actual views of the other, smaller, counties of the 10th District.

Mr. Speaker, I sincerely hope that my colleagues will review these results, as I believe they are most informative on issues of great interest to this Congress.

The total poll results as—percentages—are as follows:

	Yes	No	Undecided
1. Should the United States participate in postwar economic assistance in Southeast Asia?			
His	16.58	61.97	21.45
Hers	14.40	55.70	29.90
2. Should the Federal Government provide a tax credit for parents of children attending private schools?			
His	25.95	58.25	15.80
Hers	22.41	55.03	22.55
3. Should the United States grant amnesty, under any terms, to deserters or draft evaders?			
His	14.52	67.41	18.07
Hers	15.19	58.27	26.54
4. Should the United States continue to improve its economic and cultural contacts with Russia and China?			
His	72.13	8.76	19.11
Hers	63.01	9.62	27.37
5. Should the Federal Government furnish food stamp assistance to workers who are on strike?			
His	13.50	71.06	15.41
Hers	13.40	63.26	23.31
6. Should we continue to expand social programs in the areas of health, education, and the environment even if it means an increase in taxes?			
His	31.00	39.38	29.62
Hers	31.37	46.81	21.82
7. Do you support the Administration's efforts to lower Federal spending through freezing of funds appropriated by the Congress?			
His	54.41	23.91	21.68
Hers	48.42	20.69	30.89
8. Would you favor an annual congressionally adopted spending ceiling even if it meant cutting existing programs?			
His	67.20	10.25	22.55
Hers	56.88	10.37	32.75
9. (a) Do you favor the announced curtailment of a number of Federal programs?			
His	59.58	15.33	25.09
Hers	50.46	15.47	34.07
9. (b) If you oppose these cutbacks, please indicate which of those being curtailed is the most significant to you. (Insufficient number of responses to be tabulated.)			
9. (c) Would you support a tax increase to continue the program?			
His	11.34	48.63	40.03
Hers	10.45	41.10	48.45

	More	Less	Same	Blank
10. Federal spending involves your tax dollars. Should we spend the same, more, or less on the following:				
(a) Mass transportation:				
His	31.23	28.46	22.46	17.85
Hers	26.24	24.75	22.98	26.02
(b) Crime control and prevention:				
His	57.70	4.11	23.25	14.93
Hers	53.55	2.95	21.55	21.95
(c) Education:				
His	29.40	16.15	38.78	15.67
Hers	28.65	12.59	35.88	22.88
(d) Foreign aid:				
His	.84	75.32	8.89	14.95
Hers	.70	68.02	9.09	22.90
(e) Housing for the elderly:				
His	41.44	9.21	34.23	15.11
Hers	40.80	7.12	29.91	22.16
(f) Pollution control:				
His	34.29	17.60	33.07	15.04
Hers	32.36	13.31	31.89	22.45
(g) Defense:				
His	11.70	39.26	34.29	14.76
Hers	9.48	34.77	33.59	22.16
(h) Consumer protection:				
His	30.30	16.99	37.42	15.29
Hers	28.69	11.34	37.17	22.79
(i) Housing for the poor:				
His	19.01	31.16	34.54	15.29
Hers	17.83	26.79	32.50	22.86
(j) Farm programs:				
His	14.36	44.59	26.18	14.85
Hers	15.17	34.70	27.69	22.43

UPHOLD THE VETO

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. BAUMAN. Mr. Speaker, I insert at this point in the RECORD an editorial from the "Marylander and Herald" published in Princess Anne, Md. The editor, James E. Byrd, Jr., is one of the most respected citizens in the lower eastern shore area. I think the Members of Congress should take heed to an interesting editorial, which he published on September 13, 1973 entitled, "Uphold the Veto."

It contains some thought for all of us to consider as we face voting on the Presidential veto of the minimum wage bill this week:

UPHOLD THE VETO

By some misguided line of reasoning some members of Congress and various politicians of both major parties seem to think that the way to ease the plight of the poor is to raise the minimum wage law.

One element of that type of reasoning can be the endorsement of many influential major union leaders who use the device to create a cross-the-board raise for already well paid workers.

However, even the rank and file of organized labor have lost their enthusiasm for this artificial stimulation. They know full well that manufacturers are forced to install machinery to eliminate jobs to meet the rising costs and the inflation caused eats up any gains that they might have received.

By now the public is well aware that the higher the minimum wage goes the higher the products cost. You can not add to the national output by adding costs without adding extra production.

This illusion of helping the poor is a fantasy that has no foundation in fact. As the hourly costs advance jobs usually offered the untrained, the youth, the old and the handicapped are eliminated because the employer cannot pay the costs.

Ask any small businessman, those that yet survive, and he will tell you that with each raise in the minimum wage he has to raise all his labor costs, even those in the higher brackets, find new methods to produce work, eliminate jobs and make other efforts to stay in business. When a business fails . . . there goes the livelihood of several families.

The cruel thing is, the action taken in the worthy idea of helping the underprivileged, is in fact disastrous to many of the people it was designed to help. Just stop a minute and think of the many jobs that the average homeowner used to hire done that he can no longer afford . . . The growing "do-it-yourself" syndrome. At a fair price these jobs would still be available and with a workable welfare program, our social situation would be better. We might even find that this method would be a better way to ease the plight of our poor.

At least here would be an increase in self respect and a decrease in our many youth problems.

ANOTHER STEP FORWARD FOR MINORITY BUSINESS DEVELOPMENT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. RANGEL. Mr. Speaker, I was pleased to note in the August 31st, 1973 issue of the American Banker that the American Bankers Association has begun, in cooperation with the Office of Minority Business Enterprise in the Department of Commerce, a training program to help federally funded minority business corporations obtain necessary access to the financial resources and expertise of the banking community.

One of the problems of minority business development efforts has been their isolation from the sources of financial leverage such as are represented by the minority community by the American Bankers Association. The action taken by the American Bankers Association to close the gap between banks and minority business development organizations, and the businesses they represent, is praiseworthy and hopefully will be emulated by other finance industry groups.

I submit for the RECORD the story from the American Banker describing the new American Bankers Association government minority training program:

ABA, GOVERNMENT TO LAUNCH MINORITY TRAINING

DENVER.—The American Bankers Association, in cooperation with the Commerce Department's Office of Minority Business Enterprise, soon will launch a training program to help Federally funded minority business development organizations—BDOs—work more effectively with banks in fostering the growth of these businesses.

The first of a series of four, two-day regional workshops, to be taught by bankers and each attended by approximately 50 BDO representatives, will be held Sept. 19 and 20 at the Westbury Hotel in San Francisco.

At these meetings, bankers experienced in minority loan operations will attempt to convey to these organizations—which provide loan packaging, business counseling, marketing and managerial expertise to entrepreneurs—what they look for in evaluating business loan applications.

Plans for the workshops were disclosed in an interview this week by Bruce M. Rockwell, chairman of the minority lending committee of the ABA's commercial lending division, who also is president and chief executive of the $421.9 million-deposit Colorado National Bank, Denver.

Details of the training program were discussed at a meeting of the committee here last week at which the group also approved dates and a hotel location of the banking industry's first national minority lending conference. It will be held Nov. 19–21 in New York at the Americana Hotel.

In another development, Mr. Rockwell related that the committee plans to send to a selected number of banks shortly a report suggesting policies and program for banks to implement in purchasing goods and services from minority businessmen.

The report was prepared by committee member Donald H. Alexander, assistant vice president of the $2.6 billion-deposit Seattle-First National Bank, and contains detailed information about such minority purchasing programs already in existence at some banks.

Mr. Rockwell also revealed that the committee is considering undertaking an in-depth inventory of what the actual experience of each of the nation's major banks has been in the minority lending area.

Such an inventory on a bank-by-bank basis, would include data on how the banks organized their minority loan functions and what their loan volume and their loss experience have been. No such data now exist, he said, and "We're going a little blind on what is going on."

Mr. Rockwell cautioned, however, that such an inventory would not be launched until after the New York conference is held and the last regional workshop for the BDOs is conducted.

The three other BDO workshops are tentatively slated for Oct. 24 and 25 in Norman, Okla., at the Hilton Motor Inn; Dec. 13 and 14 in Rosslyn, Va., at the Key Bridge Marriott, and Jan. 10 and 11 in Atlanta at the Marriott Hotel.

There are approximately 140 BDOs and 35 minority contractor assistance centers now funded by OMBE to prepare loan applications that are submitted to banks and mobilize capital, which will be eligible to send representatives to the workshops.

The purpose of the workshops, Mr. Rockwell explained, "is to assist the professional loan packaging people in performing their jobs. The problem now is that the personnel of the packaging houses generally are not experienced in commercial banking requirements and the financing requirements of small business."

This, at times, has resulted in loan proposals being submitted to banks which have no chance of meeting lending criteria or in proposals being made to banks that lack the proper information, resulting in the bankers themselves having to sit down with the prospect and work out this data—a very time-consuming task.

James H. Marx, director of capital development for OMBE, who was interviewed in Washington, said this week the goal of the training sessions is to expand the knowledge and capability of the BDO representatives to present "good practical packages" to banks.

"Obviously," he said, "if we can zero in better on what bankers want, we can save time by not preparing packages that bankers don't want and we can prepare better, fuller packages" on these projects they would be interested in.

Mr. Rockwell also made the point that if a loan package submitted by a BDO "is done right, we can behave as bankers, simply receiving and making an evaluation of a loan application."

Mr. Marx suggested there "has been a lack of clear communications between banks and BDOs" in the past that OMBE hopes will be narrowed through the workshops.

The second phase of the ABA–OMBE program is for the ABA to help bring those BDO representatives who complete the workshops into professional contact with bankers in their respective cities with whom they want to work.

The ABA, Mr. Marx said, has agreed to use its contacts to help bring about such meetings. To implement this goal, which Mr. Marx hopes will be accomplished within a month to six weeks after each workshop, "we will suggest to the ABA that the ABA regional, state and local committees arrange for meetings with appropriate people in the banks that the BDO people ask for."

The curriculum for the workshops was developed by a subgrouping of the minority lending committee headed by Thomas W. Stoddard, vice president of the $8.3 billion-deposit Wells Fargo Bank NA, San Francisco, and by Thomas Cordy, ABA staff associate for the commercial lending division.

Among the subjects it covers are the role of a commercial bank; interviewing loan applicants; screening credit packages; what credit applications are; terminology criterial and basic credit analysis; a banker's approach in financing small business; different kinds of loans; the analysis of a business package; different types of financing, such as buyouts and startups, and the role of professional people, such as lawyers. Cordy, ABA associate director for the commercial lending division.

The ABA will be paying for the expenses incurred by its own representatives while the BDO representatives will be paying for their own costs. The ABA had been offered a Federal grant to pay for the cost but "we declined to accept it," said Mr. Rockwell.

He said the two-day course "will not change the world, but it is a beginning." And Mr. Marx of OMBE observed, "we want the banking community to know that BDOs are continually improving their capabilities."

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 22

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. HARRINGTON. Mr. Speaker, the tragedy in the freedom for anyone to own a gun, is that almost anyone, even a 16-year-old, can buy a gun and ammunition with no questions asked. In New York three teenagers used a hand gun in a holdup attempt, and the killing of the grocer Isaac Feit. Mr. Feit's life was not the only one that was destroyed when the bullet entered his neck. The lives of three boys who are charged with murder, and will probably spend much of their lives in prison, are also victims of the handgun. I ask now for immediate gun control legislation to save the victims of the handgun murder; the living and the dead. The article from the September 5 New York Times follows:

GROCER KILLED DURING HOLDUP

Isaac Feit, a 58-year-old grocer, was pronounced dead on arrival at Kings County Hospital after, the police said, he was shot in the throat by one of three teen-agers who tried to hold him up in his store at 1695A President Street in Brooklyn's Crown Heights section. The youths allegedly ran from the store and were caught several blocks away. The police identified them as Roy Sanders, 19, of 241 Wortman Avenue, in the Brownsville section, and William Walker, 17, of 645 Lefferts Avenue, and Seth Dorby, 16, of 583 Maple Street, both in Crown Heights.

COME TO THE FAIR

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. STAGGERS. Mr. Speaker, again it is my privilege and unspeakable pleasure to extend to you, Mr. Speaker, and to all our colleagues a most cordial invitation to come to West Virginia for an unusual and interesting weekend. And you all are well aware that cordial invitations from West Virginia are the acme of cordiality, spiced with the eager hope that you will come. Those who accept always go away satisfied, and good luck follows them thereafter.

The occasion is the annual celebration of National Hunting and Fishing Day. The day set for national observance is Saturday, September 22. But 1 day is not enough to show what we have to show. We begin a day earlier, Friday, September 21, and continue on the Sunday, September 23. Come any one of those days, or for all of them, and you will not be disappointed.

The place is Keyser, right on the Potomac River. It is reached by modern highway through Maryland, Routes 70 and 40, or through Virginia and West Virginia, Route 50. Keyser is my home town, and I am inordinately proud of it. It might be mentioned also that George Washington got his start in life by coming out to that neighborhood on a military expedition with a fellow named Braddock. Braddock did not do so well, but George did. Near Keyser is an old fort dating back to pre-Revolutionary days.

Our hosts for the occasion are the members of Mineral County Wildlife Association, under the competent leadership of an ardent wildlifer, Mr. Dave Brantner. They have prepared for you an array of exhibits from the leading Wildlife Conservation organizations of the State as well as from private collections. You will see full mounts of bears, wildcats and smaller native animals, and also a Kodiak Alaskan bear. There will be American Indian artifacts dating back beyond the Christian era, and paintings by modern artists of the wildlife fauna and scenes so popular today.

To illustrate the development of hunting and fishing equipment through the years there will be displays of antique and modern firearms, the most up-to-date fishing tackle, and the cannon netting method of trapping wild animals.

For those who will want to get into the act, there are muzzle loading shoots and archery shoots. Something to see and do for everyone.

The precise site for the show is the National Guard Armory in Keyser. But it is not necessary to confine your attention to the show at the Armory. Many interesting sites can be pointed out. Further, West Virginia is in the act of donning her fall wardrobe. Nothing could be more spectacular. The forests and the mountains are decking themselves in majesty and splendor.

I almost forgot to mention one thing—and how could I do that? West Virginia has more beauty queens than King Solomon ever dreamed of. Some of them will be on hand to greet you. So come to our party, Mr. Speaker, and bring all our nature-loving friends with you.

A PRODUCER'S WORLD

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. SISK. Mr. Speaker, many words have been uttered regarding food costs, the problem of providing food to the world's hungry, and of this Nation's decision to barter away tons and tons of its feed grain stores.

The subjects have been bantered about quite freely and some with truth, others with emotion. But, in my estimation, no one has quite put the whole thing in perspective as well as Joseph Kraft did in Sunday's Washington Post and in other newspapers which may have printed his comments.

For those who may have missed I would like to have his comments reprinted here. The text of the article follows:

A PRODUCER'S WORLD

(By Joseph Kraft)

While bumper crops are now being harvested in this country, soaring food prices are fueling a record inflation here and abroad. How come?

The answer lies in a worldwide condition which we are just beginning to grasp. Producers are in the saddle everywhere, and widespread inflation is only one of the dimly understood consequences.

A good example of the general condition is protein foods. There is an over-all world shortage because of the convergence of a number of factors which are rarely examined together.

One is the catch of fish, a major source for livestock feed. Thanks to modern methods, the fish catch rose steadily and dramatically from 1948 through 1969. But after reaching nearly 70 million tons that year—up from only 20 million tons in 1948—the catch began to slump. There was a considerable drop in 1969, a slight drop in 1970 and a considerable drop again in 1972.

The reason for this fall-off is the excessive fishing which has caused so many nations to try to extend their claim to coastal waters. For example, there was a precipitate rise in the haddock catch from 1954 through 1965. Since then it has been dropping steadily. In 1970 it was only one-sixth the 1965 peak. Fisheries, in other words, are being exhausted, and it is going to take a long, slow effort to rebuild them.

A second factor to examine is per capita grain consumption in the Soviet Union. The record from 1955 through 1970 is one of ups and downs. Whenever there was a bad harvest, there was a tightening of belts expressed in a reduction of grain consumption. But the regime of Party Secretary Leonid Brezhnev is selling itself on the theme of the full breadbasket. Instead of asking Russians to eat less when the crop is bad, Moscow now imports grain from abroad.

Last year alone, the Russians imported 28 million tons of grain, which represents a terrific drain on the world market. The previous record import of grain was India's program duing the famine of 1966–67, when their imports reached only about one-third of last year's Soviet imports. Thus the change in Russia's attitude constitutes a major new drain on food resources unlikely ever to go away.

A third factor is the decline—largely because of population growth—in the capacity of many developing countries to feed themselves. A striking example is currently supplied by the famine now affecting the string of countries along the southern fringe of the Sahara Desert.

Population growth in those areas has brought a rise in grazing herds. As grasses and other vegetation have been eaten away, the quality of the soil has deteriorated. Accordingly, the desert is now spreading southward. There are food shortages in Chad, Niger and parts of the Sudan, and only a long-term program of reforestation can begin to restore the old natural balance.

The shortage of available foodstuffs has as its first consequence a scramble led by the richer countries for what is available. The immediate result is the simultaneous incidence of the worst inflation in years in the United States, Western Europe and Japan.

The pinch in foodstuffs, moreover, coincides for many of the same reasons with a shortage of other primary products. The prospective oil crisis is notorious, and many metals and fibers are also in short supply. So there are bound to be other results apart from inflation.

One result is that the underdeveloped countries rich in primary products—and not only petroleum—should have increased bargaining power. A second result is that the United States has a different kind of power in the world.

This country's great asset now is not the capacity to bomb Hanoi. It is the capacity to export wheat, soybeans and corn. So, far better deals than we have cut in the past should be arranged in the future in order to foster both American prosperity and this country's diplomatic influence.

But these are only the most obvious consequences. The central fact is that we are moving into a world nobody understands very well—a producer's world. Accordingly, it makes sense for all of us, and especially those in authority, to be cautious about what lies ahead.

COMMENDS SUMMERTON, S.C., BOYS SCOUT TROOP

HON. EDWARD YOUNG

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. YOUNG of South Carolina. Mr. Speaker, the Boy Scouts of America have over the years, played an invaluable role in building leadership for this country. I know that every Member of Congress was impressed by the caliber of the young men who came through Washington this summer on the way to the National Jamboree.

It gives me great faith in the future of this country to see such fine boys and men learning and growing together. The Scouts of Summerton Troop 382 are an outstanding example of the value of scouting.

A resolution commending Troop 382 follows:

A RESOLUTION COMMENDING SUMMERTON TROOP 382 OF THE BOY SCOUTS OF AMERICA FOR ITS EXCELLENT SHOWING IN THE NATIONAL BOY SCOUTS JAMBOREE AND EXPRESSING APPRECIATION OF THE COUNCIL TO CERTAIN MEMBERS AND OFFICIALS OF THE TROOP

Whereas, Summerton Troop No. 382 of the Boy Scouts of America attended the National Jamboree of the Scouts held in Mo-

raine National Park in Pennsylvania and the Troop and Members thereof received of Summerton; and,

Whereas, the Mayor and Councilmen of the Town desire to commend the performance of Troop 382 and express the appreciation of the Town to the individual Scouts and to the officials for the honors received; Now, therefore,

Be it resolved by the Mayor and Councilmen of the Town of Summerton in Council duly assembled that the Town:

1. Expressly commends the entire membership of Summerton Troop 382 of the Boy Scouts of America for the excellent record of the Troop in participating in the National Jamboree;

2. That the Wolf Patrol of said Troop be expressly commended for its recognition as the outstanding patrol attending said Jamboree;

3. That the Flaming Arrow Patrol of said Troop be expressly commended for its recognition as being the Patrol showing most improvement in said Jamboree;

4. That Casey Thomas be commended for receiving the National Spin Casting and Surf Casting Award;

5. That Ryan Martin and Charles Strickland, Jr., be commended for receiving the National Day Honors in Spin Casting and Surf Casting;

6. That the Town Council expressly thanks each of the following individuals for his work with Troop 382, which made it possible for the Troop and the Members thereof to receive honors for their outstanding performance in the National Jamboree:

1. To Messrs. Edward M. Stuckey, as Scoutmaster, Lionel Stukes, as Assistant Scoutmaster, and R. P. Felder, Jr., as Assistant Scoutmaster;

2. To Thomas D. Ardis, Charles Strickland, Fred Barnes, Jr., Gene Failmezger, as Committeeman and Rev. W. T. Ferneyhough, as Committeeman and Chaplain;

3. To Scout Robbie Coleman, as Chaplain's Aid;

4. To Collins McLachlan for his excellent work with the news media;

5. To Congressman Ed Young for his kindness to the members of the Troop and their leaders during their stay in Washington;

Be it further resolved that the Clerk of the Town of Summerton be, and she hereby is, directed to present in person, or by mail, a certified copy of this Resolution to each of the persons hereinabove mentioned and to publish a copy of this Resolution in The Manning Times and The Clarendon Chronicle.

Done and adopted this 21st. day of August 1973.

FEDERAL HOUSING PROGRAMS

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Ms. HOLT. Mr. Speaker, much concern has been expressed by the Members of this body over the future of Federal housing programs. The Government's commitment to solving the problems of urban blight was amply demonstrated in the mid-1960's through the creation of the Department of Housing and Urban Development and the authorization of many new and innovative programs.

The moratorium on subsidized housing programs announced by the Secretary of Housing and Urban Development on January 5 of this year elicited many differing reactions, but almost everyone agreed that a comprehensive review and evaluation of these programs was needed.

I have always maintained that the vital ingredient of a successful housing program is the encouragement of private ownership. Community pride and community improvement only occur when residents have a stake in its future. Ownership provides an incentive which is completely absent from rental projects.

It is no secret that home ownership is an extremely expensive proposition today. Large downpayment requirements, high interest rates, and high settlement costs effectively prevent a large portion of our population from purchasing a home. Some of our housing programs, such as the HUD 235 program, have facilitated ownership through low downpayments and subsidized interest rates. These programs have had some beneficial effects, but they have made little headway in resolving the problem of abandoned housing; a severe problem which afflicts all of our metropolitan areas. Though potentially a resource, if allowed to deteriorate, abandoned dwellings provide a multitude of hazards, including susceptibility to fire, location of crimes, breeding grounds for disease-carrying rodents, death traps for curious children, and a general unaesthetic appearance.

This mounting problem can be turned into a real opportunity through the use of the American concept of homesteading. The same logic which led to the settlement and development of the West can also be applied to the reclamation of our urban areas. The principle of urban homesteading has been discussed before, but it has never been implemented on the Federal level.

Recycling of resource materials has been advocated as one of the solutions to our current environmental ills. I maintain that abandoned dwellings are as recycleable as scrap metal. Several local governments have recently initiated programs which deserve our scrutiny. The cities of Wilmington and Philadelphia give to a homesteader a city-owned abandoned house in return for $1 and a pledge to rehabilitate the house and live in it for 5 years. No property taxes are levied against the building during its first 5 years in the program.

The benefits of this program are many, including the restoration of badly-needed living quarters and a simple means of home ownership for people dedicated to the future of the community. In addition, I believe a program of homesteading could prove to be cost-effective. Currently, the Department of Housing and Urban Development is holding or has foreclosed on almost 80,000 housing units, the majority of which are single-family units. Taking over, refurbishing and selling a HUD-foreclosed house in itself produces a loss against the amount paid by HUD to the approved lender. Even when foreclosure is not necessary, operating and financing a housing subsidy program requires long term Federal involvement and substantial amounts of money. For example, HUD has estimated that under the 235 program the Federal interest subsidy on a typical unit can amount to as much as $24,700 in Federal funds over a 30-year period.

I have today introduced a bill entitled the National Homestead Act of 1973 which is designed to assist in alleviating the present shortage in decent housing and assist in the elimination of deterioration of urban areas. This bill authorizes the Secretary of Housing and Urban Development to make available to "homesteaders" HUD owned single family dwellings for a fee of $1 and a pledge to live in and rehabilitate the dwelling within a 5-year period.

I would like at this point to insert a copy of the text of this bill.

H.R. 10373

A bill to establish a national homestead program under which single-family dwellings owned by the Secretary of Housing and Urban Development may be conveyed at nominal cost to individuals and families who will occupy and rehabilitate them

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Homestead Act of 1973".

SEC. 2. It is the purpose of this Act to assist in alleviating the present shortage of decent housing for low- and moderate-income individuals and families through the more constructive use of Federally-owned residential property, while at the same time assisting in the elimination of deterioration and blight in urban and other areas and in the effective rehabilitation of those areas.

SEC. 3. (a) The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") shall—

(1) compile, maintain, and keep current a catalog of all unoccupied single-family dwellings in urban and other areas within the United States which are owned by him or his Department, and which would be suitable for occupancy and rehabilitation by qualified low- and moderate-income individuals and families under the national homestead program established by this Act; and

(2) take such steps as may be necessary or appropriate (by publication, advertisement, or otherwise) to assure that the residents of each community or area in which any of such dwellings is located will be fully and currently informed of (A) the existence, nature, and location of such dwellings, (B) the qualifications required for participation in the program under this Act, and (C) the terms and conditions on which such dwellings may be conveyed to qualified persons.

(b) The dwellings included in the catalog compiled under subsection (a) shall be offered to qualified low- and moderate-income applicants in accordance with this Act, without regard to their race, color, religion, sex, or national origin but with due consideration in each case of the suitability of the dwelling involved for the applicant's family (taking into account its size and composition and other relevant factors).

SEC. 4. An applicant is qualified, for purposes of participation in the program under this Act with respect to any dwelling, only if he or she—

(1) is 18 years of age or older;

(2) is the head of his or her household;

(3) is a citizen of the United States;

(4) has not previously participated in the program;

(5) is not the owner of any other real property; and

(6) possesses the financial, technical, and other resources which are necessary (as determined under regulations prescribed by the Secretary) to rehabilitate such dwelling in accordance with his or her agreement entered into under section 5.

SEC. 5. (a) The conveyance of any dwelling to an applicant under the program shall be made on a conditional basis, in return for the payment by such applicant of $1 and the execution by such applicant of an agreement as described in subsection (b).

(b) Each applicant for a dwelling under the program shall enter into an agreement, in such manner and form as the Secretary may require, that he or she—

(1) will reside in the dwelling (and maintain it as his or her principal residence) for a period of at least 5 years;

(2) will during such period rehabilitate and maintain the dwelling so that it satisfies all of the requirements of applicable State and local law, including building, plumbing, electrical, fire prevention, and related codes;

(3) will carry adequate fire and liability insurance on the dwelling at all times;

(4) will permit inspections of the dwelling to be made at reasonable times by agents or employees of the Secretary for the purpose of determining the progress of the rehabilitation; and

(5) will comply with such additional terms, conditions, and requirements as the Secretary may impose in order to assure that the purpose of this Act is carried out.

(c) Upon any material failure by the applicant to carry out his or her agreement entered into under subsection (b) with respect to the dwelling, the conditional conveyance of title to such applicant under subsection (a) shall be revoked, and all right, title, and interest in and to the dwelling shall revert to the Secretary; except that the Secretary may in his discretion grant the applicant, on the basis of need or otherwise, a specified period or extension of time not exceeding two years in which to come into compliance with the terms of the agreement and thereby avoid such revocation and reversion.

(d) After the applicant has resided in the dwelling for the required 5-year period and has rehabilitated and maintained it and otherwise complied with the terms of his or her agreement throughout such period, the Secretary shall convey to the applicant fee simple title to the dwelling (including the land on which it is situated).

SEC. 6. The Secretary shall prescribe such rules and regulations, including rules and regulations establishing standards and methods for the inspection of dwellings and the measurement of rehabilitation progress, as may be necessary or appropriate to carry out this Act.

SEC. 7. (a) The legal title to and ownership of any dwelling conditionally conveyed to an applicant under section 5(a) shall remain in the Secretary for purposes of all Federal, State, and local laws until fee simple title to such dwelling is conveyed to such applicant under section 5(d); and the conditional conveyance of such dwelling shall specifically so provide. During the period prior to fee simple conveyance such dwelling shall be subject to State and local property taxes only to the extent that other federally-owned real property is or would be subject to such taxes under similar conditions.

(b) To the extent he finds it feasible and desirable and consistent with the purpose of this Act, the Secretary may enter into agreements with State and local governments and agencies under which single-family dwellings owned by them may be included in the catalog compiled under section 2. Under regulations prescribed by the Secretary, modifying the provisions of this Act to the extent necessary or appropriate to take account of differences resulting from State or local ownership, any dwellings so included shall be offered and conveyed to qualified applicants in the same manner and on the same terms and conditions as dwellings owned by the Secretary.

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

I strongly urge my colleagues to join with me in supporting this needed legislation.

TAYLOR WINES CITED IN ARTICLE

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. HASTINGS. Mr. Speaker, I would like to note that the Taylor Wine Co., which I am proud to say is located in my district in the town of Hammondsport, near Keuka Lake, and which has been a leading producer of high quality wines for almost a century, was the subject of an article published in the September 1973 issue of the Allegany Air System "Executive" magazine. The article credits the Taylor Co. and the other producers of New York State wines with "holding their own with the most highly touted European vintages."

The company, which began in 1880 with a small 7-acre vineyard, is now a major producer of fine wines, operating 350 acres of vineyards and purchasing more grapes from local farmers in the Hammondsport area. This dramatic growth is further evidenced by the fact that the company has nearly tripled its production in the past 10 years, producing 9.7-million gallons of quality wine in 1972, as compared to 3.8-million gallons in 1962.

The author of this article, Gay Nagle, in bringing to life the story of this fine local wine company, one of the largest in the Nation, also understands something which we in New York State have long known; namely, that our wines need not take a back seat to any from across the seas.

So that my colleagues may learn more about the operation of the Taylor Wine Co., I include this article, from the Allegany Air Systems "Executive" magazine:

TAYLOR WINE CO.

(By Gay Nagle)

One of the largest producers of premium wines and champagnes in the U.S. reposes in rural splendor in possibly the most beautiful region in the Northeast, totally untouched by urban sprawl. The closest it comes to pandemonium here is the rush-hour traffic from the nearby Corning Glass Center.

A drive through this countryside is a visual and emotional return to the serenity of 1880, the year Walter Taylor, founder of Taylor Wine Co., decided that this was the time and place to spread his vines. He'd been a cooper by trade but figured he could make better money filling barrels instead of selling them.

Pressing ripe grapes to make wine is so old a practice that no one knows exactly when it was discovered, although it is mentioned in the Bible 165 times. What Biblical scholars and wise men couldn't foresee is that technology would render obsolete the human hand and human foot, hitherto essential to the picking and crushing processes. For centuries the basic procedures of winemaking remained the same. Men have tended their wines, often where poor soil has discouraged other crops. And after the grapes ripen, they are crushed for their juices which ferment naturally, then age as wine.

Home to Taylor wines is the village of Hammondsport on the western shore of Keuka Lake, in the Finger Lakes area of west-central New York. This beautiful region with its deep narow blue lakes and its steep hillsides is becoming as famous as the great wine regions of Old Europe. It is the heart of the quality champagne region of America and one of the prime vineyard areas of the world.

Keuka Lake itself is an important factor because its clear water acts as a moderator of temperature extremes. In the spring, the lake's frigid temperatures keep the buds dormant until danger from spring frosts has passed. In the fall, the lake's stored-up summer warmth prolongs the growing season and retards the early killing frosts.

It is stony land here—most vineyard soils are—similar to the Rhine or Moselle districts in Europe, and being steep, it is naturally well-drained. It was in this area of such natural receptivity that Walter Taylor and his bride of one year bought a seven-acre vineyard. Here his Catawba, Delaware and Concord grape vines would grow strong and healthy. Two years later the Taylor operation expanded when an adjacent 70-acre farm was bought. And in a small winery overlooking Keuka Lake, primitive but efficient methods were used to produce the first of Taylor's red and white dinner wines.

Taylor soon turned to his parents to join him in his growing business. At first, only grapes from his vineyards were crushed and their juices fermented and aged, but soon it became necessary to absorb the crops from neighboring vineyards, a practice which continues today. Within a short time, dessert wines were added, including New York State Port and White Tokay.

For years, management of the winery remained a family affair, owned by Walter Taylor's descendants and operated by his three sons. Taylor survived prohibition by selling concentrated grape juice and printing the recipe for making homemade wine on the sides of his barrels. The company incorporated in 1955, and in 1962 Taylor Wine Co., Inc., acquired its long-time neighbor and rival winemaker, Pleasant Valley Wine Co., with its Great Western brands. Management decided to continue operating the two companies as competitors, each with its own staff for growing, producing and marketing the wines. Great Western's reputation was built on champagnes, with still wines being a lesser factor in its product line. Walter Taylor and his sons had moved in the opposite direction—starting with still wines and later adding the sparkling wines. In 1962, Taylor went public and net sales since that time have jumped from $17 million to $43 million annually.

New York is a quality wine state. Although total output is small compared with that of California, gallon for gallon the average quality is said to be higher. (The grape crop of New York is approximately 100,000 tons compared to nearly three million tons harvested in California.) This is not to say that California does not produce some very good wines—indeed it does—but it also produces an enormous quantity of inexpensive *vin ordinarie*, and this tends to bring the average down, quality considered.

Wine drinking really began to take hold in the U.S. in the late 1960s and since that time overall wine consumption has increased by more than 50 percent. Taylor's production alone of wines and champagnes has now topped 3.5 million cases a year. There's a growing acceptance of wine not only at the table but as an all-occasion drink. In fact, a recent *Newsweek* article warned liquor industry executives to "look to a soaring interest in wine by drinkers of all ages as a primary contributor to liquor's slow rate of growth."

Last year wine consumption in the U.S. reached a new record high of 337 million gallons, almost exactly double the consumption 10 years ago. Wines from California, which make up between two-thirds and three-quarters of the entire U.S. consumption, just about paralleled the industry growth. For wines produced outside of California, consumption doubled during the 1962–72 period. Taylor grew from about 3.8 million gallons a year to 9.7 million gallons in the same 10-year period.

Today, Taylor's offerings in the premium wine category (Taylor defines "premium" as any wine costing over $1.50 a bottle) total 23. Newest entry is its Sangria, introduced in early spring. Sales are already beyond expectations. Great Western has 29 wines bearing its label. About 12 percent of Taylor's annual grape requirement come from 728 acres of company-owned vineyards on the shores of Keuka Lake. Another 53 acres are used as experimental vineyards for development of hybrid vines. The balance of Taylor's requirements are purchased from 350 local independent growers. Each acre of vineyard produces close to 5½ tons of grapes, and one ton of grapes produces 200 gallons of juice. It takes about 375 grapes to make a bottle of wine, about 500 grapes for a bottle of champagne.

Of course, all wines start in the vineyard where the grapes are nurtured. And when Mother Nature provides but once a year, nothing can be left to chance. Taylor's skilled vintners trudge from vine to vine during the winter season, carefully snipping off just the right amount of excess wood so the next season's fruit will develop to perfection. Deep in winter when the temperatures drop far below zero, these men are bright specks in fields of white, dressed in red thermal clothing for the daily snipping and shearing routine.

In the fall harvest season—early September to late October—the vineyards are alive with pickers, although close to 85 percent of this operation is now automated. Mechanical harvesters move up and down the rows of vines, picking and stemming the grapes. The grapes are then hustled to the winery where they are weighed, transferred to 10 stainless steel pressing machines and crushed, but ever so gently so that the seeds are not opened, which causes a bitterness in the wine. Now it is the turn of the press, so that the fresh juice is forced through sieves, through gleaming glass tubes, through cooling equipment to the huge fermenting vats.

