

EXTENSIONS OF REMARKS

July 22, 1976

H.R. 14496. June 22, 1976. Interstate and Foreign Commerce. Establishes a program of financial and technical assistance for the development of resource recovery systems in the Environmental Protection Agency. Directs the Administrator of the Environmental Protection Agency to regulate wastes which are hazardous to health.

Establishes criteria for approval and implementation of State and regional discarded materials plans. Creates a nonprofit corporation to assist in stimulating the market for resource recovery facilities.

H.R. 14497. June 22, 1976. Interstate and Foreign Commerce; Ways and Means. Establishes a national health insurance system for maternal and child health care.

H.R. 14498. June 22, 1976. Veterans' Affairs. Extends the delimiting period in the case of any eligible veteran who is pursuing, during his or her 10th year of eligibility, a program of education.

H.R. 14499. June 22, 1976. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare to alter the services provided at, transfer control of, or close specified hospitals of the Public Health Service.

H.R. 14500. June 22, 1976. Merchant Marine and Fisheries. Extends provisions of the Fishermen's Protective Act of 1967 providing for reimbursement to fishermen for confiscation of fishing vessels by foreign countries.

H.R. 14501. June 22, 1976. Interstate and Foreign Commerce. Amends the Natural Gas Act to limit Federal Power Commission authority to regulate prices of new natural gas produced from offshore Federal lands. Requires that prices for the sale of other new natural gas be consistent with the ceiling established for offshore natural gas.

Directs the Commission to prohibit the curtailment of natural gas supplies for essential agricultural purposes. Restricts the use of natural gas as boiler fuel.

H.R. 14502. June 22, 1976. Permits a State which no longer qualifies for the hold harmless limitation on its liability for optional additional supplementary security income payments under the Social Security Act to elect to continue to include the bonus value of food stamps in its supplementation payments under condition that it pass through a part of the 1976 cost-of-living increase in supplemental security income benefits and all of any subsequent increases in such benefits.

H.R. 14503. June 22, 1976. Public Works and Transportation. Designates a new postal facility in Youngstown, Ohio, as the "Michael J. Kirwan Post Office."

H.R. 14504. June 22, 1976. Judiciary. Incorporates the National Ski Patrol System, Incorporated.

H.R. 14505. June 22, 1976. Ways and Means. Amends the Internal Revenue Code to: (1) allow a limited tax credit for qualified savings deposits and investments; (2) increase the maximum tax deduction for retirement savings; (3) exclude from gross income dividends received from domestic corporations; (4) allow a limited tax exclusion for capital gains income; (5) provide for nonrecognition of gain on the sale or exchange of qualified small business property; (6) increase the number of installments in which the estate tax may be paid in the case of an interest in a closely held business; and (7) reduce the corporate normal tax rate, the surtax rate, and the surtax exemption.

H.R. 14506. June 22, 1976. Interior and Insular Affairs. Authorizes the Secretary of the Interior to design and construct drainage works to alleviate high groundwater conditions in and adjacent to Moses Lake, Washington.

H.R. 14507. June 22, 1976. Rules. Amends the Congressional Budget Act of 1974 to require Congress to review each Federal program at least every six years as though it were being proposed to be enacted for the first time. Prohibits the extension of budget authority for any such program beyond such six year period until the Congressional committees with jurisdiction over such programs conduct such reviews.

H.R. 14508. June 22, 1976. Judiciary. Permits the Secretary of Housing and Urban Development to initiate a civil action to enforce Federal prohibitions against discriminatory housing practices. Allows Federal courts to award private plaintiffs bringing suit to enforce such prohibitions reasonable attorney fees whether or not such individuals are financially able to bear the cost.

H.R. 14509. June 22, 1976. Banking, Currency and Housing. Provides that elderly persons residing in dwelling units receiving Federal assistance shall be entitled to specified rights concerning lease terminations.

H.R. 14510. June 22, 1976. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 14511. June 22, 1976. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 14512. June 23, 1976. Banking, Currency and Housing. Creates the National Consumer Cooperative Bank, the Self-Help Development Fund, and the Cooperative

Bank and Assistance Administration to assist the formation and growth of consumer and other types of self-help cooperatives.

H.R. 14513. June 23, 1976. Banking, Currency and Housing. Creates the National Cooperative Bank, the Self-Help Development Fund, and the Cooperative Bank and Assistance Administration to assist the formation and growth of consumer and other types of self-help cooperatives.

H.R. 14514. June 23, 1976. Ways and Means. Permits a State which no longer qualifies for the hold harmless limitation on its liability for optional additional supplementary security income payments under the Social Security Act to elect to continue to include the bonus value of food stamps in its supplementation payments under condition that it pass through a part of the 1976 cost-of-living increase in supplemental security income benefits and all of any subsequent increases in such benefits.

H.R. 14515. June 23, 1976. Public Works and Transportation. Directs the Secretary of the Army, acting through the Chief of Engineers, to construct the flood control project for the Santa Ana River in California.

H.R. 14516. June 23, 1976. Public Works and Transportation. Authorizes the Secretary of the Army, acting through the Chief of Engineers, to construct the project for navigation improvements in the Los Angeles Harbor.

H.R. 14517. June 23, 1976. Education and Labor. Amends the Occupational Safety and Health Act of 1970 to provide that any employer who successfully contests a citation or penalty under such Act shall be awarded a reasonable attorney's fee and other reasonable litigation costs.

H.R. 14518. June 23, 1976. Education and Labor. Amends the Age Discrimination in Employment Act of 1967 to make its provisions, formerly applicable to persons between 40 and 60 years of age, applicable to anyone 40 years of age or older.

H.R. 14519. June 23, 1976. Ways and Means. Amends the Internal Revenue Code to allow a tax deduction in an amount not to exceed \$1,000 for amounts paid by the taxpayer to an eligible educational institution for tuition for the attendance of the taxpayer or any eligible dependent.

H.R. 14520. June 23, 1976. Post Office and Civil Service. Revises the formula for determining when to make cost-of-living adjustments in Federal civil service annuities. Eliminates the one percent increase which is automatically added on to such adjustments.

EXTENSIONS OF REMARKS

WASTE OIL RECOVERY PROJECT BEGINS IN CINCINNATI

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1976

Mr. VANIK. Mr. Speaker; on May 18, a Cincinnati environmental group and the Standard Oil Co. of Ohio teamed together to launch a bold and innovative program to recover and recycle waste oil generated in the Greater Cincinnati area. As I have outlined to my colleagues on many occasions, waste oil is a serious threat to the environment when it is disposed improperly. The primary source of waste oil is the automobile. Each time a motorist decides to have his oil changed, 4 or 5 quarts of waste oil is generated.

This used oil is still valuable. Despite the water and metal contaminants that the oil picks up during use, the essential lubricating qualities of the oil are still intact. Through a rerefining process the contaminants of the oil can be removed, and the waste oil—now reconditioned—can be used again as a lubricating oil.

Because of a number of economic and regulatory causes, the rerefining industry today is quite small. Each year our Nation produces approximately 1.1 billion gallons of waste oil, but the rerefining industry has an annual capacity of only about 200 million gallons per year. A major reason rerefiners are having such a difficult time is that they have no guaranteed source of waste oil.

As I have noted, the primary source of waste oil is the automobile. However, up to 40 percent of all drivers change their own oil. Exactly what they do with the

waste oil they take out of their crankcases is a mystery. Some dump it in the garbage, or in the backyard, or down a sewer. Unless these "self-changers" can be convinced to return their waste oil to convenient collection centers, we will continue to suffer a chronic pollution of the atmosphere from indiscriminate disposal.

This collection problem is exactly what the Cincinnati waste oil recovery experiment is designed to solve. Eight or nine months ago, representatives of a local environmental group in Cincinnati, called the Cincinnati Experience, approached representatives of the Standard Oil Co. of Ohio with a proposal to use company-owned stations as waste oil collection centers. After evaluating the proposal, the Sohio representatives agreed to use 64 company-owned stations in the greater Cincinnati area as

collection centers. The major thrust of the program was designed to provide those people who change their own oil with a convenient place to dispose their oil.

The program was initiated on May 18 when Sohio's president, Charles Spahr, poured the first quart of waste oil into a station storage tank. Major publicity for the program has been conducted through public service broadcasts developed by the Cincinnati Experience. Each of the 64 participating Sohio stations is already equipped with a 500-1,000 gallon storage tank for waste oil. At these stations the company will accept waste oil that individuals bring in. Sohio has arranged to have a local rerefiner empty the tanks and rerefine the oil.

Mr. Speaker, it has only been 6 weeks since this program was established. It is still premature to gage the success of the program. Nevertheless, Sohio should be congratulated for its leadership and service to the Cincinnati community. It should be mentioned that Sohio is turning over its proceeds from the sale of waste oil to the Cincinnati Experience. I am hopeful that this program can be expanded to other communities in Ohio. Equally important, Sohio should consider diverting a small proportion of its advertising budget to publicize their waste oil recovery efforts. The more people learn about the dangers of waste oil, contamination, the more successful we will be in eliminating a chronic environmental pollutant and in conserving an important natural resource.

CAPTIVE NATIONS WEEK

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1976

Mr. GIAIMO. Mr. Speaker, this past week marked the 18th annual commemoration of Captive Nations Week.

This year's remembrance falls at an especially significant time, for July also is the month we celebrate our Bicentennial. The juxtaposition of our Bicentennial—and the 200 years of freedom we honor—and the ever-present reality of Communist oppression of the captive nations are particularly poignant and underscore the continuing importance of Public Law 86-90 which set aside the third week in July as Captive Nations Week.

Two hundred years ago, we proudly proclaimed to the world the inalienable right to life, liberty, and the pursuit of happiness. We do not pretend, of course, that we always have met the high standards we set for ourselves. That we have these standards and that we try to live up to them are what set us so far apart from government and political philosophies that practice repression and seek to oppress others.

As our Independence Day celebrations served as a dramatic reminder of the freedoms we have, so too is Captive Nations Week a dramatic reminder that there are millions behind the Iron Cur-

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tain who yearn for the freedoms we sometimes take for granted.

Alexandr Solzhenitsyn noted so eloquently:

New generations are growing up which are steadfast in their struggle with evil; which are not willing to accept unprincipled compromises; which prefer to lose everything—salary, conditions of existence and life itself—but are not willing to sacrifice conscience, nor willing to make deals with evil. . . . Whenever you help the persons persecuted in the Soviet Union, you not only display magnanimity and nobility, you're defending not only them but yourselves as well. You're defending your own future.

WHALE OIL

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. COLLINS of Texas. Mr. Speaker, I have always heard the proverb that "necessity is the mother of invention." History shows that this is definitely the case with energy resources. If domestic oil and gas prices go too high, America will find an alternative.

I look back on the energy situation in 1856 when oil was first discovered in the United States. The great demand for oil at that time was to provide illumination. Coal oil was one source; whale oil was the major source. They also used lard and tallow. But demand grew greater for illumination. The population was growing. Larger factories needed better lighting. The widespread emphasis on free education required more light in the classroom and at home. In addition, the industrial revolution introduced more complicated machinery and tools requiring more oil.

With all of this demand, the price of whale oil went up and up. By 1856, it was selling for \$2.50 per gallon. When you realize that there are 31-plus gallons in a barrel, this means that a barrel of whale oil was selling for \$78.75—and that was back when a dollar was real money. Necessity required an alternative.

Petroleum was discovered out in Pennsylvania in 1856. By 1860, they had developed a simple process where 70 percent of crude petroleum could be converted into illuminating oil at a processed cost averaging 7 cents a gallon. It could be sold to consumers at 12 cents a gallon. Consumers had been faced with whale oil selling at \$2.50 a gallon, which was more than they could pay, so a new, unknown, competitive source entered the field and within 4 years illuminating oil was selling for 12 cents a gallon, which was 1/20 of the going rate. The market now had this competitive, viable alternative—petroleum—for American homes and factories.

Today America faces another energy crisis. Invention can only evolve from the open marketplace. Oil and gas must seek their natural price level without artificial price controls. Any American with an ounce of commonsense knows that American crude oil must sell at \$12 a barrel just as Americans today pay Arab coun-

tries \$12 a barrel for their crude oil. But instead we only buy American oil at a \$5.25 a barrel because of price controls.

Everyone who understands energy realizes that gas on a comparative Btu basis should be receiving \$1.80 Mcf given the world oil price. But instead price controls it at 55 cents. American oil and gas must move and sell at the natural world price. Our congressional artificial price controls and barriers have caused the United States to become more and more dependent on imports. In the past 5 years imports of oil have risen from 20 percent to 43 percent of our domestic needs.

If oil and gas prices rise too high in the open market, alternatives will develop. Remember whale oil. Where there is a will, there is a way. But the marvelous ability of a free market to find alternatives can only operate without controls, which bring stagnation and more dependence on foreign imports.

PROTECT BROADCASTERS FREEDOM

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. LEHMAN. Mr. Speaker, on the night of April 30, Emilio Milian, the news director of radio station WQBA in Miami, was seriously injured by a bomb planted in his car.

Milian had been the target of many threats in recent months because of his strong editorials against previous terrorist bombings in Miami.

Any attempt to silence a news broadcaster who exercises his constitutional right to freedom of speech represents an attack on the rights of all of us.

We must make it clear to terrorists that they may not seek to deny us the fundamental rights and freedoms upon which our democratic nation is based.

Unfortunately, an apparent oversight in the current law has prevented the Federal Bureau of Investigation from entering this case.

The antiterrorist expertise of the FBI is needed to bring those responsible for this immoral and senseless act to justice.

It is my belief that any attack on a broadcaster or reporter who exercises his constitutional rights under the first amendment should be considered a Federal offense within the jurisdiction of the Federal Bureau of Investigation.

I am, therefore, introducing legislation for this purpose and I call for its prompt passage.

The text of the bill follows:

H.R. 14814

A bill to protect from certain willful injury any broadcaster or reporter employed by or under contract with any broadcasting station or any newspaper or periodical circulated to the general public

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 13 of title 18, United States Code, is amended by adding after section 245 the following new section:

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"§ 246. Protection of broadcasters and reporters.

"(a) If any person willfully injures or attempts to injure any individual who is—
(1) employed as a broadcaster or reporter by, or

"(2) under contract as a broadcaster or reporter with,

any broadcasting station or any newspaper or periodical circulated to the general public and such person takes such action as a result of any broadcasting or reportorial work carried on by such individual for such station, newspaper, or periodical in the course of such employment or under such contract, such person shall be fined not more than \$10,000, or imprisoned not more than 50 years, or both; and if death results such person shall be subject to imprisonment for any term of years or life.

"(b) If there is probable cause to believe that any person has violated this section, the Federal Bureau of Investigation shall conduct an investigation of such violation.

"(c) For the purposes of this section, the term—

"(1) 'broadcasting station' means any broadcasting station as defined by section 3dd of the Federal Communication Act (47 U.S.C. 153dd),

"(2) 'broadcaster' means any individual who broadcasts material normally reported in a newspaper, news periodical, or newscast and includes any individual who orally presents such material in any broadcast,

"(3) 'broadcasting' means any broadcasting as defined by section 3(o) of the Federal Communication Act (47 U.S.C. 153(a)) and includes the act of orally presenting any material by means of the dissemination of radio communication.

"(4) 'reporter' means any individual who investigates, gathers, or writes material normally reported in a newspaper, news periodical, or newscast, and

"(5) 'reportorial work' means the lawful investigation or gathering, or writing of information for purposes of reporting material normally reported in a newspaper, news periodical, or newscast."

Sec. 2. The table of sections of chapter 13 of title 18, United States Code, is amended by adding at the end thereof the following new item:

"246. Protection of broadcasters and reporters."

PERSONAL EXPLANATION

HON. ALLAN T. HOWE

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. HOWE. Mr. Speaker, on July 19 and 20, the House of Representatives amended and passed H.R. 10210, the Unemployment Compensation Act Amendments of 1976. I regret that I could not be present for the voting. Unfortunately, I had to be in Salt Lake City, Utah, at that time for my trial. Knowing I would be absent, I arranged ahead of time to have myself paired on each of the votes, but unfortunately there were not enough pairs to balance mine and I was not recorded. I would now like to insert for the Record the votes I would have cast if I had been here:

For the rule.

For the Ullman amendment to require coverage of agricultural workers of employers

with four or more workers in twenty weeks or who paid \$10,000 in quarterly wages (as opposed to \$5,000 in the bill).

Against the Ketchum amendment to strike out language which extends coverage to State and local government employees.

For the Pickle amendment to reduce the taxable wage base to \$6,000 (as opposed to \$8,000 in the bill).

Against the Corman amendment to establish a federal minimum benefit standard (50% of weekly wage or $\frac{2}{3}$ State average).

For the Sisk amendment to prohibit payment of unemployment compensation to illegal aliens and professional athletes.

For the Burlison amendment to expand the purposes of the National Commission on Unemployment Compensation to examine problems of fraud and abuse in unemployment compensation programs and present measures for preventing fraud.

For the duPont amendment to expand the purposes of the National Commission on Unemployment Compensation by reorganizing the ways in which unemployment statistics are gathered and used.

CAPTIVE NATIONS WEEK

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 1976

Mr. RINALDO. Mr. Speaker, this week we are commemorating the 18th anniversary of Captive Nations Week. I join with my colleagues in offering moral support and encouragement to captive nations throughout the world.

In the last 65 years, we have made tremendous advances in science, medicine, and technology; the first quarter of our century witnessed a flowering of the arts and literature to rival the age of Shakespeare; we Americans have sat in our livingrooms and watched a man walk on the Moon.

Yet millions of people are denied the right of choosing their own governments; they are restrained from practicing the religion of their choice; they are prohibited from emigrating to other countries. Whether it is in the Baltic States, China, Southeast Asia, Africa, or Eastern Europe, these people live in constant fear of arrest and persecution.

These captive people should not and must not be forgotten. To this day, they have resisted the totalitarian regimes imposed by Communists. I believe they will continue to resist so long as they have a ray of hope that they are not forgotten by the free peoples of the world.

Alexsandr Solzhenitsyn, who knows the cruelty and injustice of Moscow, has said that "in communism, this whole created being—man—is reduced to matter." Especially now, as the U.S. Congress commemorates the captive nations, we must reaffirm our belief in this "whole created being" and in the fundamental doctrine enunciated 200 years ago by Thomas Jefferson: that governments derive their just powers from the consent of the governed.

The United States must not forsake these fundamental beliefs for the phantasm of détente. We have never approved of Soviet hegemony in Eastern Europe,

and we should not do so now. The truths of 1776 are still self-evident: any policy of détente with the Soviet Union must consider human and moral factors as well as political realities.

Mr. Speaker, our 200th birthday was an event celebrated by people around the world. But there are those who could not join in the festivities; who could not share our joy; who, in their daily lives, do not share our freedoms.

It is they we remember this week. For them, the light of freedom should be held against the black night of totalitarianism. Although we have won and kept our liberty for 200 years, in the largest sense our task is not done. The example we set will be viewed by the world's oppressed as a token of our commitment to freedom for all people.

We should not disappoint them.

CONTINUING THREAT TO THE REPUBLIC OF SOUTH KOREA

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. MURPHY of New York. Mr Speaker, a brief article on the international news wires recently brings into sharp focus the continuing threat to the Republic of South Korea. Prior to the House debate on the Security Assistance Act, there was a lengthy colloquy in this chamber, led by Mr. Wilson of California and myself, on the true facts concerning the security and stability of the Republic of Korea itself, and that nation's interrelationships with all the other countries of East Asia.

The news article I refer to concerns the deaths of three soldiers of the Army of the Republic of Korea, killed in defending their country from armed infiltrators from North Korea.

The point is quite clear: there still remains in Korea an undeclared war. North Korean Dictator Kim Il-Sung has plainly stated that the only thing which deters him from descending upon the South is an American presence, the removal of which will signal the absorption of yet another democracy into the Communist pit.

In my earlier remarks, I outlined in considerable detail the concerns of other governments, particularly in Asia, that any display of weakness by the United States in upholding its commitments to South Korea could be viewed as vacillation in other similar commitments throughout Asia. Those concerns have been echoed again and again by leaders of many nations, particularly members of the House of Representatives of Japan, and by leading newspapers around the world.

It was necessary that this Congress support to its fullest extent the International Security Assistance and Arms Export Control Act of 1976, and it is most fortunate that the Congress met that challenge after a full airing of our individual differences.

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But we cannot stop with simple financial aid. The perfidy of the North is an ever-growing legend, and the Asian neighbors of both Koreas and increasingly concerned about the maintenance of peace, security, and stability in the Korean peninsula. Any threat to the security of South Korea is a direct threat to the peace and stability of Japan and the rest of East Asia.

As one sage stated, "The price of liberty is eternal vigilance," and if I might add a thought to that: Our eternal vigilance must continue in a well-informed environment.

We Americans of the Western Hemisphere can hardly begin to fully understand the background, culture, and development of Eastern thought, government, and social and economic approaches to global unity. But we are offered a unique opportunity to enter into an exchange of information with many distinguished leaders of the Japanese Diet, a government which is very directly affected by any flexion of international attitudes toward either North or South Korea, or the continuing conflict between the two.

The impact of that conflict is no more evident than in the news article I referred to: Men are dying at gunpoint, by handgrenades, and from ambush, in this continuing attempt to keep South Korea free.

But we are not alone in our concern that the Republic of Korea should remain apart from the Communist aggressors. I have received a continuing flow of mail from leading legislators of Japan and other countries, in support of our continuing presence and advocacy of a stable and secure Korean peninsula.

I bring to your attention some of these letters which show the obvious concern and continued interest of the leaders of the Japanese Government, as well as news articles from the Korea Herald, the China News, and others. Our Pacific allies are making it abundantly clear that there is considerable support for an American presence to continue in South Korea. It is such hard evidence as this that brings to the forefront our need to remain resolutely behind the Republic of Korea in the defense of its sovereignty and its very life and existence, in the face of mounting pressure from the North.

HOUSE OF REPRESENTATIVES,
Tokyo, June 18, 1976.

HON. JOHN M. MURPHY,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. MURPHY: Professor Victor Johnson has shown me the Special Order discussion concerning Korea in the House of Representatives on May 24, 1976 in the Congressional Record for that day. Let me say, I have greatly appreciated and enjoyed your remarks in that discussion.

I am glad that my letter to the Washington Post was useful to you. The editorial in the Washington Post March 19, 1976, to which my letter was a response, was really a vicious attack on President Park of South Korea and, since the United States is an ally of South Korea, the editorial was a surprise to us in Japan. So far as I am personally concerned, the Washington Post fails to realize that the basic issue in South Korea is national survival. The readiness of North Korea to again invade South Korea is ignored by the Washington Post and a number of other American and Japanese newspapers.

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As you correctly noted in your remarks, the Washington Post refused to publish my letter on the grounds that it was too long. In view of the type of news published in the Washington Post I believe that was only a pretext—especially as a Sunday edition of the Post often weighs nearly four pounds.

Our Diet group, the Seirankai, has been seriously concerned about the situation in South Korea ever since the collapse of the Government of South Vietnam in April 1975, for the security of South Korea is directly linked to the peace and security of Japan. Last November, 1975, one group sent a letter to a number of American Congressmen to express our concern. The letter was sent to all members of the Senate Armed Services Committee, the Senate Foreign Relations Committee, the House Armed Services Committee and the House International Relations Committee. Since you are concerned about the same situation, and as our concern here has not lessened, I am enclosing a copy of that letter for your information.

Professor Johnson has also shown me the debate in your House of Representatives on June 2, 1976 when restrictions on military aid and food allotments to South Korea were debated. I am deeply impressed by the very able and understanding defense of South Korea's position which you, Congressman Derwinski, Congressman Zablocki, and Congressman Charles H. Wilson made of South Korea's position and needs.

I am wondering if there may be ways in which our group, the Seirankai, could assist you and other American Congressmen in, (1), defending the position of South Korea, (2), creating in the United States a better understanding of the basic issues in South Korea and, (3), developing in the U.S. an understanding how vital South Korea is in the defense of East Asia. Our group is concerned about the rapid increase of Soviet military power in East Asia, especially the increase in submarines, other types of naval power and air power. Our basic concern is the peace and security of Japan but the peace and security of Japan, are one element in the peace, security and defense of East Asia. Our national interests are deeply involved in this total complex of factors. So I will be interested in hearing from you as to any type of cooperation which we might jointly undertake, even if it is only a greater exchange of information which may be helpful to all concerned.

With best personal wishes,
Sincerely,

EIICHI NAKAO,
Representative, Yamanashi Prefecture,
Chairman, Seirankai.

HOUSE OF REPRESENTATIVES,
Tokyo, Japan, November 21, 1975.

We are writing this letter to you as representatives of a group of concerned members of The Japanese National Diet, the national legislature of Japan. Our group, consisting of twenty-eight members, is known as the Seirankai and is one element of the Liberal-Democratic Party which forms the present Cabinet.

Our group is deeply concerned about the maintenance of peace, security and stability in the Republic of Korea. Most of the members of our group have visited the Republic of Korea in recent months and we have returned with feelings of deep concern about the future maintenance of peace, security and stability there. As conditions in Korea are related to various factors affecting the safety and welfare of Japan, our concern about conditions in Korea is all the greater.

Our recent visits to the Republic of Korea have shown that the press and other elements of the mass media have not presented a balanced view of the real situation there. We feel that the threat of invasion by North Korea is a very real and ever-present threat. The threat of invasion conditions

every phase of daily life of the people of the Republic of Korea and can never be ignored. To ignore it would be to invite disaster. The secret tunnels constructed by North Korea under the Demilitarized Zone could be for only one purpose—for a surprise attack on the Republic of Korea—but the tunnels are only one example, though a dramatic one, of a wide range of constant threats by the North Korean Government towards the Republic of Korea. Actions of the North Korean Government provide continuing indications that North Korea would again invade the Republic of Korea if a suitable opportunity should arise. We anticipate these threats to the peace and security of the Republic of Korea will continue for the foreseeable future and any sign of weakness or any lessening of vigilance by the Republic of Korea, its allies and supporters could invite another invasion by North Korean military forces, large elements of which are stationed near the Demilitarized Zone. In our view, any threat from North Korea towards the Republic of Korea should be regarded with the utmost seriousness.

At the time of the collapse of the Republic of Viet Nam, there was great apprehension, not to say alarm, in both Japan and the Republic of Korea as to the intentions and to the continued role and presence of the United States in East Asia and particularly in the Republic of Korea. Threatening statements by North Korean leaders, especially those of Kim Il-sung during his visit to Peking in May, 1975, added to rising apprehensions in both Japan and the Republic of Korea. The statements of Kim Il-Sung during his visits to Peking, Africa and Europe during this past spring, 1975, are not forgotten here. Statements of support for the Republic of Korea from President Ford, Secretary of State Kissinger and ex-Secretary of Defense Schlesinger helped to allay to some extent some of the stronger fears and apprehensions of political leaders in Japan and the Republic of Korea. The statements of ex-Secretary of Defense Schlesinger were especially appreciated. But, if we may speak frankly, despite the statements of President Ford, Secretary of State Kissinger and ex-Secretary of Defense Schlesinger, a certain creditability gap remained. Confidence in the intentions of the United States concerning peace and security in the Republic of Korea and East Asia improved during the summer and early autumn of this year, especially after the visit of Prime Minister Miki to Washington in August, but the events in Washington of the first week of November have had an unsettling effect here. Now the fears and concerns as to the intentions of the United States which were so strong at the time of the collapse of the Republic of Viet Nam are appearing again. Once more, questions as to how to best defend Japan, the Republic of Korea and this area of East Asia are being debated and are of growing concern to political leaders here. In these discussions and debates the intentions of the United States are of major concern.

The National Diet of Japan has ultimate responsibility for the defense and security of our country. As members of the Diet we give paramount consideration to those factors. The defense and security of Japan are based on the U.S.-Japan Security Treaty. The safety and defense of Korea are also matters of major importance in the defense of Japan. The security treaty between the United States and the Republic of Korea is likewise a major factor in the defense of Korea. Consequently, as you are undoubtedly aware, the intentions, actions and anticipated actions, of the United States in the event of any attack on the Republic of Korea are matters of great concern to us. Because of these circumstances we have resorted to this direct expression of our concern to you, for as a member of the Congress of the United States your duties bring you into close study of the matters set forth here.

Please be assured we do not intend to interfere in any way in the internal affairs of the United States. However, we believe that the peace and security of the Republic of Korea affect the vital interests of the United States as much as they do the vital interests of Japan, the Republic of Korea itself and the whole of East Asia. We are among those who believe that a threat to the peace any place is a threat to the peace everywhere. As Governor Brown of California recently said at a luncheon in San Francisco for the Emperor and Empress of Japan, "the world is becoming a global village". We concur in the sentiment expressed by Governor Brown especially in respect to the maintenance of peace.

We have had some hesitation about writing to you concerning these matters, but the press of events is such that we have decided that a direct exchange of opinions with some of our counterparts in the Congress of the United States, especially those concerned with these matters in the course of their legislative duties, will be the most expeditious and most helpful types of communication at this time. With this in mind, we hope you will understand why we have taken these matters up with you directly.

If you can do so, we will greatly appreciate hearing from you as to your personal views and opinions of the matters discussed in this letter. Your views and opinions will be of assistance to us when considering what course Japan should take in these same matters in the period ahead.

With all good wishes, we are,
Yours most sincerely,

MICHIO WATANABE,
ICHIRO NAKAGAWA.
KAZUO TAMAKI.
EIICHI NAKAO.

THREE SOLDIERS LAID TO REST

The remains of the three ROK Army soldiers who were killed in a counterinfiltration operation at the mideastern front over last weekend were buried yesterday at the National Cemetery, Tongjaktong, Seoul, in a solemn funeral ceremony sponsored by the Army.

A eulogy made by a representative of the 2102nd Army Unit, the home of the unfortunate trio, spoke highly of their courageous confrontation with the Communist agents and renewed the unit's will to fight to the last for the defense of the country.

Their first encounter with the three-man band of armed north Korean agents was last Saturday night. It came after Sgt. Min Kyong-un, 25 and Pvt. Kim Chong-myong sighted a suspicious man in military uniform hiding in bush at 6:40 p.m. just south of the Demilitarized Zone.

Sgt. Min and Pvt. Kim were on their way back to their guard post after receiving rations from their platoon camp. Min immediately covered the man with his M16 rifle and sent Kim to his platoon headquarters, some 300 meters away, to report. His platoon leader 2nd Lt. Pak Chae-won, 24, received the report.

Pak immediately formed two search squads and kept a tight cordon around the suspected area. By creeping, Lt. Pak neared the bush for up to 7 meters. He exclaimed, "Hands up and come out," but there was no response. The platoon leader fired a blank shot and then ordered all-out fire with the ensuing silence.

One of the ROK soldiers was hit. So Lt. Pak ordered his men to throw hand grenades and then the Communists threw two back. After a while, the shoot-out was ended leaving one dead enemy, three rucksacks, a Japanese camera, 31 rolls of unused film and an AK rifle.

The second Communist agent was found at a nearby Army unit at around 4:10 a.m. Mon-

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day. S. Sgt. Kim Song-jo, 30, of the 2032nd Army Unit and his ambush squad encountered a vague shape moving before them in dense fog. As soon as Sgt. Kim challenged, the vague figure began to run. Kim ordered all-out fire and throwing a hand grenade.

JUNE 8, 1976.

HON. JOHN M. MURPHY,
House of Representatives,
Washington, D.C.

DEAR SIR: I have just returned from another visit to South Korea which I have visited both in my capacity as a theologian and as a psychiatrist. I have found the Korean people, as always, delighting in the joy of God-given freedom and ever-thankful for the continued support of the American people. At times, however, many of our friends there do express concern at some of the recent statements made by misinformed members of our government who express the opinion that we should consider withdrawing our troops and support from South Korea. Such an act would, in effect, be leaving them to the mercy of the nearby merciless Communist aggressors, although I am convinced that the South Koreans would valiantly fight to the last man to preserve the freedom they have won and treasure so much.

I am writing to all members of our government to express my personal concern for the people of South Korea, and to urge that you personally do everything you can to see that we continue to support and defend South Korea as well as other freedom-loving nations which currently are being threatened by the Janus-like and perfidious monster of Communism.

The people of South Korea are some of the warmest, most devoted to freedom, and most supportive of the United States that I have ever known in any part of the world. I believe we have a moral obligation to do all that may be required on their behalf, and I earnestly seek your support in this regard. If I can help in any way, I would be delighted to correspond with you further on this matter.

With warm greetings,
BASIL JACKSON, M.D.

[From the Korea Herald, July 4, 1976]

TUNNEL AKIN TO WOODEN HORSE

(By Frank Cranston)

If ever they hold a competition to select the loneliest place in the world, there will obviously be many entries, but my money will be on a spot few would select—about 100 meters underground and some 800 meters from the light of the sun.

The place is directly under the median line of the Demilitarized Zone, which has separated south Korea from its northern neighbor since the long intermission in the suspended Korean War, which began in 1950.

Two smart-looking Republic of Korea soldiers, who stand guard underground near Chorwon, about 100km northeast of the south Korea capital, Seoul, are about two meters from their potential adversaries. However, they cannot be shot at or harassed, as are the Americans and south Koreans at Panmunjom from time to time, because the two meters between them and the north is the concrete block in an extraordinary excavation dug by the north Koreans as part of an invasion plan to which they might still see as of strategic viability.

What the two south Korean soldiers can never know is when the north will detonate a huge explosive charge designed to bring the tunnel crashing in upon them. Seven south Korean soldiers were killed by booby-traps hastily installed in the workings by the northerners as they fled last year.

The Chorwon tunnel, which I visited recently during a tour of south Korea, is a re-

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markable engineering feat and tribute not only to the abilities of north Korean miners, but also to the capabilities of the Swedish mining equipment which constructed it—and for which the Swedes have yet to be paid.

About 3.5km long, the tunnel was within 300 meters of its planned breakout point when the south Koreans, alerted by information from two north Korean army defectors, discovered it. Another tunnel, almost finished was discovered earlier a few kilometers west of Panmunjom.

The south Koreans say there is a high probability of their being 100 tunnels other than the two they have intercepted and that five more are suspected.

American officers say the ROK people are being devious and that they know the precise location of all the other north Korean excavations and have the entire 260km border wired for sound so they can immediately detect any renewed north Korean subterranean activity.

"You can tell them we have a suitable welcome prepared for the north Koreans," said Maj. Park Yong-ho after we inspected the tunnel. And from the numbers of tanks, field pieces and other works around us, he seemed to have thought of most things appropriate for a military reception.

Entrance to the Chorwon Tunnel is down an intersecting shaft dug last year above the point at which the north Koreans had proposed to build four or five separate exits.

108M BELOW SURFACE

The hills surrounding the area are very steep and rise to about 500 meters above sea level. The entrance is about 150 meters inside the DMZ where both sides have agreed to place no fortifications though the ultimate exit points were to have been 150 meters south of the south Korean barbed wire delineating the southern edge of the DMZ.

Rough steps have been formed in the rather narrow intersecting tunnel which descends quite steeply to a point 108 meters below the surface.

At the 108-meter level one enters the north Korean tunnel, a massive affair in which a long line of electric bulbs disappears into the gloom in either direction. To the right, 300 meters away, is the point at which the north Korean diggers had to stop their labors when the ROK troops began to drill the intersection.

The tunnel, which the ROK people say could take three average-sized Korean infantry men abreast, is drilled through solid granite and in one's admiration for the engineering it is easy to overlook that it represents also probably one of the most massive examples of political cynicism since the Wooden Horse.

According to two north Koreans who slipped across the DMZ into the south, Kim Pu-song and Yu Tae-yon, work on the tunnels was started in July 1972, at a time when north Korea had agreed to hold dialogue with south Korea the ultimate objective of which was the reunification of the country.

With the mandatory steel helmet extending my height to about 2.1 meters I was able to walk without stooping down for almost the whole length of our march. At most points my outstretched arms could not touch the sides which, at most places, are about 2.2 meters apart.

The major demonstrated also that the holes drilled for explosives invariably pointed south.

About 600 meters from the entrance to the main tunnel it suddenly widened out into a small chamber about four meters wide and maybe five meters long. This the major explained, was probably a rest area or a passing point for equipment along the narrow-gauge railway which had been laid but removed by the northerners as they withdrew.

Just a few meters further along was another chamber, about three times as large as the first. In this, to one side, are two big concrete platforms with threaded steel bolts embedded in them, the site apparently for air compressors, lathes or some other equipment.

And further along the concrete wall is equipment with which the two ROK soldiers are able to communicate by telephone to the surface and sounds which might come through.

The cool calm of the tunnel contrasted sharply with the heat of northern summer and the bustle of the world we had left as the major explained some more details of the workings.

Nowhere in modern military history is there anything to match this massive work. The investment in labor and money must have been enormous and was multiplied many times along the border as the Pyongyang authorities talked unification on the surface and prepared to do something about their version of it under the ground.

Seoul authorities estimate that about 15,000 workers were employed on the tunnel project, being held incommunicado from their own villages and housed in special construction camps during their labors. The diversion of economic resources adversely affected north Korea's near-bankrupt economy.

It was part of a plan, the defectors said, for a blitzkrieg offensive against south Korea in which the objective was the military and political destruction of the ROK within about three days.

STRATEGIC VALUES

The first waves of troops through the tunnels were to have been the 56,000 specially-trained guerrillas in north Korea's order of battle. They were to have harassed the ROK lines from behind, creating confusion and chaos while the main bodies of 490,000 regular troops came through tunnels or, with their armor, crashing through the followed by up to three million reservists of one sort or another.

The tragedies inherent in it all are manifest—the cost to north Korea, the extreme wariness with which Seoul must now view any "peace" overture from Pyongyang and the resources south Korea must divert to maintaining 100 per cent military preparedness and efficiency.

As we reemerged into the sunshine, panting at the pace with which the major had led us back up the intersection tunnel, it was time to gaze back up the hills toward the huge United Nations flag which marks one of the check points, to the barbed-wire fence which runs along the median line, and the yellow flags which delineate it. To gaze and wonder at the slaughter which would have occurred had it been tried.

As we drove back through the DMZ and then through the north of the south Korean fortifications, the tranquility of the rice paddies seemed to belie that war could have easily started here.

[From the *China News*, June 30, 1976]

UNITED STATES AND ASIAN DEFENSE

Why do such countries as Malaysia, Thailand and the Philippines insist on fighting Communism with one hand tied behind their back?

All three recognized the Chinese Communists despite the knowledgeable and well-intentioned counsel of this country.

Former Prime Minister Tunku Abdul Rahman has since admitted that Malaysia's decision was a mistake.

As things are going, Malaysia may soon be involved in an all-out anti-Communist war.

The Chinese Communists are busily engaged in boring from within.

Officially, the barrier provided by the Republic of China is gone. One of Malaysia's principal assets, however, is the fact that

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many of its Chinese continue to be strongly opposed to Communism and to side with the free Chinese government on Taiwan.

The Thais also feel increasing pressure from Communist insurgents.

Yet Thailand sent the Americans packing and now stands alone. Talk of making ASEAN into a military alliance is not likely to save Bangkok.

The Thai decision to break the American connection was ostensibly an outgrowth of U.S. retreat from Indochina.

Most free Asians do not condone the American withdrawal from South Vietnam, Cambodia and Laos. It was hasty. Promises were not kept.

At the same time, the whole of the blame cannot be placed on U.S. shoulders.

There were also indigenous failures. If the defenders of free Indochina had fought as hard as their attackers, the Americans might not have departed.

The United States did not wish to leave Thailand. It stood ready to provide extensive air and naval support.

Yet the Thais somehow construed any American presence as an invitation to the Communists to send in their guerrillas and attempt to organize insurgent armies.

Is the absence of the Americans making any difference in the Communist intention?

The Philippines is bargaining with the Americans about the U.S. air and naval presence. Not only do the Filipinos want more money and more control; they also want the Americans to depart within a few years.

Again, there seems to be a presumption that the country which stands alone will not have to fight the Communists.

This is true only if the country is prepared to surrender.

Japan is potentially the strongest country in Asia. If the Japanese rearm, they will have the capability of resisting any conceivable Communist attack and containing any insurgency.

But the Japanese are not asking the Americans to leave. They know when they are well off—and well defended.

The South Koreans are directly under the gun. Their danger is more immediate than that of the Philippines, Malaysia or Thailand.