Here begins nature's magic—with man's guiding hand in the process. The Taylor winemakers add a certain quantity of a special cultured wine yeast to the juice and it is this yeast which accomplishes the fermentation. When all the seething and boiling of fermentation is over, the juice has become wine. Its sugar has disappeared and in its place is nature's own alcohol, usually about 12 percent in strength. After fermentation the wine is placed in wooden storage casks—of white oak or redwood—for further cellar treatment to mellow and mature. Peak of maturity varies with wine types. Rosé takes about a year; champagne, several years. Blending, to achieve uniform quality, is carried on during this period and the blended wines are set aside to "marry" and mature. Careful blending results in every bottle of wine tasting exactly like every other of its type. Thus, year after year the uniform high quality of the product is insured and the ups and downs of vintage years are eliminated.

What accounts for the different tastes in wine, specifically for the differences in California and New York wines? First, of course, the grapes. Native grape vines were here with the Indians and maybe ages before. Their range covers roughly all the area of the United States east of the Rockies. At first, they were all wild grapes, some of which were "tamed" by careful selection and breeding. New and separate varieties were developed, such as the Concord and the Delaware, and as these improved varieties came into being, the wines made from them increased correspondingly in quality.

The New York State grape belt comprises the Finger Lakes, part of the Hudson River Valley along with the western area of the state bordering on Lake Erie and the southern shores of Lake Ontario. The grapes grown here are the native American type called *Vitis Labrusca*. These differ a lot in taste and aroma from the California varieties. It's more than merely the difference in taste but a general distinctive type and flavor peculiar to this region. "Highly flavored" and "fruity" would be the two best terms to describe the flavors of New York wines.

From the standpoint of chemical analysis, the Eastern-grown native grapes are higher in acidity and lower in sugar content than the California grapes. New York state wines are divided into the same five classes as other wines: appetizer wines, red dinner wines, white dinner wines, dessert wines and champagnes. Of the 52 wines produced by Taylor and Great Western, 20 are considered table wines. Most recent entries in the dinner wines category are Taylor's Lake Country Red, White and Pink. Immediate acceptance was, according to Taylor execs, indicative of the shift "to table wine at any time."

Last year, 125,000 visitors toured Great Western's and Taylor's wineries on free hour-long guided tours that told the intricate story from vine to wine. Highlight of each tour is the sampling of wines and hors d'oeuvres made with wine in special hospitality rooms at the two wineries.

No matter where the wine originates, it's safe to say that the vineyards of the United States are nurturing a product that is growing in popularity and acceptance daily. American wines have come of age and we can be justifiably proud of them. The best ones, coming from New York and California, can now hold their own with the most highly touted European vintages. And if you're an Easterner, it's more than just geography that sells a bottle of Taylor or Great Western. It's a quality beverage and it's guaranteed to please.

THE VIRGIN ISLANDS ACADEMY OF ARTS AND LETTERS

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. DE LUGO. Mr. Speaker, I am very pleased to note that the recently formed Virgin Islands Academy of Arts and Letters last month honored 40 Virgin Islanders for their artistic achievements. The academy is doing much to overcome the past neglect of our islands cultural heritage, and I look forward to its increasing success in making the rich and varied cultural life of the Virgin Islands known to all.

There follows a very interesting editorial from the Daily News commenting on the academy's activities:

STEP TOWARD PRESERVING OUR CULTURE HERITAGE

The world's impressions of a place and its people are based very much on its culture, and nations and localities are judged by the activities and achievements of individuals and groups. The artists, and writers of a country reflect the peoples hopes and goals, and in turn their writings, paintings and music became a part of the tradition and cultural heritage of the state. Russia is famed for Tchaikowsky and Tolstoi, and its people are justifiably proud of their nation for having produced such artistic giants. There as in other nations and localities the pride in cultural achievement links the past and the present, and the people and their artists form part of a continuing tradition and culture.

Here in the Virgin Islands, unfortunately, this has not always been the case and very few Virgin Islanders are aware of the artistic figures their homeland has produced. Many names have become lost in the mists of time and little has been done to preserve them, so that much of the cultural heritage and identity of our people has been lost to them.

How many, for example, are aware of Camille Pissarro, the father of French Impressionist painting who was born here. True the building he was born in bears his name, but ironically today it houses shops that sell imported trinkets to tourists who might be interested in Virgin Islands culture if Virgin Islanders themselves had made a greater effort to preserve it.

More recent examples are the poetry and music of Cyril Creque, the writings and paintings of J. Antonio Jarvis, the pen and brush mastery of Carlito Kean and the artistry of pianist Andres Wheatley. How many Virgin Islanders are aware of these men and their accomplishments, and how many take pride in their achievements? The answer has to be regrettably few, since so little has been done to preserve the memory and point up the achievements of such Virgin Islanders.

It is heartening to see that efforts are now being made to fill this gap. A few Virgin Islanders concerned over this situation have formed the Virgin Islands Academy of Arts and Letters, and last month it honored 40 Virgin Islanders—past and present, native born and those who brought their talents from elsewhere—for their artistic achievements. Life memberships in the academy were awarded those residing here, associate memberships to former residents, and posthumous memberships were awarded deceased Virgin Islanders in order to link up with the roots of our culture.

The formation of the Academy of Arts and Letters was a long step toward correcting a situation which saw the cultural heritage and traditions of these islands being neglected. We trust that as the academy continues its work it will be highly successful in its goals of promoting and encouraging arts and letters here, giving recognition to the achievements of our artists and authors, past and present, and transmitting humanistic knowledge and insight to the public.

THE NATION'S DEEPLY TROUBLED ECONOMY

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. PATTEN. Mr. Speaker, at a time when notable progress is being made in such important areas as industrial productivity and profits, exports, revenue collections, and the total number of persons employed in the Nation, it is sad to report so many economic problems, headed by the No. 1 issue in the district—the high and rising cost of living.

During the August recess, hundreds of constituents visited my office in Perth Amboy, and their problems were

pathetic: Housewives complained about high prices; those who wanted to buy homes were unable to do so because of zooming interest rates; the unemployed were desperately looking for work; and senior citizens—and many others—could not "make ends meet." A few newspaper headlines during August tell the story of an economic malaise almost unparalleled in the Nation's history:

"Food prices: Out of control"; "Record interest rates keep climbing"; "Jobless figures up"; and, "Dow Jones average sinks lower."

These headlines cover key areas that affect every American: Food, housing, employment, and finance. It is therefore no exaggeration to say we are facing an economic predicament that makes joint action and cooperation imperative by business, government, and the public.

My concern over the state of the economy was discussed at a meeting with U.S. Commerce Secretary Frederick B. Dent recently, at which time I recommended some of the steps proposed by me later in this newsletter.

There is plenty of justification for national concern in the four vital areas mentioned above. Treasury Secretary George P. Shultz—a former economics professor—said it all when he called phase III's system of wage and price controls "the biggest failure in the history economics" in a speech before the Grocery Manufacturers Association.

SOARING FOOD PRICES

The most unfortunate and far-reaching failure was in the administration's futile attempt to control soaring food prices. The Cost of Living Council is not the only group trying to find out why food prices increased so much in July when prices were supposed to be frozen. The housewives—and breadwinners—of the Nation would also like to know why that cruel paradox happened. A typical food basket went up 5.8 percent, or $208, from July of the previous year—an astounding increase under the circumstances. A poignant, but true story illustrates the anguish caused by the troubled economy: In Milwaukee, an elderly shopper did not have enough money to pay her grocery bill, so she removed a can of cat food from her order. A sympathetic clerk wanted to pay for the can out of his pocket, because, "I wouldn't want your cat to go hungry." With a weak smile, the customer replied, "I'm the cat."

THE HOUSING DROP

Another victim of our sick economy is the housing field, with mounting costs and skyrocketing interest rates bringing new home building and small business construction to a virtual halt. One of the reasons for soaring costs is the amazing increase of some building materials. From April 1972 to April 1973, for example, the cost of soft plywood leaped 98.3 percent. But another major factor in almost stopping new building is record interest rates. Since January, rates have reached an all-time high—from 6 percent to 10 percent—a rise of over 66 percent. These rates are more than just outrageous—they are untenable. The end is not in sight, either, for rates as high as 10½ percent are predicted. Particularly hard hit in obtaining home mortgages at reasonable rates of interest are veterans and young married couples. Their dream of owning a home has turned into a nightmare.

HIGH AND PERSISTENT UNEMPLOYMENT

When the Nixon administration started in January 1969, there were 13,500 unemployed persons in the Perth Amboy-New Brunswick labor area. The latest available figure shows 22,500 out of work—a shocking increase of 9,000 jobless persons—a rise of 67 percent. Because the Middlesex and Union County areas are so heavily industrialized, the impact has been unusually severe. To help the unemployed, I supported and voted for the Emergency Employment Act—EEA—which has provided public service jobs for over 1,300 persons in Middlesex County—from teachers to health aides. Over $6 million EEA funds has been spent in Middlesex County to aid the jobless. The administration wants to phase out the EEA, but I believe it should be expanded so that more of the unemployed can be helped. A bill I have cosponsored would do this. Another legislative measure I have helped sponsor that would aid the jobless is a new comprehensive manpower training program. Whenever I return to my Perth Amboy office on weekends, it is full of unemployed persons looking for work.

THE DECLINING STOCK MARKET

Still another important area of growing concern is the sagging stock market, which dipped to a 20-month low on August 20. Not only has the falling market caused millions of investors to lose billions of dollars in stock values—it also threatens the existence of scores of brokerage firms. Besides heavy losses suffered by individuals, a declining market weakens the Nation's economic structure if it lasts long enough—and this one has lasted too long, although there has been some recovery in early September. Strangely enough, stocks should have strong appeal during periods of inflation, but the present economy is in such poor condition, investors are reluctant to buy in an uncertain market. Another aggravating factor is a lack of confidence in Government caused by the Watergate scandal, undermining the public's faith in our political system. However, it is not our system that has failed—a few have failed our system, which is still considered the best in the world.

THE RISING COST OF FOOD SHOULD BE INVESTIGATED

Realistically, there are no panaceas for the serious economic problems we face. However, when I returned to Washington after the summer recess, I urged the chairman of the House Rules Committee to start hearings on a resolution I helped sponsor as far back as March 22 to create a select committee and investigate matters affecting the cost and availability of food. A legislative questionnaire I mailed to every home in the 15th Congressional District showed that 88 per cent of those who responded feel that the administration's phase 3 program of wage and price controls was a failure.

That feeling is understandable when one realizes that since the Cost of Living Council was established in 1971 and controls were applied, hamburger has increased about 24 cents a pound, a dozen large eggs has gone up 30 cents, bacon has climbed 41 cents a pound, and rents have reached almost impossible heights. The Agriculture Department estimates that food prices will rise by 20 percent this year—over four times more than the 1972 increase. Many believe they will go higher—and they probably will, for wholesale prices increased by a record 6.2 percent in August, and prices of farm products and processed foods and feeds soared by an incredible 19.3 percent—the largest increase for any month on record. The price of meat is so high and shortages so serious, that theft at meat counters keeps increasing—meat trucks are being hijacked—and ranchers are literally guarding their herds with rifles.

Besides conferring with the Rules Committee chairman, I have met with the chairman of the House Banking and Currency Committee, Representative WRIGHT PATMAN of Texas, who started hearings on September 11 to look into high interest rates which are hurting the economy so badly. Another meeting I plan to have is with Representative HENRY S. REUSS of Wisconsin, former chairman of the Economic and Tax Policy Force of the Democratic Study Group—DSG. As a former member of that task force, I will concentrate in the coming weeks on steps that will strengthen the economy.

INCREASE IN SOCIAL SECURITY BENEFITS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. WALDIE. Mr. Speaker, today I am introducing a bill which would permit the 5.9 percent increase in social security benefits to take effect immediately.

Earlier legislation passed by the Congress stipulated such an increase in social security benefits, but opposition from the administration delayed its effective date until June of 1974 on the assumption that it was inflationary.

There is little need to document the spiraling inflation and the dent that it is putting into everyone's pocketbook. And it takes little imagination to appreciate the impact that this inflation has on those with limited fixed incomes. Surely there are few who really believe that present social security benefits are adequate—even this proposed increase is barely in line with the rise in consumer prices.

The feckless premise that this increase will be inflationary cannot be weighed against the reality that the already slender budget from which many of the elderly must survive is continually being diminished at an alarming rate. Other sources of income—savings, pensions, et cetera—are especially vulnerable to inflation. As the prices for the necessities of life rapidly rise, and by not passing this legislation now, we are implicitly asking the elderly with limited means

to tighten their belts still further and to live in increasing humility.

I strongly believe that this is necessary legislation, and feel it to be incumbent upon the Congress to fulfill its intent to provide better living conditions for elderly Americans. The elderly are the fastest growing segment of our society, and they deserve to be treated with dignity and respect. The bill follows:

H.R. —

A Bill to provide that the special cost-of-living increase in social security benefits enacted by Public Law 93-66 shall become effective immediately, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsections (a) (2) and (c) (2) of section 201 of Public Law 93-66 are amended by striking out "May 1974" each place it appears and inserting in lieu thereof "the effective month of this section".

(b) Section 201 of Public Law 93-66 is further amended by adding at the end thereof the following new subsection:

"(e) For purposes of subsections (a) (2) and (c) (2), the effective month of this section is the month in which this subsection is enacted."

A QUESTION OF PRIORITIES

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ZWACH. Mr. Speaker, in Minnesota, where winter temperatures drop to 30 degrees below and lower, and where we have weeks of subzero weather, the fuel crisis is very real.

Our people are deeply concerned over the availability of fuel to keep their homes warm, their industries operating, and their schools open.

The Murray County Herald at Slayton, in our Minnesota Sixth Congressional District, had an editorial on this subject which, with your permission, I would like to share with my colleagues by inserting it in the CONGRESSIONAL RECORD:

A QUESTION OF PRIORITIES—

President Nixon will no doubt encounter a great deal of opposition regarding his suggestion that the United States lower its pollution standards for the time being at least in order to alleviate the anticipated fuel shortage which we will be experiencing in the weeks ahead.

What the president suggests boils down to a question of priorities, and we feel that he is taking the only possible view. Environmentalists, naturally, will express great concern and opposition to the president's suggestion.

At this particular time, however, adequate fuel is more important to the nation than tough restrictions on its production. Surely, efforts must be made to clean up America—its lakes, waters, roadways and air—but common sense would indicate that a major attack on this very major problem may have to be postponed until other pressing problems are solved.

Nixon in most cases has demonstrated political courage during his administration. It appears to us that this is another example of that courage as he surely knew large numbers of Americans and powerful organizations within the country would register strong opposition.

America, however, cannot survive without fuel. At the present time, we would believe that this is the first priority.

It is easy to look backward—that famous hindsight is always the best. Had the nation taken steps regarding pollution control at every level a few years earlier we probably wouldn't be in this predicament today. It is also apparent that we had plenty of advance warning but failed to heed it.

This, however, is water over the dam. It seems clear that all we can do at the present time is go along with the suggestions of the president, and attack the pollution problem with much greater vigor when the fuel crisis of today is ended.

PROTECT OUR ENDANGERED SPECIES

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. LEHMAN. Mr. Speaker, I was proud to support the passage yesterday of the Endangered and Threatened Species Conservation Act of 1973. H.R. 37 is designed to greatly strengthen our current laws to protect those animals which now face the possibility of extinction.

Since the passage of the first endangered species legislation in 1966, events have shown that additional protection is needed.

There are now 109 species of fish and wildlife in the United States whose existence is now threatened. The International Convention on Trade in Endangered Species has recently named 375 species of animals throughout the world as in imminent danger of extinction. An additional 239 species are seriously threatened. It is further reported that the pace of disappearance of species seems to be accelerating.

One of the major features of this new bill is that it provides a long-range and comprehensive approach to the problem by extending the protection of law to fish and wildlife which may become endangered at some future date, as well as to those which are now endangered.

Another important feature makes the killing of endangered species a Federal offense with persons convicted subject to fines of up to $20,000.

The new law recognizes that the greatest threat to endangered animals has been man's destruction of their habitat. Better means are provided to preserve those land and water areas which are critical to the survival of endangered animals.

Another major threat to endangered species is the deliberate killing of animals for the value of their fur. While the passage of H.R. 37 will not end all international traffic in pelts and skins, it does take a number of steps to curtail U.S. participation in such trade. This is a major step forward since the United States is a major market for rare furs and our example may set a precedent for the rest of the world.

Other provisions seek to protect animals threatened with extinction only in their home region. To prove that a certain dwindling species represents the last of its kind on the entire earth will no longer be required.

This law also puts an end to certain Federal-State conflicts by allowing States to adopt even more restrictive legislation than the Federal law.

As man extends his control over the surface of the globe, he must take special care not to destroy what he cannot replace. It is my firmest hope that the Endangered and Threatened Species Conservation Act of 1973 will at last provide the means to protect all of the irreplaceable creatures which share our world.

RARICK REPORTS TO HIS PEOPLE: FREE SPEECH AND GOVERNMENT CONTROL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. RARICK. Mr. Speaker, the intrusion of the Federal Government into the operations of the broadcasting industry has been escalating in recent years. It has increased to a point that the free speech of the broadcasting industry is endangered by government intimidation.

The role of the Federal Government in controlling the activities of the broadcasting industry began in 1934 when Congress passed the Communications Act, and established the Federal Communications Commission. The FCC was set up to make frequency assignments to radio stations. Since then it has grown into a large Federal bureaucracy with massive powers to control and limit the activities of every radio and television station in the country.

One area where the FCC exercises ironclad power over broadcasters is in the field of license renewal. It is by the granting, renewing or revoking of licenses to operate that the FCC has threatened the free expression of contrasting ideas on American airwaves.

Controversy and the free expression of ideas have always been at the heart of free speech in America.

Whether the speaker is agreed with or not, our people have always asserted that he has a constitutional right to speak his mind without fear of repression. However, a fear of repression from the FCC has caused an increasing number of broadcasters to limit the expression of controversial opinion on their stations.

A prominent case in point that has been making some headlines in newspapers recently is that of WXUR and WXUR-FM in Media, Pa. The stations are owned and operated by Faith Theological Seminary, whose President, Dr. Carl McIntire, is outspoken and thus regarded by some as a controversial minister. Reverend McIntire's battle with the FCC has been going on for several years, but reached a crucial confrontation when the FCC's refusal to renew the stations' license was upheld by the U.S. Court of Appeals.

The grounds the court used as the basis for its decision was the allegation that the stations made misrepresentations on their license applications. One judge disagreed, and said at the time that the decision meant "depriving a broadcaster of his constitutional right of free speech." He also said that the FCC action runs contrary to the Agency's own fairness doctrine by "depriving the listening public not only of a viewpoint, but also of robust debate on innumerable controversial issues."

One Supreme Court Justice, William O. Douglas, agreed, but the Supreme Court refused to give the stations a hearing. Justice Douglas is on the opposite end of the political spectrum from Reverend McIntire, but Mr. Douglas' view was that the first amendment right of free speech was involved in the case and it should have a fair hearing. In this instance, the position taken by Justice Douglas is eminently correct and I support it.

There is a greater threat implied here than just the revocation of the license of one small radio station. The broadcasting industry has come to a head-to-head confrontation with the awesome power of the FCC to manipulate the free flow of opinion and to silence dissent—and the American public stands to become the loser in the battle. The free speech of an entire industry is at stake. And the McIntire case may become the landmark—a precedent—for future actions.

By threatening radio and television stations with the revocation of their licenses, the FCC has intimidated the entire industry and diluted diversity of opinion. The broadcasting industry is watching the progress of this case closely. A precedent set here will undoubtedly be applied to other broadcasters.

I recently introduced a bill that directs the reinstatement of the stations' broadcast licenses, H.R. 10076. This will give the stations an opportunity to be heard before elected Members of Congress, rather than be forced to abide by the dictates of unelected bureaucrats at the FCC. This was one of my major considerations in introducing the bill.

Freedom of speech is too precious a right to be allowed to be taken away by the edicts of any Government agency. The imposition of restrictions on the free expression of ideas—no matter how controversial they may be—has a chilling effect on the coverage of news. Ultimately, this type of Government interference threatens freedom of the press itself. After all, freedom of speech and freedom of the press do not belong to the newspapers, radio, or TV stations. They belong to the people, as part of their right to be informed. By being informed our people can remain free. When Government restricts the rights of the press and broadcasters to present their readers and viewers with contrasting opinions and ideas, the American people's right to be exposed to divergent facts and to become informed is severely restricted.

FCC's fairness doctrine has diluted open and free expression of divergent opinions and views. What the bureaucrats have done is to back the broadcasters into a corner where they will either make the editorial content of their programs bland and without controversy, or stand the chance of losing commercial revenue or even their licenses.

The free marketplace of ideas like free enterprise is what the American dream is all about. Contrasting ideas tend to balance each other and in the free exchange, come closer to reaching truth. Our system of government has nothing to fear from the free expression of ideas. In fact, our society thrives on the free flow of opinion among an informed electorate.

Our country needs an unencumbered broadcasting industry, free to express the beliefs of the people, just as much as it demands a free press. But if government intimidation of broadcasters is allowed to continue unchecked, a clear and present danger exists to all forms of news media—including newspapers and news magazines. The same fairness doctrine-type approach was recently applied to a large daily newspaper in Florida. The State supreme court sustained a State law ordering newspapers to give political candidates the "right to reply" in equal space and positions to letters to the editor and editorials. This in effect gives anyone the status of an editor with the right to dictate the contents of a paper. This is a dangerous attempt by government to silence opinion in the free press.

The publisher of the Washington Post disclosed recently that the licenses of the two television stations owned by the Post were under challenge by the FCC because of the vigorous role the newspaper played in disclosure of the Watergate affair. The U.S. Attorney General threatened the newspaper with criminal prosecution for publishing documents, even after the Supreme Court had ruled that publication of the papers was legal.

The growing role of government in controlling a free press is clearly not a problem of broadcasters alone. It affects every journalist, editor, and, as we have seen in the case of Reverend McIntire, even radio evangelists—thus infringing on freedom of religion.

The printed news media have taken a concerned interest in the decisions being made in the McIntire case. Newsweek magazine interviewed me last week concerning my bill in behalf of WXUR; stories have appeared on the front page of the Post, in the New York Times, Chicago Tribune, Wall Street Journal and other large newspapers. These journalists realize that if the flow of opinion is silenced by government edict in radio, then newspapers are not far behind.

It is interesting to note that the story has been given little or no coverage on national radio or television. The same newscasters who vehemently defended their rights of free speech and free press against assaults by the Vice President of the United States are silent in this case. I cannot help but believe that at least part of the reason for their silence is a fear of retaliation from the Federal Communications Commission. The broadcasters who were courageous enough to take on the elected Vice President, now have applied a gag rule of silence to protect themselves from an unelected bureaucracy.

As I said earlier, the freedoms of speech and press do not belong to the news and opinion media; they belong to the people. When the press and broadcasters have their freedoms taken away by government pressures, we as citizens are the losers. The broadcasters may lose their financial investments, but we have lost two of our cherished liberties through political manipulation.

News and opinion by government edict has no place in a free society.

Mr. Speaker, I include related newsclippings:

[From the Atlantic City (N.J.) Press, July 10, 1973]

THE DEVIL AND MR. MCINTIRE

The largest daily newspaper in New Hampshire is the Manchester Union Leader, a paper of extremes that dominates the Granite State.

For one thing, according to the 1973 edition of Editor & Publisher's International Year Book, there are only eight other dailies in the state and some three dozen weeklies. The Union Leader tops all of them in circulation with 64,060. The Nashua Telegraph is second with 22,523.

For most persons, initial exposure to the Union Leader is usually an unforgettable experience.

Critics label its front-page editorials outrageous. Defenders call them hard-hitting. They are at least regularly provocative.

That last adjective also aptly describes the paper's president and publisher, William Loeb, who writes the editorials, lives across the border in Massachusetts and reportedly travels armed. He is an arch-conservative and friend of former Teamsters boss Jimmy Hoffa, who helped Loeb through some financially hard times a while back.

Loeb repaid the favor by lending his support to Hoffa in the latter's lengthy legal battle with the federal government and then by working vigorously to get the ex-labor leader out of prison after the government won.

In that he is outspoken, right-wing to the core and flamboyant, Loeb is a lot like the Rev. Carl McIntire, the fundamentalist pastor of the Bible Presbyterian Chuch in Collingswood, who appears to have lost what may be a significant battle with the Federal Communications Commission.

Last Friday, the FCC refused to stay an order shutting down his radio station, WXUR, in Media, Pa. McIntire, however, has talked of countering with "pirate" broadcasting from a ship at sea off Cape May that would be beyond the jurisdiction of the FCC.

Almost from the moment McIntire was first granted his radio license in 1965, the saga of WXUR has been marked by controversy. But trouble really arrived in 1970 when a U.S. Court of Appeals upheld the refusal of the FCC to renew the station's license on the grounds that he had misrepresented programming plans.

The renewal had been opposed by such liberal organizations as the Greater Philadelphia Council of Churches, the American Jewish Congress, the Anti-Defamation League of B'nai B'rith, the Catholic Community Relations Council, the National Association for the Advancement of Colored People and the AFL-CIO of Pennsylvania. In a petition to the FCC, they claimed that WXUR's programming was inflammatory, racist, anti-Catholic, anti-Semitic and "weighted on the side of extreme right-wing radicalism."

But H. Gifford Irion, an FCC examiner, declared after a nine-month hearing that those views were balanced by others. Furthermore, he offered the opinion that the public could cope with controversy and had a constitutional right to hear it. The FCC did not agree.

But Chief Judge David Bazelon, in dissenting from the 2-to-1 1970 appeals court decision, went along with Irion. He said that lifting the license of a radio station on the grounds of misrepresentations was "too narrow a ledge to cite" if it meant "depriving a broadcaster of his constitutional right to free speech."

He also said the FCC action ran counter to the agency's own Fairness Doctrine by "depriving the listening public not only of a viewpoint but also of robust debate on innumerable controversial issues."

And Spencer Coxe, executive director of the Greater Philadelphia branch of the American Civil Liberties Union, said the ACLU refused to join the opposition to WXUR's license renewal request because it "had serious reservations about the use of government power to silence any medium of communication on the basis of the content of its message."

While we concurred earlier in this space with Appeals Court Judge Edward A. Tamm that WXUR had broadcast with "more brazen bravado than brains," we think ACLU spokesman Coxe, FCC examiner Irion and Judge Bazelon all raised important questions that have not been answered adequately.

The fare served up by WXUR has hardly been to our taste, and the editorial policy of the Manchester Union Leader strikes us as irresponsible at best, but no one has forced us either to listen to the Rev. McIntire or read Mr. Loeb.

And so long as no one tries to, both men should be free to say what they wish as often as they wish to those who wish to think differently than we.

[From the Wall Street Journal, July 13, 1973]

ENCOURAGING CULTURAL PLURALISM

It isn't only politics that makes strange bedfellows. Whoever thought fundamentalist minister Carl McIntire would align himself with the nonpartisan but often liberal Brookings Institution in arguing that the Federal Communications Commission be divested of responsibility for broadcast quality and content?

The Brookings effort, a 342-page study financed by a Ford Foundation grant and authored by three economists, is an economic analysis of TV regulations. Mr. McIntire, on the other hand, has rejected the analytical approach. Instead, he plans a pirate radio station ("Radio Free America") in international waters off the south Jersey coast to denounce the FCC for withdrawing his license to operate a radio station in Pennsylvania. But they are in basic agreement that FCC regulation has stifled rather than encouraged a diversity of opinion.

That argument is not exactly original, Vice President Agnew, departing FCC Commissioner Nicholas Johnson, and any number of critics in between have championed a greater variety of program choice. The FCC itself claimed to be moving in that direction some years ago when it increased the number of UHF TV licenses available. But, as the Brookings study notes, many of the almost 1,100 channel assignments remain unused and almost all TV stations not affiliated with a major network lose money.

Consequently, the Brookings authors recommend abandonment of the unworkable FCC policy of encouraging local TV outlets in favor of doubling the number of major TV networks from three to six. Additionally, they recommend encouraging cable and pay-TV, along with ending government regulation for the industry except for engineering and technical aspects of station licensing.

The suggestions have an obvious surface appeal. Some 95% of American homes have TV sets and most of them are tuned for several hours a day to the 87% of all stations affiliated with networks. Even if one does not agree entirely with Mr. Agnew or Mr. Johnson, it is obvious there is a distressing homogeneity about network television that is bad—not bad in any sinister sense, but in the important sense of depriving the nation of any real cultural pluralism.

That, it seems to us, is the greatest failure of television, and the greatest failure of FCC regulation. The Commission ritualistically pays lip service to a broader range of programming but its major accomplishment has been to insulate license holders from too much competition, which scarcely strikes us as the way to foster diversity.

[From the Today, Sept. 4, 1973]

FEISTY PIRATE

Today is, and will always be, a staunch defender of "freedom of the press" as guaranteed in the U.S. Constitution. This stand is based on public interest and self interest—primarily the former.

We include all major forms of public communications in this "press" category. Although radio and television stations, because of the limited frequencies they occupy in the public airwaves, are subject to different regulations than are publications, the free press principle should apply as much as possible.

Some local supporters of controversial radio preacher Dr. Carl McIntire contacted Today editors several weeks ago to remind us of our oft-repeated "free press" defense and to ask why we had not come to Dr. McIntire's aid. They claimed freedom of the press was a key issue in the Federal Communications Commission's action that silenced WXUR-AM-FM in Media, Pa. The station was owned by Faith Theological Seminary, which is headed by the right-wing preacher and political activist, Dr. McIntire.

"You would defend his freedom of speech and freedom of the press even if you didn't agree with what he said, wouldn't you?" the Brevard supporter asked.

"Yes . . . without hesitation," we replied.

"Then why haven't you come to the aid of WXUR?" they asked.

We admitted that our surface knowledge of the case seemed to indicate that Dr. McIntire might be the victim of unjust governmental pressure, evoked by some of his political stands (such as his strong opposition to President Nixon's China trip and policies).

We promised to research the case further and would defend McIntire if the facts, in our opinion, warranted it.

The McIntire supporters said that the "fairness doctrine" violations leveled at the station were unfounded, as evidenced by the fact that the individual FCC examiner who reviewed the case ruled in the station's favor. The action to force the station off the air came on a rare instance in which the FCC board overruled its examiner and denied the station's renewal application.

WXUR has always offered time to groups with opposing views, as required by the FCC's fairness doctrine, the supporters said.

Our research seemed to bear this out. Even though Judge Edward Tamm, who wrote the appeals court decision, included the fairness doctrine element as a basis for the ruling, the other two judges, Chief Judge David Bazelon and Judge J. Skelly Wright, did not. They based their decision on a finding that the licensee (McIntire) made misrepresentations about its proposed programming in the initial application (eight syndicated news and religious commentary programs concerning controversial issues were substituted for entertainment programs).

Even if this program substitution did constitute a misrepresentation on the application, Today does not think that alone is sufficient grounds to put the station off the air.

Despite our strong disagreement with many of Dr. McIntire's stands, we think he is entitled to be heard as long as he offers those with opposing views a chance to use his slice of the airwaves in fairness.

Only a feisty man of deep conviction like Dr. McIntire would have the spunk and determination to fight back with a pirate offshore radio station. We admire him for that, but we may take issue with many of the "Radio Free America" broadcasts.

The case merits reconsideration.

[From the Washington Post Sept. 19, 1973]

"PIRATE SHIP" SET—MCINTIRE TO START BROADCASTS

(By Jules Witcover)

After two weeks of technical troubles and the exigencies of life at sea, the Rev. Carl McIntire's radio "pirate ship" is scheduled to start broadcasting today in defiance of Federal Communications Commission rules.

The ship, an old World War II minesweeper, is to head out beyond the three-mile international limit this morning from the port of Cape May, N.J., where it has been docked since last Friday when it lost its main anchor in a storm.

Harold Dennis, an aide to McIntire, said yesterday the anchor has been replaced and the ship will start broadcasting shortly after it gets back into international waters, sometime after noon today.

Technical problems with the transmitter have been rectified, he said. A special crystal has been installed and copper bands placed around the bottom of the ship to boost the transmitter's output to 10,000 watts, Dennis said.

McIntire, who was attending a church conference in Pennsylvania yesterday will be aboard for the opening broadcast, a sermon and hymn music on tape, McIntire's aide said.

A spokesman for the FCC said the commission will await the first unlicensed broadcast to determine whether the ship is in fact violating FCC rules. The U.S. Coast Guard at Cape May is watching the situation for the FCC, the spokesman said.

McIntire first sent the old ship, renamed "The Columbus," into the Atlantic over the Labor Day weekend, vowing to broadcast controversial programs from Maine to North Carolina and as far west as Ohio.

The project, called "Radio Free America," is McIntire's response to the FCC's refusal to relicense his radio station, WMUR in Media, Pa., on grounds it violated the FCC's fairness doctrine and was deceptive in indicating the programs the station would air.

McIntire is a prominent fundamentalist preacher and radio broadcaster and an outspoken right-wing champion, his programs at one point having gone out over an estimated 800 radio stations.

He has said he intends to make a test case of his radio ship, challenging the constitutionality of FCC licensing in the area of free speech. Should the FCC or Coast Guard move forcibly against him to close down the transmitter, he has said, he will not resist. But the FCC has said it intends to make its response to McIntire in the courts.

Crews of eight men, shuttled between shore and the ship by small power boat, are to man the ship around-the-clock, McIntire has said. The vessel was bought in Florida in August for $40,000, he has said, and fitted out with radio equipment—all from contributions raised by McIntire's church supporters.

ROY WILFORD RIEGLE—GRAND MASTER OF KNIGHTS TEMPLAR

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. SHRIVER. Mr. Speaker, on August 15, 1973, Roy Wilford Riegle of Em-

poria, Kans., was elected unanimously as Grand Master of the Grand Encampment, Knights Templar, U.S.A. This high honor caps a long career of service to Kansas and the Nation as a schoolteacher, soldier, lawyer, judge, and legislator.

It was my honor and pleasure to serve with Roy Riegle for a number of years in the Kansas Senate. I have also enjoyed my long association with Roy in connection with Masonic activities.

Any complete list of Roy Riegle's service to his home town, State, and country would be too long to include here. I will only mention a few of the highlights in the life of the new grand master.

Roy served with distinction in both World Wars, and he continued his service in the Kansas National Guard until 1954. He obtained five college degrees from Washburn University of Topeka, Kans., Washburn School of Law, and the Kansas State Teachers' College of Emporia.

He has practiced law in our State of Kansas since 1925 and served as probate and juvenile judge. He was elected to serve in the Kansas House and Senate for 18 years. He was majority leader in the Kansas House of Representatives in 1937–39, a member of the Kansas Legislative Council, 1939–41, and the Kansas Judicial Council, 1953–61.

In addition, Roy's record of service to civic, religious, social, judicial, and military organizations is unsurpassed. A partial list includes the Kansas State Historical Society, bar associations, the Kansas Day Club, the Lutheran Church Council and the Lyon County Council of Churches, Phi Alpha Delta, Tau Kappa Epsilon, Lions Club, American Legion, Veterans of Foreign Wars, and others.

Roy's service to Masonry and Templary is, of course, evident in his election as grand master. Kansas Templars will celebrate his advancement to this high office with a reception and dinner in his hometown of Emporia, Kans., on September 29.

Mr. Speaker, I requested permission for this brief insertion in the CONGRESSIONAL RECORD so that more people might know of the service of this good friend and fine Kansan. Our best wishes go out to Roy Wilford, Mrs. Riegle, and their three daughters as he begins his 3 year term as grand master of Knights Templar of the U.S.A.

NATIONAL SECURITY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. DORN. Mr. Speaker, may I take this opportunity to congratulate the recently elected commander in chief of the Veterans of Foreign Wars, Ray R. Soden. Ray Soden will provide dynamic leadership for the Veterans of Foreign Wars. We are fortunate to have this great American lead this powerful and respected veterans organization. May I commend to the attention of my colleagues in the Congress, to the entire Nation and to our allies in the cause of freedom, excerpts from Commander Soden's superb address to the Veterans of Foreign Wars National Convention in New Orleans:

EXCERPTS FROM ACCEPTANCE SPEECH OF RAY R. SODEN

NEW ORLEANS, LA.,
August 24, 1973.

Turning to another important concern of the Veterans of Foreign Wars—the security of our beloved country—I will be blunt and to the point. The United States of America, the world's most prosperous nation—with the most to protect and preserve—is no longer the world's foremost military power. And that, my comrades is a cold, hard fact.

It is true that there are leaders in our government who philosophize that America and Russia have achieved a so-called military parity. They prattle about the deterrent of presumed equality.

The truth of the matter is that Russia is ahead of us in the great majority of military yardsticks by which national power is measured—more land and seabased ICBMs—more bombers—more home defense interceptors—more home defense surface-to-air missiles—more cruise missiles and attack submarines—and more ground troops.

And what do the proponents of "parity" tell us? They say we have more missile warheads than Russia. They guess that the quality of our weapons and the excellence of our research and development will offset superior Soviet numbers. In short, they place their faith entirely in that which cannot be verified.

Yet each year, for at least the past two years funds requested by the Department of Defense for additional research and development have been drastically reduced in the budget.

I say to you with the utmost candor: Our beloved country is in mortal danger unless we stop this headlong retreat into "parity" with Communist nations. The soft and misleading words of "détente" will not defend us from aggression.

We must turn this attitude of our national leaders around before it is too late. Now, more than ever, we must make our voices heard in the Councils of Government.

At the very least, we must fully fund and deploy the TRIDENT submarine; the B-1 bomber; and the two agreed upon ABM sites.

It is already apparent, as we originally predicted, that the "All Volunteer Military Forces" system is not providing either the numbers or the quality of servicemen and women essential to the defense of this nation.

We must display as a people, and a nation, the political guts and imagination to institute an equitable plan for truly universal military training. And when I say "universal training" I mean UNIVERSAL—not the unfair and discriminatory Selective Service operation that turned Vietnam into a rich man's war and poor boy's fight.

Any able-bodied American citizen who will not give two years of his life to "provide for the common defense" of his country can join the gutless wonders in Canada and Sweden who ran for cover when the chips were down in Southeast Asia.

As for NATO, and our continuing efforts in Europe, there are some in exalted positions of government who refuse to recognize success. For nearly a quarter of a century, NATO has kept the peace in Europe. Not one inch of free world territory has been lost to the Communists during that period of history. The commitment of some 313,000 U.S. troops has been the principal reason for this historic era of stability and progress.

Here at home, the reserve components of the armed forces are being asked to carry a sharply increased portion of the defense burden as the active duty forces decline in numbers. We must continue to support their worthy cause in the halls of Congress.

Now I suppose there are those who will say that the Veterans of Foreign Wars is anti-Russian. We are not anti-Russian as such. We are anti-Communist. We have always been anti-Communist. And we will remain anti-Communist as long as freedom and slavery must continue to exist side by side upon this planet.

Trust the Communists? Look at their long record of breaching treaties. Ask the Estonians, the Latvians the Lithuanians, the Poles, the Hungarians, and the Czechs if they trust Communist Russia.

In closing, I pledge to you, my comrades and sisters, that I shall give my total and unremitting effort to the end that America regains her rightful position as a military power second to none—fearing no power upon this earth, and only God above.

MINIMUM WAGE STATEMENT

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mrs. BURKE of California. Mr. Speaker, I would like to call your attention to one of the most important pieces of social legislation to come before the Congress this year.

The minimum wage bill passed earlier this summer by the Congress and vetoed by the President is an issue of simple justice. While inflation has raised the cost of living over 35 percent since 1966, the minimum wage paid America's poorest workers has remained the same at $1.60 an hour. If the minimum wage were raised only enough to keep up with the cost of living, it would have to be pegged at $2.16 today. Thus while the United States has made important economic progress overall in the last 7 years, the poor have not only been left behind, but as a result of inflation they are even further back today than they were in 1966.

Mr. Nixon vetoed the bill on September 6 as "grossly inflationary." His denunciation of the bill is particularly unfortunate in view of his own proposal, which would have nearly the same aggregate impact. The vetoed bill would raise the minimum wage from the present $1.60 an hour to $2 in November and $2.20 next July. Mr. Nixon's counteroffer would bring the minimum up to $1.90 now and up to $2.30 in steps over the next 3 years. The difference between these two scales, in terms of its inflationary impact, is hardly measurable.

Moreover the difference between the vetoed figure and the current one would increase the Nation's total wages only 0.5 percent in the first year and even less thereafter. That the bill is not in fact inflationary is all very clear, but the real reasons for Mr. Nixon's veto are not.

It would seem instead that the Presi-

dent is prepared to fight desperately against very small improvements in the income of the poor, while silently tolerating record profits for corporations and doing imaginatively little in meeting the real problems and causes of inflation.

Mr. Speaker, the bill presently before us is important, too, in its inclusion of persons and categories of workers not previously covered.

One of the most forgotten and ignored segments of America's labor force is the 1.5 million individuals privately employed as domestics. Of this number, 31 percent are paid cash wages of less than 70 cents an hour, 48 percent less than $1 an hour and 68 percent less than $1.50 an hour. It is shameful that the median annual income for domestics in 1969 who worked 50–52 weeks out of the year was only $1,400.

The significance of these figures are even more striking when one considers that 97 percent of all domestics are women and one-half to two-thirds are black. And among blacks, where 28 percent of the families are headed by women, one out of every five employed women works as a domestic. In sum, almost three-fifths of the families headed by domestics had incomes below the poverty line.

I will let the members draw their own conclusions in terms of discrimination against women, and blacks, but I think the facts speak plainly for themselves.

The administration opposes this extension of the minimum wage, arguing that the additional coverage would result in a "substantial decrease in employment opportunities" for domestic workers.

It is difficult to follow the logic of this argument, when one looks at the true facts. The real problem is that the total number of domestics, discouraged by poor wages and working conditions, has decreased from a total of 2.5 million workers in 1960 to but 1.5 million in 1970. There is no indication that this decline is caused by a smaller demand for services; indeed to listen to some people talk, just the reverse is true. Moreover, fewer and fewer young women are entering the profession. The median age for a domestic is presently 50 and rising; one out of every seven workers is over the age of 65. Rather than a "backward step" as claimed by the administration, the extension of minimum wage coverage to include domestic workers would seem just the antidote to revitalize an ailing profession. It would restore the dignity and self-respect of hundreds of thousands of workers in an honest profession. It would aid tremendously those brave women who both work and raise their families with incomes below the poverty level, rather than accept the alternative of welfare.

For the poor of this land, for the oppressed and the lowly paid, we must override this veto. That it is not inflationary is clear; that it is in the interests of simple economic justice is no less valid. To do otherwise would be a vote against human conscience.

FEDERAL INTEREST PROTECTIONS OF H.R. 9682, DISTRICT OF COLUMBIA SELF-GOVERNMENT AND GOVERNMENTAL REORGANIZATION ACT

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ADAMS. Mr. Speaker, as we approach consideration of H.R. 9682 on the floor of the House of Representatives, a concern has been expressed by some Members as to whether the bill adequately protects the interests of the Federal Government. It is a concern which I, as chairman of the subcommittee which initially reported this legislation, as well as the other members of both the subcommittee and full committee shared during the hearing and markup process and one to which the committee gave a great deal of careful consideration. It is one which I—and I think it is fair to say, an overwhelming majority of the committee—now believe has been satisfactorily resolved.

Since this question of Federal interest protection is of such importance, however, it might be helpful to recount the highlights of committee consideration of this issue as well as to summarize those sections of H.R. 9682 which deal with and preserve the Federal interest.

First, even before the hearings were begun, the subcommittee solicited information from all Members of the House and expected witnesses on the Federal interest. In a series of questions on this and related subjects, the subcommittee asked: "What is the meaning and definition of the Federal interest? What is its effect on the governance of the District? To what extent and by what institution(s) should it be maintained?" Responses were received in the form of testimony, statements, and other communications and were carefully studied by Members and committee staff.

Second, members of the subcommittee questioned witnesses and sought further information as to where the line should be drawn between local and Federal interests and how potential conflicts could be avoided. Both supporters and opponents of greater self-government were questioned as to possible local infringement of the interests of the Federal Government in the areas of zoning, planning, taxation, transportation, and others.

Third, members of the subcommittee grappled in numerous markup sessions with this Federal interest question. Proposals were offered and discussed by members for limiting or denying local authority in certain Federal interest areas, creating special mechanisms—a Federal Interest Preservation Board, an arbitration panel, a special or joint congressional committee and others—for protecting the Federal interest, maintaining Federal appointees on certain local boards and Commissions, reserving varying degrees of congressional review and veto power over local legislative actions and continuing Federal agency review and control—GAO, OMB, NCPC, et cetera—over selected Federal and quasi-federal areas.

Finally, the subcommittee and the full committee drafted and approved numerous provisions which are designed to protect the interests of the Federal Government. One of the seven titles of the bill, title VI is solely devoted to the specific reservation of congressional and constitutional authority, and the majority of the other titles contain additional, enumerated restraints on the authority of the local government.

I might add, Mr. Speaker, that throughout considerations of this legislation members of the committee foresaw a strong, vigilant, and ongoing role for the Congress. Under any form of self-government, the Congress still retains—and must retain—its constitutional obligation to exercise exclusive legislative authority over the District of Columbia. Whether that requirement takes the form of oversight, investigation, negative veto of certain local actions or positive legislation to carry out its wishes, the Congress must act, where necessary, to protect the role of the Federal Government and to maintain the District of Columbia as the Capital for all American citizens.

Mr. Speaker, at this time, I would like to summarize briefly the protections of the Federal interest which the committee so carefully designed in H.R. 9682. The committee bill:

Reserves the rights of Congress to legislate for the District at any time and on any subject;

Retains in the Congress the appropriations power over the annual Federal payment;

Provides for a veto by either the House or the Senate over any alterations in the municipal charter;

Authorizes audits of the accounts and operations of the District government by the General Accounting Office;

Preserves the court system established by the Congress in the 1970 District of Columbia crime bill—with the exception of the judicial appointive process;

Prohibits the local Council from, among others, enacting a tax on nonresidents, increasing the height limitation on buildings, affecting the functions or property of the United States, regulating U.S. Courts in the District of Columbia, or increasing the Council's authority over the Washington Aqueduct, the National Guard, the National Zoological Park, or any Federal agency; and

Requires the local government to enact a balanced budget and to keep capital indebtedness within a congressionally imposed ceiling.

In addition, the Federal Government is granted a significant role in placing its Representatives on or having its nominees serve on important local agencies. Of the two nine-member judicial nomination and tenure Commissions, a majority of each—five members—are to be appointed by the Speaker, the President of the Senate and the President of the United States. Two of the

five members of the Zoning Commission for the District of Columbia are to be Federal Representatives—the Architect of the Capitol, the Director of the National Park Service. And one of the three members of the Armory Board will continue to be the Commanding General of the District of Columbia Militia, appointed by the President.

Mr. Speaker, the issue of the protection of the Federal interest was carefully considered throughout all stages of subcommittee and committee deliberations; the protections which H.R. 9682 affords are an intimate and integral feature of the committee's product and of its recommendation to the House that "the bill do pass."

CAMPAIGN FINANCE REFORM

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. FISH. Mr. Speaker, this summer, Mr. Roscoe Drummond, the nationally syndicated columnist, conducted an adult class on the "Political World" at Principia College. The participants, who represented a broad cross section of the American people, focused their attention on the financing of political campaigns.

What emerged from these sessions was a consensus on the need for concrete reform to correct some of the basic inadequacies in the laws governing the collection and disbursement of campaign funds. These included the illegal collection and use of campaign funds, inadequate reporting and accounting procedures, and poor enforcement of statutes already in force. I might point out that these are the same abuses that the Clean Elections Act, a measure I have cosponsored along with over 125 of my colleagues in the House, would attempt to remedy.

In addition, a number of proposals were offered by this group to deal with this serious problem. They range from the financing of Federal elections through a compulsory $1 payment by every American with the total amount of funds to be equally distributed among the political parties, to the imposition of a spending ceiling by Congress on the total amount a candidate would be allowed to spend in a campaign.

One of my constituents, Mrs. Margaret Peabody, who is a former Republican State Committeewoman from New York, attended this class, and has sent to me a copy of an article written by Mr. Drummond in which he presents the findings of his class. I believe that the article clearly indicates the extent to which the American people are concerned about this aspect of our American political life. This concern has been heightened by reports of the ever-increasing sums of money being spent by political candidates, and by the evidence of flagrant violations of the law that have been brought to light as a result of congressional and Federal inquiries into the Watergate break-in.

I insert in the RECORD the full text of Mr. Drummond's article:

CONSTITUENTS REPORT TO CONGRESS

(By Roscoe Drummond)

ELSAH, ILL.

To members of the Senate and House:

(As you work on reforms to prevent future Watergates, don't stop—keep on going.

(I can assure you—from first-hand experience—that your constituents want tough, thorough, enforceable reforms equal to the need.

(For two weeks I have been participating in a class of over 150 adult students who were studying the post-Watergate world of politics here at the Principia College summer session. They came from every part of the country. They were a good cross-section of middle America.

(Here is their report. I hope you will welcome it.)

THE PRINCIPAL ABUSES

Because of the sky-rocketing inflation of campaign costs, because of abuses by both major parties and because of the evidence of new violations of law and ethics in the Watergate offenses, we conclude that the most urgent reforms are essential in political financing of federal elections.

We have sought to focus practical proposals upon those areas of illegality and impropriety which have manifested themselves anew in recent months; namely, the illegal collection of campaign funds, the illegal use of campaigns funds, the inadequate reporting and accounting of campaign funds, and inadequate enforcement.

We would prefer to leave the campaign financing to volunteer efforts by and within the political parties, but we concluded that it is impossible to do so and still cope with the flagrant abuses which have come to light. There must be an end to buying ambassadorships, seeking legislative concessions, or seeking executive favoritism through large campaign donations. Neither the parties nor the presidential candidates should have to solicit nor be tempted to coerce either big business or big labor in order to carry out the highest act of democratic government—the election of those who are to govern and serve us all.

THE PROPOSED REFORMS

We concluded, therefore, that there is no workable alternative to federal financing of federal elections. To this end we advance the following reforms:

I. We propose that federal elections be financed by the federal government through a compulsory $1 payment by every ctiizen on his income tax return with funds to be available equitably to the participating parties.

II. These campaign funds would be retained by a nonpartisan central clearing house created by Congress.

This central clearing house would be responsible for the receiving of such funds, for their accounting and for paying proper bills submitted to it by the participating political parties. Thus no money would be raised by the political parties and no money would go into the hands of the political parties. Donations to parties receiving federal financing would be forbidden.

III. We recommend a substantial reduction in the total allowable campaign spending, the ceiling to be determined by Congress.

IV. We propose that the "equal time" provision of the Federal Communication Act of 1934 be repealed so that the television and radio networks and stations can provide a reasonable amount of free time for political candidates.

V. We propose that the enforcement of all election laws be placed by Congress in the hands of a national election commission independent of either Congress or the executive.

VI. We propose the following changes in electoral procedures:

1. The federal government seek to bring about one nationwide date for holding primary elections in states which wish to hold them—the date not to be earlier than August 1.

2. The national political conventions to meet no earlier than Sept. 1, thus shortening the length of the campaign.

THE MORAL IMPERATIVE

We are among those—and there are more than a few of us in many religious faiths—who believe deeply in the power of prayer to control for good the affairs of men and nations. We see wrongdoing in government and politics as providing an urgent impetus for cleansing and improving our political processes. But better laws will not alone do what is needed.

The need is to raise a standard of ethical and moral conduct in our political life to which all can repair, and we believe it must come from within ourselves as well as from within government. This is overridingly an individual responsibility. But we hope that every opportunity will be taken to utilize the home, the church, and our schools to restore to the highest place in our thinking and in our living, and also in the demands we put upon our elected political leaders, standards of conduct worthy of trust and confidence.

We pray for a government worthy of good people, and we pray to be a people worthy of good government.

CLASS OF THE POLITICAL WORLD PRINCIPIA ADULT SUMMER SESSION

P.S. I graded my class summa cum laude. I hope you do, too.

THE MINIMUM-WAGE VETO

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. LEHMAN. Mr. Speaker, today the House voted to sustain President Nixon's veto of the minimum wage bill.

The minimum wage is now $1.60 an hour. This comes to $64 a week or $3,300 a year—well below the official definition of poverty for the average family.

The minimum wage has not been raised in 5 years. Yet during this same period, prices have risen more than 30 percent. The price of food has gone up more than 40 percent.

This minimum wage bill sought to raise the present wage floor to $2.20 an hour or $4,500 a year by next July. It is hard enough to try to feed and house and clothe a family on $4,500. It is next to impossible on the present $3,300.

Why should these wage earners, trapped between the skyrocketing cost of basic necessities and the veto of any wage increase, be the ones who must bear the brunt of the administration's disastrous economic policies?

Every time the minimum wage has been raised, there have been those who claimed that the result would be unemployment. The facts show that subsequent to the increases in 1949, 1961, and 1967–68, unemployment actually decreased, while in the 1956 increase, unemployment was unchanged.

Others say that the minimum wage increases have a ripple effect on higher

wages, which in turn bring higher costs. But the Department of Labor has said time and time again that there is little or no evidence of such a general upward pressure after an increase in the wage floor.

Let us remember that the minimum wage is for people who want to work, for those who will accept the most menial tasks rather than go on welfare. The ravages of inflation have made the current wage level a cruel joke. How can we expect to break the cycle of poverty for those who do want to work unless we guarantee them a living wage?

A 7-PERCENT SOCIAL SECURITY INCREASE EFFECTIVE JANUARY 1974

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ANDERSON of California. Mr. Speaker, I am today introducing on behalf of my colleagues a proposal which would increase social security benefits by 7 percent, effective January 1, 1974.

As you know, under current law, benefits are scheduled to increase by 5.9 percent on June 1, 1974; but this amount is both too little and too late to keep up with the spiraling inflation that is eating away a the elderly's income.

The price of food, which takes 27 percent of the elderly's budget, has jumped by 20 percent since last year. As a result, social security recipients are forced to eat even less, and suffer even more.

Currently, the average annual benefit for retired recipients amounts to $1,980—$165 per month. And, for 1 out of 7 aged couples, and 2 out of every 7 elderly single persons, this amount represents 90 percent of their total income.

Under this proposal, average monthly social security benefits would be increased from $165 to $177 for retired workers; from $274 to $293 for aged couples; and from $158 to $169 for elderly widows. In addition, maximum benefits for elderly workers would be increased from $275 to $294 a month. The maximum amount for an elderly couple would be boosted from $412 to $441.

Mr. Speaker, we owe the greatest debts to our elderly—our living heritage. Most of those citizens retired today have shared the destiny of the United States for nearly one-third of our entire history. They have nurtured this great Nation to a prosperious maturity, sacrificing along the way so that we—their sons and daughters—could enjoy a better life.

Yet, our society is ignoring their basic needs at the time when they are most vulnerable to physical and financial reverses. While they are our links to the past, and the builders of the present, the elderly are often neglected or left very low on the list of priorities.

It is our responsibility as legislators, and as human beings, to reverse the trend of neglect, and instead insure that the elderly live out their remaining years in good health, without fear of want, and in dignity knowing that a grateful society appreciates their years of service and dedication to building America.

Mr. Speaker, we must act quickly to enact this proposal and grant a 7-percent increase—instead of 5.9 percent—that would go into effect January 1974—not June 1974.

BILL HUNT—NEWSMAN WITH A HEART

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. CHARLES H. WILSON of California. Mr. Speaker, in the sprawling metropolis known as Los Angeles there are many unique communities, all different in their demographic makeup—all populated with individuals who struggle, who hope, who work and who dream of a good way of life. The city of Gardena within this magalopolis is less different than some communities, more different than others. Gardena lies within a shallow valley, with a smattering of light industry and an abundance of well-kept homes in muted California colors. Gardenians are naturally proud of their landscaped gardens which reflect the heritage of their owners. Gardena has a gentle, quiet populace which also struggles, also hopes and works industriously with the dreams of good lives under the California sun.

At the top of narrow flight of stairs in a building not new but serviceable, is housed the voice of the city of Gardena, the Gardena Valley News. And behind an oaken desk overlooking bustling Western Avenue is the copublisher of the twice weekly newspaper.

Bill Hunt hears the sirens scream from the street below, and his quick thought is, "Now what?" A visit from a Gardenian about a local boy who just made Eagle Scout has his rapt attention, and Bill remembers when the boy was born and what it was like then. A call from Sacramento about current narcotics leigslation grips his insides, for such steps will have a bearing on all that happens in and to Gardena and neighboring communities. A police chief retires, and Bill knows there goes a good man, and once again things will be different.

A new postmaster is appointed to the city, and Bill sends the photographer over for a page 1 cut. And another call comes in which means the paper will have to be cut back again that week because the newsprint just is not available.

Others have problems, and Bill listens earnestly. He does what he can. Always with the attitude of how the paper can help. And how the paper can reflect what is going on and what makes things happen in these times.

His concerns lie with the younger generation, and all that goes on which will mold and shape their lives. His unflagging work to help shape a healthful life for young people knows no bounds. Encouragement is given unstintingly, care is given unceasingly, and always his own publishing problems are shoved away in the back somewhere when an issue which will affect people is to be decided.

His concerns lie with the constitutional considerations of absolute press freedom, for he knows that only with this guarantee will the rights of others also have guarantees. He cannot tolerate fetters which might still the voices which will speak out against wrongdoing in any strata of life, or which will limit the encouragement he can put to print when good is achieved.

Bill Hunt has a huge heart, and a warm heart. A journalist he is first and foremost, with a deep underlying humaneness second to none. And deserving of commendation for his untiring work for the good of his fellow Americans.

CONNALLY'S BAD ADVICE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. BRADEMAS. Mr. Speaker, I am sure that Members of Congress, both Democrats and Republicans, were shocked by the extraordinary statement by John B. Connally several days ago in which he said that President Nixon might be justified in ignoring the Supreme Court if the Court decided to order the President to turn over to the special prosecutor the tapes in dispute.

Apparently this is Mr. Connally's new interpretation of "law and order."

I insert at this point in the RECORD the text of an editorial from the New York Times of September 12, 1973:

CONNALLY'S BAD ADVICE

John B. Connally, who until recently was one of President Nixon's special advisers, has volunteered an extraordinary piece of special advice. He has suggested that Mr. Nixon may well be justified in ignoring the Supreme Court if it were to order the Presidential tapes of the Watergate conversations to be turned over to the special prosecutor.

"We're leading ourselves into believing the Supreme Court is the ultimate arbiter in all disputes and I don't believe it," Mr. Connally said. This interpretation of constitutional government, which Mr. Connally appears to have discovered on the way to his conversion to "law and order" Republicanism, raises the question whether any force other than raw power would be left as the ultimate arbiter of controversial national issues.

Even conceding that Mr. Connally for the moment appears to reserve for the President alone the right to ignore the Supreme Court, this redefinition of Presidential power strikes at the heart of democratic government as practiced in the United States for nearly 200 years. What would be left of the principle of checks and balances if a President, acting either unconstitutionally or unlawfully or protecting the unlawful actions of his subordinates, were free to ignore the Supreme Court? Would President Truman have been justified in ignoring the Court's ruling on seizure of the steel mills?

The Connally view of government appears to equate an efficient and supreme executive with the protection of the nation's stability. In reality, the consequences of a Presidency

immune to judicial rulings would more likely be adrift into either extreme instability or extreme Presidential power.

If Congress were to become convinced that the President considers himself untouchable by any process short of impeachment, resort to impeachment would inevitably come to be thought of as a far less awesome step than has been the case in the past.

If the American people were to adopt the view that the President has the right to ignore the Supreme Court, then the Presidency will have been placed above the law. This would be the beginning of totalitarian rule.

CHIEF EDWARD A. HAMILTON

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. JONES of Tennessee. Mr. Speaker, it is my privilege today to honor Edward A. Hamilton, chief of the Memphis, Tenn., fire department for 38 years, until his recent retirement.

Chief Hamilton, a native of Pine Bluff, Ark., moved to Memphis in 1924, where he attended Memphis public schools and took additional night training in business administration.

In 1935, at the age of 21, Eddie Hamilton was hired by the Memphis Fire Department. Whatever he might have lacked at that time in experience, he more than made up for in enthusiasm and ambition. Because of this drive and enthusiasm, he advanced in rank quite rapidly. He became driver in 1938, lieutenant in 1940, captain in 1944, and battalion chief in 1950. On October 29, 1958, he was promoted to deputy chief on June 3, 1960. Finally, on November 1, 1970, he became the first director-chief of the department, at the time of his last promotion, Chief Hamilton had held every rank in the force.

Under the expert direction of Chief Hamilton, the fire department has advanced from a class II fire department to a class I department. This has not only brought the fire fighting force to this high position but all other divisions of the department.

As well as being chief of the Memphis Fire Department, Chief Hamilton is a member and past president of the Tennessee Fireman's Association, a member of the National Fire Defense Advisory Committee, and a member of the Governor's Advisory Board on Emergency Medical Services.

Chief Hamilton is holder of the National Life Saving Award given by the American Red Cross bearing the name of Franklin D. Roosevelt. In November 1966, he received the award from optimist International for heroism as an individual and not in the line of duty as a fireman.

In 1968, Chief Hamilton was given the Memphis Rotary Club Civic Recognition Award for his efforts in advancing the civic and economic welfare of Memphis. This organization, which is sponsored by the Memphis Fire Department, promotes fire prevention and fire safety training in businesses, industries, and institutions in Memphis.

Chief Eddie Hamilton has been married to the former Mildred Mitchell for 37 years. The Hamiltons have two children and four grandchildren.

When Eddie Hamilton became chief, the Memphis Fire Department consisted of 765 men which formed 52 fire companies. Today's department has expanded to 103 companies with a total personnel of almost 1,650. Aside from this physical expansion, Chief Hamilton divided the firefighting force into two operational divisions, each commanded by a deputy chief. This resulted in closer top echelon supervision of the force.

Throughout his 38-year career with the department, Chief Hamilton has shown himself to be an outstanding servant of the people in the city of Memphis. It is indeed my privilege to extend my congratulations to Chief Hamilton, for a job well-done.

OSHKOSH DAILY NORTHWESTERN ARGUES FOR UPHOLDING MINIMUM WAGE VETO

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, a great deal of controversy has been raised over the social implications of the President's veto of the minimum wage bill. I do not believe that anyone denies that we should do whatever is possible to uplift the earning power of our less fortunate citizens. However, as the following editorial from the Oshkosh Daily Northwestern points out, there are serious doubts as to whether this bill is one which will assist the worker by increasing his income and abating inflation:

CONGRESS SHOULD UPHOLD NIXON VETO

The insistence of Congress on a too liberal minimum wage bill is yet another example of why the American public may wonder as to which piper is Congress dancing.

The short-term benefit to Congress is a pat on the back—and presumably a campaign contribution—from the labor leaders who want to tell the boys down at the union hall that, sure George Meany got something for them.

But President Nixon is right, and the members of Congress who are not afraid to confront the issue on a statesmanlike basis ought vote to sustain the President: The minimum wage bill is inflationary at the time America needs no such stimulus to higher costs.

On top of that—and this is something laborers can well understand—a hefty hike in the minimum wage now would dry up further the job market for the young and the unskilled who are already hard-pressed to find employment.

Labor leaders who make a great deal of noise about getting the minimum wage rocketed upward are giving little thought to those unskilled, poorer educated, and in many instances, members of minorities, who would be jobless because many employers cannot afford to start out such people at wages they pay people with more skill, education or talent.

Labor's theory is apparently that if the lowest paid workers are forced to receive raises, the higher paid ones will get them too if merely to keep them from rebellion over the similarity of pay between themselves and the less skilled. This is the trickle-up theory.

A more realistic approach to boosting the minimum wage is a more gradual one so that the inflationary fires are not fanned, first of all, and so that the shock of added labor costs does not put such a burden on employers that they refuse to hire the unskilled workers, the ones who are most in need of employment.

EFFECT OF PHASE IV GUIDELINES ON PETROLEUM INDUSTRY

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. McCOLLISTER. Mr. Speaker, when I was asked to testify about the effects of the phase IV guidelines on petroleum, I contacted the executive director of the Nebraska Petroleum Marketers for his reaction. He described the situation in the Midwest as a "tragedy."

He explained that no sooner had the guidelines gone into effect, than the suppliers began raising their prices to the oil jobbers and dealers. Under normal circumstances they could make up for those higher prices by selling more, but the shortage has made that impossible. The normal 4¼ cent margin for jobbers has been cut to 2 or 3 cents per gallon.

Another unfortunate decision by the Cost of Living Council was the January 10 price level. January is traditionally a very competitive month among dealers and Omaha was in the midst of a price war on January 10. During these periods the dealers do not expect to make a profit, assuming they can make up the difference later in the year. There has been no such opportunity since the shortage became critical. The May 15 base price date given to the major oil companies would have been a vast improvement, but June 8 or 15 would be even better. By that time gasoline markets were at more normal levels.

At the same time these profit margins have been cut way back, inflationary pressures have hit the dealers just as hard as any other small businessman. Rents and interest rates are up, but we continue to tell service station owners to absorb the losses and lower their prices. And because nearly all station owners qualify as small businessmen, they have not been given the exemption from phase IV other small businesses received.

Another problem we are still facing in the Midwest is the upcoming harvest. In Nebraska there is a bumper corn crop, but no reserve of propane for the drying process. We have a couple of million more acres in production than we had in 1972 and there is less fuel to harvest the crop.

And if that were not enough, unseasonably cool weather dropped last night's temperature into the thirties. This means Nebraskans are using heating oil that needs to be saved for winter.

A year ago in June the total gasoline imported to 76.7 million gallons. This year the figure was 81.6 million gallons—

an increase of 6 percent. However, the distribution of that product has not been in similar proportions. Integrated oil companies have been allocated 25.4 percent more than last year, while jobber-distributors find themselves with 3.2 percent less gas than in 1972. This clearly shows that the voluntary program is not working.

Another consideration in any allocation system should be the total amount of petroleum which was going into the State during the base period. As our small dealers continue to go out of business, their gallonage is not being sold to a station in the same area. Apparently, it is lost to the State if the refiner chooses to sell elsewhere.

For these reasons I urge the Cost of Living Council to reconsider its petroleum guidelines to keep from driving our dealers out of business; and I again ask that the administration implement a mandatory allocation system of petroleum products immediately. Both steps are overdue and vital to the survival of the industry in the Midwest.

THE CHILD WITHIN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. BIAGGI. Mr. Speaker, I would like to bring to my colleagues' attention an article by Dr. Ronald Keeny that was the third in a series on child abuse, printed in the "Non-Commissioned Officer's Association Monthly News."

This particular article examines the most tragic aspect of child abuse—the long range mental and physical effects. The statistical evidence provided by Dr. Keeny portrays the critical nature of the problem. It is something none of us like to hear but something we all must know about. This is yet another reason why my bill, H.R. 5914, the National Child Abuse Prevention Act, must be passed.

THE CHILD WITHIN

(By Donald R. Keeney)

In exploring the aspects of the problem of child abuse it is the abused child who is the most apparent victim of this illness that afflicts families. It is the intent of this article to explore the child who is abused—his role, his perceptions and his injuries. The beaten child is often focused upon as the primary problem, but it must be remembered that the damaged child is merely a symptom of an illness of his caretaker(s). Recognition of this latter fact will contribute to an appropriate approach to the management of the basic illness.

"Nobody didn't hit me! Nobody didn't hit me!" cried the half-starved, filthy 4 year old girl admitted to the hospital for multiple bruises and a ruptured urinary bladder. She had allegedly fallen from her swing landing on her back; and her black eye had allegedly occurred when her mother "accidentally" hit her eye with a belt buckle while disciplining her one day. Over the course of the first 4 days after her hospital admission she responded to friendly overtures and ultimately told quite a different story.

"When I was bad, daddy would hit me and kick me until Mommy would start to cry, then he would stop."

"What did he hit you with?"

"His fists."

"Where did he hit you?"

"All over.'

"Why would he hit you?'

"For not minding. Sometimes when he would get mad at mommy he would hit her too. I tried to stop him, then he hit me."

Very often the child who is being abused will "cover" for the parent(s) even to the point of fabricating stories spontaneously. They often feel that they are "bad" children and deserve such punishment. After all, isn't this concept what has been communicated to the child in his parents' behavior? Other children lie and cover up for the parent(s) out of fear of further injury.

The types of injury these children sustain are limited only by the scope of the human imagination. Most classically the injuries involve multiple bruises, fractured bones and bleeding into the space between the brain and inside of the skull. Injuries also include burns (often from cigarettes held against the skin), human bites, scratches, lacerations, damaged internal organs, and poisonings, to say nothing of the emotional traunia simultaneously inflicted.

It is often felt that child abuse represents a rather rare entity. However, from surveys conducted it would appear that possibly as many as four million incidents of child abuse occurred in the U.S. in one year. Actual reported cases in the U.S. in one year were 13,000 representing the apparent "above the surface" portion of a very sinister iceberg.

From the available statistics it is shown that at least 5% of all children beaten for the first time die as a direct result of the injuries and as many as 25% sustain permanent damage. On the other hand as many as 25% of children abused recurrently die and 50–90% suffer permanent damage of a serious physical and/or emotional nature. It should become readily apparent, then, that child abuse does represent a serious problem and should evoke an immediate appropriate response in any responsible adult with knowledge or suspicion that a child is being maltreated in his home. In fact, most states require that any responsible adult with such a suspicion report that concern to the appropriate agency—usually the child welfare unit in the given jurisdiction. At military installation in CONUS or abroad the report should be made to the local social service or community welfare agency in most instances.

It is important that all elements of society learn to recognize and respond to the problem of child abuse. It is the goal of the professionals who are made aware of specific incidents of child abuse to establish appropriate and effective therapeutic programs so that the involved parents may become the good parents they would like to be. The chief factor involved in developing good therapeutic efforts is the presence of a positive attitude within the community which will allow parents to recognize their weaknesses and ask for help when they begin to recognize dangerous and difficult to control impulses to injure their child. A punitive approach to these parents will only delay and often prevent a parent from seeking help before it is too late.

HEARINGS ON H.R. 10019

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ROGERS. Mr. Speaker, I am today announcing hearings by the Subcommittee on Public Health and Environment on H.R. 10019, the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1973. The hearings are scheduled for Wednesday, September 26 at 2 p.m. in 2123 Rayburn House Office Building.

IDEOLOGY COMES TO POLITICS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. FRASER. Mr. Speaker, David S. Broder, of the Washington Post, is one of the Nation's most able political journalists. A former Nieman fellow, Broder's knowledge of and ability to popularize and utilize academic political science yields his readers great dividends.

A most recent example of this is "Ideology Comes to Politics," a lengthy Broder article that appeared in the Sunday, September 9, 1973, Washington Post. It is a report of a panel discussion that took place at the recent American Political Science Association—APSA—convention in New Orleans. The gist of the discussion, which focused primarily on a paper presented by Arthur H. Miller, of the University of Michigan Center for Political Studies, is summed up by a Broder quote from Miller's paper: In the 1972 election:

> Party identification was less important than the issues as an explanation of the vote.

If this development is confirmed by other scholars, a revolution in U.S. politics would be upon us. It is my sense that this study accurately reflects developments occurring within the electorate. Dave Broder's report deserves careful consideration by those of us who are concerned about the health of our political system:

IDEOLOGY COMES TO POLITICS

(By David S. Broder)

NEW ORLEANS.—In a sparsely filled hotel ballroom here last week, a young scholar from the University of Michigan quietly announced a revolution in American politics.