Seoul is not inviting the Americans to go. To the contrary, the Koreans are doing everything in their power to persuade U.S. forces to remain on guard along the 38th parallel.

This does not reflect weakness on the part of the Republic of Korea. Its armed forces are the biggest and strongest among the free countries of East Asia.

What the Koreans understand—as perhaps some of our other neighbors do not—is that U.S. support is essential if war is to be averted.

North Korea is biding its time, hoping that the United States will depart again, as it did in 1949. Behind the Communists of Kim Il-Sung are those of Peking and Moscow.

Whether the Chinese and Russian Communists want another Korean war is beside the point. If one breaks out, they will be compelled to support it.

America keeps the peace in Korea—and in the Taiwan Straits as well. Although U.S. forces in Taiwan number only 2300, they symbolize the existence of the mutual assistance treaty between the United States and the Republic of China and of the U.S. Taiwan Defense Command. The Communists will not attack so long as these are in place.

Southeast Asia has misjudged the Americans by regarding Indochina as proof that the United States will never again fight for and with others.

Northeast Asia has not made the same mistake and consequently is more secure

than its neighboring region to the south. Those who are not alone and realize they cannot survive alone are much less likely to become dominoes.

WOMEN AND THE JUDICIARY

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Ms. ABZUG. Mr. Speaker, Jimmy Carter has pledged to appoint more women to high Federal positions, including the Federal bench, when he becomes President. Regrettably, the same cannot be said for the incumbent, who had—and flubbed—his chance to demonstrate a similar commitment when William O. Douglas resigned from the Supreme Court last year.

The current issue of *Juris Doctor* includes an excellent article on this subject by Emily Jane Goodman, a prominent attorney in New York. I think that it is well worth reading and include it in the RECORD at this point:

THE BOYS ON THE BENCH

(By Emily Jane Goodman)

Summer of 1976. The Bicentennial. And the Supreme Court of the United States remains a private club. For men only.

The profession of law has always been and still is dominated by men, the minority sex. We are a nation of laws made, interpreted, and enforced by men. Women—lawyers and nonlawyers—suffer because of the boys' club atmosphere surrounding the legal profession, and therefore our laws. The bar has institutionalized the inferior status of women. Nowhere is that clearer than in the judiciary.

Of course, despite recent, now defunct, rumors that a woman would be appointed to the Supreme Court, no female has ever sat on that lofty bench. In addition, courts all around the country, on every level, in every jurisdiction, are sex segregated. The judiciary appears to have its own quota, a ratio of more than 99 to one.

The total number of women judges in the United States district courts is three, and in the circuit courts of appeals one. Statistical presence of women judges in state court systems is similar. In New York, for example, there has never been a woman on the highest court, the court of appeals, or the intermediary appellate bench. In Manhattan—"The Big Apple"—there are three women in the supreme court, one in criminal court, two in court of claims (narcotics), two in civil court. There are, however, and perhaps predictably, a number (though not a great enough number) of women judges in family court.

There is no shortage of reasons for the lack of women on the bench. Women have been excluded from the resource pool from which judges are selected or elected. The most obvious reason is there are few women attorneys; even today only 7 percent of the profession is female. An even smaller percentage of women lawyers are found in positions that attract the prestige, money, and political connections that make judges.

Despite the ongoing debates as to whether judges should be appointed or elected, the distinction appears to be irrelevant in terms of how many women judges either system produces. In many jurisdictions there is a complex screening machinery for judicial appointments and pre-election selection by a variety of good government, special execu-

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tive, or legislative blue-ribbon panels and bar associations. These, too, was likely to be male dominated. Within these so-called reform schemes, the patterns and ways of discrimination are not always apparent.

For example, every potential New York judge, male or even female, is "invited" to be interviewed by the prestigious Bar Association of the City of New York. But the only candidates referred by the judge makers to the Women's Bar Association for interview are female aspirants, some of whom will be screened out by their sisters. (Similarly, white male would-be judges are not referred to, let us say, the Harlem Lawyers Association or the Puerto Rican Bar Association.) Therefore, every woman judge will have been approved by men and women. But potential male judges will not have even appeared before the women's professional organizations. The effect may be to have women do some of the "dirty work" by rating and eliminating from further consideration perhaps one or two out of three women lawyers; but in this process the women at the bar will not have been given the opportunity to apply their standards to male aspirants.

In addition to the institutionalized obstacles to keep women out of court, there is also "special" discriminatory treatment reserved for the few women who do approach the bench or ascend to judgeships. As illustrations:

Judge Nanette Dembitz, while seeking to run for a seat on New York's court of appeals, was asked by the state bar association how she could also manage her family.

A United States district court judge was asked in a similar interview what she would wear if appointed to the bench.

San Francisco Municipal Court Judge Ollie Marie-Victoire was removed from sitting on prostitution cases because of her pattern of dismissing them on grounds of anti-woman selective prosecution and denial of equal protection.

Judge Constance Baker Motley, of the federal district court in New York, was asked by the defendants in a sex discrimination case to disqualify herself on the basis of being a woman.

Chief Justice Susie Sharp, of the North Carolina Supreme Court, was told by an attorney in her trial court, "Honey, I don't think you understand my case very well."

It is obvious that no male judge or potential judge would be challenged in such ways.

Many women lawyers, and some men, profoundly resent sexist attitudes from the bench, reflected by such examples as: judges who ask the clients of women, "You're not part of women's lib, are you?"; judges who say divorcing women are lucky to have *any* men; judges who pinch the faces of women lawyers appearing before them, who comment on their skirts, legs, boots, pants, or hats, and who ask, "Are you old enough to be an attorney?" These people don't seem to get the point of the feminist movement. They will have to change their ways.

Having women, particularly feminists, in the law—including the judiciary—is bound to make major changes in our legislation, interpretation, and enforcement. The courtroom is bound to change, too—beginning with the aura of pervasive sexism.

However, the bar and its clients are mistaken if they think—if they think about it—that feminist lawyers and their clients will be satisfied merely with an occasional token woman running for judicial office, or even doubling the number of women judges in any local court (to two).

The prospect of an occasional woman judge or a few women pitted against one another for the "woman's seat" is totally unsatisfactory. Moreover, prospective women judges cannot automatically count on support from their sisters if they have not been advocates of meaningful change in our laws

and legal system so that women cease being an oppressed majority.

It is unfortunately true that even with so few women judges, some of them have already been accused by people both in and out of the women's movement of adopting "male values," being "male identified," playing the part of the one who's "made it," and showing insensitivity for litigants and lack of judicial temperament in, for instance, family court and criminal cases. It is fair to ask why women should be expected to be more brilliant, better looking, and also more just than their brothers.

Allowed to use their unique experience and follow their own value system—up to now inculcated for the wrong, Victorian, and male-benefiting reasons—women may bring to the bench a more fundamental fairness which could become our society's prevailing value for the right reasons. Evidence indicating that women have different values is already developing. A recent study showed congresswomen voting less for military expenditures than their male colleagues. It may be that women in our legislatures and our courts will say, "We reject the governing property laws that force us to evict people who cannot pay their rent (in a society which does not give them jobs)" or "Our laws permitting a husband to rape or beat his wife because she is his property must fall."

Feminists, in the legal profession or not, are concerned not only with placing women in key positions but also with the appointees' or electees' positions on feminist issues. It is said that it is not the judge's role to hold preconceived opinions.

However, judicial candidates run or are appointed on the basis of their commitments to political parties, political ideas, and past achievements. The bench is hardly apolitical. In the case of our newest Supreme Court appointee, Associate Justice John Paul Stevens, his lack of support for women's rights and equality was express and explicit.

Even if women are not inherently more "moral" or "better" people, we must challenge and eliminate the basic sexual and economic reasons that have been used by men in power to keep women and other "outsiders" out of our governing institutions, including law and the legal system. In this there is revolution.

Our world is treading along the edge of disaster. There is no reason to believe that the men in power will retreat from their present course. But it is possible—just possible—that women can literally change the world without falling into the sorrowful corruption we have grown accustomed to seeing.

Law, and particularly the judiciary, is a logical area in which this can happen.

The bar may not yet take the demands of feminism seriously. But a woman's work is never done.

GORDON POLKOW DEDICATED TO THE SCOUTING MOVEMENT

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. J. WILLIAM STANTON. Mr. Speaker, earlier this year, my district lost one of its truly fine citizens with the untimely death of Gordon Polkow of Geneva, Ohio. For 35 of his 47 years, Mr. Polkow was dedicated to the scouting movement, first as a Scout and then as the Scoutmaster of Troop 58. His tireless efforts in behalf of young people

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were in the best tradition of instilling youth with respect for our Nation and its environment. While Gordon Polkow did not live a long life, he nonetheless gained great satisfaction from witnessing his investment in America's future bear fruit as the boys he influenced and inspired grew to manhood and took their places in their communities. Gordon Polkow's living legacy is more valuable than any material bequest, for in giving so generously of himself to Geneva's youth, in effect he will continue to be a positive force for years to come.

THE NORTHEAST—OUR NEW APPALACHIA?

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. HARRINGTON. Mr. Speaker, on July 11, 1976, the Boston Sunday Globe published an article entitled "The Northeast—Our New Appalachia?" The article, authored by Martin Nolan, demonstrates the increasing alarm that has been developing in response to the continued economic decline of the industrial Northeast. Mr. Nolan compares the blighted urban areas of the Northeast to the rural Appalachian region, a comparison which in 1976 finds the Northeast wanting.

Mr. Nolan correctly perceives that the balance-of-payments disparity, by which the northern industrial States pay out billions more in taxes than they receive in Federal outlays, has become a prohibitive drain on the economy of the mature industrial regions. The time has come for a reversal of this inequitable situation; the resources of the Federal Government should be redirected to alleviate the ailing economies of our oldest industrial regions, as these regions once used their wealth to develop the rest of the country.

Mr. Nolan presents a convincing argument in favor of a united approach to this problem by the depressed industrial States involved. He indicates there is hope for some relief in the future by citing the Democratic Party platform's pledge to redirect Federal resources to urban areas having the greatest need. Perhaps the most noteworthy aspect of this article is that it is written from a national perspective, in the sense that Mr. Nolan sees the continued decline of the Northeast as a detriment to the economy of the entire Nation, as opposed to an exclusively regional problem.

The text of the article follows for the benefit of my colleagues:

[From the Boston Globe, July 11, 1976]

THE NORTHEAST—OUR NEW APPALACHIA?

WASHINGTON.—The statistics have accumulated in cold, gray, familiar detail: Industries migrate, population declines, cities suffer blight and an entire regional economy stagnates.

From New England through the mid-Atlantic states, the oldest and proudest quadrant of the Republic now faces a condition beyond economics, involving sociology,

culture and political psychology. The Northeast is the new Appalachia.

With New York City as its precursor, an entire region may be on the verge of going on welfare, placed in a supplicant status by a scarcity of natural resources as well as by Federal policies of aid formulas and spending.

The Old South and the New Sunbelt are becoming the "superpowers" in national politics and economics. The Northeast and the Midwest are a declining influence in American society.

In the early 1960s, when the Kennedy Administration sponsored "depressed area" legislation, much of the South benefited from special aid to Appalachia. But since that time more and more Federal and private investment, combined with a rapid two-way migration pattern, have left parts of the Northeast poorer than the most remote hollow in Appalachia.

According to Ralph R. Widner, former executive director of the Appalachia Regional Commission and now president of the Academy for Contemporary Problems in Ohio, the large cities in the Northeast and Midwest have become "the nation's new cotton fields."

Widner, who is working with a coalition of northern politicians notes that "the rural poor of the South and elsewhere now reside in the cities of the Northeast." These migration patterns have led to the threshold of an enormous political problem of restoring the balance of the nation's economy.

But the resolution of regional differences is a form of American genius precisely 200 years old. The next four presidential years and the next several congresses have the potential of producing a political and economic regional harmony as far-reaching as the document issued by the first American Congress in Philadelphia.

The cultural homogenizing of American society, which has been going on for 200 years, is reducing rather than fortifying regional differences. In Phoenix, city brochures boast of art museums and the Phoenix Suns. The wealth that oil has brought to Houston has since brought symphony orchestras and Gordie Howe.

Politics, however, remains a numbers game and sophisticated leadership seems required if regional political unity is to follow the increasing cultural unity of America.

Northeast governors and congressmen have begun to lobby for equalizing energy costs and nationalizing welfare at precisely the time that their older, poorer section of the country is beginning to lose its political clout.

The slide of both wealth and population to the Sunbelt states may accelerate in the next half decade. After the 1980 census, the anticipated loss of northern congressional seats will give the South and West a majority in the House of Representatives for the first time in history.

But at least one Northeasterner still holds national power. Rep. Thomas P. O'Neill Jr., the Cambridge Democrat unopposed for election as Speaker of the House of Representatives.

"You know, the wealth of the big states in the Northeast helped to build this nation," O'Neill says. "Now it's time for the wealthier states with their oil and natural resources to come to the aid of the older parts of the country."

"The new Southerners are much more national-minded and much less parochial than they used to be. When you look at people like (US Rep.) Andy Young, (D-Ga.), for instance, you can see that in the South and in the Southwest more liberal Democrats are being elected. You saw what they did on the New York City aid bill and on the bill to save the railroads of the Northeast. It is a realization that we're all in this together and that if Rhode Island's economy goes under because of the railroad it will spread to Illinois in a few days and from there beyond."

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So I think that the new breed of Southerner resembles Jimmy Carter and I think he's willing to consider aid for the older parts of the country."

The debate on the form of that aid has begun at a unique and ironic time in American politics. This month, a former peanut farmer from Georgia is expected to receive the nomination for President. With the exception of Lyndon Johnson, who reached the White House from the Vice Presidency, a Southerner has not been nominated for President by a major party since the Whigs chose Zachary Taylor of Louisiana in 1848.

The South has been the backwater of politics and culture, looked down upon by much of the rest of the nation, and no more so than by the very stage of Jimmy Carter's triumph, New York City. The world's pre-eminent citadel of urbanity has traded its silver spoon for a tin cup and when the city greets Jimmy Carter, it will do so not as a haughty host, but as a meek mendicant.

Jimmy Carter finished fourth in the New York primary, he finished fourth in Massachusetts' primary. He now seems to be slighting the Northeast in a search for running mates (as indeed are Ronald Reagan and Gerald Ford).

So Madison Square Garden may be an Appomattox reversed, with Jimmy Carter allowing the satraps of the subjugated province to keep their swords and horses for spring plowing.

But the platform on which Carter will stand also takes into account that the Democratic Party is still a national organization.

Tucked away in an innocuous corner of the platform is a paragraph entitled "special needs of older cities." In contrast to the low-key austerity of the rest of the platform this section of the party documents notes that a number of large older cities, "including the nation's largest city have been forced to undertake even greater social responsibilities, thus leading to unprecedented fiscal crises.

"There is a national interest in helping such cities in their present travail and a new Democratic President and Congress shall undertake a massive effort to do so."

As some of the Hibernian flourishes in that rhetoric suggest, the paragraph was authored by Daniel Patrick Moynihan, a Senate candidate from New York.

He sped the paragraph through the platform drafting subcommittee headed by Massachusetts Gov. Michael S. Dukakis.

Along with that commitment to "a massive effort" was another paragraph on economic development urging "the targeting of Federal resources into the areas of greatest need."

The attempt to redress the balance of Federal spending is not only a Democratic effort, but a Republican one.

Richard M. Rosenthal, chairman of the New York Republican State Committee and a protege of Vice President Nelson Rockefeller, is urging his party to adopt a program of "social security for our aging cities."

He has distributed to his colleagues statistics on the political, social and economic contributions of the Northeast to the nation and the Republican Party.

In 1964, GOP presidential candidate Barry Goldwater won cheers throughout the Sunbelt by suggesting the Northeast ought to be sawed off the mainland and floated out to sea.

According to a study by a respected non-partisan publication on government, The National Journal, "Federal tax and spending policies are causing a massive flow of wealth from the Northeast and Midwest to the fast-growing southern and western regions of the nation."

According to the Journal report, the Great Lakes states suffer more of a disparity than

New England, but both regions are showing a balance-of-payments deficit, as compared with the South and the Far West.

In the "balance of payments," that measure how much taxpayers receive in Federal spending for their dollars, the Northeast annually exports \$10.7 billion for which it receives nothing in return. The Midwest loses \$20 billion annually.

The South, meanwhile, has a favorable balance of trade with its northern neighbors of \$11.5 billion—that is, the South receives that much more in various Federal programs than it sends to Washington in taxes.

Massachusetts taxpayers are out-of-pocket \$462 million in this formula and Mississippi taxpayers are \$1.6 billion better off under Federal spending policies.

Defense spending, of course, is a major factor with the rapid decline of northeastern naval and air facilities and their subsequent acceptance in the South and West.

O'Neill insists the rapid acceleration of that process was "a political vendetta by the Nixon Administration, no question about it. We lost all these shipyards because Nixon hated the Northeast, he hated Massachusetts. There's no question about that. But I think that that was because Nixon was at heart a hater."

The House majority leader then displays a leprechaun-like twinkle in his eye and says, "I don't think Carter can be vindictive, do you? He's seen the light, hasn't he?"

Making sure Carter and his Southern colleagues see the light of adjusting aid formulas has been a project of Rep. Michael J. Harrington (D-Beverly), who has been producing survey after survey from the Library of Congress showing how aid formulas of nearly every major Federal spending agency have consistently favored the South and West over the Northeast.

Hartington, who was one of the original architects of the New England Congressional Caucus, a group of 25 House members, now talks of expanding the caucus coalition idea to 14 states, from Maine to Michigan and Wisconsin.

Harrington also talks of the need "to put our own house in order. We've got to end the cutthroat competition between New York and Massachusetts for business, and present a united front."

Harrington notes that New England itself has not been "too much open to change."

"They're pretty uptight Yankees, a lot of them, and so we find that we educate our best young people and our best young decide to gamble somewhere else."

Harrington applauds the effort of New York Gov. Hugh L. Carey to bring governors together in a way that Harrington is trying to bring members of the House from Northeast and Midwest states behind the idea of equalizing aid formulas.

"If we could equalize energy costs and nationalize the cost of welfare," Harrington says. "This work is going to be very important over the next four years—until the next census. And that's where Tip O'Neill is going to be important—in providing leadership to make sure that we get a fair shake."

COL. ELMER MUNSHOWER

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. BYRON. Mr. Speaker, with the recent passing of Col. Elmer Floyd Munshower, Frederick County, Md., lost one of its most distinguished citizens. Colonel Munshower led a full and complete life including a business and mill-

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tary career as well as active participation in local and State politics.

He entered the Maryland National Guard in 1906 and served as a lieutenant on the Mexican border in 1916. Later as a captain, he served with great distinction with the 29th Division at Verdun. He was promoted to major and served as commanding officer of the First Battalion, Maryland National Guard.

In 1937 after serving as alderman and mayor of Frederick, Colonel Munshower was appointed head of the Maryland State Police by Gov. Harry Nice. He served in that capacity for 2 years, and later he became involved in reorganization of the Baltimore County Police Department as a consultant.

During World War II, Colonel Munshower served as commanding officer of Camp A. P. Hill in Virginia, an important training camp. He then served as superintendent of the Maryland State Reformatory for Males where he instituted a series of important reforms.

In addition to all these accomplishments, Colonel Munshower was active in civic and public organizations in Frederick.

Colonel Munshower served as an inspiration to many young people in his community. He will be greatly missed by all those who worked and lived close to him.

MORALS, ETHICS AND ECONOMICS

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

MR. HAWKINS. Mr. Speaker, I would like to inform the Members that the National Council of the Churches of Christ in the U.S.A.—N.C.C.—has compiled a statement regarding the necessity of full employment. This organization has committed itself to the moral and ethical concern for the shaping of a just economic order in addition to the right and need to work. Their views are based on the religious belief that one's sense of identity and worth is associated to the feeling of contributing creatively and responsibly to meet the needs of society.

The statement follows:

NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE U.S.A. RESOLUTION ON FULL EMPLOYMENT

The Governing Board of the National Council of Churches, since its inception, has been committed to the moral and ethical concern for the shaping of a just economic order and the right and need to work. In a policy statement of 1954, the General Board stated that: "Every able-bodied adult has an obligation and the right to an opportunity to serve the community through work." In a policy statement of 1958, the General Board stated:

The government should give continued consideration to both short-run and long-term measures to restore and maintain employment levels. The government has a responsibility to use, when needed as stabilizers and other aids, the vast resources available in its fiscal, monetary, public works, and other economic powers.

These policy statements are rooted in the Christian conviction that one's sense of iden-

tity and worth is closely related to the feeling of contributing creatively and responsibly to meet the needs of society. In 1976, the NCC recommits itself to a full employment economy as an essential element of a more just economic order.

Through the Employment Act of 1946, the U.S. Government committed itself to the goal of maximum employment. Unfortunately, the federal government has failed to implement the aims of this Act, and our nation has suffered prolonged periods of high unemployment rates. According to the Bureau of Labor Statistics, at the last quarter of 1975, the unemployment of non-white youth in the labor force in metropolitan poverty areas reached 49.7 per cent. This failure has denied millions of men and women the adequate opportunity to develop their talents and to receive fair compensation for their labor. Government, moreover, has lost substantial revenues needed to finance enlightened social welfare programs, and society itself has suffered from a decreased production of goods and services. Unemployment in the years 1953-1974 resulted in these staggering fiscal losses:

\$2.6 trillion in production of goods and services;
\$1.5 trillion in wages and salaries;
\$760 billion in federal, state, and local taxes;
\$653 billion in private business investment.*

In the last two years alone we have lost \$400 billion in Gross National Product. The struggle for racial justice has been impeded, the campaign against crime is being lost, and our nation's commitment to the eradication of poverty, the preservation of the environment, the maintenance of adequate health care and educational opportunities has been weakened.

The Bicentennial is a fitting time for our country to fulfill the promises of full employment and fair opportunity—critical elements of a responsible and just society. All persons should be guaranteed the right to benefit from adequate job training or re-training and to obtain jobs suited to their individual qualifications at adequate compensation in either the private or the public sector. The President should be required by statute to propose and Congress should enact annual national budgets which move the economy to full employment and maintain it in that condition.

Accordingly, we urge Congress to enact legislation requiring the President to submit annually to Congress a Full Employment and National Purposes Budget calculated to create enough private and public employment at fair rates of compensation to meet national priorities in energy, resource development, mass transportation, housing, education, health care and other essential fields. Within an interim period of two years, our nation should strive to attain an unemployment rate of no more than 3 percent. This goal should be pursued in ways that will relieve the unjust proportion of unemployment borne by youth, elderly, women and minorities. The fiscal policies of the Federal Reserve System (such as the setting of interest rates) should be coordinated with a government program to achieve the goal of full employment. Legislation should include an administrative appeals procedure for persons unable to secure jobs. The federal government should be seen as the employer of last resort for the men, women, and youths who cannot locate jobs in the private economy.

Cooperation and input by private and nonprofit agencies and local and regional units of government are necessary for the

*Source of Figures: Research Paper No. 1 of the Full Employment Action Council, Washington, D.C.

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full employment effort. We ask the Unit Committee of the Division of Church and Society and other appropriate units of the National Council of Churches to implement this resolution and continue the Full Employment Program of involving the member communions in education, organizing, and legislative development.

Therefore, the Governing Board of NCC asserts that full employment is an essential element of a more just economic order and that every individual should be guaranteed the right and the opportunity to a job at adequate compensation. We commit ourselves to the task of shaping a national policy of full employment which would provide the hopes for a better and more productive life for ourselves, our families and our neighbors. We call upon the Federal Government to make full employment the nation's number one priority.

The General Secretary is asked to communicate this resolution to the President, the Congress of the United States, the platform committees of the two major political parties and the constituency of the churches.

THE NEED FOR A RATIONAL COAL DEVELOPMENT POLICY

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

MR. BROWN of Ohio. Mr. Speaker, in the 3 years since the Arab oil embargo brought our energy shortage into sharp focus, Congress has found itself unable adequately to address our complex energy problem. As a result, the basis of this problem—inadequate conservation measures and lagging production rates—still remain with us today. In fact, recent data suggest that the United States is now further behind in balancing consumption and domestic production of its energy resources than it was prior to the Arab oil embargo.

When we talk of energy in the United States today, most people think of oil and natural gas. No doubt this is primarily because the United States now depends on oil and gas for 75 percent of its energy. However, this was not always the case. At the turn of the century, coal accounted for over 90 percent of our energy needs, while today, coal supplies only about 18 percent of our energy.

Since our proven reserves of oil and natural gas are dwindling at an alarming rate, it is clear that we must move with great speed to develop alternative sources of energy to ease our dependence upon these two fuels. The so-called exotic sources of energy—nuclear, wind, and solar power are examples—will not be viable alternatives until the mid-to late-1980's, and it is estimated that many of these sources will not be commercially feasible on a large scale until much later than that. This demonstrates the importance of developing existing sources of energy in order to meet our energy needs during the critical next 15 to 20 years.

The largest single source of energy now available to us in the United States is coal. According to the FEA, proven coal reserves which are economically recoverable with existing technology amount to

three times the energy contained in the Middle East's oil reserves. Coal currently accounts for more than 90 percent of the Nation's proved energy reserves. Accordingly, if the United States is to bring its energy production and consumption into balance, then our coal reserves must be developed and utilized. Because of this fact, coal production is forecast to increase from the 603 million tons produced in 1974 to 1,040 million tons produced in 1985. However, uncertainties regarding our energy and environmental policy may discourage investment in the development of coal resources, thereby resulting in a serious inhibition of coal production. Indeed, there is evidence suggesting that the U.S. coal industry is already falling behind in its program for new mine openings. Accordingly, in the next several years, the industry's newly enlarged capacity will be underutilized.

The importance of coal to the United States' overall energy policy emphasizes the fact that we must insure that mine openings and development proceed at as rapid a pace as possible, consistent, of course, with the protection of our environment. To date, Congress has not taken the action necessary to provide this assurance. In fact, Congress has been primarily responsible for injecting uncertainty into the energy and environmental areas.

Congress must act to set a mining policy that strikes a fair balance between the concerns of environmentalists and the development of a strong U.S. energy policy. Although clean air and the preservation of our land and water resources must be given serious consideration, we must nevertheless begin developing our vast coal reserves at a quicker pace if we are to meet our future energy needs. Let us hope that we have not delayed too long already.

NATIONAL HEALTH INSURANCE

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. MCCOLLISTER. Mr. Speaker, during our recent recess, the Democrat National Convention met and adopted a plank in their platform endorsing the basic thrust of the Kennedy-Corman national health insurance bill pending before the House. Since this endorsement of the measure by the party which controls the House by a 2-to-1 margin may mean that the measure may soon be before the membership, I am introducing into the RECORD today a timely article on the subject by Mr. John B. O'Day, C.L.U., on the consequences of adding the burden of financing a national health insurance system to our present social security system:

NATIONAL HEALTH INSURANCE: SOCIAL SECURITY CAN'T HANDLE IT

(By John B. O'Day, C.L.U.)

There now can be doubt that the Social Security system is incapable of handling any national health insurance scheme. A review

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of the 1976 report of the Social Security trustees shows that the Old Age, Survivors, and Disability Trust Funds are in serious trouble. The trouble is not just short range; it extends well into the 21st century.

Calculating and collecting taxes to pay benefits to 32 million people based on death and long term disability is not a simple task. But it is a Sunday School Picnic—a piece of cake—a walk in the park, compared to administering a national health insurance program covering 215 million.

The present Social Security system must be restored to financial health. It must strive to regain and keep the confidence of the public. It must not be saddled with national health insurance, or any other scheme, that could destroy its integrity as social insurance and turn it into a mechanism of public welfare.

\$1,790.00 SOCIAL SECURITY TAX NOT ENOUGH

The sad news from the Social Security trustees is that an annual tax of up to \$1,790.00 per job is not enough to pay this year's benefits to the retired, disabled and survivors. The deficit is estimated at \$4.3 billion.

The deficit will be about \$3 billion more than 1975 despite this year's increase of up to \$140.00 on each job paying over \$14,100.

Projecting the deficits into the future, as shown on the "Red Ink" chart below, the trustees have reported that by 1979 deficits will have exhausted the disability trust fund and the larger old age and survivors fund would be similarly exhausted between 1981 and 1984. Other Social Security programs such as Medicare are subject to the same fund exhaustion, the trustees warn.

This year, the trustees painted a much grimmer picture than previous reports. Bad as the news was in 1975, it was understated by 50%. The deficits will be twice as much.

Last year's assumptions concerning fertility rates, prices, wages and productivity have been revised considerably presenting more realistic deficit projections, the trustees reported.

The country is faced with some hard choices. President Ford has proposed a 0.6% increase in the tax rate which would affect all jobs with the top jobs taxed at about \$2,050. Congress will probably wait until after election with a number of lawmakers supporting a substantial increase in the wage base only. Both present problems. Increasing the tax rate (regressive) affects lower paid workers and increasing the wage base substantially raises the aggregate benefits the SS funds must eventually pay out. Some would look to general revenues for the solution but every dollar drawn would have to be borrowed—with almost no hope of repayment—and added to the National Debt.

No one can say for sure just how much Americans are willing to pay for Social Security. The 10% plateau formerly believed to be the ceiling was surpassed in 1971 and present law calls for a tax rate of 12.1% in 1978.

Today it takes 100 workers to support 30 Social Security beneficiaries and there will be a time when this ratio descends to 2 to 1. The future SS tax burden on workers is already destined to be heavier without adding national health insurance to Social Security.

Today's 50 year old worker has seen his SS tax grow 2,984 per cent since he started work. The chart "Social Security Tax Without National Health Insurance" shows that the maximum SS tax per job has grown from \$60 to \$1,790 in the first two thirds of this worker's employment. At this rate, before he retires, the SS tax on his job will actually be higher than his total base income his first year on the job.

PREACH WHAT YOU PRACTICE

Social Security is in trouble. But think how devastating this trouble would be if national health insurance had been a part of the Social Security system.

Since President Franklin D. Roosevelt stripped health insurance from the original Social Security proposal, Congress has performed wisely in avoiding several formidable attempts to include it. Perhaps it's time in this election year to ask individual Senators and Congressmen to preach what Congress has practiced . . . to tell the people about the difficulty facing Social Security . . . to show them that Social Security just cannot handle national health insurance.

RED INK—OLD-AGE, SURVIVORS AND DISABILITY FUNDS BY CALENDAR YEAR

[In billions of dollars]

	Income	Outgo	Surplus or deficit (-)
1971	40.9	38.5	2.4
1972	45.6	43.3	2.3
1973	54.8	53.1	1.6
1974	62.1	60.6	1.5
1975	67.6	69.2	1.5
1976	73.8	78.2	4.3
1977	83.0	86.9	3.9
1978	91.6	96.8	5.2
1979	100.9	106.9	5.9
1980	110.6	117.8	7.2
1981	120.6	129.2	8.6

Note: 1976 estimate based on current data. Outlook for 1977-81 based on "intermediate" assumptions for economic growth and wage, price, and unemployment levels. Details may not add to totals due to rounding.

Source: Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds.

CAPTIVE NATIONS REMARKS

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. WHALEN. Mr. Speaker, since 1959, the United States has recognized the third week of July as a time of reflection and concern for the plight of those people held captive in their own countries.

The basic premise upon which American life is based is our dedication to the individual's inherent human rights. Two hundred years ago this past week, we began an unparalleled experiment which incorporated the firm belief that all men, having been created equal, are endowed with certain transcendent rights—the right to life, liberty, and the pursuit of happiness. As we work to assure the equality of rights in our own country, we must not believe that is where our responsibility ends. If we are to be faithful to our convictions, we must be concerned that liberty and equality prevail throughout the world.

Our purpose in designating the third week of July as Captive Nations Week, is not just to pay homage to those rights and freedoms which we, ourselves, enjoy. Rather, this special week is set aside to remind us of the millions of people who remain under captive rule all over the world. There are over two dozen nations, nearly half of which are under Soviet rule where basic human rights are denied.

This week, by rededicating ourselves to support the principles which have guided our own Nation these past two centuries, we will offer hope and support to those who seek justice and freedom for their own countries.

TAX CREDIT FOR HIGHER EDUCATION

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. LEHMAN. Mr. Speaker, I am today introducing a bill which would provide a Federal income tax credit for a portion of the costs of higher education. Similar legislation has been introduced before, but I believe that there is a particular urgency now that demands our speedy consideration.

Few would deny the benefits that higher education provides our Nation, both to individuals and to society. Graduates of postsecondary institutions, colleges, and universities as well as vocational and technical schools, tend to earn more money and pay more taxes than high school graduates, while providing much of the creativity and inventiveness that is the heart of our society. They also give generously of their time and their talents to their communities, providing voluntarily many services that could not be offered without them. Any Federal investment in higher education, then, is an investment in a better life for all of us.

Sadly, though, a number of recent trends have combined to limit the opportunities of middle-income people in seeking education beyond high school. Schools have faced inflation and rapidly escalating costs at the same time that enrollments have fallen off. The inevitable result has been forced increases in tuitions and in the other costs of attendance. There are, of course, both public and private sources of scholarship and loan money, but most middle-income families find that their incomes are too high for their children to be eligible.

A related problem is the growing tendency for families to have more than one student enrolled in postsecondary programs at the same time. The costs of educating one child may be high, but the thousands of dollars involved in the education of two or more is more often than not prohibitive.

My bill seeks to provide at least a partial remedy. Like S. 3487, a similar bill introduced in the other body by the distinguished Senator from Minnesota, Mr. MONDALE, this bill takes a two-step approach to a tax credit. A family—or a student who pays his or her own expenses—may take a credit of 50 percent of the first \$200 in expenses, 25 percent of any expenditure between \$201 and \$500, and 5 percent of any expenditure between \$501 and \$1,000. The maximum credit available under this formula is \$200. For each additional enrolled student in the family, the credit is 75 percent of the first \$200, 50 percent of the amount between \$201 and \$500, and 20 percent of any expense between \$501 and \$1,500, for a maximum possible credit of \$500. The expenses used in figuring the credit include tuition and fees, as well as books, supplies, and equipment, but not room and board or transportation.

Under my bill, a family which has three students in postsecondary institu-

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tions at the same time, and which has sufficient eligible expenses for the maximum credit, would be entitled to apply a credit of \$1,200 against Federal income taxes.

This Nation has always believed in the need for an educated citizenry, since Thomas Jefferson wrote:

Enlighten the people generally, and tyranny and oppressions of body and mind will vanish like evil spirits at the dawn of day.

In Jefferson's day, only the very wealthy and the very fortunate had full educational opportunity, but this country has through its history expanded the educational system and assisted more and more students at both the elementary and secondary and the postsecondary levels. Now, however, if present trends continue and government does not intervene, we may soon find only the very rich and the very poor at institutions of higher education. It is the middle-income families who bear the brunt of costs for most social programs, and we must now assure them that they will not be left out or denied their rights to education.

Mr. Speaker, a copy of my bill follows:

H.R. 14815

A bill to amend the Internal Revenue Code of 1954 to provide for a credit against the Federal income tax for certain higher education expenses

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CREDIT FOR HIGHER EDUCATION EXPENSES

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by inserting after section 44 the following new section:

"SEC. 44A. EXPENSES OF HIGHER EDUCATION.

"(a) GENERAL RULE.—There shall be allowed to an individual as a credit against the tax imposed by this chapter for the taxable year an amount (determined under subsection (b)) equal to a portion of the expenses of higher education paid or incurred by the individual during the taxable year for himself and for any dependent.

"(b) DETERMINATION OF AMOUNT.

"(1) AMOUNT WHEN EXPENSES ARE PAID FOR ONLY ONE INDIVIDUAL.—If expenses of higher education are paid or incurred by the taxpayer during the taxable year only for his own education or only for the education of one dependent, the amount of the credit allowable under subsection (a) for the taxable year shall be an amount equal to the sum of—

"(A) 50 percent of so much of such expenses as does not exceed \$200,

"(B) 25 percent of so much of such expenses as exceeds \$200 but does not exceed \$500, and

"(C) 5 percent of so much of such expenses as exceeds \$500 but does not exceed \$1,000.

"(2) AMOUNT WHEN EXPENSES ARE PAID FOR MORE THAN ONE INDIVIDUAL.—If expenses of higher education are paid or incurred by the taxpayer during the taxable year for his own education and for the education of a dependent, or for the education of more than one dependent, the amount of the credit allowable under subsection (a) for the taxable year shall be the sum of—

"(A) an amount determined under paragraph (1) by only taking into account expenses of higher education paid or incurred by the taxpayer during the taxable year for his own education (or if no such expenses were paid or incurred during the taxable year

for his education, for the education of one dependent designated by the taxpayer); plus

"(B) an amount determined for each dependent who is not designated under subparagraph (A) equal to the sum of—

"(i) 75 percent of so much of the expenses of higher education which are paid or incurred by the taxpayer during the taxable year for the education of such dependent as does not exceed \$200,

"(ii) 50 percent of so much of such expenses for the education of such dependent as exceeds \$200 but does not exceed \$500, and

"(iii) 20 percent of so much of such expenses for the education of such dependent as exceeds \$500 but does not exceed \$1,500.

"(3) PRORATION OF CREDIT WHERE MORE THAN ONE TAXPAYER PAYS EXPENSES.—If expenses of higher education of an individual are paid by more than one taxpayer during the taxable year, the credit allowable to each such taxpayer under subsection (a) with respect to the expenses of higher education of that individual shall be an amount which bears the same ratio to the amount of the credit which would be allowable with respect to such expenses if only one taxpayer paid or incurred them as the amount of such expenses paid or incurred by each taxpayer paying or incurring such expenses bears to the total amount of such expenses paid or incurred for the taxable year by all such taxpayers.

"(c) DEFINITIONS.—For purposes of this section—

"(1) EXPENSES OF HIGHER EDUCATION.—The term 'expenses of higher education' means—

"(A) tuition and fees required for the enrollment or attendance of a student at a level above the twelfth grade at an institution of higher education and

"(B) fees, books, supplies, and equipment required for courses of instruction above the twelfth grade at an institution of higher education.

Such term does not include any amount paid, directly or indirectly, for meals, lodging, transportation, or similar personal, living, or family expenses. In the event an amount paid for tuition or fees includes an amount for meals, lodging, transportation, or similar expenses which is not separately stated, the portion of such amount which is attributable to meals, lodging, transportation, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

"(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' means—

"(A) an educational institution (as defined in section 151(e)(4))—

"(i) which regularly offers education at a level above the twelfth grade; and

"(ii) contributions to or for the use of which constitute charitable contributions within the meaning of section 170(c); or

"(B) a business or trade school, or technical institution or other technical or vocational school in any State, which (1) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; and (ii) is accredited by a nationally recognized accrediting agency or association listed by the United States Commissioner of Education; and (iii) has been in existence for 2 years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subparagraph.

"(3) STATE.—The term 'State' includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(d) SPECIAL RULES.—

"(1) ADJUSTMENT FOR CERTAIN SCHOLARSHIPS AND VETERANS' BENEFITS.—The amounts

otherwise taken into account under subsection (a) as expenses of higher education of any individual during any period shall be reduced (before the application of subsection (b)) by any amounts received by such individual during such period as—

"(A) a scholarship or fellowship grant (within the meaning of section 117(a)(1)) which under section 117 is not includable in gross income, or

"(B) an education and training allowance under chapter 33 of title 38 of the United States Code or educational assistance allowance under chapter 34 of such title.

"(2) NONCREDIT AND RECREATIONAL, ETC., COURSES.—Amounts paid for expenses of higher education of any individual shall be taken into account under subsection (a)—

"(A) in the case of an individual who is a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction for which credit is allowed toward a baccalaureate or higher degree, and

"(B) in the case of an individual who is not a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

"(e) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by this chapter for the taxable year reduced by the sum of the credits allowable under—

"(1) section 33 (relating to foreign tax credit),

"(2) section 37 relating to retirement income,

"(3) section 38 (relating to investment in certain depreciable property),

"(4) section 40 (relating to work incentive program expenses),

"(5) section 41 (relating to contributions to candidates for public office), and

"(6) section 42 (relating to taxable income credit).