After applying the most rigorous analysis of voting behavior which the increasingly sophisticated techniques of political science allow, Arthur H. Miller of the Center for Political Studies in Ann Arbor declared that in 1972 the United States had held what can "most appropriately be labeled an ideological election."

That sounds like a simple statement, but its implications for American politics are every bit as profound as the Apollo scientists' 1971 announcement that, contrary to established opinion, the moon is not dead.

For decades, the firmly held view of both the practitioners and the observers of American politics has been that ours is a politics of interests, of personalities, of parties—but not of ideology.

Unlike the programmatic parties of Europe, the Democrats and Republicans have survived as shifting coalitions of local, regional, economic, ethnic and racial interest groups, held together by shared loyalties to party labels and party heroes, and a shared lust for office.

Whatever else they may have been called, no one has ever accused American politicians, parties or voters of being ideologues.

Nowhere has that pragmatic view of American politics been better-documented and more strongly argued than in Michigan's Center for Political Studies. Beginning with their classic study. "The American Voter," in the early 1950s, the Michigan scholars have drawn in massive detail a picture of an electorate, few of whose members could articulate a "liberal" or "conservative" philosophy, but who responded from election to election to the tugs of the candidates' personalities, and their own immediate concerns, on their inherited and stable party loyalties.

During the 20-year span of their studies, candidate after candidate has proclaimed that each succeeding election has offered the voters the clearest and most consequential choice of directions they have ever faced. Richard Nixon and George McGovern said the same thing last year.

But in 1972, the research shows, the voters for the first time acted as if they believed it. "Party identification," the inherited loyalty to donkey and elephant, "was less important than the issues as an explanation of the vote," the report says.

As Walter Dean Burnham, the Massachusetts Institute of Technology scholar who presided at the session remarked, the shift to issues politics "will have a very profound effect" on the future of the American party system.

The possibility that was most discussed by the political scientists was the chance that the new emphasis on ideology in the voters' decision-making may fuel the long-anticipated realignment of the Republicans and Democrats into clearly opposing conservative and liberal parties.

After intensive discussion of the evidence, neither Miller nor Burnham nor any of their colleagues was prepared to say that the hour of realignment has at last arrived.

But there was a broadly shared feeling that the point-of-no-return to the old and comfortably vague nonissue politics has been passed. Once the propulsive power of ideology has overcome the inertial forces of party loyalty, as it did in 1972, the structure of party politics will either shatter or be fundamentally reshaped.

This *"revolution"* was not born overnight, of course. "The increased polarization," the CPS scholars said, "coincides with an upgrading in the quality of political rhetoric and debate that has occurred since the 1960 campaign.

"The past 12 years have witnessed an increased articulation of the ideological differences between the parties, as well as profound social and cultural turbulence that has been immediately and widely transmitted by the mass media."

As Burnham, a student of past realignments pointed out, the Democratic "regulars" cannot blame it all on George McGovern. Barry Goldwater helped to put some ideological starch in the Republican Party in 1964, dividing its ranks. The comparable split in the Democratic Party occurred first, not in 1972 but in 1968, and it happened, not in reaction to the proposals of McGovern but to the war policies and the racial policies of the Johnson-Humphrey administration.

"The polarization among Democrats was already existent in 1968," the CPS study says, but was masked to some extent in the election returns of that year by the presence of two Democratic candidates—Hubert H. Humphrey and George C. Wallace.

In 1972, with Wallace sidelined, McGovern suffered only a 3 per cent defection from previous Humphrey supporters but lost 8 out of 10 Wallace backers to Mr. Nixon.

With the Republican President drawing 42 per cent of the vote of self-identified Democrats, "the ideological polarization . . . that pitted the left-wing Democrats against those of the right" was revealed for all to see.

The overriding significance of this fact makes the CPS scholars scornful of most of the popular interpretations of the Nixon landslide. With ill-concealed derision, the four signers of the 84-page study—Arthur Miller, Warren E. Miller, Alden S. Raine and Thad A. Brown—marshal their evidence against what they call the "myths" propagated by reporters and politicans in 1972. If their data and interpretations are correct, almost all the conventional wisdom about the last election is out the window.

Here, for example, are their unconventional answers to some of the most frequent questions about 1972:

Was George McGovern the candidate of an "elite" group unrepresentative of the Democratic Party? No. While the original McGovern backers in the primaries were "quite monolithic" in their views on the issues and "demographically distinct from those who voted for other Democratic primary contenders . . . they were not very dissimilar from the traditional Democratic coalition."

They tended to be somewhat younger, better educated, and wealthier than other Democrats, but they were also more likely to be from an urban background in the Northeast, to be Catholic and from a union household—hardly the cliche.

Did McGovern lose the Jewish vote because of his far-out economic proposals or suspicions of his devotion to Israel's independence? No. McGovern received 69 per cent of the Jewish vote, 3 per cent more than could have been expected. (The "normal vote" concept, fundamental to the entire CPS study, is a measure of the degree of support each party's presidential candidate could expect to receive from each sub-group in the electorate, if the short-term factors were causing an equal defection rate among Republicans and Democrats. In a "normal vote," the Democrat in 1972 would have won with 54 per cent of the vote.)

Was McGovern hit by a defection of middle-class blacks? No. Contrary to the current belief that as blacks are moving into the middle class they are also becoming more Republican, it appears that middle-class blacks were mostly staunchly Democratic. McGovern received 97 per cent of the black college-educated vote . . . He also received almost unanimous support, among blacks, from those under 30, from those with relatively higher incomes and from white-collar workers.

Did the Democratic convention television scenes alienate millions of normal Democratic voters and turn them away from McGovern? No. By asking voters when they decided on their choice, the CPS researchers found that "any effect of the convention would at best account for only 3 per cent of all Democratic defections . . . McGovern's proportion of the vote could have increased at most by only 2 per cent if the convention had been a maximally positive factor in the election."

Was it then, the Eagleton affair? There is evidence it had both direct and indirect effects on voters' judgments on McGovern, but "the impact of the Eagleton affair . . . has definitely been overstated . . . 60 per cent of the Democrats had already made their vote choice" and "among those who reacted negatively to the Eagleton question, only 4 per cent indicated it would affect their vote."

In rejecting some of these theories and minimizing the effect of others, the Michigan scholars do heavy damage to many of the contentions of the ABM (Anyone But McGovern) Democrats. But they also marshal convincing evidence against the McGovern camp's own favorite myth—his supposed appeal to the "alienated voters."

There has been an alarming increase in public distrust of government, they report, with more than half the voters believing that officials are more responsive to special interests than to the general good. "McGovern secured 27 percent more of the vote among the politically cynical than he did among those with a high degree of trust in the federal government," they say, but he failed to recognize or overcome "the ideological differences between the cynics of the left and the cynics of the right."

The "cynics of the right," many of them Wallace supporters, went heavily for Mr. Nixon; many more of the alienated simply stayed home.

The CPS team does not have much balm for McGovern's bruised feelings. He was, they say, "the most unpopular Democratic presidential candidate in the past 20 years." His opponent, Mr. Nixon, was less popular in 1972 than he had been in his losing race for President in 1960, largely because there had been "a marked decline in his appeal to Republicans."

Nonetheless, Mr. Nixon had a "substantially higher" rating than any possible Democratic candidate, including Sen. Edward M. Kennedy (D-Mass.) and "would have been a formidable opponent for even the most popular of Democrats."

What all these measures of the impact of personality and incidents on the 1972 race ignore, the Michigan scholars say, is that the election was really decided by issues.

When voters are classified by their policy stands, the main source of Mr. Nixon's strength becomes clear: "He alone was rated positively (above 50 degrees on a thermometer scale) by all three groups"—liberals, moderates and conservatives.

"That only a single political leader received a positive rating from all three groups is highly indicative of the political polarization existing in the United States today," they say.

With this observation, the study focuses on its main theme—the causes and effects of the emergence of ideology in American politics.

The survey found three big issues in 1972—Vietnam, governmental economic guarantees for minorities, and campus unrest. Four other issues had lesser impact—treatment of criminals, legalization of marijuana, busing and urban unrest.

Individuals' attitudes on these issues was consistent enough to support "an ideological interpretation of politics," with "a broad segment of the population . . . reacting to politics in 1972 in a rather sophisticated manner." Democrats and Independents react to politics more ideologically than do Republicans, the CPS team says, but the striking fact is the "stark issue differences between McGovern and Nixon voters."

Depending on the issue, the McGovern supporters "were anywhere from 19 to 41 per cent more liberal than Nixon supporters." On a Vietnam policy question, posing a choice between immediate withdrawal and military victory. "McGovern voters were 40 per cent more likely to prefer an immediate end to the fighting." Exactly half the Nixon voters call themselves conservatives; 54 per cent of the McGovern voters call themselves liberals; only one-third of each classify themselves as being in the center.

"The profound issue cleavages" shown by these figures "blaze forth with vivid clarity," the Michigan team writes with unacademic rhetoric. And that makes it even more remarkable that they found even greater differences between the two Democratic factions (those who supported Mr. Nixon and those who backed McGovern) than there were between Democrats and Republicans. "Even with respect to the liberal-conservative measure, the differences between Democrats and Republicans were less extreme than those between the two Democratic factions," they say.

In this important sense, their findings contradict the argument made by "Real Majority" authors Richard Scammon and Ben Wat-

tenberg and by many anti-McGovern Democrats that salvation for their party lies in moving back to the middle.

The CPS data is more consistent with McGovern manager Gary Hart's contention that "there is no center" remaining in the Democratic Party, and that one faction or the other will inevitably prevail.

Overall, the Michigan scholars report "a liberalizing trend, not only in the ranks of the Democrats but in the population as a whole," and suggest that "McGovern's principal error may have been in overestimating the speed of the trend."

Nonetheless, the fact remains that in 1972 Mr. Nixon was perceived by the voters (including almost half the Democrats) as being closer to their own position on the leading issues than McGovern. McGovern, in fact, "was perceived as further left than any other political object."

It was these "perceived issues differences" or "proximity indexes" which really accounted for most of Democratic defections to Mr. Nixon in 1972.

Again, the figures are startling in their sharpness: McGovern received 75 percent of the vote from those who perceived him as the closer of the two candidates (to their own views) on the Vietnam issue; he obtained 44 per cent of the vote from those who placed him and Mr. Nixon equidistant from themselves, and only 13 percent among those who perceived Mr. Nixon as closer.

On a combined liberal-conservative scale of several issues, the slant is just as sharp: McGovern received 77 per cent of the vote from those who called him closer to their own position; 39 per cent of those who saw the candidates equidistant from themselves; and 9 per cent from those who believed themselves more in agreement with Mr. Nixon.

It is the gravitational pull of these ideological forces, overriding party loyalty and bending even the personal judgments of the two candidates' capabilities, that makes the 1972 election different from anything seen in the previous CPS studies.

But what does ideology mean? For younger voters, the authors say, the liberal-conservative spectrum in 1972 was measured largely by attitudes on the Vietnam war and on cultural issues—abortion, marijuana and the like. For older voters and for blacks, the difference was defined principally in terms of economic issues and social issues—crime and unrest.

That ideological differences may be rooted in cultural attitudes is suggested by the fact that "89 per cent of the Democrats voting for Mr. Nixon but only 55 per cent of those voting for McGovern were classified as" being "pro-establishment," rather than leaning to the counter-culture.

Thus, the picture emerges of an election determined, more than any other recent one has been, by the ideological and cultural division in the American society.

Is this the wave of the future? One fact that argues that it may be is the changing makeup of the electorate. Voting turnout rates among the less educated have been declining, to the extent that those who came to the polls in 1972 were 37 per cent college-educated, compared to only 26 per cent in 1964. And the authors say: "It is apparently far easier for college-educated individuals to directly translate issue attitudes into a vote decision than for the relatively less well educated."

None of those who discussed these trends here was prepared to guess whether the Democratic Party or the two-party system would survive this revolution in American politics. The CPS scholars called their study. "A Majority Party in Disarray." Others suggested that with the rise of Independents and the increasing habit of ticket-splitting, it is really the two-party system that is in disarray.

As Burnham commented "The more you mobilize the country along ideological lines, the more you decompose the two parties as representative institutions."

DAMAGED NIXON—HOME AND ABROAD

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. STOKES. Mr. Speaker, I again owe thanks to a distinguished citizen for bringing to my attention a revealing lead editorial from the Sunday Times of London. Mr. Cyrus Eaton and I concur that the Times, a strong supporter of the United States and our foreign policies, has correctly interpreted the actions and inactions of Mr. Nixon. Unfortunately, we must also concur that the ability of this particular President to exert the kind of leadership for the Western World, which we deeply expect and need, has been severely damaged. I hope the desire to prove his ability to lead does not send us charging in unwise directions. I commend the following article to my colleagues:

DAMAGED NIXON

Mr. Nixon's television address last week about Watergate was a dismaying performance. After all the disclosures, and in spite of his concluding nod to "decency, honour and respect for the institutions that have sustained our progress," he showed himself incapable of appreciating the foulness of the actions done in his name. They were mere "abuses," to be dismissed again in an airy half-sentence: "over-zealous people in campaigns do things that are wrong." Yet these actions—the theft, the fraud, the bullying, the lies—were something more than the small change of campaigning. They were a concerted attempt to use the huge power of the American State in the service of one politician and his hangers-on. The men who committed these acts were not anonymous party workers: they were the President's chosen helpers, known to him for years—the very men who had helped get him elected and re-elected as the champion of law and order.

As an alternative defence, Mr. Nixon contended that his "few over-zealous persons" only learnt their tricks from the recent and contagious example of zealots of the Left. Yet as long ago as 1962, a California judge found two men to have engaged in fraudulent and disruptive tactics in the state governorship election. They were Mr. Nixon and Mr. Haldeman, his campaign manager. In 1972 Mr. Haldeman was White House chief of staff. He welcomed strong anti-Nixon protests because they allowed him to characterise all such sentiment as destructive and unpatriotic; and Mr. Nixon had nothing to say in censure of that.

The unanswered charges are more than electoral, and they lie against Mr. Nixon himself. He concealed the Cambodian raids. He pressed hard for systematic spying on Americans at home. He was re-elected President after a campaign during which his subordinates had cheated in every way they could think of. They fabricated evidence against his opponents' personal uprightness: they extorted illegal contributions from companies seeking federal favours: they arranged the burgling of the opposing party's headquarters: they bribed the burglars to silence. After the election, they spent huge sums of government money on refurbishing the President's private houses. Questioned about all this, they lied cheerfully and repeatedly. Through it all, Mr. Nixon was amazingly incurious about what they were up to. Yet at the same time he was suspicious enough of the world at large to tape-record every office conversation he had, without saying a word to his callers.

The argument about the release of those tapes is now set for a long run in the courts. Mr. Nixon's plea for the privacy of the executive is not without merit, though that privacy would have been better protected if the tapes had never been made at all. But politically the issue has moved on. The extent of Mr. Nixon's complicity in the crimes of his staff will probably never be established. The fact might as well be faced: Mr. Nixon is likely to remain President until his allotted span comes to an end in 1976. His calculation on American weariness with Watergate seems in the end well based. What will three more years of Mr. Nixon be like?

For America, they need not be all bad. Watergate has already roused the Congress from a long slumber: presidential power will be the better counter-balanced as a result. The manifold corruptions which flow from the high cost to candidates of campaigning for public office may at last be checked. American lawyers, like American judges and judicial agencies, show signs of a new awareness of their public responsibilities. American journalists may discover—though they would be unwise to count on it—a new appreciation of their importance to the country's political health.

For the West as a whole, there is not even that limited encouragement. Leadership of a kind may still come out of Washington; but international initiatives will be hampered by a broken-backed presidency for the next three years. That is the measure of Mr. Nixon's tragedy: he has allowed mortal damage to be inflicted on his own dearest hopes and he cannot even see that he has done it.

THIRST LITTLE CHILDREN

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. BRASCO. Mr. Speaker, schools have opened around the country this week with the usual fanfare and comments. Everyone has had their say except the children, who usually have no say. They must abide by the wishes and decisions arrived at by adults. Occasionally those decisions remain unmade, and the children suffer accordingly. One such situation revolves about the Federal subsidy for milk programs.

More than 40 million children across the country are finding no milk on their lunch trays, unless local communities or their parents pick up the tab. The Federal subsidy last year for this undertaking amounted to $95 million. As of today, that assistance has been totally wiped out by the President's budget cuts and a lack of action by the Congress.

The President's budget requested only $25 million for this milk program, which comes to a reduction of some $70 million. That sum will barely provide milk for 6 million American school youngsters.

The House decided to go along with the cutbacks proposed by the President. The Senate chose to take different action, seeking a total expenditure of $97 million. Until the conference irons out the differences between the two positions, there will be no subsidized milk for school lunches. In schools possessing no lunch programs at all, the Department of Agriculture will continue to provide children with milk by utilizing leftover funds for day care centers and camps.

Such a lapse in the general school milk subsidy comes at the worst possible time imaginable. Now the price of milk and most other food products has risen to stratospheric levels we would have deemed unimaginable this time last year.

There are other considerations worth taking note of in this equation as well. Many millions of children come from homes where the food dollar is stretched perilously thin. It should be noted that millions of children will be receiving significantly less milk at home because of the unprecedented squeeze inflation has caused on family budgets. As a result, it is doubly imperative for milk to be made available to them in the schools. In the case of this program, a dollar for milk will go a very long, useful way. The overall nutrition of these children is at stake and we have the power to do something about it for the better.

To exacerbate the situation, there is a very real threat of a serious shortfall in the quantity of Government-donated food available to the school lunch program. Many former surplus items now have found their way onto the list of scarce items. Further, a number of food companies, once eager to obtain school lunch business when supply exceeded demand, are now delaying acceptance of local school board contracts in expectation of receiving more lucrative customers later on.

To date, the conferees have not even been appointed. The first steps toward resolving the legislative difficulty involved have yet to be taken here on Capitol Hill. It is sad enough that the difficulty originated with a parsimonious President who feels that it is somehow immoral for the Government to aid children obtain a balanced diet. It is inexcusable for us to compound the situation by allowing an already intolerable situation to drag on indefinitely while children do without one of the basic necessities of life for their growth, health, and well-being.

America possesses and prides itself on what may be called a self-congratulatory folklore. Part and parcel of such a folklore is the claim that we are a child-callous and at times a child-abusing society. Nowhere is this better illustrated than in the case of this milk program.

We beat our breasts and give vent to great indignation over immoralities abroad, ranging from defoliation to famine. All well and good. How, then can we be so indifferent to the well-being of the future of our society; the next generation?

It is the height of irresponsibility to delay conference action any longer.

ED COMBATALADE SERVED OTHERS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. JOHNSON of California. Mr. Speaker, for more than a quarter of a century I have known and worked with one of the finest advocates of the wise utilization of our natural resources for the benefit of the public, Ed Combatalade for 26 years Public Information Chief of the Sacramento Municipal Utility District.

In a few days Ed will retire and tomorrow he will be honored for his public service at a testimonial dinner. While I wish that I could be on hand to personally pay my respects to this fine gentleman and dedicated community leader I cannot, and, therefore, I want to pay my respects in this fashion.

Ed Combatalade was known not only for his service to the Sacramento Municipal Utility District but for his untiring efforts in a host of other activities ranging from Boy Scouts to the Cancer Society and including most of all the Sacramento Camellia Festival. Ed was known as "Mr. Camellia" for his leadership in putting on the annual Camellia Festival, which was another tribute to the great city which is the capital of the Golden State, the city of Sacramento.

Ed was a tremendously busy man and yet he was never unwilling to take on a new assignment. Regardless of what the new assignment demanded he got the job done, as is expressed so well in an editorial published in the Sacramento Union last Thursday, September 13. So that I could share with my colleagues something of the meaurse of the man I would like to insert at this point in the CONGRESSIONAL RECORD that editorial entitled "Ed Combatalade Served Others":

ED COMBATALADE SERVED OTHERS

If you want to get the job done, assign it to the busiest member of your staff. This is an unwritten rule practiced by many executives. It gets results. And, it also works in terms of community service. Specifically, consider Ed Combatalade, who retired this month as SMUD's public-relations director and assistant secretary.

Indeed, there are few—if any—Sacramentans who can equal the track record in community service that Combatalade has chronicled in 27 years with SMUD. A human dynamo, he often resembled a juggler—with three or four projects going at the same time.

Combatalade's deep immersion in the mainstream of community affairs involved him in Boy Scouts, Salvation Army, the United Way (as far back as the Community Chest), Rotary Club, Sacramento Metropolitan Chamber of Commerce, Sacramento Historical Landmarks Commission, Sacramento Camellia Society, Sacramento chapters of the American Red Cross, the Cancer Society, the University of California Alumni Association, the UC Grid Club and Friends of the City-County Library.

Some retirees go to pasture gracefully and with no reluctance. Ed Combatalade, we suspect, isn't going to rust out. On the day of retirement, he indicated he had "two or three things in the wind." This means Sacramento County still can count on more of his dedicated service.

Each spring when camellias bloom and plans are readied for the Camelia Festival, Sacramentans fondly will remember Ed Combatalade and his many humanitarian contributions to this community. He has served the Capital City well.

To Ed, as he retires, I would like to urge him not to slow down too much and to keep active in the key community affairs in which his leadership has proved so valuable. We need people like Ed Combatalade.

STATEMENT ABOUT NIXON-BREZHNEV AGREEMENT BY GERMAN PARTY LEADER

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. CRANE. Mr. Speaker, Helmut Kohl, the new chairman of the Christian Democrats in West Germany, has made a significant statement on the recent Nixon-Brezhnev agreements and their impact on European thinking. Because this statement deserves to be studied by my colleagues in the House, I ask that it be included in the RECORD at this point:

CHALLENGE BY THE UNITED STATES

Helmut Kohl, chairman of the CDU, studies the new tasks for Europe following the conclusion of the agreement between Nixon and Brezhnev:

The changing relationship between the USA and the USSR implies chances as well as risks for Europe. There is danger to the future development of our continent if Western integration politics and all-German detente efforts are accorded the same political value and importance. A European policy looking into the future must therefore be aware of the essential differences that exist between these two elements.

The Western European efforts towards integration which are borne and desired by the governments as well as the populations, are based on an economic union and are determined by common liberal-democratic ideas.

The overall European detente policy, however, aiming at a decrease of tension, at cooperative armament control and at measures of cooperation as well as at a normalization of relations—whatever may be understood by that term—attempts to approach states to one another whose foreign-political considerations and social-political programs remain contradictory.

The debate on the "Nixon-Brezhnev Agreement" is contradictory because the meaning of that agreement for Western integration on the one hand, and overall European detente on the other is assessed very differently.

A halfway correct interpretation of the US-Soviet agreement has to consider the fact that the Atlantic Community does not exist merely to guarantee security, but to harmonize security with peaceful change. While those subjected to a detente euphoria have to watch out in order not to confuse detente efforts with practical realization of detente, the detente pessimists will have to learn that conflicts do not remain forever immutable.

Unlike the past, security in Europe therefore depends on the following interrelated components:

The balance of the military capabilities in Europe.

The peaceful and cooperative structure of the relations between the European nations.

National freedom for integration as an adequate condition for peaceful change in Europe.

The debate on the effect of the Nixon-Brezhnev agreement focuses in the main on the first element. This debate tends to ignore the fact that a military balance alone is no guarantee for security, for security for Europe today also means confidence in the partner's politics. Security for Europe is based on the prerequisite that suspicions be overcome and national egotisms be eliminated. Unfortunately, however, the European states have proved for years to be unable to view their security problem as a common concern.

This inability found its most recent expression in the reserved reactions of the Europeans to the United States initiative for a new Atlantic Charter. The stimulus has not been answered properly to date. Europe threatens to turn overmaterialistic and spiritually lazy. It is not quite without justification that the Americans cons'der the European defense contribution too little and put big question marks behind the security-political usefulness of the national obstinacies.

Against this background the Nixon-Brezhnev agreement should be soberly assessed as an expression of United States politics. At the same time, it should be clearly stated, however, that these developments have so far not changed the traditional power politics of the Soviet Union. That does not mean that the joint efforts of the West for its own security have become superfluous. On the contrary, the Alliance is more important today than ever.

For that reason the Western European states should consider a realistic reformulation of the security commitments between the USA and Europe and they should give a constructive answer to the concrete aspects of the United States equilibrium policy, i.e. the Nixon-Brezhnev agreement, as well as to the American initiative for a new Atlantic Charter.

In this area the CDU as a self-proclaimed pacemaker of European integration has played a special political role since Konrad Adenauer, for it will take up the idealistic and at the same time practical element of American equilibrium policy and include it in its debate. The new spiritual American challenge must not merely be answered by Europe with materialistic demands and political doubts, but the debate within the Alliance must proceed from a spirit of shared responsibility for the common values of the Alliance.

PROTECTION OF HUMAN SUBJECTS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ROGERS. Mr. Speaker, on May 31, 1973, the House passed H.R. 7724, the National Biomedical Research Fellowship, Traineeship, and Training Act of 1973 by a margin of 361 to 5. On September 11 the Senate passed a companion measure. The Senate passed bill contains a new title, "Protection of Human Subjects" which has vast implications.

It is my strong feeling that the Subcommittee on Public Health and Environment should not confer with its Senate counterpart on a matter of such significance until we conduct hearings on the subject. However, it is not my desire to unnecessarily delay this important legislation. For this reason, I am today introducing a bill identical to title II of the Senate bill and announce hearings on this legislation for Thursday and Friday, September 27 and 28. In introducing this legislation, I want to make it clear that I am introducing it simply as a vehicle for hearings and do not necessarily advocate all of its provisions.

A COMMENT ON THE TREATY BETWEEN EAST AND WEST GERMANY BY FRANZ JOSEF STRAUSS

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. TREEN. Mr. Speaker, this past July a decision of tremendous historical importance was rendered by the West German Supreme Court. The decision interpreted the basic treaty which had been initiated between East and West Germany. The decision of the court gives no comfort to Moscow which has sought to obtain recognition of East Germany as an independent state, thus forever sealing the fate of the East Germans to the brutalities of Communist rule.

Now, Mr. Speaker, this decision is of momentous importance to the United States as well, on account of our position in West Berlin, as part of the four-party agreement. But despite the great significance of this issue there has been surprisingly little in our press about this subject. As a consequence, I am enclosing a commentary by Mr. Franz Josef Strauss, the leader of the CSU Party in Germany, which recently appeared in the "Bayernkurier." I think this will be of interest to my colleagues because it offers another viewpoint on the treaty between East and West Germany:

[From Bayernkurier, Aug. 4, 1973]

FRANZ JOSEF STRAUSS: THE VERDICT OF KARLSRUHE

The practice of deceiving the people is no novelty in German history. That is always especially popular at times when the state of the nation is approaching a dangerous point. Such a point has again been reached. The verdict of Karlsruhe will raise the question who won and who lost. The Federal Government will claim itself to be the winner. It needs optics. It has to pretend towards the citizens that it has a clear conscience. It has to hush up the difficulties it is in. It has to fend off the suspicion of corruption and involvement in unclear affairs which are shaking our state like an explosive almost day by day. It counts upon the citizen's forgetfulness. It praises parliamentarian democracy, but within the main government party tendencies increase towards socialization with Marxist features. Its parvenu functionaries belittle the institutions of a constitutional state whenever they are in their way and they refer to them with an expression of respectability on their faces when they find it useful to utilize them. Thus the government will try to turn the verdict of Karlsruhe—with the support of a thoughtless published opinion with a leftist make-up—into a great victory for Bonn's creators of the basic treaty, Bahr and Brandt. The truth, however, speaks a different language.

The victor of Karlsruhe is not Bahr whose political career aimed from the beginning at serving the Soviets more than the Federal Republic. The victor is not Brandt either whom the waves are beginning to engulf. The victor of Karlsruhe is not the basic law, but the loser is definitely the basic treaty. The victor is not the basic law because the court was put under pressure by the lectures of Ministers Bahr and Jahn, by the intimidating appearance of Mr. Bahlmann, and by the government's paper of June 2, 1973. It is very significant that the menacing parts of that paper with their unchecked and unprovable statements on the possible consequences were classified "not for the public". Thus the court was unable to apply the stringent provisions of the constitutionality on the basis of the principles earlier established by the constitutional court itself. However, the verdict of our supreme court does restitute—even though indirectly via the reasons for the verdict—the right order between the basic law and a dangerous treaty the effects of which do not only touch upon the root of our national existence but on the foundations of our constitution in general.

Why is the loser the basic treaty—and why are consequently Bahr and Brandt the losers? Firstly, the Bavarian government never expected an unqualifiedly victorious decision from the constitutional court considering its structure and the composition of the judges once enforced by the SPD. It was also not to be expected because the formal look of the claim as well as the underlying treaty problem raised questions that cannot be resolved by court.

If one were to pursue this thought, the question might come up whether the constitutional court due to its special structure can at all live up to the complexity of the tasks which are thrown at it every now and then from the fateful course of the political events. One might argue about the method of selecting the judges, for the only criterion for their selection should be the guarantee of independence of that court. One might furthermore go into some of the indiscretions leaked from sources of the neighborhood of the Chancellor and his staff the last few days and which raise again the question whether political decisions of such impact might not tend to overburden even the highest judicial body here and there. To have pointed this out is surely to the credit of those submitting the claim.

But let us forget about that. The respect of the advocates of the claim for the constitutional court is beyond doubt, which cannot be said with as much firmness of the Federal Government. If the loser of Karlsruhe is the basic treaty, it is because now the interpretations of the verdict block the Federal Government's political path in applying the basic treaty in favor of the Soviets who continue to cling rigidly to their old positions—this basic treaty which Bahr and Brandt had hoped to pass on to a fogged-in and paralysed German public without meeting with any resistance. That is a victory for Bavaria. I could also put it more solemnly: a Bavarian victory for the German constitution which was saved once more at a moment when it was already in danger of becoming undermined by a policy of giving-in-first gradually and then faster and faster—to the Soviets and their pendant, the "GDR", with ensuing and no longer surveyable consequences for our inner and outer fate and that of Western Europe. Now the Federal Government must breach the constitution if it wants to pursue that aim.

Once again: What was at stake? The Bavarian constitutional experts knew from the beginning that Bahr had provided the basic treaty with ambivalent formulas which guaranteed that a contradiction with the

basic law would be hard to prove. Thus the objectives had to be quite different ones from the start: to confirm superiority of the basic law over the basic treaty by means of interpretation and clarification. It was not the letter that had to be destroyed, but the spirit in which it had been conceived.

The aim was not to liquidate the object as such, but to limitate its dangerous ambivalence in view of such parties to the treaty as Brezhnev and Honecker who in reality gave virtually nothing but were conceded decisive things by Bahr and Brandt. The basic treaty, a dubious agreement, whose immediate as well as long-range effects are probably worse than was originally anticipated by its opponents, has now been tied to an interpretative restriction which does not only leave the conception of Germany on the table of history, and which does not only bind future governments not to undermine the constitution as they please, but which also forces the present government to move from now on within the framework set up by Karlsruhe if it wants to avoid committing an open breach of the constitution. Thus Bavaria has struck a decisive blow against the ambivalent policy of Brandt and Bahr which had heretofore been pursued with great audacity, i.e. not really to defend its own interpretation against the "GDR" and hence to accept their interpretation while indignantly maintaining the opposite at home.

With that Bahr's negotiating basis which led to this treaty, is now hitting back at the Federal Government. The court has put Bahr and Brandt in an embarrassing situation; that has led the government into a rut from which an escape seems hardly possible. Limitation of the treaty by the constitutional court becomes evident when viewed against the background of the political intentions underlying this treaty. By a coexistence "à la German" the provisions of the basic law were to be undermined and suppressed to the point where the basic treaty would have begun to relieve the constitution and the Federal Republic would have become a joker of Soviet hegemony in a helpless Europe.

Why is the constraint to which Bahr and Brandt are going to be subjected in the future application of their treaty due to the stringent and binding limits of interpretation drawn in Karlsruhe, so meaningful? The background of the court's interpretation must make clear the extent to which the two German creators of the treaty have already deceived their own people. For use at home they maintained that the treaty leaves everything open, that it still enables reunification and upholds the right to self-determination. The Eastern party to the treaty, however, never went along with that interpretation. It left no doubt from the beginning that this kind of approach was wrong, i.e. not shared by the East, that neither the wording nor the spirit of the treaty permitted such an interpretation.

It is typical of the German eastern policy that it had to transmit to the communists with a twinkle of the eye that Bonn certainly agreed with them, while Bonn's assurances at home, on the other hand, were ignored by the East because they were so important for the relationship between the two sides. The constitutional court also had to cling exclusively to the government's treaty interpretation because it had no other choice in view of the damages threatened by the government. Of course, the court could not very well proceed from the public pronouncements of the Communist party to the treaty. Besides, forecasts and prophecies were transmitted to the judges not in the form of genuine information, but in the guise of world-political horror stories. For in a proceeding before the constitutional court the government did not have to prove the truth of its allegations, contrary to normal proceedings, but it demanded blind faith from the court in unproven statements—according to the motto: "We did the negotiating, not you. Only we know the political consequences if the court does not rule in our favor". That is coercion. For example, Bahr's contention that the United States would not have vetoed "GDR" admittance to the United Nations, but that the Soviets would have vetoed the FRG's entry, that thus in case of failure to conclude the treaty the communist side would have obtained everything while leaving Bonn out in the cold, would certainly not have held out in a civil proceeding.

By the way: Did it not occur to anyone that Bahr with that statement conceded bankruptcy of his policy and that he used the fact of bankruptcy as an extenuating circumstance to reach a verdict that would make him look good?

Bahr and Brandt will not be able to take things as easy as that anymore. Now they have to submit to the injunctions imposed by the constitutional court. And that will increase their embarrassment, vis-a-vis the Soviets, because the latter will naturally stick by the letter of the treaty and not join in the game which the government has in the past played to smoothen the grounds at home. There is no more ambiguity as far as the basic treaty is concerned. The basic law throws a binding light on this treaty. The special relationship between the Germans on both sides which the government tried to blur more and more to please Moscow, has been reconfirmed at least in part. Our constitution has not been murdered. It lives on. And it owes that to Bavaria.

Once again the German south has made a decisive contribution. To have been able to stop the Federal Government is a deed the political consequences of which cannot yet be surveyed. It is a pity that this deed was only Bavaria's great moment and not that of the entire opposition and all federal states ruled by the CDU. These have missed a historical moment in the fight against a policy that was dangerous from the start. Unfortunately, it was the formal-legal and civilian-legal thinking, the fear to lose which won the upper hand. But Bavaria had to act as it did. It also had to enforce employment of the Federal Constitutional Court against a dangerous policy, in order to avert greater damage from our people and its liberal system.

If the Federal Government were to treat the basic treaty even after this verdict as a treaty on division and recognition in accordance with past models and Bahr's doctrine of proclaiming "new truths" which must not be published before "advanced circumstances" allow for it, then it would commit a constitutional breach and could, would even have to, be again taken before the court. Without this verdict and the reasons for it, that means without Bavaria's claim the Federal Government would be free-wheeling in its interpretation of the basic treaty and could act according to its not seldom used motto: Who cares about my interpretation of yesterday. Bavaria has reached its goal. History will give it credit for that.

WHERE WILL HENRY MOONLIGHT—AT STATE OR NSC?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ASHBROOK. Mr. Speaker, regarding the confirmation of Dr. Henry Kissinger as the new Secretary of State, too little has been heard concerning his proposed dual role at the State Department and as head of the highly important National Security Council. The function of the NSC is to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security. It goes without saying that, in the crisis-packed times in which we live, the vital importance of the NSC demands the efforts of a full-time head. The same is, of course, true at State despite the downplaying of that Department's role in foreign policy formulation in recent years.

Another possible problem with this dual-role proposal concerns legal implications. In a letter to Chairman WILLIAM FULBRIGHT of the Senate Foreign Relations Committee, Mr. John D. Hemenway, who appeared in opposition to the Kissinger confirmation last Friday, raises the question as to whether Dr. Kissinger can legally hold down these two major positions. This question may well be a matter for the Comptroller General, or at least, consideration of corrective legislation to insure that leadership roles in critically important governmental departments and agencies are not subjected to a new type of high-level moonlighting.

The Hemenway letter, a copy of which was addressed to me, follows:

WASHINGTON, D.C.,
September 17, 1973.

Senator J. WILLIAM FULBRIGHT,
Chairman, Senate Foreign Relations Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: At his confirmation hearing, Dr. Henry A. Kissinger has indicated his intention to continue to exercise his present National Security functions in addition to the duties of Secretary of State (if confirmed).

It is evident from the confirmation hearing record that you are concerned over the implications of this concentration of power. I know that there are a number of members of the Congress in both houses who also are sufficiently concerned to ask the Comptroller General for his opinion on the legality of Mr. Kissinger's intentions to exercise the functions of both positions. Since your Committee has jurisdiction in this matter, it occurred to me that you might feel that it is prudent for the Committee to request the Comptroller General's opinion as to the legality of Dr. Kissinger's intentions prior to the vote on confirmation rather than afterwards.

Since I share an uneasiness over one man concentrating so much power in his own hands—especially, as you can judge from my testimony, Dr. Kissinger—I have drawn together some of the pertinent statutes that seem to suggest that there is *no legal way* in which Dr. Kissinger can continue to exercise his NSC functions when he becomes the Secretary of State.

Title 50 USC 402, which determines the composition of the National Security Council and designates an "executive secretary" who runs things, defines his power as appointing NSC staff members, assigning duties and salaries, among other things. Mr. Walt Rostow and Mr. McGeorge Bundy, like Kissinger, left the post of "executive secretary" vacant. *De facto*, each filled the post himself, but this was not inconsistent with Title 5 USC 3346 and other statutes that provide for filling vacancies on a "detail" basis.

It is quite another matter to transfer power and authority of this kind from one agency or branch of the executive to another. It simply is not true, as stated by Dr.

Kissinger to your Committee, that the President can assign him (as Secretary of State) to whatever duties in the national security field he wishes. The President must also follow the laws laid down by the Congress.

In fact, by proposing to execute the duties of two distinct jobs defined in statute, Dr. Kissinger indicates his clear intention to transfer certain duties to the operating head of the Department of State, i.e., himself. There is no way of reconciling such a practice with other statutes, which conflict with Dr. Kissinger's stated intention. Since Title 5 USC 5533 prohibits dual compensation, Dr. Kissinger's "double duty" will presumably go uncompensated, i.e., it will be voluntary extra duty. However, Title 31 USC 665(b) forbids the government to accept voluntary services, except in an emergency to save life or property.

Voluntary services being forbidden and double compensation being denied, the dual role desired by Dr. Henry A. Kissinger—believed to be a power grab by many people—appears to be illegal. No doubt, it was against just such untoward concentrations of personal power that the Founding Fathers designed the checks and balances of the Constitution of which your Committee's deliberations are a part.

Since I know that you would want your Committee to be cognizant of this problem, I have delivered this letter by hand to the Committee Hearing Room prior to the vote on 18 September, 1973.

Sincerely yours,

JOHN D. HEMENWAY.

IMPORTANT CAMPAIGN RESOURCE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. HARRINGTON. Mr. Speaker, I have introduced H.R. 10224, a bill to extend public financing to Senate and House elections. The bill had been previously introduced in the Senate on July 31, 1973, by Senator EDWARD KENNEDY (D-Mass.), and has been endorsed by Senator HUGH SCOTT (R-Pa.), the Minority Leader of the Senate.

Under the present system of financing political campaigns, money clearly exercises undue influence. It is today's most important campaign resource. Since money is a way for relatively few people to maintain their control over politics, it often surpasses organization, volunteers, issues, and sometimes even good candidates in importance. Senator KENNEDY has said we have the finest elections and representatives money can buy. I agree with him that this situation is a national disgrace.

One dramatic example of the influence of money is the general practice of appointing large campaign contributors to be ambassadors, the men and women who represent our country before foreign governments. Some of the more blatant practices of appointing large campaign contributors to ambassadorships are illustrated below in an excerpt from "Auction," a New York Times editorial appearing on April 4, 1973:

It may be that Walter H. Annenberg, the current Ambassador in London, has been able to renew his lease by giving $254,000 last year.

Arthur K. Watson was appointed to France in 1970 and resigned last fall. He donated $40,000 to the G.O.P. in 1968, $22,000 in 1970, and $300,000 in 1972. The new Ambassador to France is his brother-in-law, John N. Irwin, 2d, who gave only $14,000 in 1968, $16,500 in 1970, but $52,500 in 1972. As a former Under Secretary of State, Mr. Irwin is one bidder who might have made it by merit alone.

John Krehbiel just obtained the embassy in Finland. He gave $5,500 in 1968, $1,000 in 1970, and $12,500 in 1972. Alas, not much for Finland.

Anthony D. Marshall bid in Trinidad and Tobago for $25,000 in 1968, a mere $1,000 at midterm, and $49,505 last year.

John P. Humes has Austria for $43,000 in 1968, $13,000 in midterm, and $103,500 last year. (If that seems a little high for Vienna minus the Hapsburgs, he may have been bidding discretely for Rome or even Paris.)

Henry E. Catto, Jr. has El Salvador for $10,750 in 1968, $2,000 in midterm, but $26,000 last year.

Vincent de Roulet obtained Jamaica in the 1968–69 auction for $44,500 then and $32,000 last year. But relatives can also bid. Mr. de Roulet's father-in-law is Charles S. Payson who gave $28,000 in 1968, $32,000 in 1970, and $88,000 last year. At first glance, that seems like an awful lot; but then Jamaica really is a gem of an isle. (At p. 40)

Then there is the case of Dr. Ruth L. Farkas, who, along with her husband, donated $300,000 to the Nixon campaign in 1972. For this, Dr. Farkas was named ambassador to the small nation of Luxembourg.

The enormous costs of modern-day campaigns illustrate the importance of money. Since candidates usually cannot personally finance these huge costs, they have to turn to large individual and special interest contributors. When an officeholder, however, receives large contributions from individuals or special interests, he or she may incur obligations. These large contributions lead to a pattern of influence whereby: First, the contributors gain access to the representative; second, the candidate wants to curry their favor and will will act accordingly; and third, there is a tendency to listen more often to what the contributor has to say. This influence of the large contributor may conflict with the representative's opinions or with the wishes of his constituents. As a result, the present system of campaign finance gives some people greatly disproportionate influence over public policy, and reduces the impact of the average citizen on his elected officials.

There are other drawbacks to the present system. First, the country is deprived of valuable political talent by excessive campaign costs. Many qualified men and women are discouraged from running by the high costs and by refusing to take money from special interests. Others are defeated by their lack of funds. Second, candidates are forced to spend an inordinate amount of their time personally raising money, either at cocktail parties and testimonial dinners, or by making phone solicitations.

The approach to reform of campaign financing, until recently, has been a negative, loophole-ridden one. Candidates have been prohibited from taking money from certain suspect sources and they have been forced to make public their sources of financial support. This latter effort was not completely successful in 1972. Some $10 million was received in a secret campaign fund by the Committee To Re-Elect the President before the 1972 campaign law disclosure provisions became effective and thus the public was prevented in many instances from knowing who contributed enormous sums of money to keep Richard Nixon in office. This traditional approach has a basic flaw, in that while it seeks to prevent candidates from taking money from some sources, it does not provide them with alternative sources.

The bill I have proposed with Senator KENNEDY provides for the public financing of Senate and House election campaigns. It bars the option of private financing. Public financing will insure that great personal wealth, or access to it, will not be a shortcut to public office, and it will encourage elections in which there are genuine contests between men and women appealing to constituents for their votes in return for promised performance, rather than to the risk in return for special favors. With the public financing of campaign costs and the elimination of large private gifts, the critical defect in election financing—the forced financial dependence of candidates on a few wealthy individuals and special interests—will be corrected.

ANALYSIS OF BILL

Except for the provisions enunciated below, the provisions of this bill are essentially identical to the provisions of the dollar checkoff now applicable to Presidential elections by Senator RUSSELL LONG's "Presidential Election Campaign Fund Act," Public Law 92–178, 85 Stat. 497, 562–575—December 10, 1971—as amended by the Debt Ceiling Act, Public Law 93–53, 87 Stat. 134, 138–139—July 1, 1973.

The Bill:

First, extends Senator LONG's act to include public financing for general and special elections for the Senate and House, but not for primaries or runoff elections.

Second, bars the option of private financing by major party candidates in Presidential, Senate, and House elections by making public financing mandatory for major party candidates. Under the Long act, a Presidential candidate has the option of using either public financing or private financing for his campaign.

Third, establishes on the books of the Treasury a Federal Election Campaign Fund, to be funded through the dollar checkoff and general appropriations acts of Congress—which can under this bill appropriate funds to make up deficits after the operation of the dollar checkoff—and from which public funds will be made available to eligible candidates.

Fourth, increases the amount of the dollar checkoff from $1 to $2—$4 on a joint return.

Fifth, follows the basic formula in the dollar checkoff for allocating public funds among candidates of major and minor parties.

A major party is defined as a party which received more than 25 percent of the votes for the office in the preceding election. A Presidential or Senate candidate of a major party is entitled to re-

ceive public funds in the amount of 15 cents per eligible voter. In Senate elections, a floor of $175,000 is provided for major party candidates. A major party candidate for the House is entitled to $90,000 or an amount based on the average expenditure per voter in the two preceding elections in the district, whichever is greater.

A minor party is defined as a party that received between 5 and 25 percent of the vote in the preceding election. A minor party candidate will receive public funds in proportion to his share of the vote in the preceding election, with the possibility of increasing his funds on the basis of his performance in the current election.

A new party is defined as being neither a major or minor party. A candidate of a new party is entitled to receive public funds in proportion to his share of the popular vote in the current election, if he receives more than 5 percent of the vote in the election.

Sixth, makes funds available for expenditures by a major party candidate during the period of his nomination to 30 days after the election. Funds will be available for other candidates during the longest period in which they are available to a candidate of a major party.

Seventh, forbids individuals or committees not authorized by a candidate receiving public funds.

Eighth, will be administered by the Comptroller General—as is the dollar checkoff—and will go into effect for the 1976 congressional elections.

Ninth, has an estimated cost of $150 million in a Presidential election year and $100 million in the off-year congressional elections. Thus the bill will have an average annual cost of $60 million, spread over a 4-year election cycle.

CONCLUSION

An open political system is our goal. To reach this goal, political candidates must be free from the damaging influences of big money. The bill will democratize the system by making candidates responsive to the electorate as a whole and not to a few large contributors.

HAWAII: MOST BEAUTIFUL SPOT ON EARTH CONTAINS WETTEST SPOT ON EARTH

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. MATSUNAGA. Mr. Speaker, it may surprise most people who have visited Hawaii, enjoying the faultless climate and our beautiful beaches, but the U.S. Interior Department's Geological Survey has just reminded us that the "wettest spot in the world" is located in Hawaii.

Annual rainfall on Mount Waialeale, on the island of Kauai, my birthplace, averages more than 450 inches. Ironically, only 14 miles away in the town of Waimea, it rains only 20 inches a year.

The islands of Hawaii, with their many distinct geological features, could comprise a continent in themselves. Many areas such as Mount Waialeale are veritable swamps, while adjacent lands could almost be classified as deserts.

The opportunities given by such natural laboratories are not to be missed. Our world population is exploding and research must be done to utilize all available lands for agriculture. One of the most crucial factors is that of rainfall. It is hoped that with further geological surveys such as this, we may achieve a better understanding of the complex hydrology of Hawaii and other mountainous, semitropical areas.

I trust that my colleagues and other RECORD readers will enjoy the Geological Survey news release about Mount Waialeale, which I offer for inclusion at this point:

WORLD'S WETTEST SPOT IS IN UNITED STATES

Mt. Waialeale (pronounced why-ah-lay-ah-lay) on the Hawaiian Island of Kauai averages 451 inches of rain a year, making the 5,148 foot peak the wettest known spot on earth, according to U.S. Geological Survey, Department of the Interior, scientists.

Working in cooperation with the National Weather Service USGS hydrologists have been measuring rainfall on Mt. Waialeale for 62 years as part of a cooperative program of hydrologic data collection.

W. L. Burnham, hydrologist and Chief of the USGS Hawaii District, said: "The water supply problems in the Hawaiian Islands are not due to lack of rainfall but rather to large variations in the distribution of rainfall. For example, about 14 miles from the summit of Waialeale where it rains about 350 days a year, lies the town of Waimea which receives about 20 inches of rain a year."

The Geological Survey spokesman explained that the unique topography of Mt. Waialeale, the orientation of its sheer mountain walls, and its position approximately in the center of the 555-square mile Island of Kauai tends to concentrate and "wring" most of the moisture out of the prevailing trade winds, leaving little moisture for areas lying in the "rain shadow" of the mountain mass. "On a lesser scale, similar extreme ranges in annual precipitation within short distance exist on most of the major Hawaiian Islands," Burnham said.

"Mt. Waialeale is really a unique natural laboratory," Burnham said, "that gives us a chance to investigate an extreme condition—the world's wettest spot—in order to perhaps better understand the complexities of the hydrology of Pacific island environments."

Systematic rain gaging began on Waialeale in 1911, and in 1920 a cumulative storage gage was installed which permitted the beginning of a long-term record of average annual rainfall. Since 1920, the unadjusted records from the storage gage shows the mountain top has averaged 451 inches of rain a year, and in 1948 reached a record of 624 inches. "These average figures are certainly conservative." Burnham said, "because turbulent wind conditions around the mountain top and the generally severe climate tend to reduce the ability to record true total rainfall. Furthermore, runoff volumes from a small, instrumented catchment area beside the gage and data from a supplemental storage gage indicate that the long-term average figures may be several percent less than actual rainfall."

Although other areas have experienced some years with higher rainfall, notably the 905.12 inches that fell over Cherrapunji, India, in 1861, none are known to have recorded long-term average annual rainfall to equal Waialeale's. Cherrapunji, however, comes very close, according to the U.S. Army Natick Laboratory, with a long-term average annual rainfall of 450 inches, followed by Debundscha, Cameroon, with 405 inches. By comparison, the average annual precipitation in the U.S. is about 30 inches and Washington, D.C., receives about 40 inches.

Until quite recently, the rainfall on Waialeale was collected in a "super-gage", a four-foot high copper collector that could measure up to 960 inches of precipitation. The huge size of the rain gage was necessary not only because of the huge volume of rain, but also because the once arduous trip to the gage was only made about once each year. Until the mid 1960's, the gage was reached only after a 3-day slog on horseback and foot through sometimes belly-deep mud. Now the gage is visited by helicopter, but even these flights—made about four or five times a year—are restricted to temporary periods of clearing that sometimes require measurements to be completed within 15 minutes.

In March of 1968, USGS scientists installed a new automatic recording gage at the station an Waialeale. For the first time, records of rainfall on an hourly basis were being collected and analyzed. For example, they note that the greatest hourly rate of rainfall recorded by the new instruments is the 3.07 inches that fell on January 31, 1971. The highest daily total was the 20.01 inches registered during January 31, 1969, and the monthly high accumulation amounted to 90.07 inches during April of 1971. As of July 26 of the current measurement year, a total of 199.0 inchs of rain have been recorded over Mt. Waialeale.

For the past several years a number of areas in the Hawaiian Islands have been suffering moderate to severe drought conditions. This condition has also affected the world's wettest spot. The annual totals for 1971 and 1972 were 390.23 inches and 350.20 inches, respectively, which are well below the long-term average of 451 inches, but still a long way from being arid.

MEMORIAL TO T. R. ROOSEVELT IN BUFFALO IS EXPANDED

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. DULSKI. Mr. Speaker, nearly 7 years ago the Congress approved and the late President Lyndon B. Johnson signed into law authorization for preservation of the site in Buffalo, N.Y., where Theodore Roosevelt took the oath of office as President in 1901.

There was much to be accomplished, particularly by our local citizens, before this memorial could be dedicated. But with the sincere dedication of many individuals and organizations, the memorial was saved from demolition and has been restored.

On the anniversary this year, the continued efforts of many of these same people provided another restored portion of the structure which is known in Buffalo as the Wilcox Home.

The Junior League of Buffalo has spearheaded the restoration efforts and last week opened to visitors the carefully and authentically restored dining room.

The cooperation and support of our citizens in this project has been most gratifying. It has been truly a community effort.

As the sponsor of the enabling legislation, I am most pleased at the success of the project and include with my remarks two articles relating the latest developments:

[From the Buffalo Evening News, Sept. 14, 1973]

RESTORED DINING ROOM OPENS AT WILCOX HOME

A restored bit of Buffalo's past sprang to life today when the doors were opened to the refurbished dining room of the Ansley Wilcox mansion at 641 Delaware Ave.

The day picked for the ceremonial opening is the 72d anniversary of the inauguration of Theodore Roosevelt as President following the death earlier on Sept. 14, 1901, of President William McKinley.

The dining room was restored through the efforts of the Junior League of Buffalo, which two years earlier restored the home's library, the room in which President Roosevelt took the oath of office.

In both cases, the rooms have been restored through the use of photographs taken at the time of the history-making events of 1901.

The dining room has a large dining table and chairs, a handsome buffet and a small table from which Mr. Wilcox is said to have eaten his breakfast each day as he gazed at his garden.

Frank D. Leavers, president of the Theodore Roosevelt Inaugural Site Foundation, presided at today's brief ceremonies, declaring, "It's unbelievable—the number of hours the Junior League members have devoted to the research needed to restore this room."

Mrs. Jane Sanders, who heads the Junior League committee for the restoration project, responded that "the sheer fun of doing the job has been our reward."

Andrew J. Morrisey, registrar of the City Department of Vital Statistics, presented a certified copy of President McKinley's death certificate. Signed by Dr. H. R. Gaylord, it lists the cause of death as gangrene.

Mr. Morrisey noted that, with modern drugs and medical know-how, President McKinley probably would have recovered.

The Wilcox home now is known officially as the Theodore Roosevelt Inaugural Site Foundation and is managed by the National Park Service.

A reception for donors was held this afternoon by the Junior League. The Master Chorale of Western New York will present "An Evening With Theodore Roosevelt" in several performances between 7:30 and 9 this evening.

[From the Buffalo Courier-Express, Sept. 15, 1973]

ROOSEVELT'S ELEVATION IN 1901 TO PRESIDENCY MARKED HERE

The 72nd anniversary of Theodore Roosevelt's ascendency to the presidency upon the death of President William McKinley, was commemorated Friday by the dedication of the dining room in the Wilcox Mansion, 641 Delaware Ave. Roosevelt took his oath of office as president in the mansion on Sept. 14, 1901.

The dedication, which included the unveiling of a plaque honoring donors to the mansion, a reception and an evening of music, also marked the second anniversary of the Junior League of Buffalo's efforts to preserve the historical site.

While the dining room itself has no special historical significance, it is directly next to the morning room, where Roosevelt, the country's 26th president, held his first cabinet meeting. Additionally, Mrs. Barbara Brandt, of the Junior League, reported there is no doubt that President Roosevelt ate in the dining room.

FAMILY PORTRAITS

The importance of the dining room, according to Mrs. Brandt, is its capturing of the atmosphere of 1901. Included in the furnishings of the room are portraits of the Wilcox family and authentic tea and silver services, donated by Wilcox family and friends.

The furniture in the room consists of reproductions of the Queen Anne period. Taken as a whole, Mrs. Brandt said the room gives a good picture of "the life and that time in Buffalo, at the turn of the century."

Efforts by the Theodore Roosevelt Inaugural Site Foundation will continue to restore other rooms in the house. Mrs. Brandt reported that no final decision has been made on which rooms will be next. Other rooms restored include the library where the warrior-politician took the oath of office and the morning room, where Roosevelt waited before being sworn in.

McKinley was shot Sept. 6, 1901, while shaking hands at the Pan-American Exposition. His assailant, a self-proclaimed anarchist, Leon F. Czolgosz, was executed Oct. 29, 1901, in Auburn State Prison. Roosevelt arrived in Buffalo 12 hours after McKinley's death and stayed in the home of attorney Ansley Wilcox.

17 SONGS PERFORMED

The evening of music by the Master chorale of Western New York was entitled "An evening with Theodore Roosevelt." The 17 songs performed were written during stages in his life, and the music captured the man and the times in which he lived.

Musical director Carl Druba took his 35-member chorale through renditions of "The Battle Hymn of the Republic," "The Sidewalks of New York," and many other tunes which had the 100 persons in the audience tapping their feet and singing along with the chorale.

NARRATIVE HISTORY

In between the songs, a narrative history of Roosevelt's life, written by two chorale members and spoken by an assistant at the inaugural site, kept track of Roosevelt's heroics and accomplishments from his days at Harvard to his Nobel prize for securing the end of the Russo-Japanese War.

The high point of the one-hour concert came during a four-song segment depicting Roosevelt the Soldier. "The Rough Riders," "Ta-ra-ra-boom-de-a," "Hot time in the Old Town Tonight" and "Heroes of San Juan Hill" had the audience roaring its approval.

HAS MINIMUM WAGE LAW OUTLIVED USEFULNESS?

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. McCLORY. Mr. Speaker in connection with our consideration today of the veto by President Nixon of the so-called minimum wage bill, it seems most appropriate to consider the validity of this type of legislation both as a social and economic measure.

Mr. Speaker, the history of this legislation was reviewed recently in an article by Richard Nenneman of the Christian Science Monitor, which appeared in the Saturday, September 8, issue. The article indicates that this type of legislation—particularly as applied on a national basis—may have outlived its usefulness.

In my own case, I have opposed minimum wage legislation in reecnt years because of concrete factual information supplied to me directly by those concerned with the employment of high school and college age students, whose opportunities for partial self-support are oftentimes denied because of minimum wage laws. Enactment of a minimum wage, expected to increase shortly to $2.20 an hour, could well deprive many of those who most require employment of the chance to learn and hold a job.

Mr. Speaker, Mr. Nenneman's article is most convincing and it would seem most appropriate to include it in the CONGRESSIONAL RECORD on this day when the minimum wage bill was actively debated and the President's veto of the bill decisively sustained by the House of Representatives.

The article follows:

KNOCKING DOWN A 1930'S PROP

(By Richard Nenneman)

Is the minimum wage one of those intrusions of government into the free market economy that has outlived its usefulness?

President Nixon told his press conference this week that he would veto the current legislation Congress passed, increasing the minimum wage to $2.20 an hour. This amounts to an increase in the minimum wage of 38 percent, he noted. He claimed it would also have the effect of increasing joblessness and would hurt unskilled labor the most. (The jobless rate among the unskilled is higher than in other areas; yet it is those at this end of the economic ladder the minimum wage is designed to help.)

The excuse for most government economic regulation is that it is initiated to correct some weakness in the free system. Minimum-wage legislation in this country dates back to the depression days of the 1930's. Labor was superabundant, still largely unorganized, and easily taken advantage of.

The first minimum-wage legislation was contained in the Davis-Bacon Act of 1931, which applied a minimum wage to federal public-works projects. The first general minimum-wage bill to become law was passed in 1938, establishing a base pay of 25 cents an hour—if you can believe such a figure some 35 years later!

The present minimum of $1.60 an hour has been arrived at by many steps, most of which have also increased the number of workers covered by the law. The new law would have increased this to $2 an hour immediately, and to $2.20 by next July.

If the minimum wage does not keep pace with the general price level, it in time loses its significance. Thus the reason for the periodic increases in the rate.

On the other hand, there are other channels by which employers can be kept from paying unfair wages. Union workers represent only about one-fourth of the labor force in the country, but they have the means to call attention to unfair situations affecting workers in general. Public pressure can also be brought to bear through the media.

The negative side of the minimum wage is that it is at least claimed that it has tended to freeze marginal workers out of a job at all. It is certainly true that high labor costs tend to promote the introduction of labor-saving machinery.

This of course works two ways: Such machinery puts some workers out of a job, but gives other workers jobs in more sophisticated industries. The growth of the computer industry has had exactly such an effect. And it is true that this nation's competitive position is benefited by its ability to stay at the front of the high-technology line.

But we should all be disturbed by the fact that each period of economic boom since World War II has topped out with a slightly higher level of unemployment than the previous boom.

This seems to indicate that the U.S. economic machine, a combination of a free economy plus government intereferences of which the minimum wage is just one example, is not needing all of the labor force becoming available to it. And, in particular, it is not absorbing the younger and the unskilled as fast as it ideally should. Whether this is solely because of the level of the minimum wage is another matter, but it is probably at least partly due to that fact.

The exploitation of one human being by another, or by a corporate organization, is not something to be tolerated by a humane society. The continued existence of a viable democracy, in fact, depends on the relative satisfaction of its voters, who are also consumers and workers.

But the existence of the minimum wage also deprives some workers of jobs. One may say that anyone worth anything should get $2 or $2.20 an hour today, but that isn't the point. The minimum wage is a kind of base that sets the pace for many industrial wage rates that are much higher than it is. When the minimum goes up, they all climb too, albeit the adjustment is not automatic or immediate. And that is where many a marginal worker is frozen out of a potential job.

The job we have to do is balance the legitimate desire to prevent human exploitation with the chance for a job in a society that dignifies work.

What is difficult to prove, for those who want a freer economy, is to what extent the effects of regulations such as the minimum wage are negative as well as positive. C. Lowell Harris, economics professor at Columbia University, notes in an article in the current issue of the Intercollegiate Review:

"Somehow, one suspects, the weaknesses of the marketplace will continue to get publicity while the defects of regulation will be largely ignored or overlooked or rationalized. Naive faith in political processes seems to survive the lessons of experience."

President Nixon is basing his veto of this increase in the minimum wage on its immediate effects on inflation and unemployment; he thinks both would be negative. I think he is right on both counts.

But I would go one step further, a step no one in public life may find it feasible to take, and question whether this is not one of the social supports put in place a generation ago that no longer is needed to prop up the floor of our economic life.

ECKHARDT OPEN BEACHES LEGISLATION

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ECKHARDT. Mr. Speaker, in the past few years, there has been an increasing encroachment on what in the past has been considered a public right of use and access to the Nation's ocean shorelines. Despite centuries-old doctrines which favored public ownership and use of coastal areas, both private individuals and industries are removing massive amounts of beaches from public use by fencing off or enclosing the land in front of public beaches.

The urgency of the problem of the rapidly diminishing beaches is of such importance to the entire Nation that Federal and State joint action is necessary to solve the problem. The beaches of the United States are a heritage of all of the people of the Nation. Both the present and future generations of Americans should have the right to the enjoyment of this most important natural resource.

For these reasons, I have introduced the National Open Beaches Act. This act adds an additional title to legislation passed by Congress in 1968 which authorized the Secretary of the Interior, cooperating with the States, to conduct an inventory and study of the Nation's estuaries and their natural resources. Following is a summary of the new title which will establish a national open beaches policy.

SECTION 201

The first section contains the definitions of various terms used within the legislation, including "sea" and "beach." "Beach" is that area along the shore of the sea affected by wave action directly from the sea. "Sea" includes the Atlantic, Pacific, and Arctic Oceans, the Gulf of Mexico, the Caribbean and Bering Seas, and the Great Lakes.

SECTION 202

The national interest in assuring that the public shall have free and unrestricted right to use the beaches of the United States is set out in section 201.

SECTION 203

Section 203 prohibits the construction or use of any obstructions or barriers which interfere with the right of the public to enter, leave or use the public beaches.

SECTION 204

This section provides that the U.S. Attorney General or a U.S. attorney may bring an action in a Federal district court to: first, establish and protect the public right to beaches; second, determine the existing status of title, ownership, and control, and third, condemn whatever easements are necessary to assure the public's right of access and use of the beaches.

Allowing the Federal Government to bring suits to establish and protect the public's right to beaches anticipates that through litigation existing State statutes can be clarified and expanded to clearly establish the public's right of access to the beaches. In most coastal States, the right of access to the beaches under common law is clouded. While statutes refer generally to public ownership of the beaches, they do not address the problem of the public's right of ingress and egress. Litigation invoking such doctrines as dedication, prescription, the public trust and custom could clearly establish the public's right of access through a more efficient and inexpensive manner than governmental condemnation.

SECTION 205

Currently when litigation is brought to establish a public right to the beaches, most States place the burden of proof of the public right on the party seeking to enforce that right. Section 205 creates a rebuttable presumption in favor of the public right to enter and use ocean beaches. Thus the burden of proof will be shifted to the party seeking to bar the public from entry.

SECTION 206

The authority of the States over their lands, including the control of the public beaches on behalf of the public, is safeguarded by section 206. Land recovered under this act shall come under the ownership and control of the State if the State provides 25 percent of the funds used to acquire land through condemnation.

SECTION 207 AND SECTION 208

Sections 207 and 208 recognize the importance of a Federal-State partnership in securing the public's right to the beaches. The Secretary of the Interior is given responsibility for the administration of this legislation and shall determine when court actions under this act shall be brought.

The Secretary of the Interior is also instructed to place the research facilities of the Federal Government at the disposal of the States. This section envisions inter-agency cooperation so that the historical, geological and geodetic information and research facilities of the Federal Government will be shared with the States.

SECTION 209

The Secretary is authorized to provide to the States 75 percent of the funds necessary to establish and implement open beaches projects. To obtain the Federal funds, the States must satisfy the Secretary that they have taken steps to secure the public right to the beaches.

SECTION 210

Section 210 authorizes the Secretary of Transportation to give financial assistance to states to develop and maintain transportation facilities necessary for the public access to the beaches.

A copy of the bill follows:

H.R. 10395

A bill to amend the Act of August 3, 1968, relating to the Nation's estuaries and their natural resources, to establish a national policy with respect to the Nation's beach resources.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Secretary of the Interior, in cooperation with the States, to conduct an inventory and study of the Nation's estuaries and their natural resources, and for other purposes", approved August 3, 1968 (Public Law 90-454;

82 Stat. 625; 16 U.S.C. 1221 et seq.) is amended as follows:

(1) by inserting immediately after the enacting clause the following:

"TITLE I"

(2) the first sentence of the first section of such Act is amended by striking out "That" and inserting in lieu thereof "Section 101."

(3) Sections 2 through 6 of such Act are renumbered as sections 102 through 106 respectively, including all references thereto.

(4) by striking out "this Act" each place it appears and inserting in lieu thereof at each such place "this title".

(5) by adding at the end thereof the following new title:

"TITLE II

"SEC. 201. As used in this title the term—

"(1) 'Secretary' means the Secretary of the Interior.

"(2) 'Sea' includes the Atlantic, Pacific, and Arctic Oceans, the Gulf of Mexico, and the Caribbean and Bering Seas, and the Great Lakes.

"(3) 'Beach' is the area along the shore of the sea affected by wave action directly from the open sea. It is more precisely defined in the situations and under the conditions hereinafter set forth as follows:

"(A) In the case of typically sandy or shell beach with a discernible vegetation line which is constant or intermittent, it is that area which lies seaward from the line of vegetation to the sea.

"(B) In the case of a beach having no discernible vegetation line, the beach shall include all area formed by wave action not to exceed two hundred feet in width (measured inland from the point of mean higher high tide).

"(4) The 'line of vegetation' is the extreme seaward boundary of natural vegetation which typically spreads continuously inland. It includes the line of vegetation on the seaward side of dunes or mounds of sand typically formed along the line of highest wave action, and, where such a line is clearly defined, the same shall constitute the 'line of vegetation'. In any area where there is no clearly marked vegetation line, recourse shall be had to the nearest clearly marked line of vegetation on each side of such area to determine the elevation reached by the highest waves. The 'line of vegetation' for the unmarked area shall be the line of constant elevation connecting the two clearly marked lines of vegetation on each side. In the event the elevation of the two points on each side of the area are not the same, then the extension defining the line reached by the highest wave shall be the average elevation between the two points. Such line shall be connected at each of its termini at the point where it begins to parallel the true vegetation line by a line connecting it with the true vegetation line at its farthest extent. Such line shall not be affected by occasional sprigs of grass seaward from the dunes and shall not be affected by artificial fill, the addition or removal of turf, or by other artificial changes in the natural vegetation of the area. Where such changes have been made, and thus the vegetation line has been obliterated or has been created artificially, the line of vegetation shall be reconstructed as it originally existed, if such is practicable; otherwise, it shall be determined in the same manner as in other areas where there is no clearly marked 'line of vegetation,' as in paragraph (3) (B) of this section.

"(5) 'Area caused by wave action' means the area to the point affected by the highest wave of the sea not a storm wave. It may include scattered stones washed by the sea.

"(6) 'Public beaches' are those which, under the provisions of this title, may be protected for use as a common.

"(7) 'Matching funds', as provided by a State, include funds or things of value which may be made available to the State for the purpose of matching the funds provided by the Federal Government for purchasing beach easements as, for instance, areas adjacent to beaches donated by individuals or associations for the purpose of parking. The value of such lands or other things used for matching Federal funds shall be determined by the Secretary. State matching funds shall not include any moneys which have been supplied through Federal grants.

"(8) 'Shore of the sea' includes those shores on the North American continent, or land adjacent thereto, the State of Hawaii, free commonwealths, unincorporated territories, and trust territories of the United States.

"SEC. 202. By reason of their traditional use as a thoroughfare and haven for fishermen and sea venturers, the necessity for them to be free and open in connection with shipping, navigation, salvage, and rescue operations, as well as recreation, Congress declares and affirms that the beaches of the United States are impressed with a national interest and that the public shall have free and unrestricted right to use them as a common to the full extent that such public right may be extended consistent with such property rights of littoral landowners as may be protected absolutely by the Constitution. It is the declared intention of Congress to exercise the full reach of its constitutional power over the subject.

"SEC. 203. No person shall create, erect, maintain, or construct any obstruction, barrier, or restraint of any nature which interferes with the free and unrestricted right of the public, individually and collectively, to enter, leave, cross, or use as a common the public beaches.

"SEC. 204. (a) An action shall be cognizable in the district courts of the United States without reference to jurisdictional amount, at the instance of the Attorney General or a United States district attorney to:

"(1) establish and protect the public right to beaches,

"(2) determine the existing status of title, ownership, and control, and

"(3) condemn such easements as may reasonably be necessary to accomplish the purposes of this title.

"(b) Actions brought under the authority of this section may be for injunctive, declaratory, or other suitable relief.

"SEC. 205. The following rules applicable to considering the evidence shall be applicable in all cases brought under section 204 of this title:

"(1) a showing that the area is a beach shall be prima facie evidence that the title of the littoral owner does not include the right to prevent the public from using the area as a common;

"(2) a showing that the area is a beach shall be prima facie evidence that there has been imposed upon the beach a prescriptive right to use it as a common.

"SEC. 206. (a) Nothing in this title shall be held to impair, interfere, or prevent the States—

"(1) ownership of its lands and domains,

"(2) control of the public beaches in behalf of the pubic for the protection of the common usage or incidental to the enjoyment thereof, or

"(3) authority to perform State public services, including enactment of reasonable zones for wildlife, marine, and estuarine protection.

(b) All interests in land recovered under authority of this title shall be treated as subject to the ownership, control, and authority of the State in the same measure as if the State itself had acted to recover such interest. In order that such interest be recovered through condemnation, the State must participate in acquiring such interest by providing matching funds of not less than 25 per centum of the value of the land condemned.

"SEC. 207. In order further to carry out the purposes of this title, it is desirable that the States and the Federal Government act in a joint partnership to protect the rights and interests of the people in the use of the beaches. The Secretary shall administer the terms and provisions of this title and shall determine what actions shall be brought under Section 204 hereof.