"(f) DISALLOWANCE OF EXPENSES AS DEDUCTION.—No deduction shall be allowed under section 162 (relating to trade or business expenses) for any expense of higher education which (after the application of subsection (b)) is taken into account in determining the amount of any credit allowed under subsection (a). The preceding sentence shall not apply to any expenses of higher education with respect to which the taxpayer, under regulations prescribed by the Secretary or his delegate, elects not to have the provisions of this section apply.

"(g) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section."

(b) CLERICAL AMENDMENT.—The table of sections for such subpart A is amended by inserting after the item relating to section 44 the following:

"Sec. 44A. Expenses of higher education."

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 of this Act apply to taxable years beginning after December 31, 1976.

NEW LEADERSHIP FOR THE CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. HAMILTON. Mr. Speaker, a Washington newspaper reporter who

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covers the U.S. Congress commented to me the other day that it had been quite a while since he wrote a news story on legislation before the Congress. His comment called to my attention the fact that although the Congress has been much in the news recently it has not been there because of what should be its principal function, lawmaking.

Two subjects now dominate discussion about the Congress. One is the surge of interest in overhauling the internal procedures of the House as a result of the WAYNE HAYS-Elizabeth Ray revelations and the second is what the new leadership of the Congress will be like in 1977.

With the announcement by House Speaker CARL ALBERT, Senate majority Leader MIKE MANSFIELD, and Senate Minority Leader HUGH SCOTT that they will retire at the end of this Congress, the turnover in the Congress will constitute one of the most complete changes in congressional leadership in recent history. Three of the top leadership posts in the next Congress will be filled by a man new to the job. The present House majority leader THOMAS P. O'NEILL, is considered Speaker ALBERT's certain successor, but a spirited contest to succeed Mr. O'NEILL as majority leader is going on among at least three contenders. In the Senate several Senators have already announced for the majority leadership post, and several are expected to announce soon for minority leader.

Speaker ALBERT, who has often been criticized for ineffective leadership, has probably had a more significant and creative leadership than many persons realize. Mr. ALBERT has presided over the House during the historic Nixon impeachment proceedings and during major efforts of internal congressional reform. He has supported these far-reaching reforms which dramatically modified the seniority system, checked the power of committee chairmen and spread the action among more Members. The Congress has become a far more open, accountable and democratic institution during his tenure as Speaker.

No Member would claim that Speaker ALBERT has been a flashy, publicity-wise politician. Indeed his 5-minute news conferences, given each day before the House convenes, are famous among House newsmen for the lack of hard news they produce. But all Members would praise him for his fairness, decency, and integrity. His style is to seek a consensus, to work behind the scenes and to avoid, if possible, confrontation with the President or powerful congressional committee chairmen. He employs the tools of persuasion and conciliation among his colleagues and he will leave the Congress with wide respect and much affection. Senators MANSFIELD and SCOTT have provided similar leadership in the Senate.

The leaders of Congress set its style and character, and, as its leadership changes, the Congress itself will undoubtedly change. Most of the Congress-watchers think that the new leaders will bring stronger, more assertive leadership. It seems to me much too early to reach any conclusions about that, but it is not too early for Members of Congress

to reflect on the frustration and failures of the present Congress and its low standing in public esteem and to decide what kind of leadership the Congress wants and needs.

Members of the Congress must decide how vigorous they want their leadership to be. Complaints are often heard in Congress that the leadership is not energetic enough. But Members are ambivalent about leadership. They want leaders who will work hard to mobilize support for legislation, but they do not want their leaders to be tyrannical. They want their leaders to be articulate and effective on television and with the news media. And they want them to be approachable, sensitive to their problems, and willing to press for reform in House procedures. In short, Members want leaders who will begin to restore the Congress to high public esteem. It is also my hope that the new leaders will operate with some vision of where this country ought to be heading, and how the Congress can help it get there.

I do not think it is possible for the leaders of the Congress to wield absolute authority, as some leaders of the Congress did in days past. There is a lot of nostalgic nonsense spoken and written about how things would be much better if "Czar" Reed, "Uncle Joe" Cannon, or "Mr. Sam" Rayburn were only at the helm today. The new leadership will preside over a dramatically changed Congress. Today the Congress is more independent, more aggressive, younger and much harder to lead than Congresses even several years ago. It is a formidable challenge for even the most skillful of political leaders to lead a House comprised of 435 Representatives from widely different constituencies and interests at a time when the intensity of lobbying activity in Washington has increased manifold.

The new leaders, whoever they are, will have their hands full. Congress is made up today of able, independent, and strong-minded people who will not yield to a dominating leadership. The new leaders will have to operate by persuasion and they will find that they have no choice but continue to try to make the Congress more open, more accountable and more responsive. They will need a sure sense of where the votes are and what the rank and file Members want. They must be able to "feel" the mood of the Congress and help guide it in the direction they think it should go. The art of democratic leadership in the Congress is to be out in front of its Members—but not very far.

CONGRESSIONAL REFORM: RULE XXII

HON. JOEL PRITCHARD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. PRITCHARD. Mr. Speaker, we can all take pride in the fact that the Congress is a good example of how a representative democracy works. But, the Con-

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gress—and the House of Representatives in particular—is far from being a model of operating efficiency. Archaic and inefficient rules and procedures only hamper our purpose and make it more difficult to carry out our responsibilities as elected Representatives.

A fitting example of such a rule which breeds wasteful and costly inefficiency has to be House rule XXII, which limits to 25 the number of Members who may cosponsor any particular bill.

Prior to 1967, the House rules prohibited the cosponsorship of bills entirely—only the author's name appeared on the bill. Finally, in 1967, the House amended its rules—by adopting House Resolution 42—to allow up to 25 Members' names to appear on a single bill. To facilitate additional cosponsors. Members soon learned they could evade the rule by reintroducing identical bills.

Three major criteria underscore the desirability for ending the "25 rule" of cosponsorship—cost, confusion, and continuity.

Many of us are unaware of the expenses incurred in just the printing of one bill. For each bill that is introduced, 3,000 copies are made. For a two-page bill, the printing cost is \$78. An eight-page bill—which is the average bill length—is \$328. For a 20-page bill, the cost amounts to \$659.

Duplicate bills result in duplicative costs; 16,989 bills have been introduced in the House during the 94th Congress as of June 1976. Of that number, 6,644—39 percent—were duplicate bills. When an average-sized bill of eight pages is reintroduced on a different day, the additional cost in printing alone is \$102. When that figure is multiplied by the 6,644 duplicates introduced, we find that \$677,688 has already been wasted on unnecessary bill duplication in this session.

Another adverse result of bill duplication is confusion. There is no Member or office that has been exempt from the difficulty of tracking the path of an issue whose volume of duplicate legislation is continually multiplying. These difficulties incurred by congressional staff are magnified for the individual citizen attempting to follow a bill through the legislative process. The exact same bill often winds up with four different numbers.

Finally, rule XXII breeds a lack of continuity amongst the two Halls of Congress. The Senate has long and successfully operated under the unlimited cosponsorship rule. Of the 3,665 bills that have been introduced in the Senate during the 94th Congress as of June 1976, only 23—less than 1 percent—have been duplicate bills.

As a means of ending this unnecessary and expensive procedure, I strongly urge the adoption of House Resolution 1317, that will strike the 25 limit from rule XXII.

Perhaps the two most widely discussed issues thus far in this Presidential election year are budgetary responsibility and confidence in those whom the American people have chosen to govern. In a small way, this proposed House rule change touches upon both of these questions. The adoption of this rule change could not only save almost \$1 million each

Congress, it will be a step, granted a small one, toward modifying the rules of the House so that we may more efficiently proceed with the business of the American people.

ASSOCIATION OF THE BAR SUPPORTS ABZUG BILL TO PROHIBIT DISCRIMINATION ON THE BASIS OF AFFECTIONAL OR SEXUAL PREFERENCE

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Ms. ABZUG. Mr. Speaker, I am pleased to note that the Association of the Bar of the city of New York has expressed its support for H.R. 5452, my bill to outlaw discrimination in public accommodations, public facilities, public education, federally assisted opportunities, employment, housing sale, rental financing, and brokerage, and federally assisted education programs on the basis of a person's affectional or sexual preference.

This bill would extend the full protection of our civil rights statutes to homosexuals. Its enactment would not be necessary if the Supreme Court had done its job and recognized that the right of privacy includes the right of consenting adults, in private, to engage in such sexual conduct as they may choose without interference by the Government and without being subjected to discrimination because of such activities.

More than a dozen of our States have repealed their laws against such conduct: Arkansas, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Indiana, Maine, New Mexico, North Dakota, Ohio, Oregon, South Dakota, and Washington. Private groups calling for an end to such discrimination include the American Bar Association, the American Psychiatric Association, the American Federation of Teachers, the National Board of the YWCA, the American Civil Liberties Union, the National Organization for Women, the National Federation of Priests' Councils, and the American Law Institute.

The time for action by Congress or the courts is now, and I hope that it will be forthcoming soon.

The statement of the Association of the Bar is included at this point:

[31—The Record of the Association of the Bar (May/June 1976)]

FEDERAL LEGISLATION PROHIBITING DISCRIMINATION ON THE BASIS OF AFFECTIONAL OR SEXUAL PREFERENCE

(By The Special Committee on Sex and Law)

SUMMARY AND RECOMMENDATION

The Committee urges adoption of H.R. 5452.¹ This bill would amend the Civil Rights Act of 1964 and certain other laws² to prohibit discrimination in public accommodations, public facilities, public education, federally assisted opportunities, employment, housing sale, rental, financing, and brokerage, and education programs receiving federal financial assistance on the basis of a person's affectional or sexual preference.

Footnotes at end of article.

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"Affectional or sexual preference" is defined in the bill to mean "having or manifesting an emotional or physical attachment to another consenting person or persons of either gender, or having or manifesting a preference for such attachment." This legislation would extend the protections of the federal civil rights laws to homosexuals.

INTRODUCTION AND BACKGROUND

The Kinsey reports on human sexuality are generally credited with giving impetus to the reexamination of laws and attitudes towards homosexuality.³ Social, religious, medical and legal attitudes on this subject have undergone significant change in recent years. Psychiatric opinion, which for many years had classified homosexuality as a personality disorder, has changed dramatically. In 1973, the American Psychiatric Association (APA) adopted the position that "by itself, homosexuality does not meet the criteria for being a psychiatric disorder."⁴ The APA simultaneously adopted the following resolution with respect to discrimination against homosexuals:

"Whereas homosexuality per se implies no impairment in judgment, stability, reliability, or general social or vocational capabilities, therefore, be it resolved that the American Psychiatric Association deplores all public and private discrimination against homosexuals in such areas as employment, housing, public accommodation, and licensing, and declares that no burden of proof of such judgment, capacity, or reliability shall be placed upon homosexual's greater than that imposed on any other persons. Further, the American Psychiatric Association supports and urges the enactment of civil rights legislation at the local, state, and federal level that would offer homosexual citizens the same protections now guaranteed to others on the basis of race, creed, color, etc. Further, the American Psychiatric Association supports and urges the repeal of all discriminatory legislation singling out homosexual acts by consenting adults in private."⁵

Similar resolutions urging an end to discrimination against homosexuals have been adopted by the American Federation of Teachers (AFL-CIO), the American Personnel and Guidance Association, the American Psychological Association, the National Board of the YWCA, the National Conference on Jewish Men and Women, the National Educational Association (NEA), and the National Organization for Women (NOW).

Religious attitudes on homosexuality are changing. The National Federation of Priests' Councils, a national organization of Catholic priests, has urged an end to discrimination against homosexuals. An organization of gay Catholics has been formed, called "Dignity," and its members include a Jesuit priest. In 1972 the United Church of Christ ordained an acknowledged homosexual into its ministry. The Council for Christian Social Action of the same church in 1969 adopted a resolution which states in part: "Even while we proclaim a unity under God which transcends our division . . . we still honor variations among men in their political loyalties, lifestyles, and sexual preferences."⁶ The Episcopal Diocese of New York's statement, "On Private Sexual Morality,"⁷ states: "We favor repeal of those statutes that make such [private sexual] practices among competent and consenting adults criminal acts." The Episcopal Bishop of New York issued a public statement in support of local legislation prohibiting discrimination against homosexuals in New York City. The Unitarian Universalist Association of Churches and Fellowships of North America has established an Office on Gay Affairs.

The law and legal opinion have also been changing in their treatment of and view of

homosexual conduct. In 1955, the Model Penal Code of the American Law Institute recommended removal of criminal penalties for sexual acts in private between consenting adults, on the grounds that "No harm to the secular interests of the Community is involved in a typical sexual practice in private between consenting adult partners."⁸ There are no federal penalties for such acts. In 1961, Illinois became the first state to repeal all prohibitions against private homosexual acts involving consenting adults. Subsequently, Arkansas, California, Colorado, Connecticut, Delaware, Hawaii, Indiana, Maine, New Mexico, North Dakota, Ohio, Oregon, South Dakota, and Washington have enacted similar legislation. In 1973, the American Bar Association adopted the following resolution:

"Resolved, that the legislatures of the several states are urged to repeal all laws which classify as criminal conduct any form of non-commercial sexual conduct between consenting adults in private, saving only those portions which protect minors or public decorum."⁹

The Report in support of the American Bar Association resolution stated: "Such provisions apply to both heterosexual and homosexual conduct, but are most often applied against homosexuals, both in enforcement of the statutes themselves and as the basis for discrimination against homosexuals on the ground that they are most likely violating the law."¹⁰ This Committee and the Committee on Criminal Courts, Law and Procedure of this Association have previously issued a report in support of legislation to repeal the prohibition against consensual sodomy in the New York Penal Law. This Committee and the Committee on Civil Rights of the Association have previously issued a report in support of local New York City legislation to prohibit discrimination against homosexuals, and this Committee and the Committee on State Legislation have previously issued a report in support of similar state legislation introduced in the New York Legislature.

There is ample evidence of discrimination against homosexuals in employment and other areas covered by the proposed legislation. The federal government itself participates in such discrimination. The United States Civil Service Commission has an official exclusionary policy directed against homosexuals under the heading of dismissal for "such case as will promote the efficiency of the service."¹¹ The military services make considerable efforts to exclude homosexuals.¹² Homosexuals are also subject to attempts to exclude them from immigration into the United States or from citizenship once they are here on the basis that homosexuality per se is evidence of a lack of "good moral character."¹³ In a background study done for the National Institute of Mental Health's Task Force on Homosexuality, it was found that sixteen percent of the sample had had employment difficulties attributable to attitudes toward their homosexuality, including nine percent who had lost jobs on these grounds.¹⁴

Much of the resistance to hiring or renting or selling property to homosexuals, and much of the resistance to legislation prohibiting discrimination against homosexuals, has stemmed from the belief that all homosexuals are alike and behave in a stereotyped fashion. Such attitudes and beliefs were revealed in the study by the National Institute of Mental Health's Task Force and in the testimony in opposition to anti-discrimination legislation at hearings held by the New York City Council. Opponents fear that if anti-discrimination legislation were enacted, employers would be forced to hire and landlords forced to rent to any homosexual applicant, whether or not such applicant would otherwise be a suitable employee or tenant.

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These apprehensions are not well founded. It is clear from the work of Kinsey and the National Institute of Mental Health Task Force and from the growing number of openly homosexual men and women that gay and women span the entire range of personality types, employment positions, and other characteristics, just as heterosexuals do. The final report of the National Institute of Mental Health's Task Force stated:

"Homosexuality is not a unitary phenomenon, but rather represents a variety of phenomena which take in a wide spectrum of overt behaviors and psychological experiences."

"Homosexual individuals can be found in all walks of life, at all socioeconomic levels, among all cultural groups within American society, and in rural as well as urban areas. Contrary to the frequently held notion that all homosexuals are alike, they are in fact very heterogeneous."¹⁵

Such attitudes had an effect on employment practices and policies, the Task Force found:

"Present employment policies generally deal with the homosexual individual as if homosexuality were a specific and homogeneous category of behavior, and tends to ignore the wide range of variation that exists."¹⁶

The consequences of these attitudes and policies, the Task Force found, were severe, both for the affected gay individuals themselves and for society.

"Individual homosexuals suffer in being isolated from much of society and from the fact that they live in a culture in which homosexuality is considered maladaptive and opprobrious. Their families suffer in feeling responsible and in adjusting to the problem. Society at large inevitably loses in a number of ways—loss of manpower, economic costs, human costs, etc. For these reasons (among others), efforts must be made at both the individual and social levels to deal with the problems associated with homosexuality."¹⁷

The Task Force concluded that employment policies and practices with respect to homosexuals should be changed.

"It is recommended that there be a reassessment of current employment practices and policy relating to the employment of homosexual individuals with a view toward making needed changes. Discrimination in employment can lead to economic disenfranchisement, thus engendering anxiety and frustrating legitimate achievement motivation."¹⁸

Legislation prohibiting discrimination based on sexual orientation would not require an employer to hire or a landlord to rent to an individual who was unacceptable for reason other than sexual orientation, any more than legislation prohibiting discrimination against women or against racial and ethnic minorities has that effect. All such legislation does require is that for an individual otherwise qualified, sex, race, national origin, or sexual orientation in and of itself cannot be a disqualification for employment, housing, or public accommodations.

Objection to legislation prohibiting discrimination against homosexuals is sometimes voiced by those concerned over the prospect of having children taught by homosexual teachers. This objection is frequently based on the fear that homosexuals are child molesters and may seduce their children. Researchers on the subject, however, agree that child molestation is primarily engaged in by a distinct category of persons who are exclusively attracted to children. "The man who is sexually interested in children is rarely a homosexual with well-developed interests in adult males . . . more often, the offender is a single or married male who lives a relatively conventional life with only sporadic or no adult homosexual contact."¹⁹

Thus, there is no more reason to fear the homosexual teacher than the heterosexual one, and this fact is beginning to be acknowl-

edged by school systems. The Board of Education of the District of Columbia in May 1972 adopted a resolution prohibiting discrimination in hiring in the District's school system based on sexual orientation,²⁰ and the Pennsylvania State Commissioner of Education granted state certification to a publicly-acknowledged homosexual. The District of Columbia school system has subsequently reported that no problems have arisen as a result of its anti-discrimination policy.²¹ As indicated above, both the National Educational Association (NEA) and the American Federation of Teachers (AFT) have urged an end to discrimination against gay teachers. Cases specifically involving school teachers have begun to appear. The Supreme Court of California has held that a homosexual school teacher's loss of employment without evidence of a connection between the teacher's private life and the ability to perform as a teacher was a violation of due process under the Fourteenth Amendment.²² A federal district court held recently that homosexuality per se could not be grounds for dismissal or refusal to hire a teacher, although the teacher's transfer from teaching duties in that case was ultimately upheld because he had failed to reveal prior membership in a gay students' organization on his teaching application.²³

Homosexuals in other professions, including the legal professional, have also in the past been denied the right to engage in their profession because of their sexual orientation, and have had to seek relief from the courts.²⁴

Homosexual groups seeking the benefits of corporate status, and gay student organizations seeking the same rights and benefits as other student organizations have had to resort to the courts to gain the protection and benefits routinely granted to other similarly-situated non-gay groups.²⁵

Passage of federal anti-discrimination legislation will eliminate virtually all of the discrimination against gay people discussed above. In those instances which may not be specifically covered by pending legislation, such as the granting of corporate status by a state to an organization, resort to the courts might still be necessary in some cases, but the existence of a federal policy against discrimination based on sexual orientation would reduce the instances in which such judicial relief would be necessary.

Since 1972, at least twelve American cities have enacted some form of gay civil rights legislation: Detroit, Minneapolis, San Francisco, Seattle, Columbus, St. Paul, the District of Columbia, Portland, Ann Arbor and East Lansing, Michigan, Alfred, New York, and Palo Alto, California. (The City of Toronto in Canada has also taken similar action.) In New York City, a City Civil Service and Personnel Department Policy prohibits discrimination based on sexual orientation in hiring by the City government. These various local provisions, however, vary in the scope of their protection, and of course extend only over limited jurisdictions. There is, therefore, in this area as in the area of civil rights legislation for other minorities and for women, a need for uniform national legislation. The pending federal legislation, by amending the Civil Rights Act of 1964 and certain other laws, would provide such uniform national protection against discrimination.

CONCLUSION

The Committee recommends enactment of H.R. 5452 as a necessary measure to provide uniform national protection against the discrimination suffered by gay men and women in the United States.

Adopted: June, 1975.

Respectfully submitted,

CAROL BELLAMY,

Chair.

FOOTNOTES

¹ Introduced by Congresswoman Abzug on March 25, 1975, and co-sponsored by Repre-

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sentatives Burton, Koch, Nix, Dellums, Fauntroy, Harrington, McCloskey, Stark, Solary, Richmond, Bingham, Rosenthal, Mitchell (Maryland), Fraser, Brown (California), Mineta, Waxman, Badillo, Rangel, Chisholm, Holtzman, Schroeder, and Studds. Referred to the Committee on the Judiciary.

² Act to prescribe penalties for certain acts of violence or intimidation, 42 U.S.C. 3631; Education Amendments of 1972, P.L. 92-318.

³ A. Kinsey, W. Pomeroy & C. Martin, *SEXUAL BEHAVIOR IN THE HUMAN MALE* (1948); A. Kinsey, W. Pomeroy, C. Martin & P. Gebhard, *SEXUAL BEHAVIOR IN THE HUMAN FEMALE* (1953).

⁴ *New York Times*, December 16, 1973; *New York Times*, April 9, 1974.

⁵ *Id.*

⁶ RESOLUTION ON HOMOSEXUALS AND THE LAW, adopted April 12, 1969, Council for Christian Social Action of the United Church of Christ.

⁷ Resolution, ON PRIVATE SEXUAL MORALITY, adopted by the Council of the Episcopal Diocese of New York, March 18, 1971.

⁸ AMERICAN LAW INSTITUTE, MODEL PENAL CODE § 207, Comment 227-78 (Tent. Draft No. 4, 1955).

⁹ 4 HUMAN RIGHTS 67 (1974).

¹⁰ *Id.* at 68-69.

¹¹ 5 U.S.C. § 7501 (a). See generally, Note, *Government-Created Employment Disabilities of the Homosexual*, 82 HARV. L. REV. 1738 (1968), and *Government Employment and the Homosexual*, 45 ST. JOHN'S L. REV. 303 (1967).

¹² Army Regulations AR 40-501, 2-34(A) (2) (December 5, 1960), for example, list "overt homosexuality" as a cause for rejection for employment, enlistment, or induction. Such discrimination is beginning to be fought, however. See "Homosexual Challenges Service Discharge," *New York Times*, p. 1, May 26, 1975.

¹³ At least one federal court, however, has held that the Immigration and Naturalization Service's policy cannot be applied to exclude a person from citizenship who has engaged only in private consensual homosexual conduct. *In re Labady*, 326 F. Supp. 924 (S.D. N.Y. 1971).

¹⁴ REPORT OF THE TASK FORCE ON HOMOSEXUALITY, National Institute of Mental Health (1972).

¹⁵ *Id.* at p. 2.

¹⁶ *Id.* at p. 6.

¹⁷ *Id.* at p. 2.

¹⁸ *Id.* at p. 6.

¹⁹ J. Gagnon and W. Simon, *SEXUAL ENCOUNTERS BETWEEN ADULTS AND CHILDREN* at p. 11 (1970). In V. Defrances, *PROTECTING THE CHILD VICTIM OF SEX CRIMES BY ADULTS* at p. 38 (1969), a study of sex crimes against children over a five year period from 1962-1967 revealed that 10 to 12 female children were victims for every male child victim, and that the offenders against female children were heterosexual while the offenders against male children were homosexual. Thus the percent of homosexual child molesters for that period was less than the percent of homosexuals in the total population as indicated by the Kinsey studies, supra at note 3. See also Gebhard and Gagnon, *Male Sex Offenders Against Very Young Children*, 121 Am. J. Psychiatry 576 (1964) (Out of a study group of 60 male sex offenders against children under 5, all but 7 were convicted for offenses against female children); REPORT OF THE COMM. ON HOMOSEXUAL OFFENSES AND PROSTITUTION, Great Britain.

²⁰ at 45-46 (1963); and P. Gebhard, J. Gagnon, W. Pomeroy and C. Christenson, *SEX OFFENDERS* (1965). Nor does there seem to be any basis for fear that homosexual teachers, while they may not be interested in young children, may molest adolescents. For example, in the history of the New York City school system, while there have been many reported cases of molestation of females, as of 1971 there had only been one

reported case of molestation of a male. 20 Questions About Homosexuality (1972, Gay Activists Alliance, New York, N.Y.).

²¹ The resolution, adopted May 28, 1972, reads as follows:

"The District of Columbia Board of Education, after discussion and consideration, hereby recognizes the right of each individual to freely choose a life style, as guaranteed under the Constitution and the Bill of Rights. The Board further recognizes that sexual orientation, in and of itself, does not relate to ability in job performance or service.

"Therefore it is resolved that henceforth it shall be the policy of all departments and services of the educational system under the jurisdiction and control of the District of Columbia Board of Education to promote a policy of non-discrimination in hiring, employment, promotion, tenure, retirement and/or job classification practices, within such jurisdiction and control, relative to the sex or the personal sexual orientation of any individual(s) regardless of past, present, and/or future status of such individual(s).

"This policy is to be implemented forthwith and published through the regular channels."

²² Telegram from Marion Barry, President, District of Columbia Board of Education, to Dr. Bruce Voeller, April 17, 1974, on file at the offices of the National Gay Task Force, New York, N.Y.

²³ *Morrison v. State Board of Education*, 1 Cal. 3d 214, 461 P. 2d 375, 82 Cal. Rptr. 175 (1969).

²⁴ *Acanjora v. Board of Education of Montgomery County*, 491 F. 2d 498 (4th Cir. 1974), cert. denied — U.S. — (1974).

²⁵ *In re Kimball*, 33 N.Y. 2d 586, 347 N.Y.S. 2d 453 (1973).

²⁶ *Owles v. Lomenzo*, 31 N.Y. 2d 965, 341 N.Y.S. 2d 108 (1973); *In re Thom*, 53 N.Y. 2d 609, 347 N.Y.S. 2d 571 (1973); *Woods v. Davidson*, 351 F. Supp. 543 (N.D.Ga. 1972); *Gay Students Organization of the University of New Hampshire v. Bonner*, 367 F. Supp. 1088 (D.N.H. 1974), aff'd 509 F.2d 652 (1st Cir. 1974).

JULY IS THE MONTH WHICH MARKS TWO GREAT REVOLUTIONS

HON. PIERRE S. (PETE) du PONT
OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. du PONT. Mr. Speaker, July is the month which marks the commemoration of two great revolutions for independence, the American and the French. July 14 is Bastille Day, the French national celebration of the 1789 Paris uprising that led to the French Revolution and the establishment of the First Republic in France. The United States has, just this month, feted the Bicentennial of its own 1776 struggle for independence.

In the midst of these proud celebrations of independence, however, it is important to remember those who, despite their desire and their efforts to establish their freedom, are not free but captive. Not only freedom but the dignity of civil and human rights are denied to these citizens of the captive nations.

Just as more than ceremonies devoted to the memory of 1776 are necessary to maintain and promote the democratic values and ideals for which the United States stands, more than words of sympathy and commemoration are needed to

improve the status of those citizens of East Europe denied their freedom by the Soviet Union. On May 14, 1976 the House of Representatives took concrete action when it voted to establish a Commission on Security and Cooperation in Europe to monitor the Helsinki agreement. The establishment of this Commission signaled the U.S. intent to take seriously the Soviet Union's agreement to abide by the Basket Three provisions concerning cooperation in freer cultural and educational exchanges as well as increased contacts between separated friends and families and the ability to emigrate. The high hopes of Basket Three to date have remained largely high hopes. However, in the establishment of the Commission and in its commemoration of Captive Nations Week, the U.S. Congress reaffirms its pledge to help those people who through their wealth of ideas, efforts, and feelings have given so much to the heritage of freedom and democracy of the United States.

SEYMOUR'S GRAND LADY MISS KATHARINE MATTHIES

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. SARASIN. Mr. Speaker, America has been built from the love, dedication, and involvement of the citizens of this country, of their concern over the world around them and the future that we all can build. One such individual, the pride of Seymour, Conn., is Miss Katharine Matthies, a lifelong resident of that town.

Miss Matthies has been quietly devoting herself to improving the well-being of her fellow citizens for a number of years. In honor of her many contributions, the Seymour Bicentennial Commission selected Miss Matthies to be the grand marshal of the Seymour Bicentennial parade. While this honor traditionally is given to a prominent male citizen of the town or a military man, the commission selected Miss Matthies because of her "deep sense of loyalty to her town and community in general. The committee felt that Miss Matthies has demonstrated over the years a deep concern for the welfare of others by awarding financial assistance to many local and area organizations, to individuals and to the town of Seymour."

The honor bestowed upon Miss Matthies was certainly well-deserved, giving Seymour the opportunity to show respect and admiration to her for her outstanding example of citizenship.

Miss Matthies, the honorary vice president general of the National Society, Daughters of the American Revolution, has received many honors for her efforts on behalf of others. Most recently, the Connecticut Society, Sons of the American Revolution, presented the National Society, Sons of the American Revolution's Medal of Appreciation to Miss Matthies for her dedication to duty in chapter, State and National DAR offices.

Her participation in community orga-

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nizations is extensive. She holds an active membership in over 55 organizations, including the State Audubon Society; the National Parks Association; the Museum of Natural History; the Humane Society; New Haven Women's Philatelic Society; the Antiquarian and Landmarks Society; the Brooklyn Botanic Gardens; American Legion Auxiliary, Emil Senger Unit 10; the Society for the Protection of the New Hampshire Forests, the National Wildlife Association, the Connecticut Arboretum Association, the DAV auxiliary, the Marine Historical Association.

Miss Matthies has served as director of the Seymour Public Library, including several terms as president from 1957 through 1967. She served as the president of the Seymour Red Cross and the Seymour Public Health Association, and is honorary director of Griffin Hospital.

All of Miss Matthies' activities are oriented toward preserving and improving that which is beautiful in the life of America—its environment, its history, its education and its people. Her devotion to others is nothing short of outstanding, her life is a model for all who know her or have been touched by her concerns, and she is providing this country with one of the most important gifts—a rich legacy of compassion, concern, and dedication.

POLITICS CAN BE RIGHT

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. BOLLING. Mr. Speaker, we recall with sadness in recent weeks the death of an able and dedicated congressional employee, Wes Barthelmes.

Let us draw strength and hope—for ourselves and for our country—from the editorial tribute in the July 15 Oregon Journal which follows:

POLITICS CAN BE RIGHT

In the wake of Watergate and spy stories and sex scandals, it is too easy to believe that all is rotten in Washington.

That all is not was emphasized recently in an unusual eulogy on the Senate floor.

The person memorialized was not a senator or a congressman or a high government official. He was a Senate staffer, one of the legion of congressional employees who can type and whose dedication to principle and knowledge of government makes the system work.

Wes Barthelmes, who died at 54 of brain cancer, was not well known in Oregon. But he helped hundreds of people here—who never knew his name—as administrative assistant to former Rep. Edith Green.

Later he moved to the Senate side, and it was there that his memory was honored in a remarkable ceremony by two senators for whom he had worked—Joseph Biden of Delaware and Frank Church of Idaho—and by Edward Kennedy of Massachusetts, for whose late brother Robert Barthelmes had worked.

Kennedy, the last to speak, explained why Barthelmes' death "is such an enormous loss to Capitol Hill and the nation" in a comment that has meaning for us all:

"I am saddened to think that those young people who may have become discouraged with politics as a career as a result of Watergate did not have the opportunity to know Wes."

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"For him, politics was the finest way to use your own talents to the fullest, to test your own endurance and energy to its limits, and most importantly to use that talent and energy to help the most vulnerable members of our society, those disadvantaged by illness or handicaps, by age or poverty.

"... He will always be in our memory to remind us of the best we can hope to become, a compassionate person who made the world a better place."

NEW YORK STATE SENATE RESOLUTION ON PRESIDENTIAL PRIMARIES

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. KOCH. Mr. Speaker, on June 26, 1976, the New York State Senate adopted a resolution introduced by Senate Majority Leader Warren M. Anderson urging Congress to revise the present system of Presidential primary elections. The resolution calls for a national regional primary system and proposes the division of the country into regions, each composed of States sharing mutual interests.

I would like to bring this resolution to the attention of our colleagues:

SENATE RESOLUTION NO. 83

Senate resolution of the State of New York memorializing the Congress of the United States to revise by legislation the present system of presidential primary elections by instituting a national regional presidential primary system.

Whereas, with the completion of the final presidential primaries of 1976 in the states of California, Ohio and New Jersey the nation enjoys a temporary respite from the weekly barrage of presidential primaries which commenced in mid-February in the state of New Hampshire; and

Whereas, it is the well-reasoned belief of the Senate speaking on behalf of the citizenry of New York State that the system of presidential primaries as they have been conducted this year and in past presidential election years is not only financially burdensome to the nation's taxpayers but also contributive to a growing sense of confusion shared by the electorate in their conscientious search to choose a candidate most qualified to serve as President of the United States; and

Whereas, The present system of presidential primaries has made it virtually impossible for all but the extremely wealthy to enter the weekly cross-country forays into state primary elections, thereby forcing candidates dependent on federal funding and their own moderate resources to select state primaries where their chances for success at the polls appear to warrant making the run; and

Whereas, It would seem to be in the best interests of the nation's voters that a National Regional Presidential Primary System, if it were to be adopted by Congress and implemented by the states, would go far to eradicate the ills and misconceptions that exist under the present system of presidential primaries; and

Whereas, The Senate of the State of New York, while demurring to the wisdom of Congress, proposes that such a National Regional Presidential Primary System could be divided into six regional elections to be held in six national regions, such as in the Northeast, Southeast, Midwest, Southwest, Northwest and the Pacific. Such regions would be com-

posed of states within such regions which enjoy, as nearly as possible, a community of interests on questions of national, international and statewide interests; and

Whereas, Primary elections would be held in each of the states within such region on the same day and according to the applicable provisions of each state's election law and such regional elections would be conducted at uniform intervals of two or three weeks; now, therefore, be it

Resolved, That the Congress of the United States be and is hereby with all due respect, memorialized to undertake a study designed to formulate legislation in implementing a National Regional Presidential Primary System; and be it further

Resolved, That copies of this resolution, suitably engrossed, be transmitted to the President and Vice-President of the United States, the Secretary of the Senate and the Clerk of the House of Representatives of the United States and to each member of the Congress of the United States from the State of New York.

HAWAII GOVERNOR'S BICENTENNIAL CONFERENCE ON AGING IS MAJOR SUCCESS—MATSNAGA

HON. SPARK M. MATSNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. MATSNAGA. Mr. Speaker, last month I was privileged to participate in the Hawaii Governor's Bicentennial Conference on Aging in Honolulu. There were hundreds of delegates and dozens of panel participants in a wide-ranging conference that lasted 5 days.

Many of the features of the Hawaii conference were unique—the strong emphasis on intercultural problems of the elderly, the presence of some 75 youth delegates, the keynote address by U.S. Commissioner on Aging, Arthur Flemming. But perhaps the most important product of the conference was the reaffirmation of the need to improve our efforts to draw on older Americans themselves as a valuable resource for the country.

For my part, I was happy to trace for the 1,600 delegates some of the achievements and remaining tasks of the House Select Committee on Aging, of which I chair the Subcommittee on Federal, State and Community Services. Under the leadership of its distinguished chairman, the gentleman from Missouri, Mr. Wm. J. RANDALL, the full committee has undertaken a number of important initiatives to improve the quality of life for older Americans.

In the hope that they will be of interest to my colleagues and other readers of the RECORD, I insert at this point the text of my remarks to the conference, and of a resolution from the Hawaii State Commission on Aging relating to the conference.

GROWING OLD IN PARADISE: LESSONS FOR THE NATION

(By Hon. SPARK M. MATSNAGA)

Ladies and gentlemen, Aloha:

Thank you Mr. Ted Hussey for that gracious introduction. I'm reminded of what Adlai Stevenson once said, after listening to a 15-minute personal tribute from someone introducing him at a speaking engagement. Stevenson got up, thanked the person and

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said. "After listening to all the great things said about me, I can hardly wait to hear myself talk."

I'm very happy to be here with you today at this Governor's Conference on Aging to commemorate the Bicentennial of our Nation's birth. Combined with the program so far, what you will be experiencing as delegates over the next few days promises to be one of the most exciting and productive conferences of this kind ever held in Hawaii—or anywhere else in America. Its success will no doubt be attributable to dozens of people responsible for organizing and staging the conference, but I'd like to single out one person for a special word of praise. I refer, of course, to the conference director, and the chairman of the Hawaii Commission on Aging for the past two years—Mrs. Shimeji Kanazawa.

It's been over a year since Shim first spoke to me about taking part in the conference. I was happy to accept her invitation, but she didn't stop there. She told me, "We're trying to get Commissioner Flemming to participate, too—could you help us convince him?" And you can ask Dr. Flemming—I managed to bring up the topic every time I saw him during the months that followed, and he agreed to come.

Then Shim said to me, "We're trying to get a grant from the Administration on Aging to help bring young people to the conference—could you help us?" Shim, as those who know her, is very persuasive, and I did a little informal lobbying with Dr. Flemming. Again, the result was favorable.

So I feel a special kinship with this conference and its participants. The more than one year of work Shim Kanazawa, Riley Yee, Renji Goto and their colleagues have put in on the conference is self-evident, and I was pleased to lend a hand when it was necessary.

It's been just over a year, also, since I was named by the Speaker of the House to serve on a new Select Committee on Aging in the House of Representatives. Some of you may know that the Senate has had a committee on aging since 1961. I had been trying to get a similar committee established in the House for years—I had sponsored resolutions to create an aging committee for several Congresses, but without success. Finally, in 1974, a major committee reform proposal came to the Floor of the House. I joined with other interested Members of the House in support of an amendment creating a permanent Select Committee on Aging. As a sponsor and staunch supporter of the measure, I was elated over the overwhelmingly success of the amendment—the vote was 323 to 84. The select committee held its first meeting at the beginning of this Congress, in March 1975.

In the brief time allotted me this afternoon, I would like to share with you a few of the highlights of this past year—an accounting of my stewardship, so to speak, to let you know what this new Select Committee on Aging, and I as the chairman of its subcommittee on Federal, State, and community services, have been doing.

After a preliminary round of briefings from agencies that run programs for which my subcommittee was responsible. I directed the staff to prepare for field hearings where we could find out first-hand from older Americans and those who serve them the dimensions of the problems they were facing, how present Federal programs were working in the field, and ways to seek improvement. Hearings were held in Connecticut, New Jersey, California, and New York, to seek the viewpoints of those directly involved in elderly programs, and to save those witnesses the expense and trouble of traveling to Washington, D.C.

Over the Thanksgiving recess last fall, I brought my subcommittee to Hawaii. My purpose was two-fold: To determine what gaps existed, if any, in the programs serving

the elderly, and to focus national attention on the successes that many of those programs had enjoyed.

My subcommittee traveled to each of Hawaii's four counties, held six hearing sessions, heard many witnesses, and published four volumes of hearings. I sent copies of the hearings to many of you, but if anyone wishes a copy of any of the hearing volumes, please drop me a note.

What we found in Hawaii was both heartening and, in some instances, disquieting.

We found State and local officials cooperating on aging programs to a degree seldom seen on the mainland. Area agencies on aging in other States have come to us in Congress, pleading that they be rescued from the clutches of their State office of aging. In Hawaii there was none of that—area agencies have their differences with the State office, of course, but they talk them over regularly, and iron them out. What we saw in Hawaii was mutual respect for abilities and intentions.

We found a transportation system in Honolulu providing free rides to those aged 65 years or older, at all times of the day and night.

We found a growing number of day care centers for the elderly—including the first and oldest one in the country at Kuakini Hospital.

We found hundreds of older persons serving as volunteers—foster grandparents, senior companions and RSVP volunteers—serving others and keeping themselves more involved in meaningful activities.

We found outstanding programs at the Hawaii State Senior Center, and other centers in the State, which compare favorably with the best in the country.

But while most of what the subcommittee saw and heard was encouraging, there were moments that reminded us of how far we yet need to travel to bring a decent life to all senior citizens in America.

We found elderly people in Kona on the big island living in shacks with no plumbing.

We found seniors on the neighbor islands, and rural parts of Oahu, who couldn't take advantage of free buses—because there were no buses.

We found two out of three elderly tenants living in substandard apartments. Of those who owned homes, a large percentage faced major housing deficiencies.

We found that thousands of senior citizens have no access at all to a senior center.

We found that, contrary to stories of abuse among food stamp recipients, 70% of the older Americans in Hawaii eligible for food stamps were not even receiving them.

We found that many of those who worked in programs serving the elderly were unaware of many federal programs designed to benefit them. There was confusion and general lack of reliable information about available resources.

We found apprehension about personal safety so acute that many of the elderly wouldn't leave their own homes, even during daylight hours.

And perhaps the most heartrending story my subcommittee heard came from the lips of a young OEO outreach worker from the Waianae-Nanakuli district office. Let me quote directly from that dedicated young woman's eloquent testimony:

"We found a 75-year-old man living in a duck pen—not a duck pen converted into living quarters, but one he actually shared with the ducks. His social security check was going to the landlord; the old man said it was being saved for him, so that he could return to the Philippines. When we asked him if he would like to come to our meals program, he said, 'No need kau-kau; I eat house slop.'"

The tragic irony in this story, the outreach worker added, was that the man was qualified for a free return trip to the Philippines under the terms of the ILWU-Sugar Growers Contract.

That such a situation could still exist in the Paradise of the Pacific, with one of the most enlightened social service systems in the nation, is shocking and horrifying. It dramatically illustrates the gaps and deficiencies in the present system. We must heed the word Dr. Flemming spoke, in the 1971 White House Conference on Aging:

"The cry of older persons throughout our nation is, act: Do not write about me, do not even talk about me—but act."

And so my subcommittee and I went back to Washington, and began a variety of actions. The Select Committee on Aging is not a legislative committee, and that means it cannot report bills to the House floor itself. But we acted in every manner at our disposal.

To grapple with the problems of lack of information about federal programs, I directed the compilation of an easy-to-read directory of federal programs benefitting the elderly. It should be ready for distribution later this summer.

After further subcommittee hearings on crime victimization of the elderly, I was successful in including several of my proposals, in legislation now approved by the House Judiciary Committee, that will focus on reducing crime against the elderly.

We began a major inquiry into transportation problems of the elderly across the country, and issued a sharply worded report just last month, with recommendations for changes in the law and in current regulations.

Recognizing that the Older Americans Act, which funds state offices and area agencies on aging, is the key to comprehensive service delivery to the elderly, I worked with other senior members of the aging committee—both democrats and republicans—to insure better funding levels.

We testified before the House Appropriations Committee and succeeded in raising its recommended funding levels, but their response was inadequate, so we went to the House floor and offered amendments for increased funding. All the amendments were adopted. The Appropriations Committee is now considering the funding level for next year. This time, when senior members of the Select Committee on Aging, myself included, certain recommendations in behalf of the elderly the Appropriations Committee was much more responsive. The result: the fiscal year 1977 appropriations level for the Older Americans Act—the period beginning October 1 of this year—will be at least \$482 million, or about 60% higher than the amount actually being expended right now.

As for senior centers, I personally offered a floor amendment doubling the amount appropriated for FY 1976 to help construct and renovate multi-purpose senior centers under title V of the Older Americans Act. That brought the total to \$5 million, and it marked the first time a single dollar had been appropriated under title V since it was first enacted in 1973. The amount for 1977 will be at least \$10 million, and I am presently considering another floor amendment later this month to double that, to \$20 million. I know Hawaii will get its fair share of this money.

These are a few of the major steps the House Select Committee on Aging has taken since I chaired the hearings in Hawaii last November. I should emphasize, however, that they are but interim steps: Identifying the areas of greatest, most immediate need, and directing our inadequate resources toward them. "Cast me not off in the time of old age" the Psalmist said, "foresake me not when my strength falleth." This is the short-run task.

Looking ahead, what may well be an even large task lies ahead.

The Census Bureau reported this week that, between now and the year 2030, if present trends continue, the proportion of American aged 65 and older will grow from about one in ten today to one in six. In Hawaii the

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growth will be even faster, as our relatively young population ages.

Not only will our elderly population be larger, and larger proportionately, but it will be different in composition. They will be better educated, more mobile, more active in every way. They will be more involved in national and international events, as this conference clearly envisions. The focus of Federal and other programs for the elderly will have to shift to reflect these changes.

We should be prepared, as I have heard Shim Kanaazawa say, for the "graying" of the university, and of other community institutions now thought of as completely within the province of the young. I pledge my best efforts toward meeting both the immediate, and the long-range challenge.

I have said many times, even before I entered public life, that one can judge the quality of a society—even its capacity for survival—by examining the way that society cares for its elderly citizens. I trust that generations from now, archeologists will determine that America remained great for centuries, and that greatness was reflected most brilliantly in its concern for its elderly. What you here at this conference, and I in Congress, are about, is assuring that old age in America will be, as Cicero described it, "The crown of life, our play's last act."

Thank you very much.

RESOLUTION No. 51

To report to the Honorable George R. Ariyoshi, Governor, State of Hawaii, the completion of all major activities scheduled for the Hawaii Governor's Bicentennial Conference on Aging and to thank him for conducting this most meaningful, landmark conference.

Whereas, the Honorable George R. Ariyoshi, Governor, State of Hawaii, opened the Hawaii Governor's Bicentennial Conference on Aging at 10:30 a.m. on June 8, 1976, in the Kauai Room of the Sheraton-Waikiki Hotel with an overflow crowd of participants, young and old, attending the most colorful and enthusiastic ceremony; and

Whereas, the Kupuna Luncheon honoring the Eight Outstanding Older Americans of Hawaii for 1976 with over 1,600 attending was held immediately thereafter, having as its keynote speaker the first U.S. Commissioner on Aging to visit Hawaii, Dr. Arthur S. Flemming; and

Whereas, in his wisdom Governor Ariyoshi has taken the bold step of creating the new Executive Office on Aging in his Office by the signing of H.B. No. 62 passed by the 1976 Hawaii State Legislature; and

Whereas, the "Overview On Aging," Congressional Reports on Aging, the Seniors Speak Out On National Issues, and the Governor's Aloha Reception concluded the opening day of the Conference with great success; and

Whereas, the second conference day with its International Panel presenting research papers pertaining to the aging in Hawaii, New China, Sweden, Japan, Philippines and Yugoslavia, the conduct of the first of three Mini-Workshop Sessions, the Youth Delegates Meeting, and the evening Medical Input Programs were conducted; and

Whereas, the final day of major activities which included the discussion of the role of the University, the two concluding sessions of the mini-workshops, Aikane Luncheon with discussion on the "Future of Aging," were held and now this Aloha Banquet to-night; and

Whereas, there never was such hospitality provided at a conference on aging anywhere that we know of, on a continuous daily basis, as was provided in the Hawaiian Hospitality Room; and

Whereas, the conference support and co-ordination were made possible by your Commission on Aging members and staff, staff

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from the Department of Social Services and Housing, the County Area Agencies on Aging, many private agencies, citizen volunteers too numerous to mention, all pitching in together under the untiring leadership of the Director of your Conference, Mrs. Shimeji Kanaazawa; now, therefore, be it

Resolved, That the Hawaii Governor's Bicentennial Conference on Aging participants, one and all, do hereby extend their congratulations for a most successful and meaningful conference on aging and heartfelt thanks to Governor Ariyoshi for his sensitivity to the needs of the aging and aged, his farsightedness and thoughtfulness, his deep concern, courage, and willingness to find new and innovative ways to solve human problems; and be it further

Resolved, That we, the conference participants shall endeavor to carry out with renewed energy and understanding what we have learned at this landmark image-changing conference on aging where the young and old exchanged thoughts and ideas; and be it further

Resolved, That a true copy of this Resolution, adopted this evening of Thursday, June 10, 1976, be presented to the Honorable George R. Ariyoshi, Governor of this great State of Hawaii and Mrs. Ariyoshi; the President of the Senate and Speaker of the House of the Hawaii State Legislature; the Chief Justice of the State Supreme Court; and the President of the United States of America; the United States Commissioner on Aging; Chairman of the Federal Council on Aging; Hawaii's Congressional Delegates; the United States Senate Special Committee on Aging; the United States House of Representatives House Select Committee on Aging; and other community leaders who enthusiastically supported this unique multi-cultural participatory conference.

IN MEMORY OF MRS. ANDREW J. SUSCE

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. CARNEY. Mr. Speaker, the Ohio Senate recently passed a resolution regarding the untimely passing of Mrs. Andrew J. Susce.

I wish to offer my most sincere sympathy and condolences to the family and friends of Mrs. Susce. She was truly a very warm and understanding individual who will be greatly missed. I insert in the RECORD the resolution passed by the Ohio Senate at this time.

The resolution follows:

IN MEMORY OF MRS. ANDREW SUSCE

On behalf of the members of the Senate of the 11th General Assembly of Ohio, we offer our most sincere sympathy and condolences to the family and friends of Mrs. Andrew Susce on the untimely passing of one of Ohio's finest citizens.

Her personal sacrifices of time and energy to family, friends, and community will certainly live beyond and will long be remembered by all those who knew and loved her.

The patience and wisdom which can only be gained through sharing your life with others were hallmarks of her life as she lived and shared life to its fullest.

The warmth and understanding which she always extended to others will stand not only as a tribute to a truly fine human being, but will also stand as an exemplary life which manifested all those virtues which inspire and assist others.

The memories of the many times of joy and the problems shared together will greatly help in easing the sense of loss which is felt by her family and many friends.

May we, thus, offer this token of the profound sympathy we share with family and friends in honor of a truly magnanimous person.

RICHARD F. CELESTE,
Lieutenant Governor.
Senator PAUL E. GILLMOR,
Second Senatorial District.
Senator DONALD E. LUKENS,
Fourth Senatorial District.

CUBANS KEEP LOW PROFILE IN ANGOLA

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. McDONALD. Mr. Speaker, Cuban mercenaries are still fighting and dying in Angola and no one seems to know if any are really going home. But Angola is being treated to all the benefits of a mercenary army and the Cuban soldiers are, evidently, happily looting Angola, while preparing it for the all leveling and grinding poverty of Marxism. The article from the Washington Star of July 14, 1976, by Hugh Mulligan of the Associated Press follows:

CUBANS KEEP LOW PROFILE IN ANGOLA

(By Hugh A. Mulligan)

LUANDA.—The bulky, pudgy-faced men wandering around downtown in Fidel Castro peak caps and green fatigues seemed a bit old for Cuban soldiers, and they conversed loudly among themselves in Russian.

The top security guards at the recent trial of 13 white mercenaries all wore Angolan army uniforms. But they listened to the proceedings in Spanish, not Portuguese, on their translation head sets and smoked Havana cigars during the court recesses.

Out at "Cuban Beach," so called because the Cubans swim where the barbed wire begins, the bearded Che Guevara types in the baggy trunks playing volleyball turned out to be Bulgarians.

With the Russians trying to look like Cubans and the Cubans trying to look like Angolans, and everyone else trying to look like someone else, especially the few remaining Portuguese, it's a bit puzzling in the Angolan revolutionary drama to tell the players by their uniforms.

The Angolan government insists the 15,000 Cuban soldiers who helped the Marxist Popular Movement win the civil war in February are being phased out and sent home at the rate of several hundred a month.

But this is difficult to confirm since both Luanda's airport and harbor are off limits and heavily guarded with the Cubans in charge of security.

American, Canadian and British pilots and airline maintenance men who spend a lot of time at the field report that occasional plane loads of Cubans still arrive in the country, including a number of female soldiers and even dependents.

But the only ones they say they ever see going home are the dead in aluminum boxes ticketed to Havana.

The government radio's on-the-hour invective against "killer bandits" and "neo-colonialist marauders in the countryside" leaves little doubt that the sporadic but heavy guerrilla fighting by the defeated UNITA faction near the South African border and along the vital Benguela Railroad is

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taking its toll of Cuban units engaged in mopping up operations.

A Yugoslav freighter which left Luanda for Havana recently may have had some homebound troops aboard. A Portuguese businessman, one of the few left, said that from his office window overlooking the port he could see Cuban noncommissioned officers supervising the loading of sports cars, limousines, motor bikes and some new earth-moving equipment and forklift trucks "liberated" from downtown automobile showrooms or left behind by the Portuguese who fled after independence. In general, however, the Cubans have kept a very low profile in Luanda, rarely getting into trouble at the few beer gardens serving beer for a few hours a day, always going about in their own groups, avoiding the prostitutes who work from the street corners of the slums, now that the bordellos have been closed as counterrevolutionary.

Around the country, according to people who traveled about since the war ended, the Cuban military bearing is less exemplary.

"In Lubango," said a young woman who was allowed to visit her sick mother there, "they are breaking into houses and stealing the furniture to send home to Cuba. Some soldiers are going home from the airport, and every plane is loaded with automobiles taken away from the shop owners and business people. All the taxis already are in Havana; those that weren't taken off to Lisbon when the Portuguese fled."

Lubango, she said, "is a terrible place now. People disappear in the night and are not heard from again. Some are sent to pick coffee. My best friend, a teacher and a leader in the Popular Movement, was taken off to prison for six months for criticizing the behavior of the troops."

Angola's coffee harvest, once a \$500 million-a-year export item second only to oil in the national budget, is now ready for picking and the army, with Cuban advisers, is helping round up the laborers.

Drunks and petty criminals are immediately sentenced to help with the harvest, as is anyone caught lounging around town without a work permit, which is why the beaches are always empty.

With most of the professional class and the skilled workers gone to Portugal, Angola has a desperate need for the Cuban doctors, engineers, electronic technicians and mechanics coming to help rebuild Angola.

Zakopane, Wieliczka, Kazimierz, Oswiecim, Chorzow, Kladzko, and Polanica.

I am sending a letter to the officials of those cities, which the members of the choir will be taking with them. I believe the city of Warren and the State of Michigan are also preparing items which will be suitable for presentation to these officials.

I would like to take this opportunity to express my gratitude to these cities and their leaders for their hospitality in co-operating in this undertaking.

At a time when there is often misunderstanding and mistrust among nations in different parts of the world, I believe it is especially important for contacts of this type to continue, in order to establish and strengthen the bonds of friendship which hopefully one day will unite all people.

CAPTIVE NATIONS WEEK

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. COUGHLIN. Mr. Speaker, only a few days ago the United States was celebrating its Bicentennial, commemorating the dissolution of our ties with an empire that failed to respect the wishes and aspirations of the people of the American colonies. While this struggle is history to our generation, the striving for freedoms in which we have such pride continues today. Thus, we mark Captive Nations Week from July 18 through 24.

It would be far too easy to ignore the plight of the Captive Nations of Europe as engrossed as we are with our own interests and problems in our Bicentennial Year. To do so, however, would be to fail in our responsibility as the foremost representative democracy in the world today. We have observed Captive Nations Week for 18 years and must continue to remind the world that tyranny still stifles the lives of millions.

The people of Hungary, Czechoslovakia and, most recently, Poland have shown through their actions that they remain intent in wanting roles in shaping the world in which they live. Individually, and in groups, the people of Albania, Bulgaria, Estonia, Latvia, Lithuania, and Romania all have demonstrated that they want to exercise control over their own destinies, free from the imposition of dogmatic and arbitrary restraints forced upon them. We all have heard time and time again about the notorious repressions and their courage in speaking out against them at great personal risk.

The Helsinki Agreement is now 1 year old and there has been no evidence of tangible improvements in the lives of the people of Eastern Europe. It is not hard to understand why many there wonder whether we have not forgotten them or, worse yet, sold them out in deference to some vague concept of promoting harmony throughout the world.

While we cannot advocate an end to the search for a system of mutually

beneficial agreements with the Soviet Union, we must be careful and prudent. Our constant vigilance is necessary so we do not lose sight of the condition of life in Eastern Europe as we work for lasting peace.

Finally, we live now in a global community facing problems of global proportions. To allow the millions who call Eastern Europe their home to be smothered in repressive societies is a betrayal to humanity and our own ideals that we can ill afford.

Many geniuses no doubt are being crushed behind what essentially remains an Iron Curtain. Individual freedom and initiative are being smothered. Irrational fear of authority and the police still dominates the lives of these people.

Until such oppression and abuse are eliminated, the least we can do is to remind the world that it exists and that we never will recognize it as the acceptable state in which millions live.

WILLIAM RYAN, NEW PRESIDENT OF THE NATIONAL ASSOCIATION OF BLUE SHIELD PLANS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. CRANE. Mr. Speaker, in recent years a considerable amount of attention has been focused on the many complexities of the health care field. As Congress continues to deliberate on our health care problem, I would urge that before a major health public policy is formulated, that we evaluate all the possible alternatives and costs in the light of today's environment and that of the future. We have witnessed, in the private sector, a rapid growth of the role of private health insurance coverage. Before the National Health Insurance debate reached national prominence, private sector carriers had been and continue to be dedicated in identifying and improving areas of health coverage, and they continue to work in seeking appropriate solutions to this problem. Currently, over 90 percent of the American population, under the age of 65, is covered by some form of health care coverage. It is appropriate at this time, as Mr. William Ryan assumes his new duties as the president of the National Association of Blue Shield Plans, to compliment him and the association for their salutary dedication to the health care system and their contribution to our voluntary, free enterprise system.

Mr. Ryan, a native Chicagoan, has 29 years of experience in the health care prepayment field. Blue Shield and its new president have committed themselves in providing a better relationship and understanding between the subscriber and the provider of health care services.

I would like to include Mr. Ryan's remarks before the annual business meeting of Blue Shield plans wherein he details the commitments and challenges that lie ahead.

The article follows:

WARREN, MICH., CHOIR TO TOUR POLAND

HON. JAMES J. BLANCHARD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. BLANCHARD. Mr. Speaker, I am pleased to publicly recognize an upcoming tour of Poland by the Warren Woods Concert Choir of Warren, Mich., a community in the 18th Congressional District which has many residents of Polish heritage.

The tour will be taking place during the next few weeks under the auspices of Friendship Ambassadors, a nonprofit foundation which has sponsored a number of such tours of foreign countries in recent years by groups of American performing artists.

The Warren Woods Concert Choir, specifically, will be appearing in the Polish cities of Warszawa, Lublin, Krakow, Katowice, Wroclaw, Zelazowa Wola,

1976 ANNUAL BUSINESS MEETING OF BLUE SHIELD PLANS REPORT TO THE CONFERENCE
(By William E. Ryan)

This is my first opportunity to speak to you as the president of your Association. While I know many of you well and have shared with you a variety of trials and tribulations and triumphs, you have a right to ask me at this point how I view this position and this Association; how I view your role and mine; and what I see in the future.

I've always said any candidate for president of any important organization demands some egotism. I don't consider myself an egotist, but when what you're trying to accomplish is right . . . when the people you work with are knowledgeable and dedicated . . . then the confidence you exhibit comes very close to egotism.

While I have been in Blue Cross and Blue Shield for 30 years, I am not a technician and will not pretend to be one. My role is to take a broad look at our needs and make certain that we have that outstanding group of intelligent, experienced, technical people to help define and meet the needs of our system.

I see my role as that of a motivator, arbiter, politician on occasion, catalyst and, in a collective way, the conscience of Blue Shield. It is my job to make sure that as people we have integrity; that there is integrity in the words "Blue Shield"; that we are what we say we are; and that we deliver when we say we will deliver.

On many occasions I will have to be the national voice for Blue Shield. And in that role I will have to bring the enthusiasm and the conviction which will convince listeners that Blue Shield is indeed a unique organization that is making important contributions today, and an organization which the health care system cannot do without in the future.

If I am to make certain of my integrity and yours, I am going to need your help . . . all of you . . . the chief executive, the board chairman, the senior corporate officer, the EDP expert, and the thousands of office personnel who make up the Blue Shield family. For without your dedication to your job, your commitment to make your Plan one of the best, your success in meeting performance standards we set collectively, my voice can be only a hollow promise.

I did not take this office as NABSP president two-and-a-half months ago to be a weak, vacillating voice in what has become an especially stormy environment. But only you in the Plans do the things that give me credibility when I speak before national forums.

If I am to "tell it like it is" to our various publics, I only feel it will be fair to apply that same standard inside our Blue Shield family. I will have to be critical if criticism is indicated. I will have to throw tough decisions before you to settle as a family, knowing there will not be total agreement but that there will be loyalty to the decision once it is made.

I may even have to challenge you more than you may like, because from my perspective as I travel around the country that is what I believe we must do. I know all of you won't always agree with me and, with our federation makeup, that is to be expected. My goal will be to move us ahead, as we have done during a sometimes turbulent past . . . to come together, to close ranks, and pull together when we are challenged. It is for this reason that—up front—I've taken this opportunity to discuss what I perceive as my leadership responsibility to you.

BLUE SHIELD TODAY

Now, let me share my views on where Blue Shield is today; the environment in which we find ourselves; our relationships with key groups; and how I believe we must move to strengthen Blue Shield's role in the future.

Today, we are a major industry in this country. With 73 million private market

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subscribers and 13 million persons served under government programs, we impact on the health care financing needs of 35 percent of our citizens. We began as "an idea whose time had come," and in one generation we became the industry's leader. We worked and built in an aura of public confidence and public acceptance.

Those were the 1940's, 50's and 60's.

Although we still are the industry's focal point, the environment of the mid-1970's is unlike the past when we were accepted and venerated simply because we were Blue Shield. Those days are gone. That public aura of acceptance has been replaced by a skeptical society which questions and interrogates as no other before it.

The news media, just back from writing the rise and fall of an American presidency, have been given a booster shot in the investigative arm. There are no sacred cows or sacrosanct institutions. The media want to know everything, from the intimacies of the presidential bedrooms to the policies of the corporate boardrooms. As a result, the news media are exposing each day what they perceive as weaknesses in public and corporate officials—including our own.

Government, particularly the federal government, is playing an increasing role in our lives. The turn of the century may have been the age of finance and from 1912 to 1969 could be catalogued as the ages of production and marketing. Now, we are in that critical stage where the future of our economic life is at a cross road. Are we to remain basically a voluntary, free enterprise system, or are we going to have government intrusion in our economic institutions to the ultimate point where we find ourselves becoming a welfare state?

We in Blue Shield will be an integral part of that decision. We face the threat of certain legislative proposals which could mire the nation in a quicksand of high demand, costly, tax-financed health care services. And that could trigger economic consequences that could deliver a dangerous blow to an already precarious economy.

Couple these attitudes and forces with a plain, simple abhorrence of bigness—Big Business, Big Labor, Big Government, Big Anything—and we can easily understand the kind of environment in which we are operating.

The new environment means we had better quickly discern between our assets—and there are many—and our liabilities, refine our strengths, and employ them as tools to eliminate our weaknesses. It means capitalizing on our strengths, among them our experience, our personnel, and administrative expertise, and those ingredients which have made us unique and which we believe can be helpful to our subscribers in the future. It means re-evaluating our unique principle of service benefits in a critical environment where cost concerns are a primary issue.

RELATIONSHIP WITH MEDICINE

One of Blue Shield's key features is our relationship with physicians which is now being questioned? To those who find fault with this, I ask: What is our purpose? What makes us unique?

If our purpose is to provide the best health care financing system in the world, and if one of our unique and desired features is predictability of cost, we must have physician support, involvement, and participation. An effective working relationship between medicine and Blue Shield has been one of our hallmarks, and I intend to see that it is continued for the benefit of our subscribers.

Most of our executives at Blue Shield are not physicians. But after 30 years in this field where I have worked closely with physicians and have come to know many of them well, I'm not sure I have the guts or the patience and understanding to do what they do. They provide for their patients continually im-

proved care, and yet are prey to a great deal of criticism, the threat of professional liability suits, and gradual encroachment in the way in which they conduct their professional lives. Yet without their commitment effective prepayment is unrealistic.

Over the years, we at Blue Shield have asked a lot of medicine, and we, too, have invaded some of its prerogatives. Our relationship has had changes during the past and I'm sure there will have to be changes in the future.

But we have not turned our backs on each other because there is something inherently right in the philosophy that has brought us together. The essence of that philosophy must be maintained—not for the physicians—nor for Blue Shield—but for the public we serve.

GOVERNMENT

There is little question that the future of our industry is being molded every day in Washington. There are those who would supplant our existing system with an unproven, unwieldy, expensive and inefficient government financed and administered program. We are living in a time when we cannot afford to roll over and play dead.

Public officials not only in Washington but in the statehouses and insurance departments of state governments must understand our business, our operations and most importantly our financial condition. They must be educated. They need to know the importance of adequate reserves, which provide venture capital so we can develop new programs to serve people better. They need to understand that we—just as every family or business—must have financial security against the vicissitudes of the economy.

They also need to know—and will increasingly demand to know—the success of our efforts to impact on health care costs. We cannot afford paper-tiger cost containment programs. We must continue to help control health care costs because this is an essential element of what we offer our subscribers. This effort demands equal awareness by the public, the profession, and Plans.

An article in the May 10 issue of U.S. News and World Report begins by stating that "the cost of health care in the U.S. is rising at an astronomical rate and there is no relief in sight." The article cites inflation as a major part of the problem of rising costs. I often have thought it ironic that those people in Washington who cry loudest about rising health care costs and see nationalized health insurance as a panacea to rising costs often are the very ones who contribute most to deficit federal spending—one of the greatest causes of inflation.

We must drive home the point that a bureaucratic approach to delivering and financing health care simply won't work. The science of medicine is continually changing, and this means health care delivery and financing must reflect these changes in order for people to receive the benefits of scientific progress. Where there is change, one must identify the problem, investigate and develop solutions, make decisions, and then take action. Unfortunately, the bureaucratic process won't allow this to happen with any reasonable speed to be meaningful. Our system, also, must guard against some of these bureaucratic pitfalls.

NEWS MEDIA

If we are going to communicate, we can't afford to continue to leave the news media to our critics. My clipping service tells me we are. Very little of what is being said about us by the news media today is positive. It's our fault. We're not giving them the positive. We're not telling them the story of our contributions to this country and its people.

In our corporate planning, we have developed a positive news media contact program to help reverse this trend. During the past two months, I already have met with the edi-

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Editorial boards of Time, Newsweek, Medical World News, Medical Economics, and I have met with a correspondent for Business Week. We have scheduled similar meetings with other publications in the near future.

This is one important way in which the public can learn of our contributions and capabilities, and how—with 40 years of experience—we view some of the legislative proposals being put forth today.

BLUE CROSS

The unusual environment in which we are working today is demanding that we—both Blue Shield and Blue Cross—become a more efficient and more effective system. It means we must continue to strengthen the federation of Plans by creating a more uniform system.

We can't afford to be without sophisticated computer systems which can link our Plans. We can't afford to ignore further product expansion. And we can't afford not to address the subject of regionalization if this is the most effective and efficient way to handle a particular problem, especially in the administration of government programs.

This calls for close cooperation and coordination between the National Association of Blue Shield Plans and the Blue Cross Association. I am pleased to report that in the past several years, we have made significant strides toward eliminating duplication, waste, and competition. Working with Walter McNerney and with the two associations' executive committees, we will continue to coordinate our efforts for maximum impact.

CONCLUSION

The unusual environment in which we are working demands more than ever before dynamic, aggressive, no-nonsense leadership from the Association and within our Plans. In a recent magazine article, T. F. Bradshaw, president of Atlantic Richfield, stated: "American business is in a new game these days and the successful executive is the one who recognizes this fact and responds to it. . . . He must do more than think about issues; he must talk about them in public and he must act to change them when he believes they need changing."

We as chief executives no longer can afford the luxury of confining ourselves to the executive suite. Today's environment is different and it dictates that we lead the public discussion of health care and the role the government will play in the future. We must reflect organizations willing to change, willing to improve on behalf of the people they serve. Blue Shield nationally or locally cannot behave like pet rocks, unable to move, unable to grow, unable to change, unable to communicate. Today's environment doesn't provide a niche for pet rocks or mediocrity, both of which will be left behind when the fate of our industry finally is decided.

THE FUTURE

In looking to the future, I look at our future—the young people who are beginning to make their careers with us. Our generation was provided a vibrant progressive organization with great potential for future growth.

The new generation is provided with a mature organization which is beginning to manifest some grown-up problems. More is expected of us because we have been around awhile. Our way of doing business has become more complex because our benefits are broader and we must work with not only physicians and hospitals but a growing list of ancillary health personnel and services. We face a more discerning market whose primary concern is rising health care costs. And because our claims load is greater, we must wrestle with the complexities and the virtually unlimited promise and bugs of EDP technology. Finally, at times the younger generation is confronted—yes, confronted—by some

executives who place too much emphasis on maintaining the status quo.

If we have had success and grown, it has been because we have not been satisfied with our past accomplishments. We have continually sought to use our experience to investigate new and better ways of meeting public needs.

We can't maintain our track record if we can't be flexible, innovative, and willing to experiment. It is going to put greater stress on all of us, but we will be stronger for it and we will continue to build a future which our young people can put their faith and careers in.

As a national association, I believe we must also continually re-examine our way of doing things and make adjustments when they become necessary. We don't pay claims. We aren't under the production pressures you face. We are under pressure, however, to make certain that you get the kind of technical assistance and leadership that you deserve. But we really don't mind that pressure. Because by serving you better, we can move ahead to have a stronger more unified, more effective system. And that helps me to articulate forcefully and with integrity, just what Blue Shield means to the nation.

THOMAS EMERSON

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Ms. ABZUG. Mr. Speaker, this month's Juris Doctor includes an article written upon the retirement of Prof. Thomas Emerson, a dear friend of mine and one of the great guardians of the Constitution in general and the first amendment and privacy in particular.

Tom argued on the winning side of Griswold against Connecticut, the first Supreme Court case to recognize the existence of a constitutional right of privacy. This victory led inexorably to the decision in Roe against Wade that abortion is a woman's right.

Professor Emerson was also a coauthor of the definitive article on the equal rights amendment, which appeared in the Yale Law Journal several years ago. His books include "Political and Civil Rights in the United States," "The System of Freedom of Expression," and "Toward a General Theory of the First Amendment."

Few men in our history have wrought such great changes in constitutional law as has Thomas Emerson. I am proud to salute him.

The article follows:

[From Juris Doctor, July-August 1976]

A CIVIL LIBERTIES ADDICT

This was a sad spring for all who value civil liberties. It marked the retirement of Thomas Emerson, a constitutional law professor at Yale Law School for 30 years and one of the most influential civil libertarians in the country.

I first heard of Tom Emerson in 1952, the year that David Haber and he published the first edition of *Political and Civil Rights in the United States*. It was not an auspicious year for the subject matter of the book. It was a time when Emerson, in the interest of full disclosure, would describe his background in the New Deal, the Progressive Party, and the National Lawyers Guild to

his students and state that he "probably could not gain government security clearance today."

There is no need to recount in detail the extraordinary scholarly contribution that Emerson has made. In the words of Dean Louis Pollak of the University of Pennsylvania Law School—his former student and colleague—*Political and Civil Rights* and *The System of Freedom of Expression* "are more than merely authoritative: they are works which reordered the line of inquiry for those who have come after." There cannot be higher praise for a scholar. *The System* is a deceptive book because it is so straightforward and unspectacular in style. There are few metaphorical flourishes and the analysis proceeds in an orderly, almost inevitable way. But when one reads it for the help it can provide in tackling an elusive problem, one discovers unsuspected depths. It is a commonplace that free expression is a difficult area to teach. It is even more difficult to write about. Emerson has done so with a richness that places *The System* beside Zechariah Chafee's work *Free Speech in the United States* as a twin tower of First Amendment scholarship.

I have had opportunity to observe Emerson at close range. I am still in awe of his incredible diligence, his painstaking and systematic research, and his willingness to examine all sides of a question dispassionately without compromising his personal values. As the junior author of the third edition of *Political and Civil Rights* (1967)*, I often marveled that it was he who took on the largest load, who was always prepared to do a little extra, and who, again and again, met impossible deadlines calmly and efficiently.

I can think of no law teacher whose life and work more plainly reflect moral and ethical ideals. Perhaps the most dramatic evidence was his refusal to withdraw from a leadership position in the National Lawyers Guild after that organization was attacked during the McCarthy period as a Communist front.

Emerson also has courageously confronted the systematic abuse of governmental power, particularly through improper investigative techniques. In 1949, he and David Helfeld published a long and biting article criticizing the Federal Loyalty Program and the FBI. J. Edgar Hoover responded by stating that the article contained "inaccuracies, distortions, and misstatements" concerning the FBI, and that its opinions were "most frequently expressed on the pages of *The Daily Worker*." The late 1940s were not years in which one lightly took on J. Edgar Hoover. A generation later, history was repeated. Emerson prepared two of the major papers at the 1971 Princeton conference on the FBI, discussing among other things constitutional abuses that the bureau had perpetuated. Director Hoover declined an invitation to attend, stating that some of the pre-conference statements of the participants were "obviously partisan" and that the "FBI is a lawfully composed and operated public agency." We now know that the Princeton conference aired merely a fraction of the lawlessness engaged in by the FBI and its late director. Emerson, with courage as well as prescience, anticipated the truth by decades.

It would be like plucking stars to discuss all the constitutional and public issues that Emerson's craft has influenced. He can take much credit both as scholar and lawyer for the development of a right to privacy, grounded in the Bill of Rights. Dean Pollak

*The first volume of the fourth edition was published this year by Paul Bender of Pennsylvania Law School, Burt Neuborne of NYU Law School, and Professor Dorsen.

has described how the first edition of *Political and Civil Rights*, published in 1952, anticipated the Supreme Court's 1965 decision in *Griswold v. Connecticut* (which invalidated restrictions on birth control), and how Emerson the lawyer, carefully sorting out the theoretical complexities and tactical alternatives, briefed and argued the case in the Supreme Court. More recently, Emerson has been a leader in providing the intellectual underpinnings for the still-pending Equal Rights Amendment. He was proud, though slightly embarrassed, to be the only man invited to sit on the dais at a Washington dinner celebrating congressional passage of the ERA.

At the age of 69, Tom Emerson is still as addicted to concepts of fairness and equality as he was 45 years ago. He has never wavered; he has never permitted transitory events to affect his philosophy or his actions. Yet he has managed to retain a soft and conservative style. I have never heard Emerson say a personally unkind word about anyone, and I have never heard anyone who knows him disparage his qualities as a man. I have never seen him trim a position to suit the fashion, the company, or his career. He is no ordinary professor of law.

—NORMAN DORSEN.

TRIBUTE TO MR. LARRY COLLINS AND VDC

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. MINETA. Mr. Speaker, I am pleased to report to you today on the outstanding contribution of one of my constituents, Mr. Larry Collins, who, as a representative of the Volunteer Development Corps, has helped the people of Thailand improve their economy and welfare by establishing an insurance cooperative there.

The Volunteer Development Corps—VDC—is a private, nonprofit organization which provides short-term, volunteer, technical assistance to cooperatives in developing countries at their request. It is funded mostly by the U.S. Agency for International Development, and it draws half its resources from U.S. cooperatives. Six national cooperatives sponsor VDC. They are: The Agricultural Cooperative Development International; American Institute of Cooperation; Credit Union National Association; Foundation for Cooperative Housing; National Council of Farmer Cooperatives; and National Rural Electric Cooperative Association. Through the VDC, 150 years of U.S. cooperative experience is on tap.

Cooperatives in developing countries have asked VDC for assistance in areas for organizing financing for poultry processing, improving milk processing, and repairing fishing craft, to managing multiple unit housing more efficiently, assembly line production of prefab housing, erecting buildings, and establishing data gathering systems. To date, VDC has completed or is at work on 83 projects in 32 countries in Latin America, Africa, Asia, and the West Indies.

Last October, the Cooperative League

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of Thailand asked VDC for help in establishing an insurance cooperative. VDC in turn sought the services of Mr. Larry Collins of Los Altos, Calif. Mr. Collins is a University of California graduate in economics, 1937, and later managed co-ops there. He helped Japanese Americans in war relocation centers organize post exchange facilities as consumer co-ops, and served as Red Cross field officer with the 442d Combat Team in Europe during World War II. He later helped organize farm supply co-ops in Berkeley, Calif., and from 1949-58 was manager of Co-op Insurance Service in Berkeley. From 1958-74 Mr. Collins was west coast regional manager for Mutual Service Insurance Companies of St. Paul, Minn. After being contacted by VDC, Mr. Collins came out of retirement to accept the assignment in Thailand. On February 5 of this year he and his wife left the United States to begin the job.

After a comprehensive and thorough study, Mr. Collins recommended that the Cooperative League of Thailand charter an insurance cooperative that would be owned by all types of cooperatives. These would include the 620 agricultural credit cooperatives with 332,000 members and \$23.7 million in working capital, the 142 thrift and credit cooperatives with 267,000 members and \$46 million in working capital, and 99 consumer cooperatives with 132,000 members and \$3.3 million in working capital. These co-ops would provide the insurance co-op's basic financing. In his 48 page report, Mr. Collins also recommended training for the insurance co-op's top management and other key personnel, and suggested a timetable for phasing the co-op into operation. During his time there, he met extensively with co-op leaders and Government officials to explain his proposed plan.

Mr. Collins and his wife returned to Washington on June 22, and reported back to VDC, to two of VDC's sponsoring organizations, to AID officials, and to his representatives on Capitol Hill.

Because of his special contribution to the people of Thailand who are so in need of trained, technical expertise; and because he came out of retirement after a long and fruitful career in business to donate his time to this cause; and because of the fine work that VDC is doing to promote economic development in the developing countries, I submit this tribute to Mr. Larry Collins and VDC for the record.

MAINLAND CHINA, TAIWAN, AND US

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. McDONALD. Mr. Speaker, while the recent withdrawal of a few American military advisers on Quemoy and Matsu is insignificant in military terms, its symbolism is enormous. All of non-Communist Asia has watched with a mixture of horror and fascination the

American retreat after our abandonment of Southeast Asia. Insofar as anyone can tell, our rush to embrace Communist China has brought us no rewards, but the peilmell rush continues with a momentum of its own. The Washington Star of July 6, 1976, had an editorial which points out some reasons for re-thinking this approach. I commend it to the attention of my colleagues:

[From the Washington Star, July 6, 1976]

MAINLAND CHINA, TAIWAN AND US

The withdrawal of the few Americans still in Quemoy and Matsu on official business amounts to very little in people or tangible instruments of force. But it matters because it hints at a more important disengagement from Taiwan.

For bargaining purposes at least, the People's Republic of China has made it a condition of "normalizing" relations with the United States that we not only pull out our last military and technical aid establishments from Taiwan but that we also repudiate our long-term support of Taiwan's independence. What we are called upon to do—and what, to a startling degree, we have already done in statements by Secretary Kissinger and Presidents Nixon and Ford—is to admit that Taiwan is a province of the People's Republic and that it's none of our business what may happen to it once Peking gets ready to "normalize" its way across the Formosa Strait.

Chinese irredentism about Taiwan is understandable and likely to be at least as tenacious as Taiwan's long insistence on the prospect of retaking the mainland in the name of the Republic of China. The messianic dynamism of any communist regime comes on the stronger in this case because Taiwan presents such a challenging example of non-communist success.

Taiwan's burgeoning economy has been described as "Japan 10 years ago." It took off under the refugee government and is still on an up-curve, competing in world markets and giving its people the second highest living standard in East Asia.

Politically, Taiwan's leadership still projects something of a siege mentality, and social controls are a good deal tighter than ours, although it goes without saying that it's Liberty Hall compared with the People's Republic. Furthermore, there have been honest efforts to correct power imbalances within Taiwan by bringing the indigenous population into the government.

It was not only the dominance of a refugee elite that kept them out of it after the Chiang Kai-shek government fled the mainland in 1949. Partly, their comparative lack of representation has reflected the subordinate position they occupied under the Japanese who had controlled Taiwan since 1895. Short on education and government experience, the native people were considerably less qualified for leadership roles than the newcomers.

It is to be expected that the People's Republic would be eager to reap the benefits of Taiwan's economic successes and even more eager to get rid of such dramatic evidence that a politically freer society can hold together. The hope of humbling the United States a little before opening up full diplomatic and trade relations is on yet another plane of enticement for a nation that, for all its breaks with the past, has not forgotten how the West used to humiliate old China.

Still, there is a good chance that—for the moment, anyway—the PRC will remain a paper dragon, more adept at ceremonial displays of fire-breathing than devouring small neighbors. The possibility of a new power struggle when Mao goes has necessarily more immediacy for the present leadership in

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Peking than foreign invasions. So does the reality of border tensions where China abuts the Soviet Union.