"SEC. 208. The Secretary shall place at the disposal of the States such research facilities as may be reasonably available from the Federal Government, and, in cooperation with the other Federal agencies, such other information and facilities as may be reasonably available for assisting the States in carrying out the purposes of this title. The President may promulgate regulations governing the work of such interagency cooperation.

"SEC. 209. The Secretary is authorized to make grants to States for carrying out the purposes of this title. Such a grant shall not exceed 75 per centum of the cost of planning, acquisition, or development of projects designed to secure the right of the public to beaches where the State has complied with this title and where adequate State laws are established, in the judgment of the Secretary, to protect the public's right in the beaches.

"SEC. 210. The Secretary of Transportation is authorized to provide financial assistance to any State, and to its political subdivisions for the development and maintenance of transportation facilities necessary in connection with the use of public beaches in such State if, in the judgment of the Secretary, such State has defined and sufficiently protected public beaches within its boundaries by State law. Such financial assistance shall be for projects which shall include, but not be limited to, construction of necessary highways and roads to give access to the shoreline area, the construction of parking lots and adjacent park areas, as well as related transportation facilities. All sums appropriated to carry out title 23 of the United States Code are authorized to be made available to carry out this section."

ANNOUNCEMENT OF HEARINGS ON H.R. 9783 AND H.R. 188

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. EDWARDS of California. Mr. Speaker, I announce that the Subcommittee on Civil Rights and Constitutional Rights of the House Committee on the Judiciary will hold hearings on H.R. 9783, to regulate the collection, storage, and dissemination of information by criminal data banks established or supported by the United States, and H.R. 188, to amend title 28 of the United States Code to provide for the dissemination and use of criminal arrest records in a manner that insures their security and privacy. The hearings will be held on Wednesday and Thursday, September 26 and 27,

1973, at 10 a.m. in room 2226, Rayburn House Office Building.

On Wednesday, September 26, the subcommittee will hear testimony from Mr. Arnold R. Rosenfeld, chairman, Criminal History Systems Board of the Commonwealth of Massachusetts, on H.R. 9783.

The subcommittee will commence its hearings on Thursday, September 27, with testimony from Mr. Allen Sill, chief of police, West Covina, Calif. Mr. Sill will present testimony on H.R. 188 and H.R. 9783.

Those wishing to testify or to submit statements for the record should address their requests to the Committee on the Judiciary, U.S. House of Representatives, Washington, D.C. 20515.

A SALUTE TO THE PASSING OF A GREAT AMERICAN

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. HÉBERT. Mr. Speaker, I am deeply grieved and saddened by the sudden passing of a very dear friend, the late Robert W. Smart.

Mr. Smart, better known to most Members of Congress as "Bob" Smart, served as a member of the professional staff of the Committee on Armed Services from 1947 to 1963. He succeeded Bryce Harlow as chief counsel of the committee in 1951, and remained its chief counsel until his voluntary retirement from the staff in 1963.

"Bob" passed away on Saturday, September 15, 1973, at West Palm Beach, Fla., the site of his retirement home.

I will include at the end of my remarks a brief summary of "Bob's" many accomplishments. He had a variety of careers, and distinguished himself in each. He was a lawyer, a soldier, an executive, a statesman, a great American—but most importantly, a wonderful human being. To those of us who had the gift of his friendship and the privilege of sharing with him our responsibilities, he was a tower of strength and an unfailing source of wise counsel.

To those of us who knew him best, the greatest single quality which distinguished him so visibly from many of his colleagues was his humility and his unselfishness.

"Bob" Smart left his indelible imprint on many of the most important laws enacted by the Congress during the post-World War II period, and particularly those affecting our national security. Many individuals received credit for these legislative enactments, but all of them knew that it was "Bob" Smart who had fashioned them into a meaningful expression of legislative intent.

I and many Members of Congress have lost a true and treasured friend. The staff of the Armed Services Committee had also requested that I reflect their sense of great loss with the passing of "Bob" Smart.

He leaves a great emptiness:

He went down
As when a lordly cedar, green with boughs,
Goes down with a great shout upon the hills,
And leaves a lonesome place against the sky.

In closing, I wish to take this opportunity to extend to Bob Smart's beloved wife Alice, his daughter Jan, his granddaughter Sharon, and their families, on behalf of my wife and myself, the members of the Committee on Armed Services and its staff, deep and heartfelt sympathy.

A brief summary of "Bob" Smart's various accomplishments follows:

BRIG. GEN. ROBERT W. SMART

Brigadier General Robert W. Smart, USAFR-Ret., former Vice President of North American-Rockwell, and long time Chief Counsel of the Committee on Armed Services, U. S. House of Representatives, died September 15 at the age of 66 in West Palm Beach, Florida.

Widely known throughout Government and industry circles, General Smart had also served as President of the Air Force Association from 1967–1969, and at the time of his death was still an active member of the Board of Directors of that organization.

During more than 16 years on Capitol Hill, he had earned a reputation as one of the most influential and gifted lawyers serving the Congress. He joined the professional staff of the Armed Services Committee in 1947 when the Committee was first created and was named Chief Counsel in 1951, a post he held until his retirement from Government in 1963. He had been intimately involved in writing numerous landmark laws, including the Articles of War and the Uniform Code of Military Justice. In the military field, he was the senior staff member of the U. S. Congress and the friend and confidant of many ranking members of the House and Senate, as well as Cabinet officers, senior officials of the Defense Department, and top commanders of the Armed Forces.

After leaving Government service, he joined the North American Rockwell Corporation in El Segundo, California, as Vice President for Governmental Relations, and later returned to the Washington office of the firm and served as a Corporate Vice President until retirement in October 1972.

Born in Crane, Missouri, on May 20, 1907, General Smart was graduated from Missouri University, earned his LLB at Cumberland University, Lebanon, Tennessee, and briefly entered politics to be elected Prosecuting Attorney of Lawrence County, Missouri. He resigned eight months after the U. S. entered World War II, to enlist in the Army; completed officer candidate training at Fort Sill, Oklahoma, and served as a Field Artillery platoon leader, battery executive, battery commander, and eventually as a military government legal officer in Korea. Following the war, he remained active in the Army Reserve until 1949 when he transferred to the Air Force. He was promoted to the rank of full Colonel that year, and to Brigadier General in March 1961. He retired from military service in 1967.

His awards and decorations include the Legion of Merit, the Reserve Officer Association's "Distinguished Service" citation for "outstanding contributions to national defense", and the Air Force Association Citation of Honor.

General Smart is survived by his wife, the former Alice Tolerton, of the home address 134 Lake Shore Drive, Old Port Cove, North Palm Beach, Florida; a daughter, Mrs. David R. Lee of Vicksburg, Mississippi, a sister, Mrs. Virginia Hamilton of Clearwater, Florida; and one granddaughter, Sharon Woodman Lee.

TRIBUTE TO THE MUSIC UNDER THE STARS PROGRAM IN MILWAUKEE COUNTY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ZABLOCKI. Mr. Speaker, on August 4, 1973 I had the honor and pleasure to attend a concert in Milwaukee entitled "Salute to Poland" in commemoration of the 500th anniversary of Nikolas Kopernicus and his contribution to our "space age" as the father of the theory of the cosmic system.

In addition to many local, county, and State officials in attendance, the people of Milwaukee were honored to also have in attendance His Excellency Witold Trampczynski, the Ambassador of Poland, Mr. John Richardson, the Assistant Secretary of the Bureau of Educational and Cultural Activities of the U.S. State Department, and our friend and colleague, Representative HENRY S. REUSS. The "Salute to Poland" concert was taped by the USIA for replay in Europe, particularly Poland.

The "Salute to Poland" concert was presented under the auspices of the Music Under the Stars program, a series of musical concerts presented during the summer months for the visual and listening enjoyment of the residents of the metropolitan Milwaukee area. Under the cosponsorship of the Milwaukee County Park Commission and the Milwaukee Journal, the Music Under the Stars program has been available free of charge since 1970 for the general public to enjoy. These concerts symbolize a commitment by concerned citizens and local officials to promote and expand the cultural goals in Milwaukee County. During the summer of 1971 alone, some 297,000 people attended the Music Under the Stars-sponsored concerts.

Much of the credit for the success of the Music Under the Stars program and other county-sponsored cultural events must be given to Mr. John-David Anello, director of cultural activities of the Milwaukee County Park Commission, who also serves as musical conductor for some of the concerts.

The full cooperation and excellent performances of the Florentine Opera Co. and the Milwaukee Symphony enabled Mr. Anello to develop the Music Under the Stars program, offering the Milwaukee community a wide variety of concerts with special attention to ethnic and cultural preferences of the residents of the Milwaukee metropolitan area. Enthusiastic public support for the concerts is evidenced by the more than $14,000 donated this year from individual contributors, private business, and civic-minded institutions.

The principal sponsor, the Milwaukee County Park Commission, has appropriately received recognition for its promotion and sponsorship of the "Music Under the Stars" program. In 1971, the National Association of Counties desig-

nated Milwaukee County as the recipient of the "New County Achievement Award" for distinguished and continuing contributions in cultural activities sponsored by a county government in the United States.

Over the past 2 years, in anticipation of the celebration of the 200th anniversary of the founding of our country, the Milwaukee County Park Commission has planned appropriate concerts. For example, last year music and events from the turn of the century through 1972 were presented. This year, music and events from 1850 through 1899 were highlighted. Projecting into next year, the sponsors will present music and events from 1825 through 1849, continuing through 1975 and culminating in 1976, at which time the program will include a series of concerts representing the music and events of 1776, the founding year of our country.

The continued success of the free "Music Under the Stars" program, Mr. Speaker, has developed into one of the most important and fundamental cultural efforts in the Milwaukee area. The program brings to all the people of the Milwaukee area frequent opportunities to enjoy and appreciate the world's finest music, including opera and symphonic works. The program has most dramatically demonstrated that music knows no racial prejudices; that music makes no distinction between the affluent and less-affluent members of our society; that music establishes a common bond between all mankind regardless of race, color or creed.

Mr. Speaker, there is no doubt in my mind that the free "Music Under the Stars" program has served as a catalyst to the more than 1 million residents of Milwaukee County toward helping them to know and respect each other more fully. I congratulate Mr. Anello, the Milwaukee County Park Commission, the Milwaukee Journal, and the many private benefactors for their unfailing efforts in creating, promoting and sustaining a unique and rewarding cultural and musical program readily available to the general public.

KAISER STEEL TRAINS YOUNG MEN FOR FUTURE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. BROWN of California. Mr. Speaker, I would like to take a moment to commend the Kaiser Steel Corp., for an educational summer youth employment project which they conducted during this summer. Ten young men—Kevin Brooks, Terry Henderson, Benny Hernandez, Alvin Lewis, Garyling Lewis, Tony Luna, Javier Santos, Lance Sarrano, Joe Sassone, and Daryl Scott—worked with supervisor Sam Poindexter under this program, gaining first-hand knowledge of what it would be like to work in the construction industry.

The Ingott, a Kaiser Steel publication, offers additional information about this program in an article which appears in their September issue. For the information of the many Members of Congress who are concerned about summer youth employment I offer the article for insertion in the RECORD at this point. It reads as follows:

DISADVANTAGED TEENS: SUMMER YOUTH EMPLOYMENT OFFERS MORE THAN JUST JOBS

A curious-looking block building adjacent to the cafeteria and gymnasium has been under construction for several weeks. On any given day, young men have been seen scrambling along scaffolds hauling brick and mortar and carefully joining them to form the walls of the structure.

Although this may sound typical of a construction crew on site, there is one basic difference. The workers are boys who are being taught that a block house project can provide much more than just an area in which to store equipment.

Part of Kaiser Steel's Summer Youth Employment Program, 10 students from Fontana High School were selected by school officials and company representatives for nine weeks of summer employment. Constructing a block storage building provided a project for those who were not old enough to work in the mill, but who had a financial need.

Summer supervisor and work scheduler Sam Poindexter claims his part in the program was personally rewarding. "Organizing 10 boys for any project is a full-time job," he said.

"However seeing these kids learn how important teamwork is on a job, and picking up skills they might apply at home was really enriching. The real disadvantage they have suffered is that they never before had the opportunity to learn while working."

In addition to learning the basic concepts associated with punching time cards, receiving a paycheck and reporting to the job on time, each member of the crew gained first-hand experience of what it would be like to be employed in the construction industry.

Training representative Bill Bartlett explained how the program was begun. "The Youth Program was conceived and initiated in the summer of 1967 to afford young people from a disadvantaged environment an opportunity to experience a work and educational situation," he said.

"We tried to help each individual gain greater insight of self-identity while planning more realistic future goals. At the same time, we tried to develop leadership qualities while teaching the ability to follow direction."

Earning nearly $1,000 for the summer, each youth contributed to various phases of the construction project. For instance, some were tasked with forming part of the 3,500 necessary bricks, while others prepared the foundation and helped raise the walls.

Each day responsibilities were shifted so that each crew could experience all facets of the operation. At the end of the nine weeks, the students had completed the building, painted playground equipment, constructed planters around the gymnasium and finished a brick wall for a golf practice driving cage.

Mr. Speaker, I offer my congratulations to these 10 young men for their success in this program and my commendations to Kaiser Steel for their community spirit as shown by the fact that they conducted the program.

ENVIRONMENT—NEEDED STEPS TO PROTECT IT

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. FREY. Mr. Speaker, Interior Secretary Rogers C. B. Morton made some interesting observations on the environment and the steps needed to protect it during a speech in my congressional district on September 10, 1973.

I am sure my fellow colleagues will enjoy reading his speech made in Orlando, Fla.:

REMARKS OF THE HONORABLE ROGERS C. B. MORTON

This evening I would like to give you my views on a number of most pressing issues that all of us face together. Before doing that, however, I would like to reaffirm my belief that meeting the challenges of the environment rests ultimately on continuing cooperation between State and Federal agencies. No one individual, and no one agency, has a monopoly on enlightenment, or good sense.

ENFORCEMENT

One of the major areas for increased State and Federal cooperation is enforcement. I have asked Secretary Reed to expand Interior's enforcement efforts and to increase the field agents, special investigators, and officers in the field and at our ports of entry. The key fact, however, is that the Federal Government *cannot* and *should not* do everything.

Each of us face the same kinds of questions:

Are we protecting our wildlife populations?

Are our bag limits fair to the hunter and fisherman *and* to the future of our wildlife?

Are we doing enough to put an end to poaching, especially in view of the resurgence in deer poaching as result of food price increases?

Are our flyaway policies equitable not only to the hunters within individual States but to all the States?

Without commitment and positive action at the local level we will be unable to face these kinds of questions and to come up with solutions that work. Aside from that each of us faces the continuing—perhaps I should say growing need to put a maximum effort to stop the illegal or slob hunter who is ruining the heritage and sport of hunting and fishing in the out-of-doors.

ENDANGERED SPECIES

There is little question that endangered species has become the most dramatic symbol of America's environmental concerns. While some of you may not find this a cheering statement, the preservation of threatened species—and I mean habitat and everything that contributes to sustaining wildlife population—is still primarily a State responsibility. Let's not be mistaken, if the States fail to act positively, the American people are going to rightfully demand that the Federal Government move in and take over this vital program. I, frankly, believe you and your agencies are in the best position to safeguard our threatened species. You are closest to the problems—and the solutions.

LEAD SHOT

If there is one dimension of the lead shot controversy that everyone agrees upon, it is that too many birds—certainly millions—die each year because of crippling or lead poisoning. We have had documented evidence of both lead poisoning and crippling for dec-

ades, yet both problems remained largely unresolved.

Your association has given strong support in the field, and in the public media to bring this matter to a solution. I appreciate your efforts and frankly, hope you will continue to press at a working level for the early implementation of a national program to reduce needless deaths along our flyways.

I have instructed the Bureau of Sports Fisheries and Wildlife to prepare an environmental impact statement reviewing all aspects of lead shot, as well as our alternatives. It also is a matter of common knowledge and public speculation that I am actively considering the adoption of a conversion schedule from lead to iron shot in at least one flyway during the 1974 season, followed by mandatory nationwide use of iron shot in 1975. Certainly these options will be among the alternatives explored through the NEPA process.

Deriving a reasoned and unimpassioned end to the unnecessary loss of critical waterfowl populations is an item of the highest priority—and it is a matter that I can assure we will act upon without delay.

In my own view, far too much money has been spent in public relations. Far too much has been said about crippling—although I'm not going to deny that crippling is a major problem. But far too little has been said about putting lead poison into the environment. One thing I am convinced of, is that *all* of us use the word "toxic" too lightly. Toxic means poison. And it only takes two pellets in the craw to kill a duck. Let's not lose sight of that fact that shotguns are a lethal weapon at short ranges—under 45 yards. Regardless of the final action we take on lead shot, one thing is obvious, too many hunters lack an awareness of the effective range of their own weapons. And I suggest that anyone here who disagrees with me spend opening day in a duck blind on the Eastern Shore.

What we can and must do *now*, is to implement a positive campaign on Federal refuges, and State waterfowl areas, and at every possible level to educate the hunter on the range and most important, the limitations of the shotgun.

Until both problems are met with hard solutions, the future of our bird populations, and hunting as we know it, will be threatened.

PREDATOR CONTROL

The President's Executive Order on Predator Control last year opened the direction to a reasoned and enlightened policy towards predator control. I believe that we are moving in the right direction in this area, and would especially like to express my appreciation to the Commissioners from the Western States for their cooperation in attempting to solve the predator dilemma.

COASTAL ZONE

The aberration that wetlands, estuaries and coastal zones can be turned into "productive lands" by dredging, damming, and developing is, unfortunately, as old as the Republic. A number of historians, for example, have suggested that George Washington's entry into public service was the result of financial losses he sustained after a disastrous attempt to reclaim part of Virginia's Great Dismal Swamp for farming. The Swamp is still there, although much smaller than it once was.

Unfortunately, however, there is still too much development along our coastal zones, in spite of the fact that many States have passed land use and coastal zone legislation.

Too many of our marshes have been filled: too many of our swamps have been drained and filled; and too many of our estuaries have been dammed and channeled.

While there are limitations to the Federal Government's responsibilities and authority in the coastal zone—there is much you can do within your own State governments. We simply cannot afford to stand back idly while the vital habitat, and breeding grounds for our coastal fisheries are disturbed, or altogether destroyed.

CONCLUSION

These issues are the very sinew of the challenges and opportunities in the environment. Regrettably, our ability to meet those challenges and grasp those opportunities continues to rely on economic values, technicalities of law, and brute political pressure.

Let's not be mistaken, change is hard enough to make when you're not running against well worn attitudes, and accepted values. As environmentalists, we're running against both. And if you don't believe me, look at the kind of delays we have faced in enacting vital environmental legislation:

America desperately needs land use planning to ensure that economic needs match with environmental needs in the way we use our most essential resource—our land.

America desperately needs mined land reclamation to ensure that we match environmental needs with energy needs, and put an end to despoiling the fragile character of our land and water.

America desperately needs a functional system of government that is sensitive to human needs and environmental needs. Without a Department of Energy and Natural Resources at the Federal level, all of us—and this impacts especially on the States—will continue to depend upon a management framework designed around old priorities to solve today's problems.

There is no question, our environment and our people have waited too long. Hopefully, a spirit of bipartisanship in the Congress, as well as strong support across the country will help us shape environmental concerns into new programs, new actions, and new values.

Aldo Leopold wrote in his insightful essay, "The Land Ethic": "Conservation is a state of harmony between man and land. Despite nearly a century of propaganda, conservation still proceeds at a snail's pace; progress still consists largely of letterhead pieties and convention oratory. On the back forty we still slip two steps backward for each forwards stride."

I believe that the current has changed and the tide of conservation is moving in the other direction. It's shifting because of your efforts, and the dedication and commitment of people in Washington like Nat Reed. Each of us knows what has to be done.

While the environmental issues we face may be more complex and more subtle than they were in Aldo Leopold's era, the gulf between pieties and action is still there. However, only by working together in a common spirit of cooperation and commitment, will we be able to bring the two together.

GOVERNMENT STYLE PRESS FREEDOM: "FAIRNESS" BY BUREAUCRATIC EDICT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. RARICK. Mr. Speaker, harassment and intimidationof broadcasters by regulatory agencies of the Federal Government has reached alarming intensity in recent years.

In a speech before television executives delivered earlier this year by Robert W. Sarnoff, chairman and chief executive officer of RCA, he discussed the current impact of the Government on broadcasting and the other news media. This "impact," according to Mr. Sarnoff, consists of "the escalation of Government intrusion into broadcasting" coupled with "economic threats" and backed up with the big stick of license revocation.

We have had the unprecedented spectacle of high Federal officials attacking the national news media in general and television network news in particular. It is plainly an effort to impair the credibility of the news and to influence how it is reported. It seems aimed at a state of public information fed by Government handout and starved by official secrecy on matters that are the public's business. And in our society, which depends on an informed electorate and an open market of ideas, that would be a calamity.

As Mr. Sarnoff so aptly pointed out in his remarks, "an attack on one news medium is an attack on all." Broadcast journalists have long realized this to be true.

Unfortunately, it has taken their counterparts in the newspaper and news magazine fields a bit longer to realize the seriousness of the bureaucratic threats to their press freedom.

Print journalists have long regarded themselves as being above government control, cloaked in the protective covering of the first amendment to the Constitution. The freedoms of press and speech, guaranteed by this amendment, are rapidly being unraveled by bureaucrats at the highest levels of government, however.

Civil servants and political appointees have for years been telling radio and television stations what is fair and what is not fair for use on the airwaves. Government interpretation of what is or is not allowable constitutes a serious speech impediment for the broadcasting industry.

These exercises in government manipulation of television and radio news and opinion are done in the name of "fairness." This same "fairness" idea has already been applied to the print media to a small degree. However, the successes of the bureaucrats to silence and intimidate the broadcast opinion they find disagreeable have already led to efforts at controlling the printed media.

It should be pointed out, Mr. Speaker, that there is a great difference between a "fair press" and a "free press." A "fair press," with its government intervention, influence, and control, means a government press. We have already seen unelected bureaucrats dictate "fairness" to the broadcasters.

Unless more journalists and editors stand up for the rights of broadcasters to be protected against government usurpation, they can expect their own first amendment protection to wither away under government assault in the name of "the common good."

Mr. Speaker, I include a related magazine story and newsclipping:

[From the Tulanian, vol. 45, No. 3, Summer 1973]

GOVERNMENT STYLE PRESS FREEDOM—AN EMERGING PICTURE

What I see as the essential problem of press freedom for our generation goes to the fact that the American government never had much of a chance to get hold of the American press *until now*. But now it does have a chance. It has a chance because the press has changed shape.

The television station has joined the local newspaper in dispensing news and comic strips to the community. It's a newscast instead of a front page, and it's Archie Bunker instead of Dick Tracy. But that new form of press, broadcasting, is not *specifically* protected by the First Amendment. The first Amendment doesn't call it by name; it says press, not media. And you've got to have somebody allocate broadcast licenses to keep multiple traffic off of the same frequencies. So the different shape of this new form of press and the license problem give the politicians a feeling that they can move in on electronic journalism, make their own rules for it, and tell it how to play the news (particularly the news that affects politicians).

I once heard a newspaper city editor in New Orleans end a telephone argument with a politically powerful city councilman by telling him to go to hell. Then he hung up. That editor may have been rude and ill-tempered, but he was a newspaperman and he had a deep sense of security about his independence from government.

My experience in broadcasting, 20 years' worth, is that broadcasters do say no to the politically powerful, but, even if provoked, they just don't allow themselves the luxury of strong language. You don't have that sense of security in an organization that's got to get a government okay every three years so stay in business. To their credit, the station managers generally tell their news directors to go ahead and air the news stories offensive to politicians, but they feel a compulsion at the same time to worry about the possible backlash. They can't help it. Regulation of editorial content builds in a timidity factor. What kind of First Amendment is that it's no kind of First Amendment.

Government guidelines obviously and inevitably abridge press freedom. Once you've accepted the value of government guidelines for one medium, the idea that such guidelines provide net benefits to the public, then you've quit really believing in the First Amendment, even if you don't realize it. You're on the way toward the next step, which is simple: having bought the idea that one medium has been improved by government guidelines, to set about improving other media the same way. If government can make television news fair and balanced, it can make newspapers fair and balanced. If the assumption is valid, the logic is impeccable.

I happen to think the assumption is wrong. I am convinced that government guidelines contribute little or nothing to fairness and balance in broadcasting. To the contrary, they contribute a great deal to blandness in broadcasting, to a tendency to duck tough issues so as to stay out of trouble with the government. The whole process of broadcast regulation is slowly selling the American people month by month, year by year, on that anti-First Amendment assumption: Government guidelines improve the news media. If you don't like a program, write your congressman a hot letter about it. If you want equal time, send a formal complaint to the Federal Communications Commission. It's up to the government to keep the networks in line. It's up to the government to see that every group, every faction, gets its share of media attention.

So, the country is looking to government to force good performance from broadcasters. The value of a fair press (government certified) is going up; the value of a free press is going down. The original meaning of the First Amendment—clean, complete independence of the media from government—is fading from the minds of Americans.

The whole regulatory process of the 1970's exerts a chilling effect on the broadcaster . . . and it's steadily increasing. Much of this regulatory structure was built, remodeled and added on to over the years by those happiest of regulators, the Democratic liberals. FCC commissioners, congressmen and senators, federal judges—men with the highest intentions—have constructed rules, laws and decisions designed to make a medium do right, be fair and responsible, especially to politicians. It started out around 50 years ago in the early days of radio when the new medium looked more like an entertainment box in the home than a source of news, and they've been tying government strings on broadcasting ever since. It's been happening so slowly, bit by bit, that nobody has stopped to recognize out loud what has now become obvious: that we have fashioned a powerful news and information medium for the first time in American history which is accountable to the government.

If you don't think this regulatory process affects the psychology of broadcasters, consider some of the problems with government the broadcaster faces and ask yourself whether the same conditions, if imposed on newspapers, might make publishers nervous and give them an uneasy feeling of having no First Amendment protection. The broadcaster must apply to a government body every three years for the right to stay in business. Special interest groups are increasingly challenging station licenses to force concessions in employment and programming. The broadcaster, in his decisions on political coverage, has to go beyond his own journalistic judgment to consider the attitudes of a government commission. For example, if a network carries in prime time Senator McGovern's announcement of Sargent Shriver to replace Senator Eagleton on the Democratic ticket, will the FCC agree it's legitimate news or call it an equal-time problem?

If a news program stirs up official or popular criticism, the broadcaster may get a letter from a government commission directing him to explain and justify the program within 10 or 20 days. The FCC sends out about 200 of those letters every year. The broadcaster is forbidden by law to present a debate among major candidates unless all fringe candidates, including the crackpots, are included. This is a law that's supposed to be in the public interest. What it actually serves is the politicians' interest as a law to hide behind when they don't feel like debating.

Believe me, with this much second guessing from government, a station manager soon begins to feel he needs every friend he can find inside the government, and he just may wind up less eager than a newspaper publisher to expose hanky panky in Washington or even in a governor's office.

Consider the plight of a documentary producer who, let us say, put out a controversial documentary one month ago. His boss, the station manager, caught a lot of flak as a result. He got an official fairness doctrine complaint from the FCC, to which a long, carefully documented reply had to be prepared. He got 240 letters from viewers, two thirds of them crying bias. He got protests from two congressmen. So, one month later, the station manager feels he has done nothing in the past four weeks other than defend that program, telephone Washington lawyers for advice, and write letters of appeasement and explanation. And at this point the producer comes into his office and says, "Look, I've got another good hot subject I want to do my next documentary on and I want to get your clearance." The station manager would be only human if he said, "Tom, for God's sake, why don't you do a travelogue-type thing this time and hold off on the tough subjects for awhile. I just feel I need a little rest before inviting the government to jump on my back again."

Fred Freed, an NBC producer, once said, "If you do something controversial, you know you will spend months defending yourself to the government. That's not conducive to doing something controversial."

These are chilling effects. They represent, whether intended or not, government inhibition of journalism. The climate of broadcasting's involvement with government, nervousness about government, provides the background against which the Nixon Administration has launched its efforts at intimidation. Vice President Agnew didn't confine himself to criticizing the networks, which he has every right to do. He brandished the licensing process at them. He said he did not advocate censorship and that answers to his questions had to come from the media. But, after describing broadcasting as "a monopoly sanctioned and licensed by government," he said two sentences later, ". . . perhaps it is time that the networks were made more responsive to the views of the nation and more responsible to the people they serve." He was telling, of course, about the views of the nation as interpreted by the Vice President. Then, when broadcasters accused him of threatening them, he replied that they were over sensitive to criticism.

The Administration is, of course, still whirling that power to license around in the air like a stone in a sling. There's a brand new office set up inside the White House called the Office of Telecommunications Policy. The man who runs it, Clay Whitehead, speaks for the President. He says the networks dispense what he calls "ideological plugola" and that local stations should be held responsible at license renewal time for stopping that sort of thing. He obviously borrowed Mr. Agnew's speechwriter. Mr. Whitehead declines to give any examples of "ideological plugola." But, I believe, if I were a station manager, I'd define it as anything that might anger the White House.

Anybody inclined to wonder whether Mr. Whitehead really meant to sound all that tough is free to contemplate the state to which the Administration has reduced public television. The government has broken through the insulation intended by Congress and gotten a firm hand on public TV. As a result, it is now half strangled and gasping for air. You can bet there will be less "ideological plugola" on public television next year, whatever that means, because the Corporation for Public Broadcasting seems intent on simply killing off most of its news and information programs.

Again, no political side has a monopoly on the instinct of the officeholder to use any leverage available against the media. Senator Muskie was rumbling about swatting the networks with legislation if they didn't start giving Democrats more time to answer the President. So, you have the party with majorities in both houses setting itself up as a better arbiter of what's news than the networks (just as the vice president did), with Senator Muskie threatening to use his party's muscle unless the networks begin treating Mr. Nixon, not as President, but as head of the Republican Party.

Despite all the myths and all the acceptance that have evolved around the kind of broadcast regulation we have now, the kind that gives politicians a weapon against journalists, there is no necessity for us to continue to put up with such an anti-First Amendment process. There is a form or regulation possible which is compatible with the First Amendment . . . It is, of course,

a minimal form of regulation, almost no regulation at all. It would involve allocating station licenses on a permanent basis, licenses in perpetuity. They could be granted originally the way they are now, or they could be awarded by lottery, or they could be auctioned off, as suggested by economist Milton Friedman. But, once granted, each company would operate indefinitely on its assigned frequency—subject only to the technical requirement that it keep its signal on that frequency. At that point, broadcasting would become, quite simply, substantially as free as the printed press. It would be free of government harassment but not, as some would have it, irresponsible, because it would remain, like newspapers, amenable to the disciplines of competition, the trials of the market place, and the necessity of public acceptance for a mass medium.

Most of us have become so brainwashed over the years by the doctrine that broadcasting *must be guided* by government in its program content and news balance that the idea of genuinely free broadcasting hits us with some shock. All of the cliche arguments against genuine application of the First Amendment to broadcasting crown to mind: Anybody can start a newspaper; the public owns the air waves; television stations make too much money; some stations might abuse their freedom; the networks are too powerful. I wish I had time to analyze one by one these well-worn but empty articles of faith. If you can shake loose the habit of accepting them, and think about them, they do *not* stand up under challenge, especially against the background of where today's regulation is going: toward radio stations, television stations and networks answerable, not to a free journalistic conscience, but to the federal bureaucracy.

What it boils down to is that the public ownership of the air waves, whatever that means, need not be turned *against* the public. There is *nothing* the public can gain from those air waves more vital than clean channels of information, clear of government contamination. If we look straight-on at the *obvious press function* of broadcasting, (Senator Sam Ervin's comment) if we continue to believe in a *living* First Amendment, we can find a way—the Congress can, the courts can—to provide to these new media that essential vitality of almost-absolute independence from government. It makes no essential difference that some television stations, like some newspapers, may be highly profitable or may put on one-sided news. Democracy is not perfect, and they *would be* subject to the check of other stations and the newspapers. The danger is not that *any* network may be overly powerful. The danger is that our *power-gathering central government* may slowly domesticate and gradually take over *all* of the networks to provide us one day with one, single, official source of news.

The need to reverse this already begun process is beginning to come clear to concerned people, including some outside of broadcasting. Abe Rosenthal, managing editor of the *New York Times,* had a piece called "Save the First Amendment" in the *Times Sunday* magazine. It was about the fact that governmental standards of fairness for the press lead to governmental control of the press. He said this:

"Even in our own society . . . we have the phenomenon of civil servants and politically appointed officials telling television and radio, two of our most important news distributors, what's fair and what's not fair, and using the whip of licensing renewal to enforce conformity with government news standards. My own belief," Rosenthal continued, "is that this is unconstitutional, and it is sad to see the printed press being so bland about the growing incursion into the freedom of the electronic press and never seeming to hear that tolling bell."

Quoting one more paragraph from Rosenthal: "Certainly television and radio news broadcasts are press within the meaning of the First Amendment, but our society has accepted grievous pressures on electronic press freedom simply because it cannot yet figure a way out of the technological problem—not foreseen by the writers of the Constitution—that there are a limited number of air waves and channels. Some day cable TV or another breakthrough will vastly open up the number of channels, but will the freedom of the electronic press be restored? History is not full of examples of forfeited freedoms regained."

The present uneasy conditon of broadcasting—not quite free, not quite captive—will certainly change in one direction or another, toward greater freedom or toward a deeper captivity. If it slips down toward heavier obedience to government, I believe newspapers will find themselves slipping also . . . slowly . . . over a period of years and decades . . . down the same slope!

The present regulation of broadcasting subverts the First Amendment itself, undermines it, teaches every citizen who grows up in this atmosphere of regulation that the highest journalistic value is not a *free* press but a *fair* press. The concept of fair press is driving out the concept of free press. The two are incompatible, of course, because fair press, as anything other than an ideal, requires what its advocates do not yet recognize—government intervention in the media, government influence, eventually government control. *Fair press,* as a guaranteed right means *government press.*

If broadcasting continues slipping into government captivity, the stage will soon be set for a future crisis involving the First Amendment. It will involve a contest between the government and the printed media, and it may not be much of a contest. By then the government may be able to pressure the electronic media, from which people now get more than half their news, to stand by quietly as the battle rages or even to tilt to the government side. Today's broadcast journalists would *not* be so pressured, I assure you. I hope that will remain true tomorrow. But, given the mounting pressures, who can guarantee that the broadcast journalist of the year 2000 will not identify with government, will not see himself as a domestic Voice of America man?

Recently in Washington, at one of those familiar conferences on media and government, a former counsel of the FCC, Harry Plotkin, suggested that government is already exerting a not-so-subtle pressure on those newspapers which own broadcast licenses. A publisher with a TV station might *normally* have some concern about his relations with government. Today there is something else in the picture which Mr. Plotkin mentioned: People connected in various ways with President Nixon are challenging two different television licenses owned by the Washington Post company. Of 29 stations in Florida up for renewal, the Post stations are the only ones being challenged. The White House says they know nothing about it.

We already have people suggesting technical handles by which the government might get a *direct* hold on newspapers. One former FCC commissioner, Kenneth Cox, has predicted that the FCC will be able to fasten the fairness doctrine on the printed press once newspapers begin going into the home by electronic transmission.

There are college professors here and there working on an access doctrine which says individuals and groups have a right to a say in the media, a right to broadcast time and newspaper space. In effect, they are trying to re-interpret the doctrine of free speech as a battering ram against the doctrine of free press. And they do want to apply it to newspapers with government refereeing the process.

A federal appeals court recently ruled in favor of certain stock operations by directors of the Denver Post aimed at keeping the paper out of the hands of the Newhouse chain. The court arrived at that opinion by defining a newspaper as "a quasipublic institution."