All of which adds up to a call for creative nonaction from the United States. Taiwan deserves our continuing loyalty, but if we prefer to calculate foreign policy in terms of realpolitik rather than morals, there is an equally strong case for standing firm. What, exactly, is to be gained for our side by conceding to the PRC?

"Because it's there" is supposed to sum up a lot of persuasive thinking about the need for a rapprochement with the PRC. "You can't ignore 800 million people," it's said.

Well, Taiwan is there, too—a going concern, a historic friend. You can't ignore 16 million people either.

CITIZENS AND RELIGIOUS LEADERS IN MICHIGAN ORGANIZE BEHIND THE HAWKINS-HUMPHREY FULL EMPLOYMENT BILL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. CONYERS. Mr. Speaker, a group of citizens in Metropolitan Detroit have launched one of the most impressive projects of social and political action that I have had the privilege of being associated with. They are organizing both employed and unemployed people around the issue of full employment and economic justice, and are working closely with Detroit's religious community.

Spearheaded by the Detroit Industrial Mission, which sponsored in May an interfaith conference on full employment, the Michigan Interfaith Full Employment Committee has already enlisted several hundred members, disseminated information about the Hawkins-Humphrey full employment bill, conducted workshops on economic issues, and is now in the process of meeting with local, State, and Federal officials to develop ways to deal with the unemployment crisis. It should be no surprise that such an organization has formed in Metropolitan Detroit which last year had an official average unemployment rate of 17.4 percent, among teenagers an unemployment rate of 50 percent, and which today, despite the heralded economic recovery in the Nation, suffers an official jobless rate of 14 percent.

Recognizing that chronic unemployment contributes to every major problem in society—the financial insolvency of our cities and the disintegration of communities; the divisions along class and ethnic lines that arise as a result of widespread economic insecurity; the intolerable demoralization of the young; the terrible increase in crime and drug use—the Michigan Interfaith Full Employment Committee is determined to sharpen moral awareness of the need for a full employment economy. Working with religious leaders in Metropolitan Detroit, one of the fruits of their effort has been a moving statement of support for full employment legislation, which I wish to bring to the attention of my colleagues:

A STATEMENT FROM RELIGIOUS LEADERS IN MICHIGAN ON FULL EMPLOYMENT

We, the elected and appointed heads of religious bodies in Metropolitan Detroit and Michigan, join with those of the National Council of Churches, the United States Conference of Catholic Bishops, and the National Jewish Community Religious Agencies in addressing a widespread evil in our midst, the evil of unemployment.

Today thousands of people in Michigan cry for deliverance from the debilitating, destructive condition of joblessness. As the U.S. Catholic Bishops said, "The current levels of unemployment are unacceptable and their tremendous human costs are intolerable."

All kinds of work needs to be done—essential health services are shortened, fire, police and many other services are understaffed. The environment needs attention; homes and stores are deteriorating. Thousands need work; there is work to be done, but we haven't found the public intelligence to put them together.

We find it difficult to believe that the industrial, labor, academic and political leadership of Michigan cannot or will not find ways to solve this problem. We are familiar with argument for inaction. There are those who argue that we inevitably will have either inflation or unemployment, and because inflation affects more people, therefore, unemployment is preferable. The thesis appears false because currently we have both unemployment and inflation. If we can have both, we can also have neither.

Others argue that it is in the self-interest of business to have large numbers of unemployed people to keep labor costs down and to keep working class people under control. If that is true, we condemn such self-interest. If it is not true, then now is the time to give the lie to this argument. Otherwise, Americans must face strong evidence that our economic system is socially and morally a failure.

If unemployment is not forthrightly addressed and full employment remains a hollow promise, the prospects for our society are grim. Already unemployment is threatening the progress made in race relations as the numerous conflicts of seniority with affirmative action indicate. It threatens other aspects of our lives. Family life deteriorates; increasing numbers of people feel worthless, insignificant and desperate. Crime increases; respect for one another's person and property loosens; law is mocked, leaders ridiculed. Those who have jobs are fearful of losing them. The potential is social chaos and the demise of democracy as we know it.

We therefore address a call to the economic and political leadership of Detroit and Michigan. We know that much must be done nationally. We know there is movement at the federal level; for example—the current Humphrey-Hawkins Bill for full employment. But we feel there is also too much waiting for Washington to act. Our region has the resources, the brains, the structure through which to act. We have, above all, the need.

We call on the Governor and the Michigan Legislature to establish a commission with power to act to share the jobs we have, to create jobs by setting people to work on the needs of the state, to demand of the federal government that rightful portion of revenue which is ours in order better to finance needed action, to devise ways that the affluence of Michigan can be used to meet the needs of Michigan, galvanizing our people into sharing.

We address a call to the people of Detroit and Michigan, and to ourselves. We speak particularly to the thousands of us in churches and synagogues. It is a call to consciousness of our condition. It is a call to care, to look up from our secure jobs, from our preoccupations with private life and private consumption, to feel what is happening,

to learn the facts, to share and to act. We call for action to inform ourselves, such as the Interfaith Conference on Full Employment to be held in May. We call for pastors and rabbis and congregational leaders to engage their people in analyzing our situation and carrying out whatever is possible to change it at the local level. We call for pressure on our unions, businesses, and the levels of government to take the needed actions to put Michigan to work and heal the poverty and hopelessness that stands in such contrast to the luxurious new shopping structures that dot our region.

It is time for prayer, for knowledge, and for deeds. It is a time for us to place the health of our total community above both public apathy and individual aggrandizement and comfort. We believe it is possible once we summon up the will.

SIGNED

The Rev. Dr. Howard Christensen, President, Michigan Synod, Lutheran Church in America.

The Rev. William H. Daniels, Minister, Detroit Metropolitan Association, United Church of Christ.

His Eminence John Cardinal Dearden, Archbishop, Roman Catholic Archdiocese of Detroit.

The Most Rev. Joseph L. Imesch, Auxiliary Bishop, Archdiocese of Detroit.

Mr. Lewis S. Grossman, President, Jewish Community Council of Metropolitan Detroit.

The Most Rev. Thomas J. Gumbleton, Auxiliary Bishop, Archdiocese of Detroit.

The Most Rev. Arthur H. Krawczak, Auxiliary Bishop, Archdiocese of Detroit.

The Rev. Donald Lester, Executive Presbyter, The Presbytery of Detroit.

Bishop Dwight E. Loder, Bishop, Michigan Area—United Methodist Church.

The Rt. Rev. H. Coleman McGehee, Bishop, Episcopal Diocese of Michigan.

The Most Rev. Walter J. Schoenherr, Auxiliary Bishop, Archdiocese of Detroit.

The Rev. John Sundquist, Director, American Baptist Churches of Southeastern Michigan.

The Rev. Duane Vore, Executive Director Elect, Michigan Council of Churches.

The Rev. Eric White, Director, Michigan Association of Christian Churches.

The Rev. Robert L. Wletelmann, President, Michigan District, The American Lutheran Church.

The Rev. Edward B. Willingham, Jr., Executive Director, Christian Communication Council of Metropolitan Detroit Churches.

PANAMA CANAL: GROWING OPPOSITION TO SURRENDER

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. MURPHY of New York. Mr. Speaker, in earlier remarks in the CONGRESSIONAL RECORD, I have stressed the massive volume of misinformation now being disseminated, not only by the Department of State, but by other ill-informed groups, in a propaganda blitz designed to gather support for this administration's negotiations toward a new Panama Canal Treaty which would relinquish U.S. possession and control of that vitally important waterway.

The negotiations have been pursued following the wholly unauthorized 1974

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Kissinger-Tack "agreement of principles," begun during the previous administration's search for issues which might distract public attention from domestic problems.

Not only was that agreement an unauthorized one, but it also directly contradicted the prevailing opinion of the Congress and the people of the United States. There is a steadily growing opposition nationwide to the continued attempts of the State Department to negotiate away the interests of the United States in the Panama Canal. In my earlier remarks, I quoted a special feature article by the Americanism Educational League quoting statements by recognized leaders of this country who know the Isthmian question and understand the broad significance it has for national defense and hemispheric security, as well as the interoceanic commerce of all nations. The Americanism Educational League has issued a timely sequel of additional statements by more well-known experts and well-informed citizens and commentators; I quote that statement as part of my remarks:

MORE—FROM PEOPLE WHO KNOW—ABOUT PANAMA

(EDITOR'S NOTE.—Many informed Americans are speaking out on the issue of our Panama Canal and Canal Zone, whose cession to the Republic of Panama is being currently negotiated by the U.S. State Department. Here we present a cross-section of well-documented views, as a sequel to "From People . . . Who Know . . . About Panama".)

Running Panama at the moment is a talkative left-wing despot who staged a coup in 1968 and has suspended democratic elections. He studied his economics from Allende, and openly praises Castro. He has talked publicly about the need for a guerrilla war of liberation if the U.S. does not give in to his demands.—William F. Buckley, Jr., Author and commentator

Our operation of the Panama Canal and our exercise of sovereignty in the Canal Zone has been a source of stability in the Western Hemisphere and a boon to world commerce. Our presence there has been completely honorable and we have nothing to be ashamed of or to apologize for.—Senator James B. Allen, Democrat, Alabama

Spokesmen for the State Department are misrepresenting the facts, as when they make the statement that the United States Canal Zone belongs to the Republic of Panama and has been temporarily under the jurisdiction of the United States since 1903.—Donald M. Dozer, Professor, Latin American History, University of California, Santa Barbara

Panama has difficulty picking up its own garbage; they do just a passable job. And they cannot run the electric power company efficiently . . . power failures are common. Recently the Riba-Smith supermarket had to dump all its ice cream and meats due to a 5-hour shutdown of the government electric plant. No way could the Panamanians operate the Canal!—A 43 year resident of the Isthmus, who for some reason says he's "afraid of a firing squad."

It has become increasingly evident that General Omar Torrijos has been cozying up to Fidel Castro as part of his effort to push the United States into giving up sovereignty over the Canal and Canal Zone. When Torrijos talks about riots and demonstrations if Panama doesn't gain sovereignty, it sounds like a self-fulfilling prophecy.—Congressman Steve Symms, Republican, Idaho

Any cessation by the U.S. of a dominant

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military position in any isthmian canal would certainly lead to grave political and diplomatic problems elsewhere in Latin America; it would be taken as a precedent of weakness.—Hanson W. Baldwin, Former Military Editor, the New York Times

The gloomy picture of a Panamanian tinderbox ready to ignite into a Vietnam of Central America is heavily discounted by the U.S. intelligence community. Col. R. D. Heinl, Jr., USMC (Ret.), News Military analyst

The Panama Canal is vital to our national security and the defense of the hemisphere. It has served as a major link in our chain of defenses in two world wars, the Korean war, the Cuban crisis and the Vietnam conflict, because it provides the shortest and easiest route for flexible deployment of military forces and material. It is also important to our country's economic well being.—Senator James L. Buckley, Conservative-Republican, New York

The Panama Canal Co. rolled up a deficit of approximately \$10 million this past fiscal year despite a 20% tolls increase. This seems hard to believe . . . has the Executive Branch told the Panama Canal Co. to show big deficit, to be used to "educate the American public" to the necessity for the U.S. to divest itself of the Panama Canal? . . . Over \$12 million in accounting practice changes were made in the last two fiscal years, all on the loss side of the ledger—Mason L. Flint, President, Gatun (Canal Zone) Civic Council.

Panama has always been as vulnerable to new political revolution stirrings in Latin America as Cuba is to the Trade Winds. Indeed, it has long been identified by Latin American scholars as the Land of Endemic Revolution, endless intrigue and governmental instability. There have been 59 changes in government in Panama in 70 years.—Congressman Matthew J. Rinaldo, Republican, New Jersey

Torrijos's stubborn insistence that the U.S. withdraw its military forces from the Zone is a give-away of Torrijos-Castro plans for the future. With the exit of the U.S., the Canal will be administered and policed by a Cuba-Panama axis. The rumored presence of a group of Russian engineers in Panama, mapping guided missile sites, throws possible light upon Communist plans for the future.—Harold Lord Varney, President, Committee on Pan American Policy

Twenty-three years ago, when I was chief U.S. negotiator of what became the treaty of 1955, the question of giving up the canal was not even raised. Who knows what further demands will be made on us 23 years hence? Nobody from the Third World seems to be raising questions about the vast territories the Soviets have seized and hold by force, because they know Communists don't cede. Former Assistant Secretary of State/Ambassador to Colombia

I can remember years ago when the standard of living in Panama was so low that many people starved. Thanks to the Americans, we have plenty now. The world should know that when we have a fire or flood the Americans are the first to rush to our aid. Our crippled have been taken care of and treated for their ailments in the fine hospitals in the United States.—Diego Gonzales, Republic of Panama

You and I know that the U.S. is not the "bad guy" down there. The Panamanian people we all know and respect are not the ones who threaten the U.S. with hints of violence and sabotage if we don't give up the Canal. It is a small band of power-hungry men, spiritual brethren of Fidel Castro.—Arthur J. O'Leary, Former Deputy Comptroller, Panama Canal Company

THE IMPACT OF DIVESTITURE

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. ARCHER. Mr. Speaker, some thought-provoking questions about divestiture have been raised in a recent study by Resource Planning Associates, Inc. I have asked Brian Johnson, an LBJ intern in my office, to summarize this study and I commend the following to my colleagues for their information:

THE IMPACT OF DIVESTITURE

I. INTRODUCTION

"What would be the effect on the gasoline jobber, the fuel distributor, and the consumers they serve, if the largest oil companies were compelled to divest?" To answer this impending question, Resource Planning Associates, Inc. (RPA), of Cambridge, Massachusetts, an independent research organization, conducted a three month study which was completed on April 29, 1976. Their study provides a thoughtful and thorough look at the impact of divestiture if it is promulgated. Therefore, I would like to share some of their observations with you.

II. OIL—GAS—INDUSTRY—IMPACTS ON GASOLINE JOBBERS

The implications of RPA's study regarding gasoline jobbers becomes more obvious by identifying the impact of total divestiture in terms of the various segments of the industry. Or more specifically, how these changes would affect the price and supply of product to the jobbers. According to RPA, in the production segment, without divestiture, refiners would benefit from purchasing advantages (i.e., more liberal credit terms or greater crude oil transportation cost support by their producer) that are not available to nonintegrated refiners. However, because this advantage would be eliminated with divestiture, jobbers who now purchase gasoline from integrated refiners would most likely experience a price increase. As the influencing factors of price or supply of gasoline change, divestiture in the refinery segment would have a significant impact on competition within the distribution segment and, therefore, on jobbers. For example, the former major refiners' marketing operations, in relationship to other distribution-segment competitors, would probably suffer a competitive disadvantage because of a reduction in brand support. This disadvantage could even spill over to branded jobbers of former majors, but probably not to the same degree. Furthermore, as the rate of shutdowns and replacements of old or inefficient refineries increased, gasoline jobbers in those geographic areas most affected would suffer severe repercussions. As for the marketing segment, under divestiture, a cut in supplies to both branded and nonbranded jobbers served by some refiners would occur because of a rather accelerated rate of marketing withdrawals by former majors in certain regions. Especially through the divestiture of the production, refining, and marketing segments of the oil industry, one can readily see the unequivocally threatening and detrimental consequences of total divestiture on gasoline jobbers.

III. OIL—GAS—INDUSTRY—IMPACTS ON CONSUMERS

As with gasoline jobbers, the impact of total divestiture on consumers has been identified in terms of how changes in various segments of the industry would affect the price and supply of gasoline to the consumer.

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RPA's study suggests that in the production segment, a number of changes could occur that would affect crude oil production costs. The study specifically notes that cost increases could occur because of increased inventory and decreased capacity utilization; increased sales, accounting and legal costs; and increased cost of debt from greater uncertainty about future sales volume and market price. Of even greater concern is the unfortunate possibility that our domestic supplies might gradually be reduced over the next 5-10 years. This would be a direct result from diverting oil-company capital to foreign areas in which integration is possible and attractive, and delaying investment in domestic exploration and production to focus on divestiture. Inevitably, this could result in an increased demand for OPEC oil, with an accompanying increase in price. Here, we must ask ourselves, "would divestiture affect the bargaining relations between the major U.S. oil companies and OPEC?" In the refining segment, divestiture would provide cost decreases from movement of some refined product out of branded channels, and a reduction in brand support activities. Overall, however, these positive effects would be outweighed by cost increases from somewhat lower refinery capacity utilization; additional sales, accounting, and legal costs; and increased cost of debt and equity capital. In the marketing segment, increases in price should occur from increased equity and debt costs in a segment that has traditionally experienced low profitability and would, under divestiture, be unsupported by other, more profitable company operations. This in turn could discourage new investment. RPA's study clearly illustrates the negative impact total divestiture would have on consumers.

IV. PETROLEUM—FUEL OIL—INDUSTRY—IMPACTS ON FUEL OIL DISTRIBUTORS

To discern precisely the conclusions of RPA's study regarding the impact of total divestiture on fuel oil distributors, we must examine individually—fuel oil retailers and wholesalers. The RPA study notes that the small percentage of retailers currently supplied by inefficient refineries might be forced to close earlier because of divestiture. With divestiture, wholesalers currently supplied by a major or semimajor refiner might have to pay higher prices. This, in turn, could force wholesalers to accept reduced margins or lose some sales because their customers are much more sensitive to price changes than retailers' customers. Additionally, wholesalers' supplies would be adversely affected by accelerated refiner withdrawals, particularly in regions far from refineries. More specifically, accelerated withdrawals would occur for two reasons: the necessity for divested refineries—wishing to increase their efficiency and return on investment (ROI)—to withdraw from unprofitable regions; and the forced withdrawal of divested refineries from certain fuel oil and gasoline markets simultaneously. Compared with the impact of divestiture on gasoline jobbers, the impact of divestiture on fuel oil distributors is smaller, but nevertheless, most significant.

V. PETROLEUM—FUEL OIL—INDUSTRY—IMPACTS ON CONSUMERS

An identification of the impact of total divestiture in terms of its effects on the price and supply of fuel oil to consumers facilitates one's understanding of RPA's study. According to the study, in the production segment of industry, costs should be high with divestiture. Furthermore, investment could be delayed while divestiture is carried out. Couple this with the exportation of some exploration and production capital, and domestic supplies would be reduced slightly during the 1980s. Prices should increase in the refining segment with the advent of increased inventory costs, higher capital costs, and more frequent changes in the refinery mix—further burdened by the addition of marginally profitable refiners

raising prices to achieve an adequate ROI. Then too, reduced domestic investment could cause some regional shortages in the 1980s. As with crude transportation, the costs in the production transportation segment should rise because the cost of capital would rise, there would be less incentive for new owners to reduce costs, and some overhead costs would rise. Here again, some crude shortages might occur in the 1980s, resulting from reduced investment in this higher risk segment. According to RPA, "the impact of divestiture on the fuel oil consumer probably would be a small increase in the price of heating . . . and relatively small, short-lived shortages in some regions." Obviously, the impact of divestiture on fuel oil consumers is enough to see why divestiture is needless and unproductive.

VI. CONCLUSION

The negative effects of divestiture completely overwhelm the positive effects in my analysis of the Resources Planning Associates assessment of the impacts of oil industry divestiture on gasoline jobbers, fuel oil distributors and the customers they serve. And if we assume divestiture does not take place in the near future, then over the next 5-7 years, RPA foresees a number of important structural changes occurring in the gasoline industry as refining and marketing segments adjust to new market conditions. The results of the analysis by RPA show that behind these projected structural changes is a powerful drive to increase efficiency in gasoline distribution and retailing which will happen in the near future with crucial implications in these segments. For me, it is apparent—that as this nation faces an awesome energy crisis—that as the petroleum industry competitively struggles to provide us with the necessary energy resources—divestiture must be thrust aside, forgotten.

CAYMAN ISLANDS WAITING FOR HAVEN INVESTIGATION TO BLOW OVER

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. VANIK. Mr. Speaker, on June 25, 1976, I reported to you the editorial reaction of the Caymanian Compass to the decision in *United States v. Field*, 38 AFTR 2d 76-5081 (C.A. 5, May 13, 1976). In that decision, the U.S. Court of Appeals for the Fifth Circuit held that Mr. Anthony R. Field, the managing director of the Grand Cayman branch of the Castle Bank & Trust Co., could not refuse to testify before a Federal grand jury in Miami on the ground that to do so could send him to jail back home for violating Caymanian bank secrecy laws. The Miami grand jury is investigating the use of the Castle Bank & Trust Co. of Nassau, the Bahamas, by wealthy Americans for purposes of cheating our Treasury out of millions or perhaps billions of dollars in taxes.

Today I would like to call attention to an article in the July issue of the Cayman Islands Nor'wester magazine, which also addresses the Field decision and makes some other observations about our Internal Revenue Service and about bank secrecy laws such as those in the Cayman, the Bahamas, and Switzerland. Entitled, "Future Prospect Is Steady Ex-

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pansion," the article concludes that "the go-go years" for Caymanian banking are over and "We are down to good, solid, conservative banking." It calls the IRS "the one dark cloud on the horizon" and says the Field case "may be merely a perturbation, or it may be the first step on the ladder of tax haven harassment." The author is not quite sure, simply because he and the Caymanian banking community are not quite sure of the intentions of the IRS. He adds:

It is perhaps time to reconsider exactly where Cayman stands with respect to all this. At the present moment the financial community is trying hard to keep an extremely low profile, hoping that the whole thing will blow over without them being noticed, and most probably it will.

If, on the other hand they are noticed and the I.R.S. decides to slug it out, some very drastic rethinking will be required, because nobody slugs it out with the I.R.S. and wins.

The problem is that banking in the islands might suffer considerable damage in an indiscriminate I.R.S. rampage after the tax avoider and tax evader. In the tax haven business one has to bend to a certain extent with the wind, and it is best to have decided how much one intends to bend before the wind arrives.

Discussing the validity of bank secrecy is rather like discussing toilet habits; it is not something one does in polite circles. It is one of the basic assumptions of the tax haven business. It may be desirable, but is it essential in a financial centre?

If a man is frank and honest in his dealings, does he need the protection of total bank secrecy? It might be argued that bank secrecy is only essential to the suitcase-full-of-money men that haunt the banker's nightmares.

Mr. Speaker, bank secrecy laws are essential to the existence of tax havens, and tax havens are essential for many American tax cheaters, whether they make their money through legal or illegal means. The whole thing will not blow over as the author hopes. I wish to assure my colleagues that the Ways and Means Oversight Subcommittee will continue to exercise vigilance over the IRS investigation of the tax havens. We will not permit the investigation to be suspended or subverted to benefit powerful interests. Congress must demand diligent and undeterred action on the part of the IRS to ferret out U.S. tax cheaters.

PANAMANIAN BUSINESS LEADER EXILED BY TORRIJOS OPPOSES U.S. TREATY WITH THE RULING DICTATORSHIP

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. SNYDER. Mr. Speaker, the highly regarded weekly newsletter, Hemisphere Hotline, published by Virginia Prewett, carried an item entitled "Opposition to Torrijos/Oppression in Panama," in the July 2 issue.

Few Americans are as well informed on Latin American affairs as Virginia Prewett, who has specialized in that area

for 25 years as a foreign correspondent, columnist and commentator.

She quotes Guillermo Ford, the former president of the Panama Chamber of Commerce, now exiled by dictator Omar Torrijos, as saying, "I speak for many thousands of silenced Panamanians to say that we do not want the United States to make the proposed treaty with the oppressive, unconstitutional regime of Omar Torrijos or any of his like." He knows well the "Maximum Leader's" intent to nationalize the Canal, hike tolls sky high, and nationalize all businesses.

The State Department has been telling us that all Panamanians want the proposed new treaty it has been negotiating by which we would surrender the Canal Zone and interoceanic canal to Panama. Evidently that agency does not consider Panamanians who cannot speak out under the dictatorship of the man who betrayed Panama's democratic hopes by seizing power through a coup d'état in 1968. They fear the treaty and more U.S. money will perpetuate his power.

The American people overwhelmingly oppose giving away our \$7 billion investment in the Canal Zone through the surrender President Ford intends to make if reelected. Would that Guillermo Ford's statement had some influence on Gerald Ford.

Mr. Speaker, the item referred to in the July 2 Hemisphere Hotline follows:

OPPOSITION TO TORRIJOS/OPPRESSION IN PANAMA

WASHINGTON, D.C.—Panama's Torrijos regime on June 22 at last held its long-heralded celebration of the 150th anniversary of the first hemisphere meeting, the Congress of Panama, called in 1826 by Simon Bolivar.

Beginning in the summer of 1975, Torrijos sent representatives and messages around Latin America inviting all Latin American presidents to the meeting, which was to have had strong overtones of supporting Panama's demands for an end to the U.S. presence in the Panama Canal Zone. Panama's Foreign Minister Aquilino Boyd and others have mentioned "the year 2000" as the very latest any vestige of U.S. presence may remain there under the new Canal treaty now being negotiated.

But after Torrijos' much-publicized visit to Havana in January, and his announcement that he had invited Fidel Castro to attend the June 22 "summit," one by one Latin American presidents sent regrets. In the end, a much-reduced formula was resorted to: ambassadors representing their countries at the Organization of American States were invited.

Meanwhile, signs are multiplying that Torrijos' domestic situation is increasingly uncertain. On June 22, while the sesquicentennial celebration was on, 150 demonstrators in Panama shouted leftist slogans, including one "Tratado cochino!" ("pig treaty!"), that indicated pointed disapproval of the new treaty. Although some U.S. officials commend Torrijos for his ability to "keep the extreme left under control," either that control is slipping, or Torrijos is using leftist militants to renew yet again the threat he holds over the U.S.—that if the new treaty is not concluded, terrorists may sabotage the Canal.

OPPOSITION TO TORRIJOS

On June 25, a spokesman for Panamanian democratic opposition to Torrijos sent a message to U.S. leaders in the name of Panamanians who cannot speak out because of the

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strongman ruler's severe political and press controls. Señor Guillermo Ford, former president of the Panama Chamber of Commerce, is one of the eleven opposition leaders exiled by Torrijos last January after the business community organized an anti-Torrijos general strike. His message to Washington, sent via trusted intermediaries to U.S. journalists, is:

"I speak for many thousands of silenced Panamanians to say that we do not want the United States to make the proposed treaty with the oppressive, unconstitutional regime of Omar Torrijos or any of his like."

Sr. Ford lives in strict seclusion in Miami; his name is known to be on a "to-be-eliminated" list in Panama.

On April 8, William R. Drummond, president of the Canal Zone Police Union Local 1798, AFGE, testified before the House Panama Canal Subcommittee that the homes and businesses of Panamanians who led the business strike have been the targets of "as much as ten bombings". He said that Col. Rodrigo García, second in command of the Panama National Guard and described by Drummond as "an ardent anti-Communist", suspects that "the Communists are behind these bombings."

Drummond testified that Torrijos' Vice President and second cousin, Gerardo González, is leader of the Communist Party in Panama. Drummond said: "In the week of March 30, 1976, Col. García ordered a search of the Vice President of Panama's apartment for evidence of explosive devices in connection with these bombings."

On June 22, a package left Belfast-style on top of a car exploded, injuring a news-vendor. The incident demonstrates growing instability in Panama.

Torrijos' controlled press blames the bombing on "rightist terrorists". His opposition blames it on the leftist militants, who have on a number of occasions marched and shouted, demanding that the U.S. get its military completely out of Panama in three years.

MORE DRUMMOND TESTIMONY

The April testimony before the House subcommittee gains significance as evidences of ferment break through the surface in Panama.

The setting of bombs in Panama has anti-U.S. overtones. Drummond said that in March three low-power bombs exploded in front of the Panama branch of the Chase Bank. These are among those that National Guard Col. García believes were set "by Communists".

According to Drummond's testimony, the Jan. 20-22 general strike was sparked when "on Jan. 15, 1976, in David, a city close to the Panama-Costa Rica border, a young unidentified resident of that city, after having made an anti-Communist statement at a public meeting, was accosted while leaving by the Panama D.E.N.I. (political police). The D.E.N.I., while trying to effect the boy's arrest, shot him in the foot.

"The people present at this meeting, several hundred in number, rushed to the boy's aid and took him from the custody of the D.E.N.I. The boy was transported to the hospital for treatment.

"On Jan. 23, 1976, in the city of Panama, a riot broke out near the U.S. Embassy when five . . . busloads of hoodlums from the Chorrillo slum area, led by Mayor Garrido of the Panama National Guard and Genero Barcenas, Sheriff of the Chorrillo area of that city, attacked a group of peaceful demonstrators who had met in front of their own headquarters (The A.P.E.D.E.—the Panamanian Association of Executives and Managers) to protest the government's deportation of its citizens on Jan. 20, 1976."

According to the testimony by Canal Zone Police official Drummond, "The U.S. Marine Midland Bank, located in the area, was

stoned, cars were overturned and reportedly burned and many people were hurt. In grave condition from a knife wound in the stomach was Rodrigo Sánchez, a prominent and respected lawyer in Panama. Another (A.P.E.D.E.) member was also seriously wounded in the stomach with a knife . . . In both these latter cases the Guardia Nacional stationed within the area refused to give assistance. These men were refused service at any of the nearby public hospitals."

DEMOCRATIC OPPPOSITION SUFFERS

Witness Drummond then detailed how Panamanians accuse Torrijos of covering up political motivations in the death of a young woman, Betsy Marlene Mendezabal, 19, and the disappearance "of her boyfriend, Jorge Falconett." Both were students. The girl's body was found. The girl's parents, despite their repeated requests, were unable to get an autopsy performed, due to opposition from the authorities.

Drummond revealed that all of the democratic parties of Panama this spring signed a political pact in opposition to Torrijos.

In his testimony, the Canal Zone Police spokesman cited three instances in which the Panama National Guard (the country's armed forces) had deliberately infringed on the authority of the Zone police, in one instance arresting an individual within the Zone—where they have no jurisdiction—and removing him at gunpoint.

SEE YOU AT THE TOP—CONCERNED CITIZEN DOES SOMETHING

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. STEIGER of Arizona. Mr. Speaker, I would like to share some information with you and my fellow Americans about a man, a book, and a course which is already affecting the lives of many of our people and could well have a positive effect on our Nation's future. The man is Zig Ziglar, the book is "See You at the Top," and the course is appropriately entitled, "The Richer Life Course."

Mr. Ziglar, a dedicated Christian, was raised by a devoted mother who gave him an abundance of love, discipline, encouragement, and spiritual guidance. His worklife started at age 10 in a grocery store in Yazoo City, Miss. Since that time he has traveled over 2,000,000 miles sharing his enthusiastic message of optimism and expertise with audiences of all kinds and ages. He actively sells America to all Americans and expends considerable energy motivating our youth to positively channel their talents and energy to create for themselves a richer life—and a better America—in which to live that life. As one of our country's most versatile speakers, he has shared the platform with such outstanding Americans as Ronald Reagan, General Chappie James, Norman Vincent Peale, former Supreme Court Justice Arthur Goldberg and others.

Mr. Ziglar wrote "See You at the Top" because he strongly felt that his philosophy offered real hope and specific guidance for those who seek the "more" way of life. The book was an immediate hit with the man on the street as well as many business institutions Mr. Ziglar serves. Over a dozen of these companies

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have bought from 1,000 to 4,000 copies. The biggest and most pleasant surprise occurred when teachers and institutional leaders started buying personal copies and getting permission to teach the book as a course. Leading the parade was Mrs. Mamie McCullough, a high school teacher, who heard Zig speak and picked up a copy of the book which "changed her life." Immediately recognizing the commonsense value of the philosophy, Mrs. McCullough, with the enthusiastic support of principal W. A. Childs, started teaching the book as a course at Central High School in Thomasville, Ga. Self image and performance improvement of class members was dramatic and according to Mr. Childs the effect on the faculty and student body was "substantial".

With this beginning and with encouragement from many teachers, parents, principals, and concerned citizens around the country, Zig Ziglar and the staff of We Believe, Inc. started putting together a complete course in personal growth. Educator Carroll Phillips was brought in to write a Leader's Guide and Creative Ideas Manual. Mr. Ziglar personally recorded 15 hours of motivational-instructional material to coincide with the book and manuals so that "The Richer Life Course" could be easily and effectively taught with a minimal amount of preparatory time.

The philosophy of "See You at the Top" is effective because it deals with symptoms and causes and not just the problem. Mr. Ziglar strongly believes that drugs, alcoholism, obesity, promiscuity, crime, irresponsibility, et cetera are not problems, but symptoms of problems. The book and course builds individual confidence while stressing that life offers opportunity to the committed individual with initiative, who accepts personal responsibility for his activities. In short, it is a "hope filled," but no nonsense, no free lunch philosophy that works if the individual will.

The universal truth and acceptance of his message is evidenced by the fact that endorsements enthusiastically come from men like Dr. Norman Vincent Peale and former Congressman Ed Foreman as well as prison inmates, medical doctors, educators and housewives representing every race, creed and color.

Throughout the book and course, Mr. Ziglar stresses that you can get everything you want in life, if you help enough other people get what they want. He believes that health, success and happiness are available to those who build their lives on the foundation stones of honesty, faith, character, integrity and loyalty. The purpose of the book is serious, but the style is so unique and the humor so wholesome and contagious that you are persuaded to take your responsibilities seriously while retaining the capacity to laugh at yourself.

Significantly, "See You at the Top" is an idea book that teaches how to build a healthy self-image, how to reach your objectives, and how to build an attitude foundation so solid that your attitude controls your circumstances instead of your circumstances controlling your attitude. The book and course vividly describes how we acquire destructive hab-

its and exactly what we can do to avoid or eliminate these destructive habits while building good habits. I'm confident this information will be instrumental in keeping thousands of our youth off the junk heap of human misery by giving them precise directions on how to build a solid, happy, productive life.

The philosophy is an eye opener as it deals with solutions to America's problems ranging from pornography and alcoholism, to a declining faith in our capacity to solve our problems and maintain our position of world leadership. Mr. Ziglar's approach to selling the benefits of a strong family unit fills a much needed void in our educational system. His own 29-year marriage to the former Jean Abernathy of Jackson, Miss., serves as an excellent example.

Significantly his approach offers a definite plan to teach our citizens that you don't "pay the price" for success, happiness, good health, and so forth. For the first time, many of them will realize that when you compare success and failure, happiness and misery, good health and poor health, that you enjoy the price of success, good health, happiness, and so forth. You pay the price for failure.

His religious beliefs are deep and strong, but his efforts are primarily directly at selling the personal benefits of a solid moral foundation, perseverance in our quest for success, resourcefulness in applying our ability, personal responsibility for our actions, honest effort for our daily wages and faith in Almighty God as the hope for America. His challenging question, "If everyone in America was doing exactly what you are doing, would our country be getting better—or worse?" will surely make us sit up and think—and then get busy to make certain that America's tomorrows are better than its yesterdays.

OLYMPIC GAMES IN MONTREAL

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. BROOMFIELD. Mr. Speaker, the Olympic games are predicated on an ideal—pure amateurism, pure competition—that is belied by the circumstances of the 20th century. No realistic comparison can be made between the Greek city-states of 776 B.C.—when the Olympics were first held—and the world today in which some 150 independent nations compete for power and influence.

Indeed, the international environment has changed dramatically since the games were revived in 1896. We have gradually seen nations subsidize their athletes, making them professionals in all but name, in order to enhance national prestige; we have seen crass commercialism creep into the games; and we have seen at Munich the ugliness of international terrorism injected into the Olympiad.

This year's Olympic host, the Government of Canada, has now taken the

lead in further debasing the Olympic ideal by permitting political considerations to dictate standards of eligibility for competition in the games. By going back on its own word, the Canadian Government, by humiliating the Republic of China and making it impossible for the athletes from Taiwan to compete on honorable terms, the Canadian Government was true to its slavish desire to cultivate the Chinese People's Republic, but overlooked the Olympic creed, which begins, "The most important thing in the Olympic games is not to win but to take part."

It is one thing for shoe manufacturers to engage in an unseemly scramble to place their brand names on the feet of Olympic competitors; for Fascist dictators to attempt to turn the Olympics into a spectacle of ethnic superiority; or when terrorists vent their own brand of venom and mayhem on the Olympic arena. But it is quite another thing for Canada, a sovereign nation with a long tradition of democracy and respect for the rights of others, to use its position as Olympic host to force the exclusion of the Republic of China, an IOC member in good standing.

The question of Chinese representation is obviously important in many respects. It does not, however, have any particular significance in the Olympic context. The statement that Canada cannot permit the Republic of China to "pretend" to represent the people of China may be an acceptable statement of Canadian foreign policy. But it is presumptuous and it is wrong to force this judgment on a gathering of Olympic athletes and to jeopardize this and future games by interjecting emotional political issues into the Olympics.

Four years from now, the summer Olympics will be held in Moscow. One would hope that the Soviets will honor and abide by their commitment to the IOC and not attempt to exercise restraint or control over the participants. But if they wish to destroy the Moscow games by denying the right of participation to nations that do not meet their standards of ideological purity, they need only refer to the Canadian example.

THE SOVIET DAY OF SHAME

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. BIAGGI. Mr. Speaker, it is with sincere regret that I call to mind the Czechoslovakian "Soviet Day of Shame." On August 21, 1968, the Soviet Union sent a military occupying force into Czechoslovakian territory in gross violation of Czechoslovakian sovereignty and the United Nations Charter. This aggressive action was unprovoked and eventually resulted in the virtual enslavement of the Czechoslovak people. In 1970 the Members of Congress overwhelmingly condemned the actions of the Soviet Union and called upon the President to take such steps as may be

necessary to end the antagonistic Soviet occupation. Members of Congress have since supported efforts to end the totalitarian regime in Czechoslovakia and I heartily commend those efforts.

I believe the Congress should again show our support for basic freedoms to exist in Czechoslovakia by pledging our support to the Czech-Slovak resistance, and calling for an end to the political and economic injustices which exist there. As a nation celebrating 200 years of liberty and equality we can well understand the urgency and desire this small and proud nation has for attaining its usurped independence. The Soviets have not only denied them their freedom but in the process has violated specific provisions outlined in the United Nations Charter of which the Soviet Union is a party to. Among these provisions, the Soviet occupation:

First, violated the sovereignty of a member state of the U.N.—article 2, section 1;

Second, was carried out in violation of article 2, section 7 prohibiting outside intervention in matters essentially within the domestic jurisdiction of any state;

Third, is in conflict with article 2, section 4 prohibiting the use of military force in the relations between members of the United Nations;

Fourth, and violated the principle of self-determination of peoples—article 1, section 2.

After recently observing Captive Nations Week, and when considering our own love for democratic principles, it especially becomes incumbent upon our world leadership position to rise in support of Czechoslovakia's protest and mighty resistance against this immoral occupation by a foreign power. It is important to the spirit of democracy and the principles of self-determination that Congress extends its sincere support and cooperation to the Czech and Slovak people in this time of need.

In recognition of 8 long years of sorrow and repression by the Soviet Union, I pledge my support toward observance of the "Soviet Day of Shame," and I enjoin my colleagues to also express their dismay with the policies of the Soviet Union toward Czechoslovakia by their support.

SOVIET PROMISES: MERELY EMPTY WORDS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. KOCH. Mr. Speaker, ostensibly the Soviet Union represents a bastion of freedom and rights for all. The constitution of the U.S.S.R. espouses many of the high ideals and principles which we cherish here in the United States, such as freedom of religion, promised in article 124 of the Soviet Constitution, and freedom of speech, press and assembly, guaranteed in article 125. Furthermore, the Soviet Union joined the United States and 33 other nations in signing an agreement in Helsinki which pledges

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the signatories to "facilitate wider travel by their citizens."

Based on these facts, one might conclude that Russian citizens enjoy many rights and suffer few restrictions. I think it is important to show the truth: these "pledges" are merely words.

To see the weakness of the promise of "religious freedom" in the U.S.S.R., one need only look at the case of Pastor Georgi Vins, the leader of a Baptist movement in the Soviet Union. Vins has suffered because of his normal religious activities. During the past 13 years of harassment by Soviet authorities, he was sentenced to 3 years in prison by the Moscow City Court in November 1966. He was arrested again in March 1974 and kept in prison in Kiev without a trial until January 1975 when he was condemned to 5 years in prison to be followed by 5 years in exile in Siberia for "unauthorized religious activities." The persecution of Vins and his family establishes the fact of continuing religious repression in the Soviet Union.

The claim of "freedom of speech" has been exposed as untrue largely thanks to the courageous actions of men like Alexander Solzhenitsyn and Andrei Sakharov. But untold numbers still suffer because they dare to speak freely, because they dare to speak the truth. One tragic example is that of Mustafa Dzhemilev, who has been tortured and imprisoned for the past 10 years for campaigning for human rights in the U.S.S.R. Specifically, Dzhemilev spoke out on behalf of fellow Crimean Tatars who wish to return to their ancestral homeland, Crimea, on the Black Sea. In 1944, between 200,000 and 250,000 Tatars were unjustly deported from the Crimea to Central Asia on a charge of collaborating with the German invaders. They were officially absolved in 1967, but the estimated 110,000 Tatars who perished during the deportation can never be brought back. But even in light of the new Soviet "attitude", authorities have allowed only a small number to return. Protest of this policy, and efforts to maintain the Crimean heritage have met only false countercharges, and long prison sentences have met the "dissenters."

And last, the "pledge" to facilitate wider travel by their citizens also lacks substance. The well-known case of Valentyn Moroz, the courageous Ukrainian historian now in a Soviet prison, only scratches the surface of the problem. New cases appear daily, and old ones remain unresolved. Vladimir Slepak is the longest waiting refusenik in Moscow. For more than 7 years, he has suffered constant persecution in his appeal for exit visas for himself and his family. His wife, Masha, recently took the desperate step of divorcing her husband so that she and her son could apply to leave Russia independent of her husband's case. She is in need of immediate medical attention which she could get in Israel, but her visa request has been denied notwithstanding her health—Soviet officials say that they do not recognize the divorce, and that they do not break up families. More pretty words masking the truth.

But Vladimir Slepak continues his fight for freedom; he has recently joined

the group to "Assist Fulfillment of the Helsinki Accords in the U.S.S.R.," a body formed in May of this year to collect documentation from Soviet citizens about violations of the Helsinki Accord for report to the international community. This Congress just passed a law which establishes a Commission to do substantially the same thing, to monitor compliance of the signatories with the Helsinki agreement. I am proud to say that I was one of the cosponsors of the original bill introduced in the House by Mrs. FENWICK of New Jersey. Such "oversight groups" can have the important result of matching Soviet actions to Soviet words before the international community. It would be my hope that this might inspire the U.S.S.R. to live up to its pledges, and thus, much of the senseless persecution which does exist today might be abated. I ask my colleagues to join me in making the voice of the Congress heard in the Kremlin. Let us take the Soviets to task and urge them to discontinue their present policy of promising freedom while delivering injustice.

SPEECH BY JOHN S. WARNER

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. MILFORD. Mr. Speaker, as we all know, in recent months there has been considerable public debate on what the Central Intelligence Agency should and should not do, should and should not have done, and what it must do and not do in the future.

However, what has been overlooked in all this dissection of the agency, has been what the CIA does on a regular and routine basis, what its functions are exactly and how they are carried out.

My good friend, Orval Hansen, of Purcell, Hansen & Valdez, attorneys at law, here in Washington, has provided me with the remarks of one of his brothers in the Air Force Reserve, John S. Warner, former General Counsel of the Central Intelligence Agency.

His remarks were made before the Reserve Officers Association of the U.S. Air Force chapter No. 1, on May 4, 1976.

I agree with my friend Mr. Hansen that they are an excellent review of the CIA and its workings.

The article follows:

SPEECH BY JOHN S. WARNER TO RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES, AIR FORCE CHAPTER NO. 1

Thank you Colonel Berke, and good evening colleagues and friends.

I have devoted most of my adult life to two organizations, the Air Force and the Air Force Reserve, and the Central Intelligence Agency. It is a great pleasure, therefore, to be here combining those two interests by speaking to Air Force Reserve officers about the CIA. Of course, the bond between the two organizations is not limited to the fact that I have been associated with both; the organizations share a common genesis and a common purpose. CIA and the Air Force are siblings, both having been established under the National Security Act of 1947, then

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known as the Unification Law for the military services. Thus, we have the same birthdate of September 18, 1947, and we both are dedicated to serve this country in peace and in war.

While the public appreciates the utility of both organizations when war is upon us, there is a somewhat more grudging support in time of peace. In a sense, some segments of the public lament the fact that the world we live in is the sort of place which requires an Air Force and a CIA and at times transfers its distaste for this reality into a dislike for these organizations as though repealing the National Security Act would somehow erase all war, all evil, and all injustices.

The National Security Act of 1947 was an effort to apply the lessons learned in World War II with an eye to the future. As to intelligence, most of you will remember that our Government had in its possession all of the information needed to have avoided the surprise attack on Pearl Harbor. The purpose then of creating CIA was to put in one place—by law—the responsibility for collecting, or receiving, all intelligence relating to our national security. Thus, the Director of Central Intelligence is by law the principal intelligence advisor to the President—just as the Chairman of the Joint Chiefs of Staff, based on the same law, is the principal military advisor to the President. It should be noted that, in fact, CIA is the principal purveyor of foreign intelligence to the Congress.

You may have noted I said Director of Central Intelligence, not Director of the Central Intelligence Agency. The former is purposefully in the law. After I have outlined to you a bit about what the Agency does and does not do, I shall return to this point because it bears upon the relationship of the Agency with the intelligence components of the military services.

What does CIA do?—in short, it collects and analyzes information and then disseminates finished intelligence to the President, the policy advisors to the President, and to the Congress.

Some of you may not realize that CIA is composed of a large staff of analysts—historians, political scientists, economists, linguists, medical doctors, chemists, and physicists to mention just a few of the many specialties. Indeed, our personnel have the ability, the expertise and the academic credentials to staff fully a major university and all of its departments. They cannot publish much of what they work on, and their reputations do not grow as rapidly as they would if they worked at a university. They endure this because they believe that the analytical work which they do is essential to our national security.

It may be of interest to note how this President receives his intelligence from CIA. There is prepared each day a three- to four-page briefing called the President's Daily Bulletin. This contains all significant intelligence on foreign happenings in the last 24 hours—obviously this is, what is known in intelligence jargon, an all-source brief. There are only three other copies—to Secretary of State, Secretary of Defense, and the Director of Central Intelligence. This brief is presented personally to the President each morning by a CIA officer—there are frequent questions by the President as to the significance of each item; or there may be a request for information on other topics. This face-to-face with feedback is truly a marvelous situation to assure that CIA is meeting the foreign intelligence needs of the President.

Of course the President is also sent all National Intelligence Estimates, such as the annual review of the current and future status of the Soviet Strategic Forces. From time to time the President will ask for an opinion with respect to alternate courses of action involving a foreign policy matter—the CIA review, however, is limited only to the

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foreign reactions to such alternatives. The Director of Central Intelligence is present at all meetings of the National Security Council and normally will brief on topical foreign intelligence items at the beginning of the meeting. Finally, the Director of Central Intelligence meets with the President at a set time weekly for discussion of whatever matters either deems appropriate.

Now, how does CIA collect foreign intelligence? There are six major areas—

1. From unclassified publications, both U.S. and foreign—trade journals, official releases, academic treatises, to name just a few.

2. Monitoring of public broadcasts in foreign countries—both commercial and Government sponsored.

3. From other U.S. Government agencies—CIA receives all foreign intelligence reports of such agencies as State Department, the three military services and others.

4. Contrary to the popular conception, CIA does conduct foreign intelligence collection activities within the United States. The FBI has no charter to collect what is called "positive foreign intelligence"—their role is counterintelligence and law enforcement. What are these activities?

a. Working on a voluntary and unpaid basis with American citizens who are made fully aware that CIA is asking them for information regarding foreign matters. If someone does not wish to cooperate, we simply walk away. I must say, however, that the response over the years has been and continues to be not only forthcoming, but enormously productive.

b. Now to another collection area within the U.S. At any one time there are some 200,000 to 300,000 foreigners in this country, including the diplomatic personnel at hundreds of installations. Are they not legitimate targets for collection of foreign intelligence? Possibly, lacking access to significant information at this time, wouldn't you think that we would be derelict in our responsibilities if we did not attempt to make arrangements with some of these foreigners against the day, back in their country, when they could be of assistance?

5. This leads to the next area of collection—espionage, that is, the clandestine collection of information about subjects of importance to the security of the United States, information which cannot be secured by other means. Some American people recoil at the word "espionage," but most Americans seem uniformly convinced that their President should have the best and most complete information before decisions are made. They are becoming aware that information, which is freely available in this country merely by reading the aviation journals and congressional publications, is not available in other countries and would never become available if CIA did not obtain it. It is recorded in the Bible that Moses sent a man from each tribe to "spy out the land of Canaan," and Joshua sent spies to Jericho, although in good spy fashion the Bible does not mention their names. Few nations have not used spies in both peace and wartime and espionage is firmly based in customary international law and the established practice of nations.

6. And now the sixth area of collection—that is collection of intelligence by technical means—for example the U-2 program. Most people remember the U-2 as a result of the Francis Gary Powers shootdown over Russia and the subsequent break-up of the Summit Conference in Paris between President Eisenhower and Khrushchev. But where was the Strategic Air Command getting the information for their target folders for the previous four years? How many billions of dollars were not appropriated and spent because our Government was able to judge precisely the strategic forces of the U.S.S.R.? Today, follow-on programs continue. Information is collected continuously from high

in the sky and from the ocean depths. Before these programs, the U.S. intelligence community estimated the numbers of Soviet ICBMs and aircraft—today we count them. While some may disagree with the results of the Strategic Arms Limitation Talks with the Soviet Union, verification of the facts by intelligence at least gives our Government the option of considering SALT agreements.

Quickly, a few of the don'ts about CIA. We, by law, are prohibited from performing any law-enforcement or internal security function—also we are denied by law any police or subpoena authority. There have been some actions over the years which many have considered to be in violation of these prohibitions. These are our misdeeds and I am not here to defend such CIA activities as the mail opening program or the break-in at Fairfax City.

Another function of the Agency should be briefly covered, i.e., covert action. Simply put, covert action projects are clandestine efforts to influence events; for example, through political action, propaganda, paramilitary activities or economic action. This function has been the most controversial and the least popular, in large measure because critics have failed to distinguish the means from the ends. It is possible to dispute whether the United States national interest is truly served in any particular case by resorting to covert action. But this, it must be noted, is a policy argument addressing the ends of United States foreign policy. The American people must realize that all significant covert action projects are approved by the President and, in addition, six committees of Congress are informed of such activity. Admittedly, if clandestine operations are to remain clandestine, a broad-gauged public debate on each project is out of the question. However, covert action is merely one aspect of foreign policy. The broad outlines of foreign policy are debated in public and both Congress and the Executive remain accountable to the electorate for such policy.

More serious than the debate about ends is the question of means. Those who argue that the United States should never resort to covert action are, in effect, restricting U.S. foreign policy options to diplomatic protests on the one hand and sending in the Marines on the other. In a complex world such simplistic approaches are unrealistic, unworkable and dangerous. Indeed, such outright condemnation of an important tool of U.S. foreign policy has been rejected by no less a body than the Senate Select Committee which stated in its final report issued last week, and I quote:

Given the open and democratic assumptions on which our government is based, the Committee gave serious consideration to proposing a total ban on all forms of covert action. The Committee has concluded, however, that the United States should maintain the option of reacting in the future to a grave, unforeseen threat to the United States national security through covert means.

I might add that last year there were riders offered to the Defense Appropriation Act in both Houses to prohibit covert action by CIA. In recorded votes both the House and Senate soundly rejected the riders.

Now it is time to turn to the relationship of the Director of Central Intelligence to the other intelligence components of the Government, including those of the three military services and the Defense Intelligence Agency of the DOD. As I stated earlier, by law, the Director of Central Intelligence is the principal intelligence advisor to the President. But also, by law, the intelligence components elsewhere in the Government have a role. With respect to national estimates and other finished intelligence, the matter can be put very simply—all foreign

intelligence components of the Government and CIA have access to the same raw intelligence. A draft estimate is prepared and reviewed by all—again with all having access to the same raw intelligence. Under law, however, the final responsibility rests upon the Director of Central Intelligence—therefore, the estimates are his and signed by him. Others may concur or they may take a dissent to a sentence, a paragraph or the whole estimate, but they are required to state their reasons for dissent—and, if I may, so frequently do.

Another aspect of the title "Director of Central Intelligence" relates to coordination of foreign intelligence activities throughout the Government. He is charged by law with this responsibility and with making recommendations to the National Security Council with respect to such activities affecting the national security. Additionally, he is charged with the responsibility of making budgetary decisions on all national intelligence programs. This is indeed a heavy responsibility when one considers that over 80 percent of foreign intelligence dollars are appropriated other than to CIA—and most of this within the Department of Defense.

Now as to the publicity over the last two years—certainly the military has received its share of brickbats over the years. Its efforts to warn the American people of the threat posed by Soviet bombers, missiles, submarines and modern conventional forces, have been derided as an attempt to scare the public into accepting larger defense spending to somehow benefit the military rather than protecting the country. Still, at its worst, congressional and public scrutiny of the military has not seriously damaged it. Media attacks on the military have not been sustained when compared to the barrage of criticism and half-truths which have been spread about the Agency over the past two years. Agency critics have exposed every blunder, every misstep and mistake and although the Agency has been able to defend itself on specific issues, the overall impression which was left was of an organization which had run amok.

Now it is true that some few things which the Agency has done it ought not to have done. But I must point out that the misdeeds were corrected before the advent of any of the investigations. During the spring and summer of 1973, a thorough in-house investigation was conducted and the DCI issued a set of directives to correct all actions which were inappropriate for the Agency to conduct. Neither the reporters nor the investigating committees brought forth any new missteps or misdeeds which had not been uncovered and corrected by CIA itself, but each issue was unveiled with great fanfare and then periodically rediscovered week after week and month after month. In addition, events were constantly blown out of proportion. The normal detail of CIA employees to other Government agencies was called "infiltration"; an Army vulnerability study of the New York subway was ascribed to CIA plotting because one of its officers read the report; and conspiracy theorists proclaimed CIA complicity in the assassination of President Kennedy.

In essence, Agency critics have engaged in a verbal variant of the old Oriental torture in which the victim is repeatedly nicked and cut with sharp knives. No one cut is serious, but in the aggregate, they are deadly. These critics so magnified Agency mistakes, so distorted its actions, and so misstated its purposes, that it was a wonder that the American people did not rise up in righteous indignation to demand the very abolition of CIA.

At first, a majority of Americans appeared to be deeply concerned that the Agency might really be an invisible government, operating without Executive branch control, but the Rockefeller Commission and the

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Senate and House Select Committees have revealed that this was not the case. The public was concerned that CIA activities were directed against ordinary American citizens, that the Agency was accumulating vast files on Americans and exerting a chilling influence on first and fourth amendment rights. In fact, most of the so-called CIA files on American citizens, unrelated to espionage or Agency employment consist of unsolicited documents received from other Government agencies.

The aura of sensationalism, overstatement and exaggeration backfired against the critics because by appealing to emotions, the underlying philosophical, ethical and political problems were obscured. Instead of engendering a great national debate on intelligence activities, the issue was drawn in such a way as to force the electorate into two camps, those who had a doctrinaire and rabid hatred or fear of CIA and those who did not.

As the months wore on and the initial shock of the various revelations wore off, a majority of the American people came to see that behind the smoke was very little fire and that the Agency, far from trampling upon the rights of U.S. citizens, was dedicated to protecting those rights. Moreover, the media audience, regularly exposed to the derring-do of "I Spy" and the electronic gadgetry of "Mission Impossible" found the House and Senate revelations of CIA activities rather commonplace. If anything, the public fancy was caught by dart guns and voice alteration devices rather than the more serious issues. The general view became one of surprise that CIA had not done more, rather than shock that it had done too much.

I am, of course, pleased that the pendulum of public opinion has shifted, but I am concerned that the new popular mood represents an equally distorted view of the Agency. We can do without mindless critics but we are not seeking unthinking partisans either. All we desire is that the American people have a somewhat better appreciation of this country's need for intelligence so that thoughtful debate on the serious issues can begin.

Clearly the time is ripe for such discussion because we are, in a sense, at a crossroads in our history and in the history of the Intelligence Community. Today we live in a world that is still fragmented into East and West, industrialized and underdeveloped, resource rich and resource dependent. Worldwide economic interdependence, rapid transportation and communications, and the enormous reach of modern weapons present us with an unparalleled opportunity and incentive to advance the cause of peace, but, at the same time, increasing political frustration, communal strife, terrorism and nuclear proliferation pose dangers which threaten chaos. It is necessary that the American people become more aware of these problems and come to realize that intelligence is essential because it enables us to negotiate solutions rather than confront crises, and it enables us to make peace through knowledge rather than stumble into conflict through misunderstanding. Today there are no simple solutions because we are not facing simple problems and, hence, have more need for CIA and the Intelligence Community than ever before.

Another issue which should be addressed is the secrecy issue and this is related to the public perception of the Intelligence Community. The question is often asked, not just by our critics, but by many thoughtful Americans, whether in a democracy we can accommodate a secret organization with a secret budget, secret agents and secret operations. The fear is expressed that secrecy prevents a free discussion of important policy issues and is undesirable because it helps to cover mistakes and abuses.

I would note that the CIA leadership is firmly committed to eliminating the fetish of secrecy which surrounded intelligence in the past. The signs are up on the parkways leading to CIA. Newspapermen, businessmen and students have been invited to our Headquarters for briefings. CIA officials are making themselves available to respond to legitimate public inquiry through general discussions of our activities. I believe, moreover, that CIA can and should respond to the public's need for assurance by reporting fully to congressional committees or other bodies appointed by the public's representatives to receive and retain this sensitive information and to make value judgments about our functions and activities.

But secrecy has never been entirely eliminated in American society. Our military forces must be responsive to our public, but our public does not demand that our war plans be published. Our judicial system must meet the public's standards of justice, but our judicial conferences and grand jury proceedings are not conducted in public. It is even necessary for the Congress to conduct some of its business in executive session, while remaining accountable to the voters for the legislation it passes. Finally, I need not remind you of the extent to which the media will go to protect its new sources.

Similarly, CIA needs to keep some secrets. If our potential adversaries learn of our access to carefully hidden information, they could identify the individual who gave it to us or they could correct the technical leak that allowed us to pick it up. If our officers abroad are identified, they can be carefully followed by local authorities or targeted by local terrorists. I here point out the brutal murder of Richard Welch in Athens of December last year. I believe it is feasible, therefore, to explain to the American people the functions and activities of CIA and the Intelligence Community while at the same time maintaining the necessary secrecy of the sources and methods of our intelligence, which would dry up if publicized. Indeed, I would go further and state that I believe it essential that we Americans tighten up the secrecy of our intelligence sources and methods if American intelligence is still going to lead the world in its development of new techniques and in providing our national leaders and our people the kind of intelligence support we Americans expect, i.e., second to none.

Our laws now provide for criminal penalties for the unauthorized disclosure of certain census information, income tax information, Selective Service information, and cotton and other agricultural statistics. I think it reasonable that there should also be penalties for the unauthorized disclosure of foreign intelligence sources and methods upon which the safety of the nation could well depend.

Gaining the essential trust of the American people and tolerance for necessary secrecy requires us to consider how we can assure the public that the Agency operates within its charter and within the bounds set by the Constitution. It is not enough for the Agency to observe that it uncovered its mistakes by itself. I can report, however, that the Agency and its lawyers have reviewed the organizational dynamics which led to the problem and have developed procedures and mechanisms to prevent its recurrence.

In place of an overly rigid application of the principle of compartmentation are Agency regulations requiring consultation with the Agency lawyers on all activities whose legality is not clearly established. I am pleased to state that a very definite pattern of consultation with Agency lawyers by the Director has set the tone over the past couple of years.

Paralleling these steps taken by the Agency are other steps taken by the President to clarify the mission of CIA and other elements

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of the Intelligence Community. Executive Order 11905, issued February 18, 1976, represented a giant step forward. It more specifically defines the duties and responsibilities of CIA. It sets clear restrictions on intelligence activities to ensure that the rights of American citizens are not violated, and it sets up an Intelligence Oversight Board to which the General Counsel and the Inspector General must report all questionable activities. I believe these steps not only reinforce the ability of the Agency to uncover any abuses or questionable activities, it goes a long way to prevent abuses from developing.

I would conclude by saying that the men and women who make up the Intelligence Community are doing everything they can to win the trust of the American people. You have heard me use the words law and lawyers a number of times tonight. CIA was created by law and its people are as fully aware as all Americans that this is a nation governed by law and not by men, except as they serve the law. The dedicated men and women at CIA are striving to improve the quality of intelligence, but they are well aware that only by maintaining scrupulous care that intelligence activities are conducted in a constitutional and lawful manner can intelligence serve its true purpose, the protection of American freedoms.

CLEAN AIR OR FEDERAL LAND USE CONTROL?

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. SYMMS. Mr. Speaker, for the past 2 successive years, Congress has failed to pass a land use bill. Why then are some environmental advocates on Capitol Hill so determined to implement a "back door" approach to land use control through environmental legislation? How, you may ask, is that coming about? Simple—with the nondegradation provisions of H.R. 10498, the Clean Air Act Amendments.

Nondegradation is a term to describe an issue which is concerned with controlling the air quality over areas of the country where it is better than the national standards intended by Congress to protect the public health and welfare—we are talking about clean air.

Environmental obstructionists do not want to see this air degraded from its present state, citing arguments that any pollution whatever is damaging to public health and that we cannot allow these undeveloped areas to become as "dirty" as the big industrial centers of the Northeast. Now all this sounds pretty good, right?

But stop to think of what kind of program will be needed to insure that these vast sections of the country remain clean forever. Do not concentrate on the issue of whether or not we should protect the air over such rare natural wonders as the Grand Canyon or Yellowstone National Park. We want to keep the air clean in these areas, too, and no one is talking about locating large facilities in such national treasures. But just think about the other places in the country where the air is also crystal clean, like the hills of Virginia, the plains of Kansas, or the forests

of Oregon. How will we implement a program to make sure that that air stays clean forever?

It is simple. The answer is to control, if not stop, industrial growth in those areas. Even the tightest air pollution control techniques will not completely eliminate all emissions, so unless you want to build nothing but "pencil factories" you must control major facility siting. You must control forestry operations, and you must control energy and resources development. If you do not, then those clean areas will sooner or later become "dirty" like our cities; right?

So you must control the siting of all "dirty" industrial plants, as the environmental obstructionists like to characterize them. What is another name for this? Land use planning, of course. Again, you are not talking about a health problem which the environmentalists like to throw out when dealing with "environmental" issues—you are talking about facilities siting and whether or not you can or cannot build something on your own land. You are talking about something which is pure and simply land use control, mandated by the Federal Government and based on a single criterion—the quality of the air over that land.

The amount of development—siting, if you will—will depend on the proximity of any large national parks or wilderness areas, the type and size of the plant and the local topography and meteorology. Let us assume you wanted to build a new plant in an area close to no park or wilderness area and in a flat area with little or no wind. You would expect to be able to build about anything you wanted to, right? Wrong.

You would first have to spend 1 year taking air quality monitoring data around the proposed plant site. Then, you would have to do a study to show the anticipated emissions from such a plant using a computer "diffusion modeling technique" which would approximate the emissions from such a plant. You would then have to take these results to the State air pollution control agency which would apply a strict set of guidelines, set by EPA, to determine if the anticipated emissions from your proposed plant would violate the allowable pollution increment—for sulfur dioxide and particulates—dust, soot, and so forth—if the Senate version is adopted—or for all six pollutants for which there is a national standard if the House bill is passed into law.

The studies which have been done by the Government—EPA/FEA—on this issue have only concerned themselves with electric utility plant siting. The conclusion of the first report said that large coal-fired powerplants can be built. However, the body of the report itself contains so many caveats clarifying that statement that it brings its validity into serious question. In effect, industry has determined, large powerplants can be built if the surrounding terrain is relatively flat, if there are no nearby class I areas—parks and wilderness areas, and if there are no new plants which have already located in the vicinity which have used up part of the allowable in-

crement for the appropriate pollutants produced by the powerplant.

What these studies by EPA assume, however, is that the full increment in the area will be available for such a plant to locate, that the plant will use up the entire allowable increment, and that since a powerplant produces more emissions than any other type of plant, then if you can locate such a powerplant, there will be no problems locating any other type of basic industrial facility.

All these assumptions are unfortunately wrong. One, recent work by the Chamber of Commerce on this issue has produced data obtained from EPA's regional offices which shows that the increment in vast Western areas of the country is not fully available. More specifically, natural emissions from coniferous forests, sulfur mist from sulfur beds and pollens and wind-blown dust raise the background level of natural pollution so high in many areas that the full increment is not available for use by new industrial facilities. In fact, in some places these natural pollutants actually violate the strictest national air quality standard set by EPA to protect public health.

Two, the assumption is used in all the reports that the powerplant which can be built in a particular test area by using up all the available increment. The reports make no mention of the social and economic impacts resulting because no other plants could then be built in the area. We believe that this assumption is true and is a real problem. What other types of facilities could then be located in such an area in order to use the electrical power produced by the already-located powerplant? Growth will have to be dispersed in order to find an available increment, and sprawl will be encouraged.

Third, the last assumption is wrong because even though it is true that a powerplant produces the most emissions, it is also true that other basic industries can also be severely affected, perhaps in different ways but certainly in the one long-term manner in which all major industries will be affected: long-term growth in the country once all the increments have been used up.

The big unanswered question that neither EPA, nor the Congress, nor the environmentalists have ever addressed and have no answer for is—what will happen to our country socially, economically, and in our basic style of living when all growth is stopped 10 or possibly 15 years from now when every available increment has been used up?

The present way in which industry maintains the economic productivity of its old facilities is to either modernize the existing facility or replace it with a new one. Under nondegradation, neither will be possible. Decadent plants will have to be abandoned, jobs will be lost, and the economy and the entire Nation will suffer. Growth and expansion will be brought to a screeching halt. I do not think anyone wants to see that—but the only way to stop it from happening is to stop nondegradation on the House floor when we consider H.R. 10498, Clean Air

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Act amendments. Our colleague from Florida, BILL CHAPPELL, will offer an amendment to the bill on the floor to strike section 108 of the bill—the non-degradation provisions. Both industry and labor groups have recognized the threat to the economy posed by this bill; so I ask my colleagues to join in support of the effort to remove the nondegradation provisions from this legislation. As I said before this provision will amount to nothing more than Federal land use control through the back door and enforced by unelected bureaucrats.

MRS. DOROTHY SIBBING: NINETY YEARS YOUNG

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. ANDERSON of California. Mr. Speaker, July 15, 1976 was a very special occasion for Mrs. Dorothy Sibbing of Hawthorne, Calif., her family and friends. For on that day she celebrated her 90th birthday—certainly a time for celebration in a lifetime that has lasted almost half of the history of the United States.

Dorothy Sibbing was born on July 15, 1886 in the town of Quincy, Ill. At that time, there were no automobiles or airplanes. The Civil War was recent history, being only 20 years old, and we were still in the process of settling what is now the Western United States. In 1909, Dorothy was married to Anton Sibbing, and in 1959 she and her husband—since deceased—celebrated their golden wedding anniversary.

Besides raising their son, Harold, the Sibbings found time to be active community members. Dorothy became a State officer of the Loyal Order of Moose in Illinois, and was a cofounder of Moose Heart, a children's home in the State.

In 1941 the Sibbings moved to Hawthorne, Calif. Mrs. Sibbing now resides in the very same house her family moved into at that time.

Since then, of course, the family has grown. Dorothy has five grandchildren, and 7 great-grandchildren. They have undoubtedly brought her much happiness, and they have had the opportunity to know and love a person whose years are more than matched by her experience, wisdom, and capacity to give happiness and love. Besides being the "First Lady" of her clan, Mrs. Sibbing is still an active member of St. Joseph's Parish in Hawthorne.

Dorothy's life has encompassed some of the great events in our Nation's history. During this Bicentennial year, many of us have taken the opportunity to recall those times. Yet for most Americans alive today, they are only episodes from a history book. For Dorothy Sibbing, they are living memories and experiences from a rich and rewarding life.

Mrs. Sibbing was alive during the Spanish-American War, World Wars I and II, Korea, and the Vietnam con-

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flict. The Roaring Twenties—and the Great Depression of the 1930's—are matters of personal experience. She has lived under the administrations of 16 Presidents: Cleveland, Harrison, McKinley, Theodore Roosevelt, Taft, Wilson, Harding, Coolidge, Hoover, Franklin Roosevelt, Truman, Eisenhower, Kennedy, Johnson, Nixon, and Ford.

She can recall the first flight of the Wright Brothers as it was reported in the news; and this week has seen the first pictures taken from the surface of Mars. Her life has been rich with the march of history, but richer yet has been her long and successful marriage, and the satisfaction of sharing her life with a warm, growing, and vital family.

On July 15, the family and friends of Dorothy Sibbing shared their happiness with her, as she celebrated turning 90 years young. I am sure that the festivities that day must have been a marvelous experience, especially in honor of a person as special as Mrs. Sibbing.

My wife Lee joins me in congratulating Dorothy Sibbing on reaching this milestone in her life, and we wish her many years of happiness and good health to come.

ENERGY ACTION NO. 5

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. DINGELL. Mr. Speaker, on July 20, 1976, the Federal Energy Administration transmitted to the Congress Energy Action No. 5, a proposal to exempt naphtha, gas oils, and a range of other products, including benzene, toluene, lubricating oils and greases, from both price and allocation controls. The Congress has 15 calendar days during which it may express its disapproval of this proposed exemption. If not disapproved by either House on or before August 4, 1976, the exemption will take effect on September 1, 1976.

Irrespective of congressional action on this proposal, price and allocation controls will continue to be administered by the Federal Energy Administration over gasoline, naphtha-based jet fuel, kerosene-based jet fuel, aviation gasoline, propane, and butane. In addition, Energy Action No. 5 does not change existing FEA allocation controls applicable to naphtha used as a feedstock for synthetic natural gas plants. Naphtha consumed for this purpose remains under allocation controls, pending completion of an environmental impact statement regarding the environmental consequences of exemption of naphtha for such feedstock uses from the allocation regulations.

In its findings and views in support of Energy Action No. 5, the Federal Energy Administration concluded that:

(1) naphthas, gas oils and other products covered by the proposed exemption are not now in short supply;

(2) projected supplies of naphthas, gas oils and the other products will be sufficient to

satisfy demand over the period 1976 through 1978;

(3) exemption of naphthas, gas oils and other products from the Mandatory Petroleum Allocation and Price Regulations will not adversely affect the supply of any other oil or refined product subject to the Emergency Petroleum Allocation Act (EPAA);

(4) competition and market forces will be adequate to protect consumers following exemption of naphthas, gas oils and other products from regulation;

(5) anticipated price increases during the next two years will be minimal and may be directly related to crude oil cost increases;

(6) exemption of naphthas, gas oils and other products from regulation will not result in inequitable prices for any class of users of the exempted products or any user of other petroleum products;

(7) exemption of naphthas, gas oils and other products from the price and allocation regulations is consistent with the attainment of the objectives set forth in Section 4(b) (1) of the EPAA;

(8) no adverse state or regional impacts are anticipated to result from the proposed exemption;

(9) no adverse impacts on the availability of goods or services, the Gross National Product, small business or the supply and availability of energy resources as a fuel or feedstock for industry are anticipated to result from the proposed exemption;

(10) the exemption will have a positive effect on competition; and

(11) no adverse effect on employment or consumer prices is anticipated to result from the proposed exemption.

Mr. Speaker, these conclusions follow from an analysis which parallels the analysis submitted by the Federal Energy Administration in support of Energy Actions No. 3 and No. 4. Those energy actions related to the exemption of middle distillates, including heating oils, diesel fuels and kerosene, from both price and allocation controls. That analysis was premised upon the conclusion that refinery capacity will be adequate to satisfy projected demand for middle distillates. The conclusion of adequate refinery capacity, made in the analysis supporting Energy Actions No. 3 and No. 4, also supports the analysis submitted by the Federal Energy Administration in justification of Energy Action No. 5. That is to say, it follows logically that if refining capacity is more than adequate to satisfy projected demand for the major product categories comprising middle distillates, surplus capacity is likely to exist for the production of the minor products covered by Energy Action No. 5, products which account for less than 6 percent of the barrel of crude oil.

The House has expressed its will with respect to Energy Actions No. 3 and No. 4 by failing to disapprove these proposals. The Congress received assurances from the Federal Energy Administration that the price levels of sensitive consumer products, such as No. 2 home heating oil, would be carefully monitored and appropriate action would be taken, including reimposition of controls, if the prices of these products rose substantially above the levels which would have prevailed under continued regulation. Reassured by this promise, the House has accepted the fundamental premise of the FEA analysis regarding the existence of adequate refinery capacity.

In view of the similarity between the analysis supporting Energy Action No. 5,

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and that which supported Energy Actions No. 3 and No. 4, I believe it would be inappropriate for me to present substantially the same question to the House with respect to Energy Action No. 5. Therefore, I do not propose to take any action with respect to disapproval of Energy Action No. 5. I believe this course is consistent with the will of the House as expressed by the acquiescence of the House in decontrol of middle distillates.

Section 551(f) (4) (A) of the Energy Policy and Conservation Act provides a means for bringing this matter before the House by permitting a privileged motion to be made to discharge the committee from consideration of a resolution of disapproval after such a resolution has been referred to the committee for 5 days. Because the rights of Members who may disagree with my position are adequately protected by this procedure, I do not believe it incumbent upon me, as chairman of the Subcommittee on Energy and Power, to schedule hearings on this matter and I do not plan to schedule any such hearings.

I hope this information regarding Energy Action No. 5 and my position will be of assistance to Members in planning the course of action which they deem appropriate.

MRS. SYLVIA HERMAN—LANGLEY PARK, MD., WOMAN OF THE YEAR

HON. GLADYS NOON SPELLMAN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 22, 1976

Mrs. SPELLMAN. Mr. Speaker, at the recent Prince George's County dinner of the National Conference of Christian and Jews, Mrs. Sylvia Herman was recognized as the Langley Park, Md., Woman of the Year. In tribute to her achievements, the Maryland State Senate adopted a resolution authored by the Honorable Meyer M. Emanuel, Jr., State Senator from Prince George's County. Because Mrs. Herman has demonstrated a rare degree of dedication, imagination, and plain hard work in striving to improve the community in which she lives, I believe it would be most fitting to include in the text of the CONGRESSIONAL RECORD the Maryland State Senate Resolution adopted in Mrs. Herman's honor. Inspiration is often found in the accomplishments of others—Mrs. Herman's achievements will no doubt inspire many Americans.

[Senate of Maryland Resolution No. 48]

A SENATE RESOLUTION CONCERNING
SYLVIA HERMAN

For the purpose of congratulating Sylvia Herman as being Langley Park Woman of the Year.

Sylvia Herman has been the dynamic motivating force for the new positive identity for Langley Park and for numerous projects to make Langley Park a desirable community. As chairman and one of the originators of the Langley Park Neighborhood Improvement Committee, she has spent many eighteen-hour days in study, research, and communication for the upgrading of the community.

During 1975, Mrs. Herman spoke before the Langley Park Rotary Club, Langley-White Oak Lions Club, Prince George's County Executive, Prince George's County Council, Prince George's Board of Education, Maryland-National Capital Park and Planning Commission, Takoma-East Silver Spring Commission, a special workshop of the Maryland Committee for the Humanities and Public Policy, and a special task force of Langley Park ministers.

Mrs. Herman is a multifaceted woman who found time during 1975 to serve as wife and mother; cheerful friend to many; to enroll in a degree program at University College at the University of Maryland; to host a weekly radio program on WGTS-FM; to serve as community editor of the Langley Park Voice; to serve as Project Director of the Langley Park "Civic Literacy" project; to serve as Langley Park's representative to Prince George's Community Development Advisory Committee; to serve as chief Republican Election Judge for Precinct 17-10; to serve as a county education advisory committee; to actively participate in the Langley Park-McCormack, and Buck Lodge PTAs; and to appear at many public hearings.

Sylvia Herman was the unanimous choice as Langley Park Woman of the Year. To help celebrate International Woman's Year as designated by the United Nations for 1975, the Langley Park Voice sponsored a contest to find Langley Park's Woman of the Year. Mrs. Herman was selected based on conversations with representatives from the humanities, the business community, the clergy, community organizations, and a telephone survey of 150 residents of Langley Park; now, therefore, be it

Resolved by the Senate of Maryland, That Mrs. Sylvia Herman be extended the congratulations of this Body on being named Langley Park Woman of the Year; and be it further

Resolved, That copies of this Resolution be sent to Mrs. Sylvia Herman, Community Editor, Langley Park Voice, Langley Park, Maryland.

MORE JOBS FOR THE DOLLAR

HON. W. HENSON MOORE
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. MOORE. Mr. Speaker, today's House vote to override the President's veto of the \$3.95 billion Public Works Employment Act, S. 3201, fails to stretch a tax dollar far enough to provide lasting jobs for our unemployed. Our nationwide unemployment rate of 7.5 percent merits sound congressional action to create lasting tax-creative jobs in the private sector, not tax-consumptive jobs as provided in this bill. Under the provisions of S. 3201, 160,000 new jobs at most will be created at a tax cost of \$25,000 per job and a temporary reduction in unemployment of only one-tenth of 1 percent. This is too high a cost for too little in return.

Mr. Speaker, I abhor our present rates of unemployment, but I respectfully remind my colleagues that the unemployment rate stood at 8.5 percent in March of last year and it is down to 7.5 percent today with 3.5 million more Americans at work without fueling the fires of inflation.

With this road to economic recovery in mind, I believe a vote to sustain the President's veto of S. 3201 is a vote to continue a sound job creation policy in

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the private sector that is expected to provide up to 2.5 million new jobs by the end of this year and 2 million more in 1977. It is a vote to pave the way for permanent income tax reductions of more than \$10 billion which in turn will permit a quick and major increase in the take-home pay of all taxpayers. With a resultant stimulation of consumer buying power and private investment, more jobs will be required to keep pace with consumer demands. This, I believe, is the right path toward full employment.

Government infusion of funds in the private sector must be carefully balanced with the ability of communities to use those funds to provide jobs, our national need to minimize deficit spending that feeds inflation and unemployment, and the reality that tax-consumptive jobs only postpone a return to the unemployment lines if private enterprise has not been stimulated by consumer confidence in Government's ability to encourage lasting jobs in the private sector. President Ford's budget represents the use of public works expansion within the limits of time and job creation restraints. In 1976, the President's budget targets \$18 billion for public works projects with \$11 billion going to State and local governments for this purpose. In 1977, spending for public works would increase by 17 percent or by over \$3 billion. I believe this is a credible and well-balanced commitment.

Unlike the President's proposals for employment, S. 3201 provides funds for sudden-decision public works projects that are even then expected to take 9 months to filter down to the project location. It would add approximately \$1.5 billion to our deficit in 1977 alone. That is money we do not have and would have to borrow. But the biggest disappointment found in S. 3201 is the small number of jobs actually created. Mr. Speaker, this is paying lip-service to the needs of our unemployed, not providing large-scale lasting employment with non-Federal paychecks.

Our tax dollars must be stretched to provide Louisiana taxpayers and those elsewhere in the Nation with a maximum return on their investment in government. I cannot in good conscience report to my constituents that this method of short-lived employment is a wise and prudent expenditure of their tax dollars. Therefore, my vote today to sustain the President's veto was cast in hopeful expectation that Congress would look toward a realistic and lasting solution to unemployment such as the Jobs Creation Act rather than this unfortunate proposal.

FEDERAL REGULATORY AGENCIES:
HAS THE GAME GOTTEN OUT OF HAND?

HON. PHILIP M. CRANE
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. CRANE. Mr. Speaker, it has taken a long time, but Americans seem finally to be coming to the realization that

Government regulatory agencies, originally meant to serve the public, are now in the process of becoming enemies of the public.

As far back as 1931, in his book "Farewell to Reform," John Chamberlain noted the primary effect of the new regulatory agencies was to give dominant business groups a greater control over their respective economic interests than they had previously enjoyed. In his book, "The Triumph of Conservatism," Prof. Gabriel Kolko insists that it was the dominant business groups themselves who shaped and promoted the so-called "progressive" reforms as a means of continuing their own dominance.