The Supreme Court, in the *Red Lion* case, said that government rules of fairness now applied to broadcasting "enhance rather than abridge the freedoms of speech and press protected by the First Amendment." Think about that for a moment. The court said that the government judging what's fair in journalism was an "enhancement" of the First Amendment, not an abridgment. The court left wide open an implication that such an enhancement would also benefit the public if applied to print.

These are some of the reasons why I believe that the freedom of broadcasting *and* the freedom of the printed medium are *both* in trouble—one in immediate trouble, the other in long-range trouble. These are some of the reasons why newspapermen, unlike the situation of two or three years ago, are beginning to worry about *their* freedom and its interconnection with the freedom of broadcasting. It seems to me that what this country has got to develop is quite simply a multimedia free press. My belief is that either all media are free or eventually none will be free.

I believe, and hope, we're going to see . . . on a national scale in the years ahead, all journalists identifying with each other across media lines in active support of an indivisible press freedom. Also, I hope we get some backing in the upcoming struggle for independent journalistic media from the academic community, which has not been sensitive to the slippage of the First Amendment.

I don't want to be shrilly alarmist; I don't think broadcasting will be brought to its knees during this century. The way things are going, it seems to me there *is* a grim prospect of broadcasting, already entangled with government, becoming a little less free decade by decade, and a prospect of new cracks appearing in First Amendment protection for newspapers during our lifetime. Yet, I believe we can turn around this slide toward government capture of the media if we recognize it and work against it. I don't believe the American people, if the issue comes clear, want to go that route.

In this revved-up world, there are uncertainties about everything, including what kind of values we want to pass on to our children and grandchildren. I don't think any of us have any doubt that we would be leaving them a tremendous inheritance if we manage to pass on to them the First Amendment in the same condition it came to us . . . guaranteeing the uncontaminated, independent information that might enable the American people to maintain control of their powerful federal government . . . a clearcut freedom of the press, strong and intact going into the 21st century, relevant to all news media.

[From the Chicago Tribune, July 26, 1973]

A NEW DANGER TO THE PRESS

A 1913 Florida statute, apparently never before invoked, has given rise to a new challenge to the rights of a free press under the First Amendment. The state Supreme Court, voting 6 to 1, reversed the finding of two lower courts that the law, requiring that newspapers give equal space and prominence to replies by politicians subjected to criticism, is unconstitutional.

The demand for a forced rejoinder was made by a losing candidate for the state legislature who was unfavorably assessed in two editorials in the Miami Herald. Unless the legislature acts affirmatively on a bill to re-

peal the law, the Herald plans to carry the case to the United States Supreme Court.

The sponsor of repeal says the law would force newspapers to open their columns to coerced replies to almost any kind of printed subject matter, such as letters to the editor. "Freedom of the press," he argues, "means freedom not to publish as well as to publish." The Florida decision, in fact, would give anybody and everybody the status of an editor who, for any frivolous reason, would be able to dictate the content of a newspaper.

The Florida Supreme Court completely ignored two United States Supreme Court decisions which, on their face, would seem convincingly to relieve newspapers of the onerous responsibility sought to be imposed by the Florida law. These involved libel cases in which the New York Times was sued by L. B. Sullivan, commissioner of public affairs in Montgomery, Ala., and against the Associated Press by Maj. Gen. Edwin A. Walker arising from reports of events during rioting against integration of the University of Mississippi.

In the Sullivan case the high tribunal held that a public official may not recover damages or a defamatory falsehood relating to his official conduct unless he proves that the statement was made with "actual malice"—that is, with knowledge that it was false or with reckless disregard of whether it was false or not.

In the Walker case the court extended this doctrine by asserting that an aggrieved plaintiff who is not a public official can recover damages from a newspaper or news agency only if he can prove malice as well as error. The court found that a private person is invested with a public character when he thrusts himself into the vortex of a controversy. He assumes this character thru views or actions with respect to public issues and events.

Certainly an election is a public event and any candidate for office, in the nature of politics and campaigning, projects himself into the public sphere when he places his name on a ballot and appeals for public support. As Sen. Sam Ervin has remarked of President Nixon in relation to the Watergate affair, anyone who seeks election or reelection is acting under no compulsion but his own.

Newspapers in Florida and elsewhere contend that the Florida Supreme Court decision, if sustained, would lead to similar legislation in many other states, politicians being notoriously sensitive to criticism or appraisal. The St. Petersburg Times has appropriately stated that the law of forced reply would "muzzle and manacle those too few newspapers which would stand up against the pressures of their own self-interests and tangle with the powerful politicians in their communities."

The Florida law is pernicious and would have a crippling effect. It should be expunged from the legislative books and if not done so by the legislature should be disposed of by the United States Supreme Court.

MISS IANTHE BLYDEN: NURSE FOR 53 YEARS

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. DE LUGO. Mr. Speaker, I am inserting in the RECORD an article from the Daily News on the career of a remarkable Virgin Islands lady, Miss Ianthe Blyden, who served for 53 years as a nurse at Knud Hansen Memorial Hospital on St. Thomas. Miss Blyden's comments reveal many of the vast changes that have taken place in the social and economic life of the Virgin Islands in the last half century, and particularly the evolution of her own profession in nursing.

However, throughout this change one factor which has been constant is Miss Blyden's love of humanity, and I am sure that the people she has so selflessly served have returned this love. Now she is enjoying a richly deserved retirement by traveling, and I wish her a future of happiness in this new found pleasure.

The article follows:

STARTED NURSING IN 1916 FOR $5 MONTHLY SALARY

(By Jackie Petrillo)

When I first started nursing in 1916, we were paid $5 a month," said Ianthe Blyden, nurse at Knud Hansen Memorial Hospital for 53 years. "It's not like now, when you work for money."

Miss Blyden, retired now for four years, began her career under the Danes, when the hospital consisted only of many separate cubicles for patients. "In the early days," she says, you worked for the love of humanity."

Nurses, back in those days, worked for the first six months without any pay at all, but received only room and board at the hospital. Then they graduated to the $5 a month salary.

On these wages, Miss Blyden nursed through the typhoid epidemic of 1917. "Faith in God and wanting to help people pulled me through it," she states.

How do all the changes in not only the hospital (which recently underwent a nearly $4 million expansion and for which further renovation is now planned) but in an entire way of life, seem from her unique vantage point? How do they seem to one who learned nursing under the Danes at the age of 16 in 1916, and who retired after being head nurse at Knud Hansen for 37 years, at the age of 69 in 1969, the modern era?

"Well," she muses, "We've progressed in some ways, but we've lost the old tradition. We had a heritage. What will children growing up now have to look back on?

Miss Blyden does have praise for the convenience and modern facilities of the new extensions recently added to Knud Hansen. In particular, she marvels at new facilities and methods of treating psychiatric patients.

In the old days, she says, the only treatment for mental patients was to keep them sedated with drugs like sodium bromide and chloral hydrate. They would be allowed to go out when they were quiet and kept in their rooms when they were agitated. "Rehabilitation and psychiatry programs of today are very enlightening," she says, "and psychiatry helps a great deal. But I was able to talk to patients and had a good relationship with them by offering the old fashioned treatment of kindness and understanding."

She had a feeling for nursing from the beginning. In those days, children here left school at the age of 13. "By that time we had gone through all of the books they had," she says. Then, at the age of 15 she tried teaching in St. John for a year. Salary for teachers was $2.50 a month. "But that wasn't for me," says Miss Blyden. "I guess I always wanted to be a nurse."

The eldest of nine children, her mother Terecita, was a nurse-midwife in St. John for more than 20 years, so she had plenty of opportunity to observe nursing, first hand. And Terecita in turn had learned by relieving an aunt who had been trained in Copenhagen. So nursing was really a family tradition.

But the family offered not only a visible example of a satisfying life's work, but a way of life where the children had fun while they learned. She spent a great deal of time in St. John as a child, where her family owned Mary's Point and Annaberg. A great-uncle, Carl Francis, manufactured sugar at Annaberg and a mill was operated at Mary's Point by the family, also. After school, she said, they would drink the hot liquer, "muscavado," from the grinding of the cane.

How did they manage on such small incomes? It was easy she remembers. Each family raised their own gardens and animals, fished and also sold just a few things for cash, like sugar, or cornmeal, or charcoal. An apartment of two or three rooms was about $2.50 a month.

By the age of 16, after the unsuccessful teaching attempt, Ianthe was ready to go to the hospital to live and learn from the Danish doctors. Then, when the Americans purchased the Virgins in 1917, United States Navy nurses established a three year training course at the hospital.

At about the same time, between 1917–1919, the walls dividing the old cubicles for three patients each were torn down, and the hospital was reconstructed as one building, where the public health clinic is now located—in the area known as the old hospital. Then the patients were combined into individual wards of about twelve patients each.

Ianthe became a nurse-anesthetist, assisted in the pharmacy and laboratory and relieved her mother as nurse midwife of St. John, when her mother came to St. Thomas to take refresher courses. By the time of the malaria epidemic of 1932, she was appointed head nurse, the first native head nurse at Knud Hansen.

As the years went by, the name of her job kept changing, from head nurse, to chief nurse, to supervisor of nurses to director of nurses, but Ianthe's values never changed. Along with an active career, she managed to find time for those things which had the highest priorities in her life. "We must all have priorities,' she says. "We must decide what is essential and be willing to work for it."

She was active in the Memorial Moravian Church and was a member of the Virgin Islands Nurses Association and eventually, chairman of the Board of Examiners. Miss Blyden was even mentioned in "Personalities of the South, 1972."

Now that there's finally time for it, Ianthe has reordered her priorities and begun to enjoy traveling, a pursuit she always longed for but never had time for and has finally had time to complete a bedspread which took her 30 years to crochet, squeezing time out between her other pursuits.

She's taken a trip to another part of the world every year since retirement in 1969. In 1969, she went to Canada; in 1970 Hawaii, in 1971, to escort her niece, Daphne Harley, Carnival Queen to the Tournament of Roses in California; in 1972—Rome, Jerusalem, Lourdes, Bethlehem. Most of these trips are taken in the company of a friend, Evelyn Prince, a physiotherapist who is now on her way to Russia. This year Ianthe attended the International Council of Nurses meeting in Acapulco, Mexico. She takes movies of all the trips and enjoys showing family and friends how people in other parts of the world live. And the next plan is a trip to Expo in New York in 1974.

But it's always good to get to her Palm Strade home where she's lived since 1924. It's good to be home, but not to see the way her home has changed. "There is no order or respect these days," she sighs. "It makes you afraid. You used to feel safe, but not anymore."

"HAP" MORRIS

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. BRECKINRIDGE. Mr. Speaker, on Sunday, September 23, 1973, H. H. "Hap" Morris will celebrate his 63d birthday.

Over the years I have been indeed fortunate to know "Hap" in all of his varying capacities of service to the people of the Commonwealth of Kentucky and to the Members of this House. An article recently appeared in the Lexington, Ky., Sunday Herald-Leader, which outlined in some detail "Hap's" long and continuing career of public service. I believe that it is fitting that this article be published in the RECORD, not only by way of reminder to his many friends of his approaching birthday, but more importantly of his many contributions to this House and its Members.

Congratulations, "Hap," and many happy returns of the day.

The article follows:

"HAP" MORRIS IS AUTHORITY ON POLITICS, UK ATHLETICS

(By William Peeples)

FRANKFORT, KY.—H. H. "Hap" Morris is a walking repository of Kentucky political history and of University of Kentucky athletic history dating back to the late 1920s.

Morris, 62, served as postmaster of the U.S. House of Representatives for 17 years, went to UK in the heyday of John Sims "Shipwreck" Kelly, and has been an avid Wildcat sports fan ever since.

Retired and living at Chimney Rock Village on Herrington Lake near Burgin, Morris still keeps his hand in the political process. He is working as a volunteer in the Democratic Party's re-registration effort at party headquarters here.

And he is looking forward to UK's football opener in the new stadium and another Big Blue basketball season.

"I've got season's tickets for football, but I'm on the waiting list for basketball tickets," he said, and then reminisced about the old days.

EVERYTHING'S CHANGED

"Everything's changed. I hardly recognize the place (UK) anymore. When I was there in 1929 and 1930, we had only about 4,500 students. When you walked around the campus you knew everybody. The local hangout then was the Tavern on Limestone across from Good Samaritan."

When Morris entered UK as a freshman in 1929, he was rushed by the SAE's, and "Shipwreck" Kelly was a sort of prize exhibit for the chapter during rush week. "I remember him well, although I later pledged Kappa Sig."

Kelly, of Springfield, was the star back then, but Morris remembers others on the team. "L. G. 'Floppy' Forquer of New Castle was the team captain in 1930. Bob Kipping of Carrollton was a tackle.

"Floppy and I went to Morehead in 1927 to make up some high school credits. They only had three buildings then, one of them an all wooden men's dorm. I remember the Morehead coach tried to talk Floppy out of UK and going to Morehead instead." But he failed, and Morris recalled the opening game a few years later.

"Back then UK used to open with schools like Maryville (Tenn.), and that year against Maryville, Kelly ran 70 yards for a touchdown the first time he handled the ball. He was very fast and explosive. They always had double-coverage on him when he went out as a pass receiver."

A LOT OF HAY

Afterward, Morris recalls seeing Kelly in Washington, when Kelly was barnstorming with a pro football group. "I ran into him in Union Station there, and we chatted awhile and Kelly looked around in the concourse, and said: 'By God, Hap, you could stack a lot of hay in here.'"

Morris' UK memories are not all of football. He worked in intramural basketball in 1929, and he remembers varsity players of the time such as "Carey Spicer, Paul McBrayer and Big and Little McGinnis."

Morris came to the University at the same time the great depression came to the country. He left after a couple of years and took a job with the Kentucky Highway Department, then got a position with the late Virgil Chapman, went to Washington in 1932, served as a doorkeeper in the House, and later as an assistant in the Democratic cloak room. In 1939 he became Chapman's secretary.

"I went over to the Senate in 1948 but didn't like it. My heart was in the House."

In 1952 he became secretary to the late John Watts in the House and stayed in that job until he was elected postmaster of the House in 1955. "We had four deliveries a day during the week, two on Saturday and one on Sunday. The only holiday was Christmas."

How did he get the nickname "Hap"?

"Chief Justice Vinson used to call me Happy, because he thought I always used to be in a happy mood. When A. B. "Happy" Chandler came to the Senate to avoid confusion they shortened me to "Hap."

Morris, of course, remembers and knew all the big names in Congress over the years. But it was inevitable that when he retired in 1972 he would come home to Kentucky (he was born in Carrollton) and settled down not too far from UK where it would be a short run to see his beloved Wildcats play.

"I've always been crazy about football," he said. "Even when I was in Washington, I used to see a high school game on Friday, a college game Saturday and the pros on Sunday."

Does he miss Washington?

"Not so much anymore. I enjoyed it when I was there, but Wright Patman (representative from Texas) is the only one still there in the House who was there when I first went to it."

Morris, a short, wiry man who still looks in good physical condition, says he likes living on Herrington Lake with his memories and with a lot of friends and acquaintances nearby. "But it's been seven or eight years since I've seen Shipwreck Kelly. He still looked good."

NIXON ACTS WISELY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. SHRIVER. Mr. Speaker, today the House has an opportunity to again express its will in regard to minimum wage legislation. The President has found it necessary to veto H.R. 7935, the Fair Labor Standards Amendments of 1973. He has stated that the bill is inflationary and would cause unemployment among low wage earners, farmworkers, and young people.

Under the leave to extend my remarks in the RECORD, I include editorials from the McPherson, Kans., Sentinel, the Newton Kansan, and the Topeka, Kans., Capital-Journal which support President Nixon's actions. The editorials follow:

MINIMUM-WAGE VETO WISE

President Nixon acted wisely in vetoing the bill which would have increased the minimum wage from $1.60 to $2 per hour this year and to $2.20 next July 1.

The President made it clear he does not oppose an increase in the minimum wage, but favors a boost to $1.90 an hour for nonfarm workers this year, and then $2.30 in steps over a three-year period.

The bill the President vetoed would have extended minimum-wage coverage to seven million more workers. The present law covers 49.5 million workers.

This is not to say that once a minimum wage increase is approved all of the 56.5 million workers would get wage increases. The vast majority already receive pay in excess of the minimum wage standards.

The minimum wage principle has been supported strongly by labor unions more because it places a floor on wages than for any true economic benefits that may accrue to the low-income workers.

The President was correct when he said the bill would be inflationary—the increase would amount to 37.5 percent—and would do more harm than good.

With regard to the latter, it is only good business for any employer to look over job applicants more carefully where no particular skills are required, yet the pay must be at least $2.20 per hour.

It is possible that jobs of questionable value to a company will be discontinued and the employe discharged if pay is not justified by the job requirements. This means that those who lack skills and experience will find employment more difficult to obtain with the higher minimum wage. In fact, the bill actually could harm the persons it seeks to help.

The House of Representatives has scheduled for Sept. 19 an attempt to override the President's veto. Since the bill passed the House by a vote of 253 to 152, it is possible the veto will be sustained.

It should be.

$2.20 WAGE MEANS HIGHER COSTS AND FEWER JOBS

Congress is determined to pass a law raising the minimum wage from $1.60 to $2.20 an hour. What will that do to you and me?

A raise from $1.60 to $2.20 is about 36 per cent. That big an increase in labor costs will push up prices of goods the workers produce. That big an increase cannot be absorbed by greater efficiency.

So the first result is that our living costs will jump higher again.

Then there is the second result. Many a store simply cannot afford to pay $2.20. They will either go out of business or reduce the number of employees. There goes your job if you are a store clerk today. And there goes more service to us, the customers. There just won't be as many people to help you when shopping.

Then think of the teenager and the retired person. Many a job will disappear. Who can afford $2.20 to mow the lawn? And who can afford $2.50 an hour for a janitor?

Workers in big industries seem about the only sure winners.

For one reason or another, you and I look like sure losers.

NIXON ACTS WISELY

President Nixon acted wisely when he vetoed a bill that would have raised the minimum wage in the United States, and which would have added many more workers to its coverage.

Congressional leaders see little chance of over-riding the veto.

The President has consistently tried to

hold down both wages and prices to combat inflation. It would be inconsistent for him to sign a bill that would be contrary to the guidelines that he has set up.

Not only that, but every time the minimum wage is raised, some of the lower income people lose their jobs.

The boss decides that he cannot economically continue the job at the wages he must pay by government order, so he lops off personnel.

The work may be consolidated with other jobs, or it may be more economically to buy machines to do the work.

In other cases, employers may decide not to add workers to the payroll that would have been added had the minimum raise not been raised.

In theory, minimum wage raises may sound nice, but when it comes to the practical operation, they don't work like they are supposed to.

AMTRAK: THE INTERAMERICAN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. PICKLE. Mr. Speaker, today I would like to enter into the RECORD an entertaining and perceptive news column devoted to the Texas Chief, one of two Amtrak trains operating in Texas. Though Mr. Ashby's article deals with only one route, it is, I believe, indicative both of Amtrak's growing success and of several problems which the system is overcoming.

The column reflects a feeling that Amtrak is preserving and extending a traditional and valuable mode of transportation in America. More passengers are utilizing rail facilities, and Amtrak is steadily working toward self-sufficiency.

There is room for improvement in both routing and equipment, though performance with the facilities at hand has been admirable. Provisions in the Amtrak authorization bill passed by the House last week should make system improvements more feasible, enabling Amtrak to continue its metamorphosis from an experiment in rail transportation into a popular, self-supporting national passenger train system.

[From the Houston Post, Sept. 4, 1973]

ONLY WAY TO FLY

(By Lynn Ashby)

ABOARD AMTRAK.—This is a most civilized way to travel. A private room, private bath, pillows, cold beer, a good steak dinner only steps away, and no stewardess nipping about demanding that I put out my cigar. Indeed, a good railroad is the only way to fly.

This is The Texas Chief, which daily winds its way across Texas. It leaves Houston in the morning and gets to Fort Worth that afternoon, stopping off at all the biggie settlements along the way—Breham, Temple, McGregor, and Cleburne. And daily, another Texas Chief comes south.

I am not on the return trip southward, having already gone up to Fort Worth. Actually, I wanted to go to Dallas, but Big D remains the largest city in America without passenger rail service. Eat your heart out, Cowboys.

BOOZE SITUATION

As your native guide through the wilds of the west, I have made several scribblings on the back of an envelope in my best Lincolnesque manner which I shall now share with you. It goes along free with the paltry 15 cents you paid for this newspaper. I work cheap.

First, let us examine the booze situation. You can buy a beer on this line anywhere between Houston and Temple. This is, generally speaking, between 9:50 a.m. and 1:08 p.m. Not exactly the happy hour. And you can buy beer again when the train arrives in the Fort Worth terminal, and northward.

You will be happy to learn that, while they don't serve mixed drinks on the north-south run in Texas, Amtrak does have an open bar on the east-west run. I can't figure that out, but it probably has something to do with the legislature's one-track mind.

The cars are a bit dated. Neat, but dated. The lounge car, for instance, was built in 1941.

The reason there is not service between Houston and Dallas is that the line that got the rod, Southern Pacific, says the railbed is too rocky for speedy passenger service. SoPac wants $7 million to upgrade the track bed so the trains can move along. However, an Amtrak official says a Dallas television station went out and clocked the SoPac freight trains along the line—at 80 miles an hour.

The food is really quite good, and not as expensive as I remember it used to be. And it's nice to sit at a table with white tablecloth, silver, and plates instead of little plastic trays. Western civilization has not yet been completely wrapped up in a giant plastic bag.

"In many cases we have outstanding cooperation from the railroads and the unions," says an Amtrak official. "But not always."

One of the problems is that the lines get paid the same amount of money no matter how good or how bad they perform. The trains bill Amtrak for operating the passenger lines, plus 5 per cent for profit and another 4 per cent for insurance. Last year it came to $280 million, but the lines say that's still not enough, and are asking for a $125 million increase this year.

You can buy a deck of cards in the bar car for a buck.

This train has a lot of employees aboard—conductors, waiters, cooks, porters, bartenders.

In Houston, passenger traffic has picked up 25 percent since Amtrak took over on May 1, 1971, and nationwide, the number of passengers this summer is 10 percent higher than last. But they are all somewhere else. They're not on The Texas Chief today, which is fine with me. I hate crowds.

Next May, Amtrak will start a daily run east-west (Los Angeles to New Orleans). Right now it's thrice weekly.

They serve mixed drinks when this train crosses into Oklahoma. It seems unfair.

In the last fiscal year, Amtrak lost $124 million, but this year's loss should be only around $95.6 million.

According to the Amtrak time schedule, it takes six hours and 10 minutes to go from Houston to Fort Worth, but it takes six hours and 50 minutes to come back. There's got to be a reason for that—no doubt it has something to do with our liquor laws.

Actually, it doesn't make a whole lot of difference what the time schedule says, Amtrak is getting a reputation for lateness. Last year, Amtrak arrived within six minutes of the schedule three-fourths of the time. In May, it was down to 59.3 percent, in June it slipped to 53.3. Indeed, trains have troubles, yet they rarely have to land in Montreal when New York is fogged in.

There is a wall radio in my room, but it isn't hooked up. This car comes from another line that had a radio and was built in a time when people listened to it.

MILE-A-MINUTE

For some unknown reason, this route buttonhooks, coming down to the west of Houston, then winding in by way of Sugar Land, the Domed Stadium and so on. If they ever get the run to Dallas set, it will go straight north, then cut over to Bryan and up. They used to advertise, "260 miles in 260 minutes." And they hope to again, some day.

If there is no one in the bedroom next to yours, for a couple of bucks and a friendly smile, the porter will fold back the collapsible wall, thereby doubling your space and doubling your fun.

Ah, we are pulling into Houston now, only 40 minutes behind schedule. It's a real shame that railroads are not interested in carrying passengers. As I said, it's a most civilized way to travel.

INFORMATION ON CIVILIAN AND MILITARY COMPENSATION

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ASPIN. Mr. Speaker, a Library of Congress study prepared for my office shows that the current average military pay and benefits can amount to as much as $1,500 more than average civilian earnings.

According to the report, the average total compensation for a career soldier in 1973 is $12,062. A noncareer soldier, who does not receive retirement credit, gets $10,796.

The average civilian compensation, including wages and supplements such as retirement, unemployment, and insurance, is $10,566.

I believe that this study merits our careful attention. All along, we have been talking about giving the military "comparability." Now, as this study shows, it turns out that not only is the military pay comparable to the civilian pay, it is actually greater.

I believe this study leads to two important conclusions. First, it should be clear that at these prices the military can no longer afford to behave as if it were still a labor-intensive operation. No longer can we afford to employ soldiers of any rank in nonproductive or marginally productive jobs. This may have been permissible back in the days when we paid soldiers $50 a month, but it is not any longer. Second, this study indicates to me that our efforts to recruit a volunteer Army would be much more successful if we advertised the full amount of military compensation instead of just basic pay, which is just a fraction of the total.

A detailed breakdown of civilian and military compensation as prepared by the Congressional Research Service of the Library of Congress follows:

INFORMATION ON CIVILIAN AND MILITARY COMPENSATION

The civilian compensation table was constructed by updating a 1970 U.S. Bureau of Labor Statistics (BLS) estimate of hourly compensation (see attachment 1) with the Bureau's first quarter 1973 index of compensation per man-hour in the private nonfarm economy. We arrived at a figure of $5.08 for total compensation per hour. Assuming a worker is employed full time (2080 hours a year), his total annual compensation would be $10,566. We derived the dollar breakdown for particular items of compensation by applying percent estimates from the 1970 BLS survey on compensation.

THE 1973 AVERAGE ANNUAL MILITARY COMPENSATION, ALL OFFICERS AND ENLISTED MEN

Table 1a.—Regular military compensation

Regular military compensation [1]	$9,097.55
Basic pay	6,587.14
Basic allowance for quarters	1,440.15
Basic allowance for subsistence	598.37
Federal tax advantage [2]	472.89

[1] Regular military compensation (RMC) is defined as basic pay, quarters, subsistence, and the tax advantage which accrues because quarters and subsistence are not subject to Federal income tax.

[2] At 1973 Federal income tax rates.

Source: U.S. Congress. House. Committee on Armed Services. Pay and Allowances of the Uniformed Services. Washington, U.S. Government Printing Office, 1973.

Table 1b.—Other military compensation items

Special items [1]	$831
Medical care [2]	770
Commissary and exchange [2]	98
Retirement credit [3]	1,266

[1] Special items include incentive and hazardous pay, special pays like reenlistment bonuses, proficiency pay, and sea and foreign duty pay; allowances for clothing; and separation payments. This estimate for "special item" was derived by CRS by adding expenditures for the above categories and dividing their sum by all military personnel. See attachment 2 for basic expenditure and personnel data.

[2] Computed by CRS from Defense Department data.

[3] From Military Market Today.

(NOTE.—It should be kept in mind that many military personnel do not receive some or any of the benefits included in "special items". Also, less than 10% of those who enter the Armed Forces stay in long enough to qualify for retirement benefits.)

Table 2—Estimated total compensation for a full-time worker in the U.S. private nonfarm economy—annual rates—first quarter, 1973

Total compensation	$10,566
Wages and salaries [1]	9,404
Supplements to wages and salaries	1,162
Retirement programs	687
Life insurance and health benefit programs	370
Unemployment benefit programs	74
Miscellaneous benefits [2]	31

[1] Wages and salaries include all direct payments to workers. They consist of pay for working time; pay for vacations, holidays, sick leave, and civic and personal leave, severance pay and nonproduction bonuses.

[2] Includes payments to vacation and holiday funds and payments to saving and thrift plans.

(NOTE.—Data in these tables are "rough" estimates made by the Congressional Research Service. They were derived by using information from a 1970 U.S. Department of Labor survey on employee compensation per man-hour. The survey was updated by using a Labor Department index on compensation per man-hour, and an annual compensation figure was derived by assuming a person worked full time (paid for 2,080 hours per year).)

THE ECONOMIC AND CULTURAL VALUE OF MIAMI'S CUBAN COLONY

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. FASCELL. Mr. Speaker, the county commission of Metropolitan Dade County, Fla., has recently adopted a resolution officially declaring Miami a bilingual city. This action is in recognition of the great change that has taken place in Miami in the last 10 years.

More than 300,000 Cubans have been forced to flee Castro's Communist-dominated Cuba, leaving behind their homes, relatives, friends, and all of their material possessions and have immigrated to this country, settling in Miami. Upon their arrival, this determined and hard working group immediately began to rebuild their lives with remarkable enthusiasm and results. Those results have been astonishing and, without question, south Florida and Miami have benefited greatly.

The economic, civic, cultural and social contributions made by the substantial Cuban population in Miami cannot be overestimated. They are extremely well chronicled in a recent article by one of the outstanding examples of the Cuban success story, Carlos J. Arboleya, Mr. Arboleya has become president and vice chairman of the board of the Fidelity National Bank of Miami. In his article entitled "The Cuban Colony—A 10-Year Span," Mr. Arboleya points to the accomplishments of Cuban Americans with pride, as he well should.

He recognizes as well, however, the necessity for joint effort in the future between native Americans and Cuban Americans if we are to make the most of this unique opportunity. With the sincere effort in behalf of both groups, Miami can become truly a bicultural and bilingual city, enjoying the advantages of both cultures. With this effort, Miami can become an even greater city.

I call to the attention of the Members of the House the Cuban success story, and thank Carlos Arboleya for his excellent statement of that story:

THE CUBAN COLONY—A 10-YEAR SPAN

(By Carlos J. Arboleya)

A little over ten years ago a unique and explosive immigration came about through the door of our southernmost state, Florida. Miami, to be more exact, became the target of refuge of what is today said to be 350 thousand people. As this immigration began pouring into the Miami area, the city was experiencing, as were many others in the United States, a recession almost on the verge of a depression and the impact of the Cuban exiles, seeking freedom and democracy as they fled the Castro Communist regime, is often referred to today as a matter of shame-faced pride by the local business establishments, as they sit back and review the growth of the community.

At first relegated to menial jobs, the Cuban Colony claims today, among the many other accomplishments attained during this last decade, an annual gross income of over one billion dollars. This does not mean by any chance that the total credit of Miami's growth can be attributed to the Cuban influx; but without any doubt, a very large percentage of the credit can be claimed by this industrious and hard working group of immigrants.

As the freedom airlift sadly comes to an end, Miami is experiencing a slowdown in this boom. Many who complained at first and were concerned with the refugee airlift are the loudest today in its defense as they see the approximate 1,000 per week population input stop. What some pessimists at first labeled crisis and later praised, has sadly come to an end to the deterrent of our Country's growth.

As previously mentioned, from an almost penniless immigration that began in the 60's, we today see how this colony of over 350 thousand people generates over one billion dollars per year. This is almost three times per capita the income of any South or Central American Country, and of many states within our own United States.

More than one third, over 8,000 of the businesses in Miami are Cuban owned and operated. They range from million dollar firms listed on the stock exchanges to one man or family operated businesses and, it is interesting to point out, that these, rather than take away jobs from local residents, the new immigrant owned and operated organizations have created and provided jobs for the native Miamian as well as for the Cubans, Blacks, and other immigrants of our area.

The building and real estate market is a booming one. Over 40% of all new construction in Miami is being done by, or for, Cubans. Ranging from the tallest building in our city to the remodeling and rebuilding of old neighborhoods and the initiating of new ones.

We see thirty-nine Spanish newspapers and magazines being published. Of them, one is a daily publication that has a circulation of over 65,000 and is received, not only locally, but in other states where a large number of Cubans have relocated, as well as in South and Central America. Three television channels are broadcasting in Spanish; one full time and the others with 50% Spanish programming. Four full time radio stations fill the air waves for those who prefer to "hear it in Spanish," while five theaters show only Spanish films or American movies with Spanish subtitles.

Over twenty-five Cuban operated private schools are now operating in the Miami area and we see that they are more and more receiving the accreditation necessary for the admittance of their pupils to our universities.

The medical and hospital situation, rather than becoming a problem for the area has actually been solved by the many doctors who resettled in the area; approximately 1,200 have passed their boards and have established a local practice; it is estimated that there are another 2,200 doctors in the process of revalidating their boards in order to practice; over 15 out-patient clinics are in operation with some of them providing connecting facilities at hospitals for inpatient treatment. As a result of a lack of consideration by the governing body, Cuban dentists have not been as fortunate as the doctors and many find themselves doing menial tasks to the disadvantage of our community which would benefit from these professionals.

A similar situation has occurred with the Cuban attorneys, many of which are employed in other capacities. Here is the only area where circumstances and destiny have not been favorable; the law structure is different and the language a great barrier, however, many of the large law firms have employed these men, not as practicing attorneys but as consultants and researchers. This has proven beneficial since these firms have developed a large Spanish speaking clientele from the Miami area as well as from South and Central America.

Approximately 70% of the service stations in this area are owned or operated by Cubans. Eighty-five percent of the garment industry's factory operation is composed of Cuban labor. Hotels are almost entirely Cuban staffed and the construction workers percentage has reached almost 65%.

Let us compare some of these facts and figures with those of the Miami area and its economy. We see how Miami has become the new international center, displacing New Orleans. We see how eight of the major banking corporations in the United States have established offices in Miami under the "Edge act provision" to deal with Central and

South America. We see how over one hundred national corporations that deal in that market have established their regional or primary offices in the Miami area. The Department of Commerce reports that there are over 800 national corporations that have requested information in order to conduct studies with the idea of opening branches or subsidiaries in the area. At this point approximately 100 firms are now conducting surveys and making more detailed studies of the area.

The Miami International Airport has grown more than 200% in air passenger service within the last five years and well over 100% in air cargo. The Port of Miami has doubled its ship passenger traffic within the last five years now handling close to a million passengers a year. Waterborne tonnage is growing at a rate of 18% per year, or 60% in five years with its dollar value increasing over 250%. Exports from Miami to Latin America are averaging a 22% growth per year. This is one of the fastest growth rates of Latin American export trade of any region in the United States; and this works both ways, for the imports from South and Central America are also increasing at approximately the same rate. All of the above puts Miami in the lead in dealing with Central and South America resulting in Florida being one of the two states in the union that actively maintains a favorable balance of trade. Overall we can say that exports and imports are up close to 82% over the last five years.

Dade County now has approximately 70 banks; of those, we have found that five have Cuban presidents and thirteen have Cuban executive or senior vice presidents. Overall Cubans occupy fifty-seven vice presidential positions and over one hundred-fifty other officer or managerial positions within the banks. This does not take into consideration the very high percentage of Cubans employed in various other positions within the industry.

If we wonder why, we can analyze the background of this immigration; 36% have college education, 27% have high school education and 30% a grammar school education leaving only 7% not having completed grammar school. This background has been a great help in their accomplishments which of course result from the long hours and hard work eagerly and enthusiastically offered as they arrived in the United States and accepted a new challenge.

Upon their arrival in the United States, we saw how many of these refugees settled in other states; now as the years pass, they are returning to the Miami area, not penniless, as they originally arrived in the United States, but with $10,000; $20,000 or more after two to five years of working two or more jobs, ready to resettle and establish themselves in business in Miami. Why? The climate is very similar to the one they left in their homeland, but more so, the lifestyle. It is jokingly said that in Miami, you "can be born, or die and be buried Cuban style."

The tobacco industry is another of great importance in Miami. Over 19 cigar factories operate, employing approximately 300 workers.

Spanish restaurants and night spots number in the hundreds with some of the most exquisite food being served at nationally recognized Spanish restaurants in Miami, with the gaiety of the Latins being reflected in the night life for the Cubans have brought a musical history and excitement that the city lacked.

The fishing industry has also been heavily integrated by the Cubans. A large number of fishing vessels are owned and operated by them and provide a large amount of the seafood for the area as well as for export to other states.

Miami's Chief of Police, as well as Dade County's Sheriff have both repeatedly reported on the law abiding personality of the Cuban—crime was almost non-existent. A unique situation in a mass type of immigration such as this. It is now, after more than thirteen years of exile that some problems are being experienced, possibly due to a more relaxed or lenient attitude on behalf of the middle aged groups, and parents as opposed to the very strict Latin traditions maintained after the initial immigration.