It is becoming obvious to all that agencies such as the Civil Aeronautics Board serve the airlines, not the consumer, just as the Interstate Commerce Commission serves the truckers, and the interests of the Teamsters Union, not the consumer. Prof. Murray Rothbard points out that—

One of the most significant ways in which the government could aid the poor is by removing its own direct roadblocks from their productive energies.

The Government bureaucrats who serve as regulators are, more often than not, more of a menace to our free society than the alleged evils they seek to regulate. In an important article, "Who's Regulating the Regulators?", William Hoffer reports that—

Bureaucrats at the Consumer Safety Product Safety Commission . . . ordered 80,000 brightly colored lapel buttons a few Christmases back, to remind parents to purchase safe toys for their children. Before the buttons could be distributed, an obscure inspector realized that they were colored with lead paint and, if licked by children, could cause lead poisoning. So the Consumer Product Safety Commission was forced to ban all 80,000 of its own safety buttons.

Unfortunately, this example is all too typical. Also typical is the manner in which bureaucrats in one agency work in direct opposition to bureaucrats in another agency. Mr. Hoffer tells this story:

The U.S. Department of Agriculture is extremely concerned that deadly South American fire ants may swarm up from Mexico and reach as far north as Philadelphia. So planners at Agriculture developed an emergency control program, only to be prohibited by the Environmental Protection Agency from using the only pesticides known to be effective against the fire ants.

It is high time that we restored free enterprise in such fields as air transportation, trucking, railroads, and a host of other areas now stifled by governmental regulations and controls. It is also essential that we permit business to do its job, free of the burdensome and often unnecessary regulations imposed upon it by Government agencies.

I wish to share with my colleagues the article, "Who's Regulating the Regulators?", by William Hoffer, as it appeared in the June 1976 issue of TWA Ambassador, the magazine published by Trans World Airlines, and insert it into the RECORD at this time:

WHO'S REGULATING THE REGULATORS?

(By William Hoffner)

Bureaucrats at the Consumer Product Safety Commission in Washington ordered 80,000 brightly-colored lapel buttons a few

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Christmases back to remind parents to purchase safe toys for their children. Before the buttons could be distributed, an obscure inspector realized that they were colored with lead paint and, if licked by children, could cause lead poisoning.

So the Consumer Product Safety Commission was forced to ban all 80,000 of its own safety buttons.

Increasingly, it seems, Washington calls upon the nation's taxpayers to pay for such foolishness. The right hand of the country's regulators, commissioners, inspectors and other assorted agency watchdogs doesn't know what their left hand is doing. As it becomes ever more ponderous and expensive, government also becomes more ineffective.

A simple statistic illustrates how the federal government has exploded in our faces. Regulatory agencies proclaim their commands in the pages of the *Federal Register*. In 1937, its first full year of publication, the *Federal Register* printed 3,450 pages of administrative monologue. By 1973 the figure had jumped more than tenfold to 35,591 pages, in 1974 to 45,422 pages, and last year to 60,221 pages.

By one count, the 24 major regulatory agencies employ 105,000 persons and spend up to \$3.8 billion a year to police virtually every aspect of American life. The real cost of regulation in artificially inflated prices, lost productivity and business costs has been estimated by the Office of Management and Budget at \$130 billion a year, although this figure is disputed by Congress' General Accounting Office.

"Our economic system, founded with our nation 200 years ago, has come more and more under government control," warns Thomas A. Murphy, chairman of General Motors. "Very conspicuously in the marketplace, the government, by mandate and edict, is substituting its sovereignty for that of the individual consumer. Government, rather than the buying public, is increasingly determining the kinds of products and services offered for sale, and government regulations are influencing their costs and consequently their prices.

"What is of greatest concern is that each intrusion of government, because it takes decision-making power away from the individual consumer, diminishes his economic freedom."

Over the 200-year history of our nation, as government grew more complex, Congress realized it couldn't possibly study the full implications of all its laws. Increasingly, it adopted the practical approach of enacting broad statutes while at the same time creating regulatory agencies to attend to the details. With the chaotic alternatives awful to contemplate, we the public—and many of the regulatees—have come to accept much of this regulation as good.

As bureaucracy has grown bigger, however, less control has remained in the hands of duly-elected representatives—to a point where calls for reform are now being raised by various consumer and business groups, Congress, and the President himself.

The situation is aggravated by the fact that the thousands of non-elected bureaucrats who run the agencies have the full force of law behind them. Citizens can go to jail for violating their regulations. Yet the bureaucrats do not answer to the American voter, and this leaves them free to pursue their own—often narrow—interests.

The agencies have long been criticized for one-sided attitudes, and in the social awareness decade of the '60s this characteristic took an unexpected twist. Many observers came to feel that the new-found power of regulatory agencies is a direct cause of the nation's high rate of inflation.

To understand, we must first look at the traditional type of regulatory agency, one example of which is the Federal Power Com-

mission. Established in 1920 to regulate the interstate business of the electric and natural gas industries, FPC has almost limitless authority to determine which utility companies can do business in the U.S., and how much they can charge their customers. Obviously, the commissioners must be knowledgeable about the utility industry—and there is the rub. Too often, industry experts seem to shuttle back and forth between regulatory jobs and jobs in the very industries they're supposed to regulate.

A recent study conducted by the General Accounting Office reports that one out of every six employees of the Federal Maritime Commission indicated conflict-of-interest violations on financial disclosure statements.

The Subcommittee on Oversight and Investigations of the House Government Operations Committee studied the records of 120 commissioners appointed to nine agencies in the past 15 years and concluded that 30 per cent had been recruited from the industry they were supposed to regulate. What seems even more ominous, 38 per cent, upon leaving their federal jobs, went to work for companies in the industry they had been regulating.

These regulatory liaisons have predictable results. The Food and Drug Administration often seems reluctant to ban products in which drug companies have invested heavily, despite obvious health hazards (a notable example is feminine hygiene deodorant). The Federal Communications Commission, only recently and under extreme duress, allowed open competition with American Telephone and Telegraph.

The individual citizen is virtually powerless to understand the inner workings of America's mysterious regulatory government. Many of the most crucial hearings are held behind closed doors. And when information finally comes out of the secret meetings, it is generally camouflaged in the most obscure "legalese" possible.

Until recently, the business world—that segment of the American public that has the resources to joust with regulatory government—was understandably silent about government by non-elected officials. That attitude has changed, and business is now adding its voice, to the rising tide of consumer complaint against ill-conceived government regulation. Business has been moved to protest because of a frightening development—a new type of government agency that differs dramatically from its predecessors.

Faster than a speeding bullet, more powerful than any local government, able to leap 220 million lives in a single bound, the Super Agency has taken over the American government!

The '60s and early '70s brought a wide array of socio-economic problems, and few can argue against the lofty goals of ecology, equal opportunity, safety and sufficient energy. But each new crisis gave birth to at least one new super bureaucracy: the Environmental Protection Agency, Equal Employment Opportunity Commission, Occupational Safety and Health Administration, Consumer Product Safety Commission, Federal Energy Office, and a myriad of sub-agencies. Today, for example, a utility must comply not only with the regulations of the Federal Power Commission, but also the EPA, EEOC, OSHA and FEO.

The Super Agency bureaucrat is not an industry specialist—he is a crusader. And each bureaucrat from each agency seems to think his crusade is the most important one. This leads to interesting problems.

The Food and Drug Administration requires meat-packing plants to be clean and sanitary. Surfaces easiest to clean are usually tile or stainless steel. But tile and stainless steel reflect noise, and often fail to meet the

standards of the Occupational Safety and Health Administration.

An OSHA regulation states that women need lounge facilities in their restrooms. But the Equal Employment Opportunity Commission says that if an employer provides lounges for women he must also provide them for men.

The U.S. Department of Agriculture is extremely concerned that deadly South American fire ants may swarm up from Mexico and reach as far north as Philadelphia. So planners at Agriculture developed an emergency control program, only to be prohibited by the Environmental Protection Agency from using the only pesticides known to be effective against the fire ants.

At U.S. Steel's Clairton Works in Clairton, Pennsylvania, EPA has required construction of a special \$3.7-million hood to trap fumes from the coke ovens. Now planners have discovered that power plants for the 800-horsepower fans inside the hood will cause more pollution than the original coke ovens. And OSHA inspectors say the hood produces a noisy, unsafe working environment. And the Commerce Department complains about rising steel prices.

"There is a committee, a board, an agency, or a commission in Washington for just about everything . . .," acknowledged President Ford in a speech to the U.S. Chamber of Commerce. "In the nearly 90 years since we created the first federal regulator commission, we have built a system of regulations which abounds with contradictions and excesses, all to the detriment of the public."

The President recently chaired a special meeting of commissioners of all major regulatory agencies to persuade them to consider the inflationary impact of proposed new regulations. For example, does the American public really want to spend \$30 billion a year to reduce the level of occupational noise by five decibels? Does it want to pay \$300 for an airbag system in every new car?

Senator J. Glenn Beall, Jr. (R.-Md.), has approached the same problem from the legislative side by introducing a bill to require a price tag on every proposed regulation; so the public can weigh the cost of the regulation against its possible benefits.

Common Cause, the self-styled "citizens' lobby," thinks it is about time the American public had a voice in the regulatory process. Its "Government in the Sunshine" legislative proposals have been approved by the U.S. Senate and, as of the writing, are under consideration by the House.

The new laws would require all top-level agency employees to file annual financial disclosure statements, and would require a two-year waiting period before an ex-commissioner could accept a job in an industry he formerly regulated. "Government in the Sunshine" would also require 47 federal agencies and commissions to open their hearings to the public.

Several legislators have recognized the long-standing problem of bureaucratic inertia—once a job has been created, it is extremely difficult to abolish. Representative Abner J. Mikva (D.-Ill.) and Senator Joseph R. Biden, Jr. (D.-Del.), have attempted a unique solution in their Regulatory Agency Responsibility Act: unless both Congress and the President declare a regulatory agency should remain in business, it would be abolished October 1.

A similar bill has been introduced by Senators Charles H. Percy (R.-Ill.) and Robert C. Byrd (D.-W. Va.) to extend the phase-outs over a five-year period. That bill, because of its less frantic approach, stands a better chance than the Mikva-Biden legislation.

Action of some kind is virtually certain. Congress and the President seem to agree with the American public that regulatory agencies have grown too big for their bureaucratic britches.

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They have finally seen the dangers warned about in 1839 by Alexis de Tocqueville:

"Above this race of men stands an immense and tutelary power, which takes upon itself alone to secure their gratifications and to watch over their fate. That power is absolute, minute, regular, provident, and mild . . .

"For their happiness such a government willingly labors, but it chooses to be the sole agent and the only arbiter of that happiness; it provides for their security, foresees and supplies their necessities, facilitates their pleasures, manages their principal concerns, directs their industry, regulates the descent of property, and subdivides their inheritances.

"What remains, but to spare them all the care of thinking and all the trouble of living . . .?

"Such a power does not destroy, but it prevents existence; it does not tyrannize, but it compresses, enervates, extinguishes, and stupefies a people, till each nation is reduced to nothing better than a flock of timid and industrious animals, of which the government is the shepherd."

NAZI WAR CRIMINALS IN THE UNITED STATES

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. EILBERG. Mr. Speaker, since March 30, 1976, I, in my capacity as chairman of the Subcommittee on Immigration, Citizenship, and International Law of the Committee on the Judiciary, have been attempting to secure from Attorney General Edward H. Levi satisfactory explanation why the Immigration and Naturalization Service has not progressed further in its investigation of Nazi war criminals residing in the United States. At this time, there are 53 people living here who have been accused of being Nazis and of committing war crimes during World War II.

There appears to be hard evidence in some cases while others may be nothing more than unsubstantiated charges. However, it was determined several months ago that there is enough evidence to warrant action against some of these people and that additional evidence and witnesses, who are willing to testify, are available in Israel.

Furthermore, for some unknown reason the Justice Department appears to be unconcerned about bringing a swift and just conclusion and is not pursuing this matter at more than the slowest possible speed, if at all. It has not closed any cases where there is a lack of evidence and it has not acted in cases where action is clearly necessary and warranted.

Today, I place in the RECORD copies of my correspondence with Attorney General Edward H. Levi:

COMMITTEE ON THE JUDICIARY,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., June 25, 1976.

Hon. EDWARD H. LEVI,
Attorney General, Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: I call attention to your letter of May 26, 1976 regarding alleged Nazi war criminals residing in

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the U.S. and hasten to add that the statements contained therein are certainly not responsive to my inquiry of March 30, 1976.

Although it appears that the Department of Justice views the matter of alleged Nazi war criminals as a non-priority issue, the public is genuinely interested and I feel it is incumbent upon you to bring this matter to a conclusion as soon as possible.

As I have stated previously, the Government of Israel has been responsive in supplying evidence and potential witnesses, but in both the Immigration and Naturalization Service and the Department of Justice, there seems to be a reluctance to proceed with denaturalization or deportation as the case may be. I know that after meeting with Major Gershon Lengsfelder, Chief of Investigation, Nazi War Criminal Office of Israel, he too is frustrated because the Immigration and Naturalization Service is not making proper use of available evidence in the alleged Nazi war criminal cases.

I urge you again to assign adequate and capable personnel to investigate all allegations, to interview every possible witness and to expedite the preparation of cases.

Mr. Attorney General, it is incongruous to me that the investigation of alleged Nazi war criminals continues to drag on and on, but additional personnel can be immediately transferred to the Florida area to expedite the naturalization of Cubans residing there.

I trust you will respond promptly and supply me with an up-to-date status report on each alleged Nazi in the United States.

Sincerely,

JOSHUA EILBERG,
Chairman.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., May 26, 1976.

Hon. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration,
Citizenship, and International Law,
Committee on the Judiciary, House of
Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am responding to your letter concerning the progress of the Immigration and Naturalization Service investigations regarding alleged Nazi war criminals residing in the United States and, specifically, the results to date of the visit of Sam Bernsen, General Counsel of INS, to Israel.

I am advised that since Mr. Bernsen returned from Israel, INS has received 21 affidavits relating to the identification of 14 alleged Nazi war criminals in the United States. In addition, INS has initiated requests to Israel regarding 18 new suspects. Thus, Israel is now assisting INS in 73 cases.

I am also informed that information furnished by Israel has substantially contributed to the development of prima facie cases of war crimes concerning 7 individuals. Three of these cases involve U.S. citizens who are subject to revocation of naturalization and have been referred to the appropriate INS District Office for action. Another substantially similar case is now being reviewed for referral. In addition, an Order to Show Cause in a deportation hearing is now being issued with regard to a permanent resident alien. As I understand has been discussed with you, 2 cases have been developed in which there is evidence of war crimes, but not a statutory basis for deportation at this time.

In view of the foregoing, INS believes the assistance of the government to Israel has been valuable and is being utilized effectively. We look forward to their continued contribution in these important matters.

Sincerely,

EDWARD H. LEVI,
Attorney General.

July 22, 1976

MARCH 30, 1976.

HON. EDWARD H. LEVI,
Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: Considerable time has passed since the General Counsel of the Immigration and Naturalization Service, Sam Bernsen, met with Israeli officials to discuss matters of evidence relative to alleged Nazi war criminals residing in the United States.

I know of no progress made since that meeting and I am fearful that the Immigration and Naturalization Service is not expeditiously and diligently proceeding to obtain and evaluate every possible shred of evidence that could be used in the denaturalization, deportation or extradition of the alleged Nazi war criminals.

I trust, Mr. Attorney General, that you will do everything in your power to cause the Immigration Service to proceed with this inquiry. I would appreciate being advised of what success, if any, has been accomplished.

With kindest regards,

Sincerely,
JOSHUA EILBERG,
Chairman.

YOU MUST NOT SLEEP

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. McDONALD. Mr. Speaker, Mr. Tom E. Moore, of Springfield, Va., entered an essay in the annual essay contest of the U.S. Naval Institute, 1975, concerning aspects of foreign and defense policies of this country. His essay reports an almost total lack of intelligence or concern for the threats against Norway and Denmark, our partners in NATO. The essay was not a winner in the contest, possibly because it was too graphic in pointing out our diplomatic failures since 1933, with special emphasis on the Kissinger years. The essay says:

Under detente, and following Helsinki, the high policy of this country appears to have assumed an extremely low profile, in spite of our official warnings concerning "fishing in troubled waters."

The essay has been condensed, and updated somewhat, to cover the events which had been predicted in it originally, which have taken place. The essay suggests possible U.S. action which should deprive the Warsaw Pact nations of certain initiatives. It is almost categorical to state that there is little likelihood of any of the actions taking place under Mr. Ford or his present Secretary of State. Mr. Moore has other ideas concerning positive action which this country should take in gaining the advantage over the opposition, and some of these were covered in a previous essay, "Let's Establish an Organization of Food Exporting Countries," page E1937, on April 9, 1976.

The title of the essay is derived from a poem in the Norwegian language, by Arnulf Overland, warning his countrymen in 1936 against just the kind of complacency which we evidence in 1976:

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"You must not sleep . . . as Europe burns!"

"YOU MUST NOT SLEEP!"

Several years ago, an article which appeared in "Life" Magazine set out the basic Soviet world strategy of control of the major sea lanes. In retrospect, it may be observed easily that the principal areas of the world which have given us a condition of national heartburn have been areas which happen to lie adjacent to or astride of those shipping lanes. This would tend to corroborate the "Life" appraisal. It falls into place as a present-day extension of Russian grand policy formulated originally by Peter the Great, reinforced lately by pronouncements and actions of high Soviet officialdom.

From the Russian viewpoint, NATO cannot be tolerated as a functional entity, as it stands in the way of Russian policy. The entire Mediterranean area is in a state of turmoil, with strong implications that Russian interests are involved, while, in our own backyard we have Panama, which is continually festering, Cuba, and unrest in Latin America, generally.

A subtle shift has been undertaken lately by the Soviets, a shift which has been ignored almost totally by the American press, and possibly also by the government in the interests of what now goes for detente. In our official enthusiasm for detente, an enthusiasm without much public support, we are expected to believe that the "now friendly" (i.e., post Helsinki) Soviets have renounced overt aggression against other nations. This notion just will not stand the light of day. The action along the Southern flank of NATO has distracted our attention from the play which is forming along the Northern flank, in the Scandinavian area. This strategic shift requires our closest attention, and our unswerving and positive action.

The tactics being employed against NATO are different in different locations. In the nations of the Southern flank, domestic Communists are the Quislings, a "Fifth Column." Communists are to be found in the Scandinavian countries, certainly, but not in numbers of great consequence. Aggressive activities in the Scandinavian region are extra-national, involving direct threats by the Soviets, with the other Warsaw Pact nations as active allies, wherever Soviet threats are not single-handed.

"Aftenposten," of Oslo, and "Berlingske Tidender," of Copenhagen, newspapers of world-renowned stature, have kept their readers informed of the ominous Soviet and Warsaw Pact threats. Early in 1975, these papers published detailed accounts of naval surveillance and espionage in and near their territorial waters. "Berlingske Tidende" covered a circumnavigation of the island on which Copenhagen stands, by three Warsaw Pact naval vessels, of different nationalities to skirt the narrowly-defined meaning of aggressive action. The mission was one of familiarization of personnel with the territorial waters, landmarks, beacons, transmitters, and any other intelligence which could have been gathered. Ships of the three navies patrolled and played war games in the Oresund and Kattegat, international waters, but waters which are of considerable economic, political, and military importance to Denmark.

Also, early in 1975, "Aftenposten" reported Russian naval (OKEAN) maneuvers in force, just beyond the territorial limit, along the West coast of Norway, as far South as Stavanger, in plain view of anyone who happened to look. This brazen threat was calculated as a major ploy in a war of nerves, for the purposes of intimidation of Norway, and for no other conceivable purpose.

"Na," a Norwegian magazine, discussed

extensive reports of known or suspected intrusions into the fjords of Western Norway by Russian submarines over the past several years. The objectives of the enemy presence are matters of uneasy speculation, as the fjords offer safe locations for various operations of value to the Russian submarine fleet, including the obvious safe positions from which missiles could be launched, either at Norwegian targets or farther afield. Such intrusions into Norwegian territorial waters are direct threats to the nations of the NATO alliance. Tactical defense against these intrusions is a ticklish operation at best. Political considerations of the Norwegian government prevent naval forces from taking action to destroy the submarines. The magnitude of the task of patrolling the fjords is beyond the strength of Norwegian defense forces. Norway has not asked for NATO support in patrolling the fjords, although the threat would seem to warrant it.

Virtually no space was given in American newspapers, and no television or radio news coverage, concerning the gambits designed to intimidate our Northern allies. It can be postulated also that no statement of international purpose or concern, or no gentle warning was issued from the upper echelons of our government. Indeed, the writer has good evidence that our military intelligence was unaware of many of these activities.

In October 1975, a small news item appeared on the last page of an issue of the Washington "Star" reporting a heavy Russian military build-up along the Norwegian border, and drastically-increased naval concentrations between the North Cape and Spitzbergen. The "Star" reported that "Aftenposten" had editorialized that while negotiations were pending between the two countries concerning mineral rights on Spitzbergen and oil exploration in the Barents Sea, the heavy military concentrations, both of land and sea forces, could not be interpreted as promoting a friendly and sincere atmosphere for negotiation. It may be assumed that Russian interests in the Barents Sea are concerned with the movements of their ever-growing submarine fleet, as the closeness of the Norwegian defense forces could compromise their secrecy. An additional factor in the game is the supposed richness of oil deposits under the Barents Sea, which Russia wants to control.

"Aftenposten" reported that Russia had protested Norwegian Army field exercises in the vicinity of Tromso as being "provocative." (A glance at a map shows that Tromso is about 200 miles from the closest point of Russian territory, "as the crow flies.")

Russia has little to fear from the armed forces which Denmark and Norway can muster. They could not stand up to an onslaught so well as did Finland in the Winter Wars. The Russians are infinitely better-equipped and better-trained than they were at that time. In a sense, nothing which NATO can mount on the entire continent of Europe, and from the United Kingdom, including all U.S. forces stationed there, should give the Warsaw Pact forces serious problems, or more than a brief delaying action.

Recent history, including Angola, has demonstrated that the Communist nations are not averse to stirring up wars, using local personnel, or even Russian or Cuban personnel, in conventional warfare or "civil wars." Viet Nam is an example, also. They have put modern military equipment into guerrilla hands, and they have trained guerrilla forces, as in Mozambique, Tanzania, and Zambia. They have provided any assistance necessary to add to the embarrassment of the Western powers.

It must not be assumed that they are strongly averse to a conventional war to secure so valuable a prize as all of Scan-

EXTENSIONS OF REMARKS

dinavia. Such a prize would be a major realization of the dreams of Peter the Great by the present-day heirs of his imperialism.

There seems to be a reluctance on the part of NATO authorities to commit themselves on the harassments which have been brought to their notice, and this is felt within the alliance to be a result of the detente with which we are so enamored, officially. Apparently, we are unwilling to say simply, "Not one step further!"

If our Northern allies should be put to the test, what would be the reaction in and from the United States? What can this country do to establish a major opposition to an ill-advised Russian military adventure, which is suggested strongly as the underlying motive of the recent Russian and Warsaw Pact nations' threats in the Scandinavian area? Would such aggression serve as a second "Pearl Harbor," in the light of our government's dalliance with detente?

Factors from which Russian mistrust of the United States' intentions may originate go all the way back to 1933, and extend forward to the headlines in tomorrow's newspapers. All are drawn from what is perceived to be our weakness and lack of national purpose. These factors may include:

A constant history of concessions given to the Russians, with no hard bargaining, and no *quid pro quo*, as a universally-predictable move by the U.S. in every negotiation; often discussed in newspapers before the negotiations are convened;

Our "lend-lease" aid to Russia, delivered in such a way that our intelligence never gained access to information on Russian weakness, as a condition under which Russia agreed to accept our aid, never to be returned nor paid for;

The sell-out of Eastern Europe at Yalta, despite admonition by Sir Winston Churchill, which permitted unopposed establishment of puppet governments beyond the legitimate boundaries of Russia, the greatest flowering of "good old 'Uncle Joe'" diplomacy;

Allowing Russia to "get a lick in" at Japan, when the war was over, for all practical purposes;

Failure of the United States to take decisive diplomatic and economic steps in Finland, and failure to warn the Russians against encroachments and extortions in that country to the present time;

Failure of the United States to react in Hungary and Czechoslovakia, and failure to smash the Berlin Wall and the line of fortifications separating East from West Germany. Failure of the United States to pursue the wars in Korea and Indochina to successful conclusions;

The long wrangle about the shape of a table and the prisoners of war, and the final capitulation of this country on every issue in the "shell game" on Viet Nam, much like the "shell game" in Korea;

The enthusiastic pursuit of SALT I and SALT II, with perennial concessions to the Soviets in the hope of gaining a minor point of protocol. Negotiating with the Soviets, in the first place, with the record of the Russians in treaty conformance, generally; and

The trade deals with Russia, including "credits" given to Russia to help them to "buy" grain and technology, thereby bolstering them against internal collapse from failures of their domestic policies and the burden of war production. The resulting inflation here served to reduce our ability to pay defense costs, while providing them with war material in the most literal sense.

It is little wonder that we are rated as a "paper tiger." We may have to fight another war to prove otherwise. But, with what?

The problems along the Southern flank of NATO do not seem to be of great concern. We negotiate with Panama to give away our canal so the Russians will have it eventually.

We are lulled into complacency by the events looming in Italy, with the ridiculous expression that "Russia does not want a Communist government there." We will not tell faltering states that we will not tolerate unfriendly governments. We look for normalization of relations with Cuba. We compromise our stand on Communism in Chile in deference to the noisy liberal clique in Congress. We do everything wrong. Are we asleep, or merely dozing? What will it take to awaken us, the rattle of our own chains?

The Russian variety of "noninterference" has been demonstrated amply in Czechoslovakia, in heavy-handed suppression of the yearnings for freedom. Little known to us is the denationalization of the Baltic States, where genocide reigns supreme. All of these nations masquerade as "independent." This country has not raised its voice in the defense of freedom in the Eastern European countries when opportunities for such expression have occurred, and when genuine concern could have been beneficial, as their patriots sacrificed their lives. And, we are the heirs of patriotic sacrifice! Under detente and following Helsinki, the high policy of this country appears to have assumed an extremely low profile, in spite of our official warnings concerning "fishing in troubled waters."

Would we feel a compulsion in dealing with the harassments being mounted against our Scandinavian allies, with a clear and unmistakable pronouncement that a threat against their well-being is a threat to ours? We have not done so to this point in time; we haven't even been aware of the threats which are being made, although mutual defense is what NATO was all about when it was set up.

Even if we had the will to do so, following Viet Nam, we cannot field a significant military expedition rapidly enough to prevent a take-over of the Scandinavian countries in conventional warfare. This is a factor being tested in the present Soviet threats. We are in a situation where the strength of our declining naval forces is all that appears to keep the danger of a major war in check. What is the measure of our determination? This is the unknown factor.

Insofar as the defense of our allies is concerned, we have succeeded the Russians as "the great enigma."

The enigma may be serving a useful purpose in the present situation, if, indeed, it has a purpose. Perhaps in meetings of the great statesmen of NATO, positive assurances of our national purpose may have been given, although the secrecy of such possible assurances must have been kept unusually well, for Russian intelligence hasn't seemed the wiser for it. The sum total of our expressions of policy and doctrine have been the exact opposite!

It is important that our allies should know of our awareness of and concern for the threats being made against them by the Russians. Perhaps it would be well if the Russians should have some inkling, also. They should know definitely what the United States can be counted on to do. In the negotiations between Norway and Russia to establish boundaries in their regional waters, it is important that Russian expansionism, which would hamper Norway's free exercise of traditional littoral rights should be prevented. Russia's only claim to these waters is that they lie adjacent to land extorted from Finland. The United States should offer its friendly service (to Norway!) in the negotiations. Such advances could be accepted or rejected by Norway, of course, but the point would not be missed by the Russians.

The United States should join with Norway and Denmark in cautioning the Russians and the other Warsaw Pact nations most earnestly against military adventures

which could result in ultimate war. The United States should prepare the way by alerting the NATO alliance, with adequate publicity, to our intentions in this direction, and then should press forward with all deliberate determination.

We must be alert. Our national purpose must be unmistakable. The lack of intelligence on Russian provocations against the Northern flank of NATO, and the lack of comment by the responsible press here, is regrettable. Even more regrettable is the evidence that this country is unaware of what is taking place; or, if aware, is unwilling to roll the waters of detente in calling for a halt. A false move by Russia in the region common to Russia and Norway, or in the Baltic Sea, could be the beginning of Armageddon. Our diplomats should express this in a way which would not fail to be understood in the Kremlin. Our people should support this position with every means. "Gentlemen may cry for peace, but there is no peace!" Tomorrow, our turn will come. "You must not sleep . . . as Europe burns!"

July 22, 1976

THE GUTIERREZ FAMILY

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. BADILLO. Mr. Speaker, I have today put in a private immigration bill to allow a Peruvian couple to stay in New York although they are not citizens. Dolores Moya Machado and Fernando Gutierrez Lazo were the parents of a 5-year-old son who died 2 days ago. Jesus spent 3 of his 5 years in a battle with leukemia, and fought to stay alive until his father, who had been deported 2 years ago, was allowed to fly to New York to see him 3 days ago. Ms. Machado, who has supported herself and her son as a house-worker, did not leave her son's side for the week before he died. He is to be buried in New York, and her greatest wish, and that of the boy's father, is to remain near their son. We think of ourselves as a compassionate people, and I am hopeful that their pleas will not go unheeded by our Government.

The following articles, which have appeared daily since Sunday in the New York News, provide a history of their lives and compelling justification for their being allowed to remain in the United States:

DYING BOY TO GET WISH—SEE DAD
(By William Sherman)

A 5-year-old boy who is dying of leukemia in Queens General Hospital, was granted his last wish yesterday—to see his dad one more time. Hospital personnel and a U.S. State Department officer managed to slice through 3,600 miles of red tape that stretched to Lima, Peru.

The boy, Jesus Gutierrez, has only a few days to live, according to doctors. On Friday, his mother Dolores put the youngster on the telephone with his father Fernando.

"I want to see you," the boy told his father, a construction worker in Lima. "Please come."

WAS ILLEGAL ALIEN

The trouble was, Fernando was deported from this country last year as an illegal alien. And Peruvian officials had refused him an exit visa Friday afternoon. A hospital spokesman said, "They demanded proof that he would return."

Fernando called Dolores at the hospital, where she is keeping a vigil, and told her he couldn't come. In desperation, she turned to Stuart Gotkin and Sandy Young, hospital emergency room coordinators.

Despite their extra work load due to the hospital strike, Young and Gotkin got on the telephone beginning at 8 p.m. Friday. Young called the mayor's office and got nowhere, Gotkin began calling the State Department in Washington and was told that a telegram would be sent to the U.S. Embassy in Lima.

ONE LAST GAMBLE

Five hours passed and they got no word from Lima. Then Fernando called and said nobody had contacted him. Shortly before midnight, Young tried one last gambit. He called the U.S. Embassy in Lima and began pleading his case. It was 11 p.m. in Lima and no top officials were around, but Young finally got to talk with Sgt. David Matthews, the officer on duty.

"I hold Matthews that the father had the money and the passport but no visa. He was great. He took down the information and promised to start working on it," Young recalled yesterday. "At 8 a.m. this morning I got a call from him. He said he spoke to his boss, they talked to some Peruvian brass, I don't know who, and they persuaded them to let him come."

Yesterday at noon, Fernando was getting his immunization shots in Lima, and he was expected to arrive here this morning.

The boy has had leukemia for three years and has been receiving treatment at Queens General. His mother Dolores, 30, is a maid who lives with her brother in Far Rockaway. She and Fernando entered this country illegally several years ago. Fernando was deported, but she was allowed to remain here because of her son's illness, according to Young.

RED TAPE IS CUT AND DAD JOINS HIS DYING SON

He was born on Christmas Day, 1970.

"It is not by accident that he comes to us today," said Fernando Guitierrez at the time. "We must name him Jesus."

The baby's mother agreed heartily, tears of humility and appreciation streaking her face over such good fortune. Imagine having your first baby, your very first child, on Christmas Day...

Yesterday, Dolores Guitierrez cradled her son's head in her arm and the tears were back in her eyes and rolling down her cheeks. The gift that came her way five and a half years ago on Christmas Day was being taken from her.

"He could be dead in 15 hours or 15 days; it would be a miracle if he lasted longer than that," said a spokesman for Queens General Hospital, the expression on his face warning against depending on any miracle.

Jesus Guitierrez is in the last stages of terminal leukemia, and the doctors are reduced to easing the pain that is racking his body. There is medicine for that, of course, medicine that must be given in larger doses at more frequent intervals as the condition worsens.

"He doesn't cry when the nurse comes with the needles," said Stuart Gotkin, emergency room coordinator. "He shouts, he yells. He knows he's dying and he's angry. He doesn't want to die."

When he wasn't yelling at doctors and nurses and their confounded needles, which kept jabbing holes in his painfully swollen left arm, young Jesus was yelling for his father.

The last time father and son saw each other was late last November, shortly before the Immigration Department put Fernando Guitierrez on a plane and returned him to his native Peru for being an illegal alien.

The boy's mother is also here illegally,

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but has been allowed to stay to attend her stricken child. She is employed as a maid. But she has not worked since her son's most recent admission to Queens General last week.

She feels she must be there when Jesus awakens from his drug-induced sleep, which is the only surcease available in his travail. For three days, she and her boy have subsisted on juices alone. They have grown haggard together.

For all of his mother's love, it was importance that Jesus see his dad, too. He kept calling for him. Last week, when they spoke by phone, Jesus inquired of his father: "Papa, why do you not come to see me?"

That's when Gotkin and his associate, Sandy Young, got involved.

"He's a proud little kid. He doesn't want people to feel sorry for him," explained Gotkin. "The least anybody could do was to get his father here, let the kid see his father one last time."

The people at immigration complied, yards of red tape were cut, rules were bent, and very early yesterday, Fernando Guitierrez arrived at Kennedy Airport, following a 3,600-mile, sleepless flight from Lima.

An hour later, speechless in his grief, Fernando Guitierrez was embracing his son, wanting to pick him out of his deathbed and run away from this horrible thing that had ravaged him and left his wasted body black and blue.

Outside Jesus' room, his uncle, Pedro Moya, recalled when Jesus kicked a soccer ball for the first time on a field in Far Rockaway, where he lived.

Then, Pablo shook himself loose from nostalgia and mused aloud about the future, which was closing in on all of them—Jesus, his mother and father and all those who love him.

"We will have to bury him," he said. "We will probably have to raise money for his burial. But if the boy is buried here, will they ask his mother and father to go away and leave their only child here? There is not enough money to send him with them if they must go back to Peru."

BOY DIES AFTER SEEING DAD—HIS FINAL WISH DID COME TRUE

(By Peter Coutros)

Jesus Guitierrez was 5 years old. He spent the last two years dying. Yesterday, only hours after his last wish had been fulfilled when he was reunited with his father, the youngster was dead of leukemia.

"It seemed as though he stayed alive just to see his father," said Sandy Young, who, along with another emergency room coordinator at Queens General Hospital, worked to bring the father, Fernando, back here from Peru. He had been deported there as an illegal alien last year.

MOTHER AT BEDSIDE

Fernando flew in from Lima on an overnight, 3,600-mile flight for the reunion early Sunday. Jesus' spirits were obviously buoyed, and for the first time in weeks, he was able to hold his pain-racked body upright without the support of pillows.

Despite his apparent comeback, Jesus' mother, Dolores, remained resolutely at her child's bedside, as she had since he was hospitalized a week ago.

CHILD DIED

Mindful of the doctors' prognosis, which indicated that Jesus might survive "anywhere between 15 hours and 15 days," Fernando, too, stayed at the boy's side, occasionally resting his head alongside his son's.

Shortly after 4 a.m. yesterday, Fernando sensed that Jesus had stopped breathing. He tried to stir the boy and, when his efforts failed, he ran into the corridor to call a nurse, who confirmed his fears.

Hopeful that research will promote a cure that may spare other youngsters, the agony

undergone by Jesus, his mother agreed to the hospital's request for an autopsy.

As the boy's uncles, Pedro and Robert Moya, began arrangements for their nephew's funeral, it remained to be decided where the boy would be buried.

BURIAL SITE UNCERTAIN

His mother, also an illegal alien, clings to the hope that the Immigration Service will defer her deportation indefinitely, in which case Jesus will be buried somewhere near where he lived in Far Rockaway, Queens.

If she must go, she will take the boy's body with her to Peru.

Even as Jesus' heart was yielding to the inevitable, scores of New Yorkers were opening their hearts to his family.

BORN ON CHRISTMAS

En route to a bingo game Sunday night, Mrs. Alma Miranda of South Ozone Park, Queens, vowed that if she won, her winnings would be donated to the family.

I have three children of my own, and I thank God every day for their good health," she explained. "I was going to bring the money to the hospital with my daughter, Denise. She was born on Christmas Day, too, just like the Guitierrez boy."

Theodora Grafas is married to Stephanos, a general contractor in Woodside. She read about Jesus' plight yesterday and suggested that Stephanos reach for his checkbook and do the right thing. He did.

In Greek, Theodora means "a gift of God." Someone must have known something about her when she was named.

IN MEMORY OF A BRAVE LITTLE BOY WHO DIED

(By Peter Coutros)

Granted his normal span of years, Jesus Guitierrez might have grown up to sire a child, plant a tree, write a line of poetry that would generate a smile or a tear. But his life was terminated at the age of 5, when he was barely out of infancy—he never rode a bike or sledded on a snowy hill—and now he is mourned by people he never knew. And by those whom he did.

In a world that has to reach all the way to Mars for something good, something positive, Jesus left a legacy of love to be shared by many.

"He was such a good little boy," said Mrs. Eleanor Zwicker. "The leukemia had debilitated him badly and he couldn't keep up with the other kids, but he was always in there trying, just like his mother."

Among the domiciles dusted and mopped by Jesus' mother, Dolores, is Mrs. Zwicker's bungalow in Far Rockaway, Queens, not too distant from where Jesus lived.

Last year, Mrs. Zwicker bought the youngster a small red wagon. Recently she purchased another toy for him, but, before she could get it to him in Queens General Hospital, he had lost his fight.

After discarding the toy ("I couldn't possibly give it to another child"), Mrs. Zwicker drove to the Dennis O'Conner funeral home to pay her respects to Jesus.

At 9:30 this morning, the Rev. Bruno Arcenas will officiate at a Mass at St. Mary's Star of the Sea Church, after which interment will take place in St. Charles Cemetery, Farmingdale, L.I.

"There will be a choir and at least part of the service will be conducted in Spanish," said the Rev. John Wallace, a member of the church's staff.

The Brooklyn Diocese, which is providing the burial plot for the child, has also expressed interest in supporting the mother's efforts to be allowed to remain here and not be deported to Peru because of her status as an illegal alien.

Similarly concerned is Anthony Palumbo, public relations man for Assemblyman Gerdi

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E. Lipschultz, whose district includes the Gutierrez home.

"The child is an American citizen, so he has every right to be buried here," said Palumbo, "His mother wants to stay here because she wants to be able to visit his grave. Are we going to say no to that, are we going to separate them?"

DRAWING UP PETITIONS

Palumbo said petitions would be drawn up and presented to Congress to promote a bill that would allow the mother to remain here.

As Palumbo spoke of his plan to get a million signatures on the petition, Assemblywoman Lipschultz was affixing her own name to a check to help defray the family's expenses.

"In Hebrew, the word 'chai' stands for life," she explained. "The same symbols denote the number 18."

Then she made out a check for double that—\$36—to go with other acknowledgements from people whose lives and hearts were touched by a boy they never met.

ENERGY CONSERVATION: A KEY TO RESOLVING THE NATIONAL ENERGY DILEMMA

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. BROWN of California. Mr. Speaker, the recent House debate on appropriations for energy conservation research, development, and demonstration underlines the interest and importance of this approach to encouraging energy conservation. While there are many other actions that can be taken to encourage conservation, such as those contained in H.R. 14205, the "Omnibus Energy Conservation Act", and H.R. 12169, the FEA authorization extension, I wish to take this time to discuss energy conservation research.