As Miami now has been officially declared a bi-lingual and bi-cultural city, a greater emphasis is being placed on the language area. Grammar schools are conducting classes in Spanish as well as English with the result that the native American child is learning Spanish as the Cuban child learns English. Many other areas of benefit are and will be reaped from the bi-lingual, bi-cultural status that can only be an asset to our community.

The Cuban colony in Miami is composed of approximately 93,000 households. Each household now averages four persons, while ten years ago the average household housed under its modest roof six to ten people as they were beginning their new lives. Today we see that of the 93,000 households about 42% reside in their own homes and approximately 58% rent; of the 58% renting, it is significant that 28% are in the process of buying their own home. The inflationary market we are experiencing today has held many back in this endeavor.

The average income of the Cuban head of household is $10,000 per annum, and in the higher educated and professional group, $20,000 to $24,000 per annum. 20% receive over $15,000 per year, 62% over $7,000 and the unemployment figure is less than 2%. The welfare rolls show that there are only approximately 25,000 Cubans on welfare, 18,000 on regular state welfare and approximately 7,000 under the almost extinct Cuban refugee program. It has been established that these are elderly, disabled or children and none are ablebodied individuals.

Tradition and heritage are foremost with the Cuban. He strives to maintain his folklore, his heritage and traditions of his forefathers, we see numerous ballet studios and theatrical companies playing shows of the old country filling to capacity theatres and playhouses. The Dade County and City of Miami auditoriums as well as other theatres in the area provide the setting for these popular shows.

Social Clubs growing out of those from the old country have become a way of life for many and always claim large attendances by young and old. They provide many with the way and means of maintaining traditions and instilling pride in their heritage. An example of this desire is that out of the 93,000 existing households we find that in 88% Spanish is the language spoken within, although they, or their children may be fluent in the English language.

Almost 35,000 Cubans have become American citizens within the last five years thus placing the Cuban colony in a powerful and significant political position. These new citizens are being strongly encouraged to exercise their newly acquired precious right to vote. This is one area where there continues to be a lack of understanding towards the Cuban. Although the Cuban becomes an American citizen, he continues to proudly display his Cuban heritage for he believes that he is privileged to be able to love two flags. Once this is more readily understood by native Americans, there will be far fewer misunderstandings between them and the Cuban Americans.

Ninety-five percent of the Cuban population own their own car. Thirty-six percent own two and twelve percent own three or more cars. Television sets are found in 98% of the households; of those, 78% are color sets, and 48% had two or more sets. Sixty-seven percent were found to have three or more radios. No other ethnic group in the nation shows possessions with such high ratios.

We found it rather interesting to see how the Cuban population is divided by type of occupation. Twenty-nine percent are professionals, forty-one percent are salespeople, craftsmen, technical or clerical workers, twenty-four percent are service or blue collar workers, five percent are retired and only two percent are reported to be unemployed.

In the sports field, we find that baseball continues to be the favorite sport of the Cuban, and three little league academics where boys learn to play ball and subsequently enter into the Cuban sponsored little leagues are in operation. The Miami Cubans baseball team for the 18 to 21 age group has already won 7 international series and now officially represents the city of Miami in the U.S. Baseball Federation. The rosters of the baseball teams of the University of Miami and Miami Dade Junior College, North and South, are composed primarily of Cuban names. Football is gaining ground and although at the college level we see very few Cuban names, the high school scene is a different story. The younger generation is learning our No. 1 sport along with the English language and we see now predominantly Cuban names on the rosters of these teams.

Civic involvement has become a way of saying "thank you" to the United States; almost every civic, social and service club or organization has either a Latin division or has a large Cuban enrollment. We have recently seen two demonstrations of the strength of this community; a telemarathon for the needy Cuban refugee children in Spain produced $250,000 in 24 hours and when the Nicaraguan earthquake struck almost a month later $150,000 was raised in one day and over 15 plane loads of food, clothing and medicine were sent to Managua, Nicaragua, from the Cuban colony in Miami.

Agriculturally we see several sugar mills in operation in the state of Florida owned or operated by Cubans and oranges now share the fields with sugar cane. Sweet potatoes, tomatoes and other vegetables are being farmed by these new immigrants who have become equally strong in the cattle business locally as well as for export.

The city of Miami has a unique composition in its population. We have covered its institutional statistics, now let's analyze its population composition. Surprisingly it is a city where the majority is composed of minority groups—Blacks, Cubans, Puerto Ricans, Jews, South and Central Americans and other ethnic groups comprise 900,000 in a population of one million three hundred thousand, the Cuban group found to be the largest one of these minorities.

This group has become easily and comfortably settled and has established its own sub-cultures; the Cuban housewife carries out her activities without the need of the English language, she listens to Spanish radio, views Spanish television, banks at a bank with Spanish employees and buys food and clothing at Spanish stores. She prays in Spanish at Catholic masses or Protestant services conducted in Spanish since over 40% of all religious services in Miami are held in Spanish. Her children can play and meet at Cuban social clubs and play sports in Spanish sponsored leagues. The girls take dancing in Cuban ballet studios and go to Spanish sponsored public dances. This carries on and on to many other facets in the Spanish way of life. I assure you that there has never been an immigration that has so strongly retained its cultural, spiritual and language ties and heritage of the country that gave them birth. You will find few Cubans who will change their names as they become American citizens or will in any way deny the country of their birth and most will boast of their homeland which is hoped will someday again be free of the Communist yoke that today oppresses it.

It is important to emphasize that this does

not mean that this Cuban community will not merge and blend with the cultures of our country, but it will take some time, one or two generations perhaps. This group is as I said before, unique, never before seen in our history of immigrants, and it will take the new generations who have been born, raised and educated in the United States to begin this, since its elders are very strong in passing on to them the pride of the country they left behind, not by choice but by destiny.

I can foresee some troubled times ahead. This I have said before, the Cuban influx has been well accepted and has merged into the Miami area without any significant incidents or problems. What happens now? A natural and logical human reaction of the native Floridian as he realizes that the Cuban colony is generating income of over one billion dollars per year; sees it generate voting power of over 100,000 within the next few years; sees 33% of the businesses owned by Cubans; sees 40% of the construction being done by them. We can go on but really, is his natural reaction to this the acceptance of the hard work and effort put forth or does he begin to have reservations? On the other hand, the Cuban must realize the human element that may be creating this in the native Floridian and must humbly and with understanding join with him as fellow Americans for their mutual benefit, to avoid any possible clash that may darken what has been referred to as the most beautiful and productive immigration to the United States.

The major newspapers of the country, English as well as Spanish, have the responsibility and must face this challenge. They, through their editorial power must not add fuel to the fire; but constructively work to blend these cultures through a mutual understanding and desire for what is best for our country, which will eventually come about.

Our new bi-lingual and bi-cultural city has many challenges ahead. This is without a doubt a two way street and this must be understood by both native Americans and Cuban Americans. Change for the sake of progress is necessary; change for the sake of change is not wanted. Native Americans must accept the fact that the Cuban Americans are just as much Americans as they are with one addition; they are Americans by choice. They pay the same taxes (they have, in fact paid in taxes five times the amount of federal monies allocated under the Cuban refugee program), they serve on juries, they have fought in Vietnam, they vote and participate in civic and social affairs and fulfill their obligations to the community and to their new country just as the native American does. He has, therefore, the same rights. But also, he brings to his new country his language, his culture and his traditions which the native American can embrace and take advantage of; on the other hand, the new Cuban American must also respect, accept and embrace the native American cultures, traditions and laws, and adjust himself to his new homeland and way of life.

To conclude, every immigration in this country has had its critics. Some with prejudice, some from a fear of job loss, some from a concern that our country is favoring foreigners over its own natives. Fortunately, most of the critics have changed their opinions and now look favorably toward the Cuban immigration, they now, to a large extent, understand that the Cuban refugee did not immigrate to this country to better himself economically, but to flee a Communist regime and to avail himself of the opportunity for a life of freedom and democracy. As a result, we have benefited from this large nucleus of educated, experienced and hard-working successful businessmen that have contributed much to the area and its economy. And although the "freedom flights" as such have been terminated, not by the United States, but by the Communist Castro government, still an input of new residents trickle in via Spain, and more important to our economy, many who had been located in the cold north are returning with their pockets full of hard earned money and ready to commence doing business. Yes, we hold the Cuban influx as a blessing for our area, there are faults as well as virtues, but I cannot end this ten year analysis of the Cuban immigration without a sincere plea to all native Americans and Cuban Americans to think as Americans, with a positive outlook toward the years ahead, which may be difficult, to accept the success of each with a pride and understanding and the faults with blessed forgiveness. If this can be accomplished it will make our newly declared bilingual, bi-cultural city an example of what the American dream is and offer proof that it is alive for all who wish to take advantage of its opportunities.

THE LATEST MIDEAST ARMS ESCALATION

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. BINGHAM. Mr. Speaker, I believe that the purchase by Libya of a new French-built antiaircraft missile system signals an unfortunate escalation of the Mideast arms race, which should give pause to any who would have us lessen or abandon our commitment to Israel.

Arab leaders, including the vocal President Qaddaffi of Libya, have repeatedly called for the slackening of U.S. military support for Israel as the price for continued access to Arab oil. Yet, when the Arab States purchase arms from the Soviet Union, or, as in this case from France, they themselves create the atmosphere of conflict they accuse the United States of causing.

An article appearing in the Washington Post on September 14 details this latest surge in Mideast weaponry. The article follows:

LIBYA BUYS FRENCH MISSILE

(By Michael Getler)

In another stepup in the Middle East arms race, Libya has bought and begun deploying a new French-built antiaircraft missile system, according to U.S. officials.

The sale of the weapons by France was apparently carried out in considerable secrecy. Sources here indicate the first the United States knew about it was when the missile—normally transported on an armored car—showed up in a parade in Tripoli recently.

The purchase is viewed here as a further expression of the Arab regime's fear of some future Israeli air attack against Libyan airfields, which now contains sizable numbers of French-built Mirage jet fighter-bombers but which until recently have been largely unprotected from surprise air attack.

Continuing sales of new French arms to Libya have caused concern in some industry and government quarters here because the regime of Libyan President Muammar Qaddafi is viewed as revolutionary and volatile, having already ordered control of U.S. oil interests in Libya and demanded a slackening of U.S. support for Israel as the price for future oil deliveries.

But the purchase of the French Crotale missile is also of concern in the Pentagon, mostly because the missile is viewed as highly effective and the U.S. Army is considering buying some.

Having the missile in Libyan hands, some officials believe, would eventually mean that the Soviets would gather information on its performance and thus be able to counteract its effects in the hands of the U.S. Army.

On the other hand, other U.S. specialists say any American version of Crotale would be substantially modified to make it difficult for Soviet warplanes to evade.

In general, officials believe that the French sale to Libya could inject political considerations into what they consider to be an important military decision for the United States on whether to buy the missile.

Some Pentagon officials believe Crotale to be far superior to other existing European and U.S. air defense missiles, claiming it is cheap, accurate and mobile enough to be used in the field against enemy planes attacking at low altitude under virtually all weather conditions.

The weapon is seen as a complement to the Army's planned $4.4 billion SAM-4 air defense missile system, which is still many years from development.

Some officials believe SAM-D, which will be a large and not very mobile system, makes a good target and the Crotale may be necessary to defend SAM-D and to help in the tough problem of hitting planes flying at very low levels.

Most important, some specialists say, Crotale is available now and view it as probably better than the existing U.S. Hawk antiaircraft missile.

The SAM-D has been the target of sharp attacks in Congress in recent days by some senators seeking to cut it from the Pentagon budget.

U.S. sources estimate that only a handful of Crotale units, comprising perhaps three four-missile batteries, are operational now in Libya.

They are expected to complement the Soviet-built SA-2 missiles supplied to Libya by Egypt earlier this year. The SA-2 is primarily designed to shoot down planes at high altitude. Most of the Libya air defense missile build-up is said to be clustered around the old U.S. Wheelus Air Base.

The Libyans reportedly now have about 60 of the 110 French-built Mirage jets they ordered.

Earlier this year, Libya moved several of those jets to Egyptian bases, in a move U.S. officials generally regard as an attempt by Libya to get them off the then unprotected Libyan airfields.

At one point, Deputy Secretary of Defense William P. Clements, is known to have chastised the visting French air force chief of staff during a social luncheon in Clements' office over the alleged lack of French control over transfer of the planes.

The French military leader was reported to be highly annoyed over Clements' comments and questioned U.S. Middle East policy in the process.

PINELLAS VFW POST 4364 EARNS COMMUNITY SERVICE AWARD

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. YOUNG of Florida. Mr. Speaker, though we hear a lot about the so-called generation gap, devotion to the ideals of this great Nation is a cause which spans that gap and brings together Americans of all ages. In my district, the Sixth Congressional District of Florida, the Pinel-

las Park Post 4364, Veterans of Foreign Wars, has been active since 1969 in presenting American flags which have been flown over the Capitol to Boy and Girl Scout units in the Pinellas area.

The importance of VFW Post 4364's youth activities/Americanism program recently received recognition at the national level. The national board of judges of the VFW voted unanimously to award the Pinellas Park Post with the VFW's Community Activities Award of Merit for its role in presenting 70 flags and instilling patriotism in local youth groups. I am sure that my colleagues will join me in congratulating Mr. Robert R. Wyand, community service chairman of Post 4364, and the other fine members of the post who worked hard for this program.

I would like also to draw my colleagues' attention to the following articles which appeared in local recognition of the VFW's Americanism program:

[From the St. Petersburg (Fla.) Independent, Sept. 9, 1973]

VFW POST IS CITED

Commander-in-Chief Patrick E. Carr of the Veterans of Foreign Wars (VFW) of the United States has announced that Post 4364, of Pinellas Park, has won the organization's Community Activities Award of Merit.

This top national award went to the local VFW Post in recognition of a continuing program of obtaining and presenting the American Flag to local youth groups and other organizations as well as to Boy Scouts attaining the Eagle rank.

The VFW National Board of Judges, in making the award, praised the project noting that "Post 4364 has been involved in this program since 1969. The presentation ceremonies have been impressive and should help instill patriotism in the hearts of local youth."

Presentation of the Award of Merit was a unanimous decision by the judges. It is accompanied by a bronze plaque.

In congratulating local VFW members, Commander-in-Chief Carr praised them "for your inspiring zeal in conducting this patriotic program. We need such projects throughout the nation to make our citizens more aware of the principles and high ideals upon which America was founded."

[From the Boy Scouts of America, Council No. 89, Seminole (Fla.) Reflector, Sept 1, 1973]

VFW GETS NATIONAL MERIT AWARD

The Veterans of Foreign Wars of the United States has presented VFW Post 4364 with the organization's National Community Activities Award of Merit in recognition of their continuing program of obtaining and presenting the American Flag to local youth groups including Boy Scouts attaining the rank of Eagle.

VFW Post 4364 of Pinellas Park was cited by unanimous decision for its zeal in conducting this patriotic program. Of the 70 flags presented from the inception of this program 46 have been presented on behalf of the Scouting movement in the Pinellas Area.

19—New Eagle Scouts
14—Scout Troops
5—Cub Packs
5—Camp Soule
1—Thunderbird District
1—Osceola District
1—Knights of Dunamis

We of the Pinellas Area Council would like to extend our congratulations to VFW Post 4364 for this well earned recognition.

NASA'S TECHNOLOGY HELPFUL ON GROUND, TOO

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. TEAGUE of Texas. Mr. Speaker, Linda Cornett of the Huntsville News in an August 23, 1973 article in that publication pointed to a number of the many significant benefits being derived from our national space effort. These range from simple devices to complex managerial techniques. Practically no part of American life today is without some direct or indirect benefit derived from the technology of space. This article succinctly describes a number of the more significant contributions of our national space effort.

The article follows:

[From the Huntsville News, Aug. 23, 1973]

NASA'S TECHNOLOGY HELPFUL ON GROUND, TOO

(By Linda Cornett)

To those who question the wisdom of spending monies for space exploration and ask "What good is it?" there are many answers, space advocates proclaim.

The spinoffs from research and development touch American lives—from aiding, for example, the Madison school system, to aiding paralytics to go into business, to innumerable assets achieved by Marshall Space Flight Center and the National Aeronautics and Space Administration.

Take, for example, a Los Angeles polio victim.

Paralyzed from the neck down, an LA woman is now operating a telephone answering service.

It was a by-product of developments made by NASA.

The astronauts needed a "Long arm" to perform maintenance on aircraft.

So, what was gained by NASA development, is now being used by the LA woman, one example of spinoffs from space work.

The woman, paralyzed for years by polio, deftly controls a motorized brace extending to her fingertips, flicking switches with her tongue. She has developed a telephone answering service from her home since she was outfitted with the mechanical muscles.

The elaborate brace, developed from metal "arms" operated from similar devices used by astronauts for long-distance maintenance, is just one of thousands of NASA projects adapted for public use.

"That's our main objective, helping to improve the public sector," according to Marvin Brown of Marshall's Technology Utilization Office.

The local office, established in 1962, began its work as simply a link between NASA technology and businesses across the country, providing condensed "tech briefs" to approximately 12,000 businesses, colleges, and individuals across the country.

Each of the briefs, Brown said, includes a picture of the machinery, a brief explanation of its workings, possible adaptations, and an offer of a hefty back-up package of detailed data.

The information dispensed is backed up by a broad system of computer filing, a "technology bank" of reports filed by eight technology utilization centers from coast to coast.

Through the computer link-up, Brown said, TU offices and companies hooked by their tech briefs, can borrow information on all areas of technology.

"We try to encourage private companies to take NASA technology and develop it to some profitable use for their own business," he said.

To keep track of the effectiveness of the program, TU headquarters has contracted with the Denver Research Institute to follow up on companies requesting in-depth information from branch offices.

Success, Brown said, seems to be pretty good.

In the past four years, however, the office has expanded its role to include research of its own. "We just didn't feel that with just paper work we were going far enough," Brown said. "We have gotten into doing part of the adaptation work ourselves. After a certain point we hope private businesses will take the ball."

Technology developed from NASA's need for rapid communications via satellite, is one of many off-shoots with a widespread effect. Next year, Madison County school teachers will receive college credit from the University of Kentucky for televised courses flashed off a NASA satellite to learning centers across the Appalachian region. The program, according to NASA officials, is being groomed for use in cutting down India's illiteracy rate.

ESSA satellite weather reports, flame-proof material for clothing, a forest fire "sniffer" and locator, oil slick sensors implanted in aircraft, and highly nutritious "mini-meals" are only a few of the adaptations from across the country.

One of the local programs being carried on by Marshall's TU office, under Juan Pizarro, will provide early detection of deafness in infants.

The unit, which measures the child's brain pattern, would allow doctors to determine deafness in infants early enough to compensate for difficulties in the learning process, Pizarro said. Presently, he said, deafness may not even be mistaken for retardation.

"We hope to be able to catch the problem before the child sets up a distorted pattern of perception," Pizarro said.

The unit which is awaiting miniaturized components before the final testing is done, will be a great improvement over most testing units now used in clinics and schools, Pizarro said. It will weigh approximately 15 pounds, and will cost under $1,000 compared with the $30,000 now required to purchase a testor.

NASA engineers from TU and other branches are developing the unit, assisted by professionals from the community, Pizarro said. Requests for units have begun to come in from universities and clinics across the country, he said.

MARGARET FAYE OF HAWAII AGING COMMISSION TO JOIN U.S. SENATE AGING COMMITTEE STAFF

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. MATSUNAGA. Mr. Speaker, it is a basic rule to almost every culture, especially those of Asia, that the elders of a society are to be honored and revered. Through her efforts in the Hawaii State Commission on Aging, Mrs. Margaret Faye has helped assure the senior citizens of our State comfort and security for their needs.

Mrs. Faye is leaving the staff of the commission to come to Washington, where she will be serving on the minority staff of the Senate Special Committee on Aging.

As a gesture of congratulating her, I ask unanimous consent that a resolution by the State commission on aging,

honoring Mrs. Faye for her substantial contributions, be included in the RECORD at this point:

RESOLUTION No. 47

Honoring Mrs. Margaret S. Faye, Program Specialist for the State Commission on Aging, on Her Appointment to the Minority Staff of the Special Committee on Aging of the U.S. Senate and for Outstanding Service to the State Commission on Aging and the Community

Whereas, Mrs. Margaret S. Faye was appointed as the Areawide Specialist on Aging by the Commission on Aging on March 6, 1972; and

Whereas, Mrs. Margaret S. Faye also assumed the position of Project Director for the Areawide Model Project—Honolulu, on May 1, 1972; and

Whereas, Mrs. Margaret S. Faye with her extensive knowledge of the needs of the elderly was a key leader in formulating a Plan of Action for Areawide Opportunities for Senior Citizens;

Whereas, Mrs. Margaret S. Faye has submitted her resignation as a staff member of the State Commission on Aging, effective July 15, 1973, in order to accept an appointment to the minority staff of the Special Committee on Aging of the United States Senate;

Now, therefore, be it resolved, That the State Commission on Aging does hereby extend its congratulations to Mrs. Margaret S. Faye on her appointment to the minority staff of the Special Committee on Aging of the United States Senate.

Be it further resolved, that the State Commission on Aging does hereby commend Mrs. Margaret S. Faye for her outstanding performance of her job and dedication to her work.

Be it further resolved, That this resolution be spread upon the records of the Commission on Aging and that true copies of this resolution be transmitted to Mrs. Margaret S. Faye, Hawaii's Congressional delegates, and other interested parties.

GAO RULES NIER IMPOUNDMENT ILLEGAL

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 1973

Mr. ANDERSON of Illinois. Mr. Speaker, the National Industrial Equipment Reserve—NIER—has been without funds for over 26 months. NIER is not only a reserve of machine tools to be used for defense production needs in times of national emergency, but is also the source of the popular "tools for schools" loan program which makes this machinery available to schools for vocational training purposes at no cost. Some 400 schools in 44 States presently benefit from the loan of some 8,000 pieces of NIER machinery, training some 35,000 youths and disadvantaged persons.

Because the Congress had inadvertently failed to appropriate funds for NIER in fiscal 1973, I, along with over 80 House cosponsors, offered an amendment to restore $1.8 million in supplementary appropriations for NIER, and that was adopted as part of the first supplemental in April of this year, and became part of Public Law 93-25.

Despite this expression of congressional intent to continue NIER, the Office of Management and Budget proceeded to impound those funds and issue a directive to the General Services Administration and the Department of Defense calling for the immediate dismantlement of NIER.

In response to my request, the Comptroller General has issued a legal opinion on the OMB actions and has found that OMB does not have the authority to direct the termination of NIER, its reasons given for impounding NIER funds are not valid, and the money appropriated for NIER cannot be used to implement the OMB NIER dismantlement directive.

Quoting from the Comptroller General's opinion:

It is our opinion that the appropriation made by Public Law 93-25 requires that the NIER program be reactivated and carried on as provided for in the National Industrial Reserve Act. Accordingly, we conclude in general that there is no legal basis for OMB's plan to "redirect", "disinvest", or otherwise terminate NIER; nor do we believe that the appropriation may be impounded or diverted from its intended purposes in connection with the OMB plan.

Mr. Speaker, it is my understanding that OMB has released the impounded funds to GSA with the instructions that they be used to terminate NIER, and similar instructions have been issued to the Department of Defense. I would simply point out that the GAO has ruled that such an expenditure would be illegal, and the Comptroller General's legal decisions in such matters are binding on the executive branch as I read the authority vested in GAO by the Congress (31 U.S.C. 74).

I have, therefore, today called on the Comptroller General to inform GSA and DOD that these funds can not be expended as directed by OMB. I have also sent copies of the GAO ruling to the Secretary of Defense and the Administrator of the General Services Administration, respectfully requesting, in view of the GAO decision, that NIER be immediately reactivated; and I have today sent copies of the GAO decision to the chairman of our Appropriations and Armed Services Committees asking for their assistance in seeking compliance with the GAO ruling. I have, on an earlier occasion, forwarded a copy of the GAO ruling to the Director of the Office of Management and Budget, Mr. Roy Ash.

At this point in the RECORD, Mr. Speaker, I include the full text of the legal opinion rendered by the Comptroller General, Mr. Elmer B. Staats:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., September 11, 1973.

Hon. JOHN B. ANDERSON,
House of Representatives.

DEAR MR. ANDERSON: Your letter of August 15, 1973, raises several questions concerning executive branch actions and plans with respect to the National Industrial Equipment Reserve (NIER).

NIER was established by the National Industrial Reserve Act of 1948, approved July 2, 1948, ch. 811, 62 Stat. 1225, as amended, 50 U.S.C. 451-462, as a means whereby a nucleus of "excess industrial property"—defined therein as property, including machine tools and industrial manufacturing equipment, controlled by Federal agencies but not required for the immediate needs of such agencies—would be available for the immediate use of the military in a national emergency.

The Secretary of Defense is authorized and directed by the act to (1) determine which excess industrial property should become part of the reserve; (2) formulate a "national security clause" setting forth restrictions in the documents of lease or sale of such property in order to guarantee its availability when needed for national defense purposes; and (3) to consent to waiver or modification of the national security clause when he determines that specific property is no longer essential to national security or that a lesser interest will adequately fulfill the purposes of the act. 50 U.S.C. 453. Machine tools and industrial manufacturing equipment designated by the Secretary for inclusion in the reserve are to be transferred to the General Services Administration (GSA) for maintenance, repair and restoration and for leasing or other disposal by GSA. 50 U.S.C. 454(b), 455.

The Secretary of Defense is accorded general supervisory authority over GSA's treatment and disposal of reserve tools and equipment, including authority to permit and regulate the lending of such property to nonprofit schools when (a) he determines that a school's use thereof will contribute to national defense, and (b) the school agrees to make adequate provision for maintenance of such property and for its return to GSA if needed. 50 U.S.C. 456. The act also established an "Industrial Review Committee to annually review the justification for retention of property in the reserve and, among other things, to recommend to the Secretary disposition of property which it considers of insufficient strategic value to warrant retention in the reserve." 50 U.S.C. 459, 460.

Your letter to us states in part:

"* * * As you may know, prior to fiscal 1973, NIER was funded under and managed by the General Services Administration, acting on behalf of the Department of Defense. In fiscal 1973, however, when the Administration proposed that NIER funding be shifted to the DoD budget, the Congress balked and NIER was not provided for under either the DoD or GSA regular appropriation. GSA subsequently terminated its operation of NIER in December of 1972, closing down the two storage facilities at Terre Haute, Ind., and Burlington, N.J., and discontinuing its 'tools for schools' loan programs.

"In order to put NIER back on the track, I offered an amendment to the first supplemental appropriation bill of 1973 (H.J. Res. 496) to restore $1.8 million for NIER under the GSA budget. This was accepted in the House and Senate and thus became part of Public Law 93-25, enacted April 26th. Despite this clear indication of congressional intent with respect to the continuation of NIER, the Office of Management and Budget issued a directive to DoD on May 24, 1973, (copy attached) ordering the dismantlement of NIER. OMB has subsequently released $900,000 of the NIER supplemental appropriation to reimburse GSA for operating the reserve during the first half of fiscal 1973, and, according to testimony by GSA Assistant Administrator G. C. Gardner, Jr., OMB intends to release the other half for disposing of NIER machinery."

The memorandum from the Deputy Director of the Office of Management and Budget (OMB) to the Secretary of Defense dated May 24, 1973, attached to your letter, reads in pertinent part:

"The NIER program today does not serve as critical a defense need as it did in 1948. Continuation of the program in its current form does not seem necessary since:

"The number of tools in the reserve is insignificant to the total inventory of machine tools in the general economy—less than one-half percent.

"Hardly any of the reserve tools have been mobilized since GSA assumed operating responsibility for the program (an annual average of 218 items for the 1961-1971 period and

383 items for the Vietnam build-up period of 1964–1968 were transferred to defense contractors in support of military contract requirements). Other sources probably would have been used if the tools had not been available in the reserve inventory.

"The tools could be excessed with a national security clause which would permit effective recall in a national emergency. Further, under Title I of the Defense Production Act the President has the authority to take machine tools off production lines if shortages should jeopardize defense production priorities.

"Manpower training objectives would be met if the tools were surplused since they could then be donated on a priority basis to educational institutions.

"Alternatives to the present NIER program have been given careful consideration and were subsequently reviewed in light of the Congressional action on the 1973 supplemental appropriation. As discussed with members of your staff, we have determined that, rather than reactivate the NIER program, the tools should be declared excess so that they might be donated to schools for vocational training purposes. If appropriate, a national security clause should be placed on the excessed tools as a contingency for effective recall in time of emergency. Furthermore, if in your judgment some of these tools are required for defense purposes, they can be transferred to the Defense General Industrial Reserve.

"In order to assure early delivery of these tools to the schools, immediate steps should be taken to declare the tools excess and work out arrangements with the General Services Administration to assure an effective and orderly transition. Such arrangements should provide for Government disinvestment of the tools now in reserve as well as those in the future which would otherwise be added to the NIER inventory."

Also attached with your letter to us is a copy of your remarks appearing in the Congressional Record for August 3, 1973, at pages 27273–74. You state therein that a total of $900,000 of the appropriation for NIER made by Public Law 93–25 has now been released to GSA as reimbursement for expenses incurred in the operation of the program during the first half of fiscal year 1973. You also refer to testimony by GSA's Assistant Administrator for Administration indicating his understanding that OMB intends to utilize the remaining $900,000 of the appropriation to implement the alternative plan outlined in the OMB memorandum of May 24. See Hearings before a Subcommittee of the House Appropriations Committee on Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1974 (Part 4), page 813. Finally, your remarks of August 3 quote from a letter to you from GSA, dated June 12, 1973, which describes the procedures which would be required under the OMB plan as follows:

"Implementation of the Office of Management and Budget (OMB) plan for termination of the NIER program would require, first that the NIER tools be declared excess to the needs of the Department of Defense (DOD). They would then be screened among the Federal agencies for possible Federal utilization. If no further Federal need for the tools were determined, the equipment would be declared surplus and be made available for donation by the General Services Administration through the Department of Health, Education, and Welfare (HEW).

"Under existing DHEW procedures the tools would be allocated to State agencies for Surplus Property, not directly to schools. The distribution to schools or other eligible donees within each State would be accomplished by the State Agency."

In view of the foregoing, you request our opinion (1) whether OMB has legal authority to direct the Secretary of Defense to declare all NIER machinery excess and dispose of it through the surplus property donation program, and (2) whether OMB can authorize the expenditure of funds appropriated for NIER for the purpose of abolishing NIER.

Our Office has had occasion to study the impoundment aspect of current executive branch actions with respect to NIER. The $1.8 million appropriation to GSA contained in Public Law 93–25 was made for the purpose of restoring and carrying on the NIER program, and was necessarily based upon a congressional determination that the program should continue—at least pending further congressional review. By contrast, it is clear that OMB's actions and plans with respect to NIER, discussed previously, amount to termination of the program envisioned and provided for in Public Law 93–25. Thus the congressional determination upon which the appropriation is based has been reversed by OMB.

OMB's most recent report pursuant to the Federal Impoundment and Information Act, as amended, submitted to the Congress and to our Office on July 16, 1973, indicates that as of June 30, 1973, $850,000 of the appropriation for NIER made by Public Law 93–25 has been placed in reserve, i.e., impounded. See page 31 of the itemized list of impoundments set forth therein. This impoundment is "explained" in the report by reference to two standard "reason(s) for reserve action." These reasons, which purport to invoke the authority of the so-called Antideficiency Act, 31 U.S.C. 665, read as follows:

"'To achieve the most effective and economical use' of funds available for periods beyond the current fiscal year (31 USC 665 (c)(1)). This explanation includes reserves established to carry out the Congressional intent that funds provided for periods greater than one year should be so apportioned that they will be available for the future periods." and

"Temporary deferral pending the establishment of administrative machinery (not yet in place) or the obtaining of sufficient information (not yet available) properly to apportion the funds and to insure that the funds will be used in 'the most effective and economical' manner (31 USC 665(c)(7)). This explanation includes reserves for which apportionment awaits the development by the agency of approved plans, designs, specifications."

The NIER appropriation is available until expended, and is thus within the application of 31 U.S.C. 665(c)(1). However, in view of OMB's actions and plans, we do not understand how the $850,000 reserve from this appropriation can be justified as an effort to achieve the most effective and economical use thereof. We certainly do not believe that this reserve can in any sense be considered in furtherance of, or even consistent with, congressional intent. The second reason apparently refers to a deferral pending implementation of the OMB plan by the Secretary of Defense, since neither the appropriation nor the authorizing statute would seem to require the development of any elaborate plans, designs or specifications by GSA.

In our judgment, neither of the reasons cited by OMB provides any legal basis for the current impoundment of the NIER appropriation. It is clear that the Antideficiency Act does contemplate, and in fact requires, reserve or impoundment actions which are designed in good faith to promote the economical and efficient application of appropriations to the purposes for which provided. However, we have on several occasions expressed the opinion that the Antideficiency Act does not authorize impoundments based upon general economic, fiscal or policy considerations which are in derogation of the purposes of an appropriation. We believe that the NIER impoundment must be placed in the latter category as a policy impoundment whereby OMB has substituted its judgment as to the desirability of NIER for that of the Congress.

For the reasons stated above, it is our opinion that the appropriation made by Public Law 93–25 requires that the NIER program be reactivated and carried on as provided for in the National Industrial Reserve Act. Accordingly, we conclude in general that there is no legal basis for OMB's plan to "redirect," "disinvest" or otherwise terminate NIER; nor do we believe that the appropriation may be impounded or diverted from its intended purposes in connection with the OMB plan.

With specific reference to your first question, the OMB Deputy Director's memorandum to the Secretary of Defense, set forth previously herein, states that OMB has "determined" not to reactivate NIER. It is further stated that NIER tools should be declared excess so as to permit their donation to schools, although provision is made for transfer to the Defense General Industrial Reserve of any NIER tools which the Secretary determines are still required for defense purposes.

The OMB memorandum appears by its terms to afford the Secretary the option of either declaring items of NIER equipment excess or transferring them to the general reserve. On the other hand, it clearly deprives the Secretary of any discretion to retain any equipment in NIER. Such discretion is expressly committed to the Secretary under the National Industrial Reserve Act, and we do not believe that OMB has any authority to interfere with its exercise. The act does contemplate periodic reviews of NIER stores, and the Secretary clearly has authority to declare any or all NIER equipment excess to the needs of the Department of Defense or to transfer items to the general reserve. However, such determinations are by statute his alone. It might be noted that the Secretary has no authortiy to donate excess property to schools. As indicated in GSA's letter to you, such property would first have to be declared surplus to the needs of the Federal Government by GSA and then transferred through the Department of Health, Education, and Welfare to a State agency for donation by the State agency.

With reference to your second question, we believe for the reasons stated previously that the appropriation made by Public Law 93–25 is available for expenditure only in connection with reactivation and operation of NIER. No portion of the $1.8 million appropriation has been or apparently will be used for these purposes. GSA's letter to you indicates that the amounts apportioned thus far were treated as reimbursement to that agency's operating expense account for costs relating to NIER incurred prior to April 30, 1973. While this account was used in the past to finance NIER, it appears in view of OMB's plan that the funds apportioned will ultimately be used for some other activity serviced by the same account. We have no way of knowing precisely when or how these amounts will actually be disbursed. It is also unclear precisely how the remaining $850,000 of the appropriation now in reserve will be used even if the OMB plan is implemented. In this regard, GSA's letter to you states that additional funds would not be required to handle the normal offering of NIER tools for further Federal use or for donation, and that out-handling costs could be recovered from recipients. In any event, as stated previously, it is our opinion that the appropriation made by Public Law 93–25 is required to be used to implement the National Industrial Reserve Act, and is not available for any other purpose or activity.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.