The main focus of energy conservation research is in the Energy Research and Development Administration. The funding levels in ERDA have been totally inadequate for this program area. This is what the dispute over the appropriations for energy conservation was all about. The funding level that is now in ERDA for energy conservation is, thanks to congressional initiative, about half of what it should be. This may seem like faint praise, but if the congressional initiatives had not been made, the funding for energy conservation would be only half of what it now is. Therefore, we have made progress.

The "Omnibus Energy Conservation Act" contains a major section on energy conservation research, development, and demonstration, as part of an overall, coordinated Federal conservation program. This act, and the legislation which preceded it, goes a long way toward adopting the recommendations which were recently made by the National Advisory Council on Research in Energy Conservation. This council, which is associated with the American Institute of Architects, published its first annual report last December. Since this matter is of interest to my colleagues, I would like to

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insert its executive summary and the letter which transmitted it, in the RECORD at this time.

The material follows:

NATIONAL ADVISORY COUNCIL ON
RESEARCH IN ENERGY CONSERVATION,
Alexandria, Va., June 23, 1976.

Hon. GEORGE E. BROWN, Jr.
U.S. House of Representatives, Rayburn House
Office Building, Washington, D.C.

DEAR MR. BROWN: The enclosed copy of Energy Conservation Research: A Key to Resolving the National Energy Dilemma, outlines a major deficiency in our current policy and recommends remedial actions. It will be helpful to you as you deliberate upon pending energy legislation and policy questions.

The document is the first annual report of The National Advisory Council On Research In Energy Conservation. A collection of major national organizations organized the Council in order to provide leadership in identifying specific policy needs and opportunities for capturing the tremendous potential which energy conservation offers for solving our energy problems.

Since organizing the Council, we have been pleased with the more encouraging rhetorical position which energy conservation has enjoyed. Due in part to the work of ourselves and many others, national recognition of the need for a more prominent role for energy conservation is rapidly rising. However, the national leadership within the Federal Government has not yet converted this consciousness into adequate action. I believe that careful review of the enclosed report will provide you specific ideas for appropriate action—ideas you may either develop as your own initiative or use to provide informative support to others. The constituency supporting energy conservation is broader than any other energy constituency, but its effective mobilization still awaits the necessary positive leadership. We hope that this report will help you in providing such leadership.

A few specific highlights you will find of particular interest are:

The potential annual savings from energy conservation could equal more than \$30 billion per year.

Energy conservation in the built environment, the specific focus of the report, offers the most attractive near-term conservation opportunities, but present policies will not capture this potential.

A comprehensive "innovational" strategy for energy conservation needs to be developed if the nation is to solve the complex problems of energy.

Technology required for increased energy efficiency exists in many instances, but institutional and attitudinal changes must take place in order to bring about the widespread adoption of conservation measures.

Despite a more favorable climate for conservation, national leadership in promoting energy conservation and organizing the conservation constituency remains a priority need.

After reviewing the document, should you wish to discuss the matter further, or to explore appropriate legislative suggestions, please contact me directly or Mr. Charles Williams.

Sincerely,

LEO A. DALY, FAIA, Chairman.

ENERGY CONSERVATION RESEARCH—A KEY TO RESOLVING THE NATIONAL ENERGY DILEMMA

(The First Annual Report of The National Advisory Council on Research in Energy Conservation, December, 1975)

EXECUTIVE SECRETARY

The National Advisory Council on Research in Energy Conservation has prepared this study as its first annual report. Organized in December of 1974, the Advisory Council is a private-sector forum established for the pur-

pose of promoting an effective national program of energy conservation research. Beginning with this report, and through future reports and activities, the Advisory Council hopes to develop workable blueprints for transforming energy conservation into an actual, as opposed to a rhetorical, component of national energy policy.

This report clearly shows that energy conservation should become one cornerstone of a comprehensive energy policy, but that present national activities do not give conservation the priority which it should and must have. As the report points out, delay in undertaking and funding energy conservation research will reduce the nation's flexibility in dealing with future energy problems. Without a reorientation of energy priorities, the opportunity to shape a more favorable and secure energy future may be irretrievably lost.

Highlights of the report's key features and points are:

A concept of energy conservation which stresses energy efficiency instead of a reduced standard of living or diminished quality of life;

A role for energy conservation as a complementary strategy to increasing the supply of fuels;

Overall frameworks for strategically evaluating the dynamics of national energy policies;

Integrated views of: (1) present supply/demand forecasts; (2) varying estimates of the conservation potential in different sectors of the economy; (3) present energy conservation research (with concentration on the federal government's R&D efforts);

A rationale for devoting priority attention to energy conservation in the built environment;

A comprehensive framework for a balanced, national research program in energy conservation;

Initial suggestions as to appropriate funding levels and the general composition of such a research program.

Energy conservation can be viewed from a number of perspectives. As defined in this report it means the reduction of demand for energy from nonrenewable resources. This concept entails:

Reducing demand on large-scale, centralized generation and distribution systems;

Increasing the efficiency of energy consuming systems, and;

Increasing reliance on small, on-site or end-use conversion systems and nondepletable energy sources (such as solar).

Drawing on this definition, the source of energy may be more important from a conservation standpoint than the amount of energy which is consumed in a particular situation.

Just as energy conservation can be defined in various ways, it can be achieved through a variety of strategies. A major focus of the report is the achievement of greater energy efficiency through technological and institutional changes. Although a leaner and more efficient energy system will also require attitudinal and life-style adjustments, these factors have not been extensively considered in this report. While some life-style changes may be both desirable and beneficial, the report stresses that forced conservation either through pricing or regulation is undesirable and unnecessary.

Special attention is devoted to energy conservation in the built environment. This area of concentration was chosen because it is still grossly neglected despite the fact that it offers one of the largest, near-term conservation payoffs. As detailed in the full report, energy conservation in the built environment is more fully consistent with the most desirable energy strategy—one characterized by increased reliance on renewable resources, diversity of input capabilities, minimization of pollution, and improved

system efficiencies—than are many other alternatives for conservation which are currently receiving priority attention.

Conservation in the built environment is examined in the broader context of ongoing and planned conservation research. Because the federal government appears likely to play a dominant role in conservation research and development for the foreseeable future, federal programs and research projects are most carefully scrutinized. The report seeks to identify major research gaps and suggests corrective action. Included in this analysis are suggestions as to an appropriate framework for structuring a national research program for energy conservation in the built environment and recommended funding levels for the program outlined.

The report's general conclusions may be summarized as follows:

No sufficient national strategy or plan (including provisions for needed research and development) for achieving energy conservation exists.

Present plans, which address only one aspect of the energy problem, depend upon a strategy of refilling supply lines through further exploitation of fossil fuels and relying upon nuclear energy as a replacement prior to the exhaustion of nonrenewable resources.

Present energy policies place conservation in an undesirable context of having a negative effect upon individual quality of life.

The need for effective energy conservation is real, urgent, and of long-term duration.

Although energy conservation is supposed to be a major component of national energy strategy, present and proposed funding levels belie the reality.

If such an imbalance continues, it will probably cause the nation to miss capturing most of the conservation potential for at least two decades.

The conservation potentials associated with the built environment are sufficient to close the projected energy supply gap over the next three decades; however, there are severe doubts that present policies will capture that opportunity.

In order to remedy the shortcomings associated with the present approach to energy conservation, the Advisory Council recommends:

That the federal government declare a high priority national program to achieve a nation of energy efficient buildings as the basis of a dramatically expanded research and development program;

That a national energy conservation strategy be developed based upon forecasted advances in knowledge and technical capabilities which could be achieved with a high priority research and development program;

That funding for energy conservation should be rapidly increased to approximately \$300 million per year—about 1 percent of the value of potential annual savings to be derived from conservation measures;

That, of the total funding recommended, \$170 million per year be designated for the built environment;

That achievement of energy conservation should be regarded as a complex innovation problem and that a comprehensive innovation strategy should be developed to replace the present concentration on small-scale demonstration projects.

These recommendations reflect the belief that the technology necessary to achieve substantial energy savings is presently available in most cases. In the short term, attitudinal and institutional problems must be identified and overcome if energy conservation technology is to be disseminated throughout the economy. In addition, a comprehensive research and development program must be initiated to develop second generation technologies and new strategies for implementing energy conservation over the long-term. By

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acting now where possible and by planning for the future, the nation can capture the potential of energy conservation and ease the transition to an era of new demands upon our energy resources.

IS THERE AN AMERICAN IDEA?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. CRANE. Mr. Speaker, as we celebrate the 200th anniversary of the birth of our Nation we should be ever mindful of the fact that America is based on an idea—an idea of individual freedom and the right of every person to go as far as his ability will take him.

In the years since the Declaration of Independence many of the beliefs held by our Founding Fathers have undergone significant alterations. Where Jefferson, Adams, Madison, and Monroe viewed government as a necessary evil, something to be feared and limited since it was the institution which had, in all previous ages, deprived men of their freedom, today we often view government as a positive good. How many of our traditional rights have we been willing to turn over to the state in return for "security" or one of the other enticements offered by those who advocate larger government? The answer, unfortunately, is far too many.

In an article in the July issue of The Freeman, Herbert V. Prochnow, former president of the First National Bank of Chicago and Deputy Under Secretary of State, declares that, "There is an American Idea."

Mr. Prochnow declares that—

No country up to the settlement of America ever conceived of citizenship in the generous measure we have come to know them here. The idea that individual liberty is an inalienable right of every human being had barely come to sunrise. The energies of all mankind, for all the centuries, were occupied with the stern realities of political despotism. . . . With the colonization of America came a new note—a new citizenship in the world—the beginning of freedom, with all its manifold blessings, for the common man.

If freedom is to continue in our country, Mr. Prochnow declares, that continuation,

Is predicated upon the discharge by each of us of definite responsibilities. Make no mistake about that. The men who laid the foundations of America had not though in their minds that the priceless privileges of citizenship could be earned and retained except through the valiant discharge of the responsibilities associated with that citizenship. Men have had to struggle and to die to gain the liberty which is the bulwark of American citizenship, and they have had to be on guard to retain what they have won.

The best way to celebrate the Bicentennial is to rededicate ourselves to the eternal vigilance which is the price of all freedom. If we insist upon turning over to the state the responsibility for our lives and our well-being, that freedom can be lost in America as it has been lost in almost all other societies in the world's history which have been free.

I wish to share with my colleagues the article, "There Is An American Idea," as it appears in the July issue of The Freeman and insert it into the RECORD at this time.

THERE IS AN AMERICAN IDEA

(By Herbert V. Prochnow)

As the world hums with the rising clamor of confusing opinion and propaganda, ever more positively, skillfully, dominantly presented, it is imperative that you and I understand clearly the significance of our citizenship and the American idea upon which it is firmly based.

For there is an American idea.

It came with the Pilgrim Fathers and the William Tells of many races, who found homes here.

It took as its emblem the freedom of the eagle and the independence of the pioneer.

It overleapt the hurdles that had blocked human progress in many other lands for centuries.

It blew through the sordid runways of outworn civilizations with the cleanliness of mountain winds.

It amazed the world with the rich outpourings of its untrammeled spirit.

It made men cry: "Give me liberty or give me death."

It dedicated itself in strength, humility, and tolerance, to the care of the needy and sick in this land and in all others.

It brought forth a beneficent downpouring of free thought, free speech, a free press, and a free pulpit.

It proclaimed the dignity of labor and the right to the profits of personal effort.

It erected the little white church and synagogue in 250,000 communities.

It created a nation of men with free bodies, free minds, free opinions, and free souls.

It brought forth in only 200 years, the greatest wealth and the highest standard of living any people in history have ever known.

That is the American idea.

History is the story of man's struggle for liberty. Perhaps we need that reminder more than any other today. We need to be reminded that there has always been a struggle for liberty. In whatever period of history you may muse, the battle for liberty—political, economic, physical, intellectual, artistic, moral—is going on. Upon a free body, a free mind, free opinions, and a free soul have hinged most of man's achievements. Only with the reasonable attainment of freedom has man been able to reach after the finer and gentler things, the motifs and objectives of life, and the final objective—truth.

"We hold these truths to be self-evident," reads the Declaration of Independence,

" . . . that all men are created equal.

" . . . that they are endowed by their Creator with certain inalienable rights,

" . . . that among these are life, liberty, and the pursuit of happiness."

Here are the great privileges of American citizenship—a free, independent citizen's stake in the nation. These are his equality, and his inalienable right to life, liberty, and the pursuit of happiness.

And these are dearly bought privileges that have come down through the decades. Far back in the 1770's man was literally earning his bread by the sweat of his brow. Working hours were double those of today. The wilderness had to be tamed with the bare hands, and its forests grubbed out by the roots. Almost everyone was poor. Hunger and storm were more punitive than our imagination can picture. Malaria, smallpox, and all the tyranny of the bacterial world were still enthroned. The business cycle was as restless then as now. But those early citizens placed independence, liberty, equality at the top of the list of privileges of citizenship, and in

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the balance they placed their lives, fortunes, and honor.

Equally as important as the privileges of citizenship are the hard-won rights and weapons by which life, family, and property are defended. There are the privileges not only of equality before the courts, free speech, and a free press, but also the privilege to convert time and ability into earnings honestly won in fair competition by giving value received—the right to have and to hold these earnings in any proper form, free from piracy of any kind. The right to assemble peacefully and petition the government for the redress of grievances. The right of habeas corpus. The sanctity of family and home. The freedom to worship as conscience, and conscience alone, dictates. The right to vote regardless of race, color, or sex. These are great privileges which have become so habitual that they are often overlooked. But nothing else is more precious.

No country up to the settlement of America ever conceived of the privileges of citizenship in the generous measure we have come to know them here. The idea that individual liberty is an inalienable right of every human being had barely come to sunrise. The energies of all mankind, for all the centuries, were occupied with the stern realities of political despotism. The privileges were invariably enjoyed by the favored few. With the colonization of America came a new note—a new citizenship in the world—the beginning of freedom, with all its manifold blessings, for the common man. Out of the dream of liberty have come seemingly exhaustless privileges—equal rights to justice within the law, freedom of the pulpit, a beneficent downpouring of free thought, free speech, and a free press.

But the continuance of these privileges of citizenship is predicated upon the discharge by each of us of definite responsibilities. Make no mistake about that. The men who laid the foundations of America had no thought in their minds that the priceless privileges of citizenship could be earned and retained except through the valiant discharge of the responsibilities associated with that citizenship. Men have had to struggle and to die to gain the liberty which is the bulwark of American citizenship, and they have had to be on guard to retain what they have won.

If a citizen demands wise government, he must recognize that wise government is the product of an intelligent citizenry, and nothing else.

If a citizen demands that crime be in the cell and not in the saddle, he must support honest law enforcement without any personal reservations whatsoever.

If a citizen demands unfair advantages for his industry, union, or geographical section, he must remember that the price of class and sectional selfishness is national destruction.

If a citizen demands sound fiscal policies, he must realize that every dollar which a government expends must eventually be repaid by the toil of its citizens in the creation of wealth.

If a citizen demands that his country protect him, he must cooperate unselfishly in giving his time and money to maintain the institutions which afford that protection.

If a citizen demands freedom of worship for himself, he must be tolerant of all creeds.

If a citizen demands freedom of speech, he must not encourage its suppression in those who disagree with him, nor must he use it maliciously to destroy the governmental and other institutional framework of freedom.

If a citizen demands a paternalistic government to assume responsibilities which he himself rightfully should discharge, he must not forget that a nation's strength comes largely from each citizen standing on his own

feet, and that the paths of benevolent despotism and personal decadence lead eventually to the destruction of the privileges of free citizens.

If a citizen demands of his fellow citizens that they work increasingly for a great nation by developing communities in which men may have pride, let him as a citizen, grateful for the privileges which are his, dedicate himself in a spirit of humility to those responsibilities.

When the viewpoint that the privileges of citizenship are inseparable from its responsibilities begins to prevail everywhere in America, the unreal days that have harassed this generation may be forgotten, and time may become enriched beyond our present vision.

Then American may continue in the future, as in the past, to become increasingly the land of our pride. It will excel in the detail and in the sum of those essentials which measure a nation's true greatness. It may set time's farthest sea-mark in freedom for the individual. It may explore new frontiers in the achievement of quick and genuine justice; it may reach new breadths of opportunity, take new strides in the intelligence and farsightedness with which its citizens, fully aware of their privileges and responsibilities, blend self-interest and community interest. It may reduce burdensome and costly complications of government, attain new records in the present distribution of the desirable things of life, and in the future protection of the resources of nature and knowledge as a heritage to posterity.

If, as citizens, we but take these as our objectives, all this can be—and shall be—our America.

Then with an appreciation over the world of what American citizenship implies, there will be created an epic opportunity for America in strength, humility, and tolerance to be of worldwide service. The road America has pioneered may then become a broad highway for the swifter advancement of the peoples of less fortunate nations. This is the vision for us and our children's children. This is American citizenship—thankful for its privileges—faithful to its responsibilities.

CAPTIVE NATIONS WEEK

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. PAUL. Mr. Speaker, this week is the 18th annual observance of Captive Nations Week. Perhaps this year more than any other year since 1959 when this observance began, the celebration of Captive Nations Week stands in stark contrast to the foreign policies our Government is pursuing. Since last we observed this week, the nation of Angola has been captured by the Communists, and a People's Tribunal has executed an American citizen. Furthermore, our representative to the United Nations has said that the U.S. Government will aid the Communist guerrillas in their struggle to enslave two of the last remaining civilized nations on the continent of Africa, Rhodesia and South Africa. The observance of Captive Nations Week is an activity that, if successful, ought to become unnecessary. Yet the policies of this administration are such that we shall be observing this week for a long time to come.

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We ought to do more than remember the 800,000 Cambodians who have been killed since the spring of 1975 by the Communists. We ought to do more than remember the Balt sailors massacred by the Soviets for trying to escape to Sweden. We ought to do more than remember the unspeakable crimes committed by the Communists, crimes that have been documented time and time again by men such as Aleksandr Solzhenitsyn, Richard Wurmbrand, John Noble, and Alexander Dolgun. Words without corresponding actions are hypocritical, and I am afraid that the annual observance of Captive Nations Week is becoming one of the most hypocritical activities this Government engages in.

Are we really concerned with the tragedy of the captive nations, or are we implementing the Sonnenfeldt doctrine, which says that we ought to support a closer union between the countries of central Europe and the Soviet Union? Are we too unintelligent to realize that every bit of economic aid that we give to the Soviet Union only cements the grip of the Communists over the Russian people and the peoples of Europe? If we are opposed to Communist tyranny, why do we continue to support it against its innocent victims? Why has this Congress not acted to give the most eloquent and courageous opponent of communism, Solzhenitsyn, honorary American citizenship? Why has this Congress never invited Solzhenitsyn to present a formal speech to a combined session of the House and the Senate? I suspect that it is because anticomunism, as represented by the annual observance of Captive Nations Week, is something that is good politics for the ethnics back home in the district, but is not something that is to be taken seriously. After all, one cannot be an anti-Communist and a proponent of détente at the same time.

I look forward to the day when there will be no more captive nations and when this observance will have become unnecessary. But that day will come only if the same anti-Communist spirit that informs Captive Nations Week guides and directs the foreign policy of these United States.

A TRIBUTE TO WILLIAM M. MINTO

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. ARCHER. Mr. Speaker, probably no event that took place over the recent 4th of July weekend captured the hearts and imaginations of Americans and people throughout the world as much as the parade of tall ships that gathered from all corners of the Earth to honor our Nation.

The sight of these magnificent vessels and the hundreds of other ships, large and small, that participated in Operation Sail was one that none of us who saw it in person or at home on our television sets will soon forget. It was a majestic

sight, recalling for all of us the excitement and glamour of our Nation's seafaring past—giving us a renewed insight into the wonder of man's ability to harness the wind for his own productive use.

For a group of people from Houston, Tex., the events of the day took on a very special meaning.

William M. Minto, "skipper" of Sea Explorer Ship 825, was seeing another of his dreams come true—his Scouts sailing in the greatest peaceful assembly of sailing ships in the history of the world.

Not only did they participate, Bill Minto and Scouts helped sail the 72-foot schooner *Skookum III* to a third place finish in class C on the segment of the race from Bermuda to Newport, R.I.

While this may well be the most memorable achievement of Mr. Minto's 50-year career in Scouting—for others it serves as a fitting tribute to the years he has spent in working with young people and helping them become the kinds of Americans we must have to carry us through another 200 years of success as a Nation.

Mr. Minto has been honored in the past—notably as a recipient of Scouting's Silver Beaver Award and other recognitions of his service to Scouting and America's youth—but I wanted to share this brief story with my colleagues in the House of Representatives today so they, too, might be able to share in this recognition he so richly deserves.

Perhaps the feeling for Mr. Minto in Houston is best summed up by the following comment made recently by the mother of one of his Scouts, Mrs. Lloyd A. Nesbitt: "Both the parents and Sea Scouts, past and present, of Sea Explorer Ship 825 would like to see our Mr. Bill Minto recognized for his outstanding contribution and his fine example to the youth of this area. He is our candidate for Mr. Bicentennial."

SOCIAL SECURITY ACTING TO IMPROVE ITS COMPUTER OPERATIONS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. VANIK. Mr. Speaker, during recent months, as a result of Ways and Means Oversight Subcommittee hearings, I have been quite critical of computer operations at the Baltimore social security headquarters.

I have just received a letter from Commissioner Cardwell describing a personnel change which will help improve the efficiency of the extensive social security computer systems. The employee union and social security management are to be congratulated for this action in the public interest. I am looking forward to additional changes in the months ahead designed to improve the quality of the social security systems.

Following is the Commissioner's letter:

EXTENSIONS OF REMARKS

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Baltimore, Md., July 20, 1976.

Hon. CHARLES A. VANIK,
Chairman, Subcommittee on Oversight, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In your letter of June 3, 1976, you pointed out that in several instances the General Accounting Office observed large-scale systems being put into a stop condition while changing shifts.

We had been aware of the problem for some time and had concluded lengthy negotiations with AFGE Local 1923 to modify the hours of work. Agreement was reached in March 1976, and employees were notified with sufficient lead time for personal arrangements.

On June 28, 1976, approximately 350 employees in EDP Operations had their hours of work changed to provide a minimum of 15 minutes of shift overlap.

As a result, we have eliminated the stopping of equipment prior to a shift change and we have improved communications between operations personnel from one shift to the next.

Sincerely yours,

JAMES B. CARDWELL,
Commissioner of Social Security.

DEBT COLLECTION PRACTICES ACT

HON. ROBERT (BOB) KRUEGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. KRUEGER. Mr. Speaker, on July 19 the House considered the debt collection practices bill under suspension of the rules. As you know, this procedure requires an affirmative vote of two-thirds for passage, and the bill failed, with 201 voting for and 175 voting against. I opposed this legislation, and would like to explain why.

First, the Banking and Currency Committee report on the bill cites many cases of harassment and threats and other bad debt collection practices to justify enactment of this legislation. Certainly, such practices are abhorrent, but there is no obvious need for Federal legislation, since 37 States and the District of Columbia now have laws regulating debt collection practices. The failure of the remaining 13 States to enact such legislation does not make a convincing case for the necessity of Federal intervention, since we usually permit States to choose whether or not they wish to enact legislation regulating activities exclusively intrastate in nature. Given the diversity of the various States in size, population, and economic activity, it is preferable for the States themselves to choose whether or not to enact legislation of this type.

Second, the committee makes a good case for enactment of a Federal statute to control interstate debt collection practices, which are beyond the reach of the laws of any individual State. Indeed, if the Congress were to confine itself to this one proven gap in existing law, it could establish rules and regulations for this type of activity which might then serve as guidelines for appropriate State

action to limit intrastate collection activities. Unfortunately, H.R. 13720 goes far beyond this point.

Third, the bill defines a debt collector as a person whose primary business is the collection of any debt, or to whom an outstanding obligation against another person is referred for collection by a third party—excluding attorneys. Therefore, only professional debt collection agencies and professional debt collectors are subject to the bill's provisions. It does not affect actions brought directly by creditors against their debtors.

In this respect, the bill seems to pursue a policy of selective enforcement, since it goes after the smaller debt collection agencies while ignoring the activities of larger companies which have vertically integrated so that they seek collection of debts owed them through their own agents. As the dissenting views state, if a practice is bad, it is bad no matter who engages in it. Clearly, the bill should be changed to give equal treatment to all debt collectors.

Fourth, passage of this controversial measure under suspension of the rules would preclude attempts to amend it and to correct its defects. In cases such as this one, use of the suspension procedure amounts to a legislative "gag-rule," and I do not support an attempt to push this legislation through the House without benefit of thorough debate and amendment.

Finally, even though the bill has these serious problems and use of the suspension procedure to achieve its enactment is distasteful, I might have swallowed hard and supported the bill because of the grave nature of some of the debt collection activities brought to the attention of the Congress, the Justice Department, and the Federal Trade Commission could perhaps improve upon the bill in their administration and enforcement of the bill's provisions. However, the legislation reported by committee is so specific in its language that it leaves the enforcers little leeway in writing regulations, eliminating the last possibility that States might be permitted to take into account factors of importance to them which the Congress failed to recognize.

If and when this legislation again comes before the House, I hope that we will consider it under rules which allow full debate and amendment. In this way we can enact responsible legislation that penalizes disreputable debt collectors without imposing unnecessary and unwise restrictions upon the freedom of State governments to act in their own right.

SPECIAL BICENTENNIAL RESOLUTION

HON. BO GINN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. GINN. Mr. Speaker, the Clinton Lodge No. 54 F. & A.M. of Savannah, Ga., at a recent meeting adopted a special

Bicentennial resolution. This resolution is an inspiring statement that reflects the very highest traditions that have made our Nation great. I insert in the RECORD, and I commend it to the attention of my colleagues:

RESOLUTION

Whereas, the United States of America is celebrating its 200th year of independence and,

Whereas, the ideals of freemasonry were an inspiration to the founding fathers of our nation and,

Whereas, our membership desires to join with the nation in recognizing this landmark;

Now, therefore; be it hereby resolved: that Clinton Lodge No. 54 F. and A.M., in regular communication assembled, goes on record as joining the United States of America in celebrating the 200th anniversary of the independence of our country and joins in the prayers of the free world invoking the blessings of the Supreme Architect of the Universe to preserve and maintain the liberties and freedoms of intellect, as well as activities, which are enjoyed in this great country so that they may continue as an example for freedom-loving people everywhere and as a wholesome environment for our own citizens, enabling us and our future generations to continue the principles of independence we have established, which allows people of all cultures to live peacefully and harmoniously; and,

Be it furthermore resolved: that this resolution be spread upon the minutes of Clinton Lodge No. 54 F. and A. M. and copies hereof be sent to the Most Worshipful Grand Lodge of the State of Georgia, our Senior United States Senator and our District United States Congressman.

ENERGY CRISIS HAS NOT GONE AWAY; IT IS GETTING WORSE

HON. ROBERT W. EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. EDGAR. Mr. Speaker, I would like to insert in the RECORD an article which recently appeared in the Delaware County Daily Times, of Chester, Pa. John LaSala, Region III Administrator of the Federal Energy Administration, who is a constituent of mine, reminds us that there is indeed an energy crisis and that it is vital that we commit ourselves to dealing with our mounting energy problems. I believe that this article will be of interest to my colleagues:

ENERGY CRISIS HAS NOT GONE AWAY;
IT IS GETTING WORSE

(By Gerry Oliver)

If you've gotten used to letting your car gobble up gasoline or you don't mind hearing the sound of a television set whether or not you're watching, you should be ashamed.

The energy crisis may have run out of print in recent months but it is still with us—even more so.

According to Joseph A. LaSala, the Nether Providence man who is Region III administrator for the Federal Energy Administration, the "crisis" has worsened considerably in the last 2½ to 3 years.

"Unfortunately, the energy crisis has been characterized as a gasoline shortage or home heating fuel shortage. In truth, it has been from the first day—and even more so now—

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our increasing dependence on foreign products for meeting our energy needs," LaSala explained.

Oil imports before October, 1973, when scarcities and price wars first erupted in this country, had reached 28 per cent.

"This country is now importing 43 Per cent of the fuel for our energy needs," LaSala reported.

He also pointed out that the real problem toward solving the energy crisis is government inaction on "the definition of a national energy policy."

LaSala saw little hope of Congress taking any action on such a definition this year because of the presidential election. However, he said, concerned people should be checking their congressional candidates to see how they stand on the matter.

"We have to make a judgment pretty darn quick," LaSala said.

He said ERDA—Energy Research and Development Association—continues to "put resources into research on the sun, windmills, geo-thermal and other sources of energy but it is unrealistic to expect effects from these sources during this century."

LaSala referred to a recent comment by Shah of Iran who reportedly stated:

"We have 40 years of oil left and you have 400 years of coal. Why don't you let us keep our oil and you use your coal?"

From LaSala's point of view, use of the extensive coal supplies in Pennsylvania and West Virginia would be the most practical thing to do.

Besides helping to resolve the energy problems of the next quarter century, it would also provide badly needed jobs for the sagging labor market, he said.

However, he said "the capital commitment needed from private enterprise to carry out the research and implement a program to meet anti-pollution standards and safety requirements will not come until the government points the way."

While he doesn't discount the "infinite technologies" such as the sun, nuclear power and geo-thermal sources as ultimate sources of world energy, he said right now the sun "can serve only as a supportive source of energy."

The concern over safety in the development of nuclear power as a major energy source is over-exaggerated, LaSala feels.

"The chances of danger are not sufficient to warrant stopping development of nuclear power," LaSala said.

He also pointed out that the difficulties inherent in another oil embargo "would be magnified beyond anything we went through before" because of this country's increased dependence on foreign productivity.

What he feels are vital to the resolution of this country's continued energy problems is "a national commitment to the resources we can work with best."

This would involve development of nuclear power and coal as the two most practical resources in this country now, LaSala said.

If he could affect action, he said he would also "make energy conservation mandatory and revise building codes."

He pointed to the World Trade Center in New York City, one building which reportedly uses more energy in one day than the entire city of Syracuse, N.Y.

"This kind of thing should be stopped," he said.

He recognizes the difficulty of getting congressional action on the matter because "Congress is made up of 435 individuals who represent their constituencies and the goals of many of these constituencies are naturally opposed to each other."

"Action won't come until people get roused up enough to make themselves heard," he said.

LaSala pointed out that while people have

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gotten used to paying higher prices for their gasoline, propane and vacation fuel, usage is still being monitored and is "under control."

He is hopeful that "there is today a public perception that if we're importing nearly 50 per cent of the fuel needed to supply our energy, we really aren't free anymore, despite the lovely verbiage about freedom expounded during the recent July 4 celebration.

ESTABLISHMENT OF AN OFFICE OF INSPECTOR GENERAL FOR HEW

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. FOUNTAIN. Mr. Speaker, fraud and program abuse in the multibillion-dollar operations of the Department of Health, Education, and Welfare have reached crisis proportions. It is essential that remedial action be taken without further delay.

Earlier this week, with other Representatives as cosponsors, I introduced a bill to establish an Office of Inspector General for the Department of Health, Education, and Welfare. The bill, H.R. 14761, is based upon information obtained during more than 18 months of study and investigation by the Intergovernmental Relations and Human Resources Subcommittee of the Committee on Government Operations, and is now being considered by the subcommittee.

This bill is badly needed to provide leadership and coordination for activities designed to promote economy and efficiency and to prevent and detect fraud and abuse. I believe it merits the support of every Member of the House, and I invite their attention to it.

I am including with my remarks an announcement I made earlier this week concerning the introduction of the bill and a statement explaining provisions of the bill and the reasons for its introduction:

STATEMENT

WASHINGTON, D.C.—Representative L. H. Fountain (D.-N.C.), Chairman of the Intergovernmental Relations and Human Resources Subcommittee, House Committee on Government Operations, today introduced a bill to create an Office of Inspector General for the Department of Health, Education, and Welfare.

The bill, which is being cosponsored by 27 other Representatives, is based upon information obtained during more than 18 months of study and investigation by Fountain's subcommittee. It is anticipated that a similar bill will be introduced in the Senate by Senator Sam Nunn (D.-Ga.) and other Senators.

Representative Fountain made the following comment: "Fraud and program abuse in the multibillion dollar operations of the Department of Health, Education, and Welfare have reached crisis proportions.

"It is essential to have a high-level official in the Department whose sole responsibility is to direct and coordinate activities designed to promote economy and efficiency and to prevent and detect fraud and program abuse.

"I do not question in any way the sincerity and the good intentions of the present HEW Secretary and Under Secretary. They

have taken some commendable steps to implement recommendations made by the subcommittee. Unfortunately, in view of their heavy burden of responsibility for program operations, there is no way they can devote the undivided attention necessary to effectively combat fraud and abuse. And, as those familiar with the Department are aware, significant improvements in HEW's operations have a way of not happening without constant high-level effort and attention.

"For example, it was disclosed more than a year ago that HEW had only ten investigators in its central investigative unit. But, even though Congress made available funds for additional investigators last year, our hearings in May disclosed that only two investigators had been added.

"We also found more than a year ago that two separate sets of investigators looking into fraud and abuse in the Medicare and Medicaid programs were not allowed to tell each other who they were investigating, even though the same providers might be suspected of fraud under both programs. Despite assurances of prompt corrective action, HEW regulations still did not permit exchange of information more than a year later.

"Effective remedial action must be taken without further delay. I believe the establishment of an Office of Inspector General will make such action possible."

Under Fountain's bill, the HEW Audit Agency and the Department's Office of Investigations would be transferred to a new Office of Inspector General. The Inspector General would be responsible for directing and coordinating activities designed to promote economy and efficiency and to prevent and detect fraud and abuse in HEW's programs and operations.

The new unit would have specific responsibility for keeping the Secretary and the Congress fully and currently informed about problems and deficiencies in HEW's programs and operations, and for recommending and monitoring necessary corrective action.

The Inspector General would report directly to the Secretary. In order to permit a high degree of objectivity and independence, the Inspector General would be appointed by the President, with the advice and consent of the Senate, for a fixed term of office, could be removed only for cause, and could not be assigned responsibility for operating programs the Office is charged with monitoring.

Whenever the Inspector General becomes aware of particularly serious or flagrant problems, abuses, or deficiencies in Department programs, a report to the HEW Secretary and appropriate committees of Congress would be immediately required.

The bill is being introduced because of serious problems and deficiencies in HEW procedures and operations disclosed by the Subcommittee investigation, including the following:

HEW's investigative resources were found to be ridiculously inadequate. Its central investigators with a 10-year backlog of uninvestigated cases.

Information needed by both HEW and Congress for effective action against fraud and abuse was simply not available.

Units responsible for combating fraud and abuse and for promoting economy and efficiency were scattered throughout HEW in a haphazard, fragmented, and confusing pattern, with no single unit having the overall responsibility and authority necessary to provide effective leadership.

Personnel of most such units lacked independence because they reported to and were hired and fired by officials directly responsible for the programs involved. Honest and thorough reports concerning serious problems might often embarrass their own superiors.

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Even when serious deficiencies did become known to responsible officials, corrective action was sometimes not taken until literally years later.

Bills to establish a more limited Office of Inspector General were considered at hearings in late May. The Fountain bill is designed to provide for a stronger and more effective Office of Inspector General, while responding at the same time to specific objections expressed by HEW.

A subcommittee meeting to consider the bill is scheduled for 10 a.m. Thursday, July 22, in Room 2247 of the Rayburn Building.

STATEMENT CONCERNING H.R. 14761

BACKGROUND

H.R. 14761, a bill to establish an Office of Inspector General for the Department of Health, Education, and Welfare, is based upon information obtained during more than eighteen months of study and investigation by the Intergovernmental Relations and Human Resources Subcommittee of the Committee on Government Operations.

After preliminary work beginning in late 1974, the Subcommittee held hearings on HEW procedures and resources for prevention and detection of fraud and program abuse in April, May and June, 1975. A comprehensive report on the Subcommittee's continuing investigation was approved by the full Committee in January 1976.¹

Hearings relating directly to establishment of an HEW Office of Inspector General were held during May 1976. During the hearings, consideration was given to the overall concept of an Office of Inspector General, as well as to specific provisions of pending bills.

MAGNITUDE OF FRAUD AND ABUSE IN HEW PROGRAMS

HEW's operations present, in the words of one of its Assistant Secretaries, "a vast potential for fraud and program abuse".²

HEW administers around 300 separate programs, with expenditures estimated to total about 145 billion dollars during fiscal year 1977—more than one-third of the entire national budget.³ A substantial percentage of this huge amount is not under the direct control of HEW, but is disbursed by non-Federal entities such as States, localities, educational institutions, fiscal agents, intermediaries, carriers and grantees.⁴

Although evidence presented at the Subcommittee's 1975 hearings made it abundantly clear that tremendous losses are being incurred through fraud and abuse in HEW programs, witnesses from the Department were unable to provide reliable information on which a specific estimate of losses could be based.⁵

Since that time, the Secretary has estimated that losses totaling \$750 million annually from fraud and abuse are being incurred under the Medicaid program.⁶

The New York State Welfare Inspector General has estimated Medicaid losses in that State alone at more than \$500 million per year.⁷

DEFICIENCIES DISCLOSED BY SUBCOMMITTEE INVESTIGATION

Serious deficiencies disclosed by the Subcommittee's investigation in the resources, procedures and organizational structure being used by HEW to combat fraud and abuse and promote economy and efficiency include the following:

Resources: HEW's investigative resources were found to be ridiculously inadequate. Although HEW had more than 129,000 full-time employees, its central investigative unit had only ten investigators, with a ten year backlog of uninvestigated cases. Only one individual was assigned to guard against

Footnotes at end of article.

fraud and abuse in the Medicaid program, which accounted for nearly \$7 billion in Federal expenditures alone during fiscal 1975.⁸

The Subcommittee found that, at least partially because of its fragmented organizational structure, HEW had failed to make effective use of the limited resources it had.⁹

Information: Information needed by both HEW and the Congress for effective action against fraud and abuse was simply not available. There was no central source of data concerning fraud and abuse nor, evidently, had any meaningful attempt been made to evaluate the overall fraud and abuse problem.¹⁰

Even when information was—or should have been—readily available, it was sometimes subject to lengthy delay in being provided to Congressional committees requesting it because of HEW's "clearance" processes. Even the Under Secretary was unable to explain why a four page report repeatedly requested by the Subcommittee was not provided for more than 11 months.¹¹

Moreover, on at least one occasion, admittedly inaccurate information was provided to a Congressional committee concerning the adequacy of HEW's investigative resources.¹²

Corrective Action: Even when serious deficiencies did become known to responsible HEW officials, corrective action was sometimes not taken until literally years later, if taken at all. For example, although HEW officials testified that much program abuses came about because of badly designed legislation, the Department was unable to find a single instance in which it had clearly taken the initiative to call such a situation to the attention of the appropriate Congressional committees.¹³

Organizational Structure: Units responsible for combating fraud and abuse and for promoting economy and efficiency were scattered throughout HEW in a haphazard, fragmented and confusing pattern, with no single unit having the overall responsibility and authority necessary to provide effective leadership. Personnel of most such units lacked independence because they reported to and were hired and fired by officials directly responsible for the programs involved.¹⁴

The HEW Audit Agency and the central Office of Investigations reported to different Assistant Secretaries, with no high-level departmental official having overall responsibility for coordination and leadership of audit and investigative activities. The Subcommittee specifically recommended that these two units be placed under the overall direction of a single official who would have such responsibility but would have no program responsibilities. This official would be held directly responsible for informing the Secretary of serious problems disclosed by audits and investigations and of the progress or lack of progress in correcting such problems.¹⁵

CHANGES MADE BY HEW

During testimony in May 1976, HEW witnesses acknowledged the existence of serious fraud and abuse problems and the need for corrective action. However, they opposed the enactment of H.R. 5302 and similar bills then being considered, arguing that major changes already made by the Department would be adequate and that legislation was not necessary. HEW witnesses also objected to a number of specific provisions of H.R. 5302.¹⁶

Without in any way questioning the sincerity and good intentions of the present Secretary and Under Secretary, it should be noted that some of the assurances of remedial action have a familiar ring. In a February 27, 1976 memorandum discussing the creation of a new Office of Investigations to succeed the former Office of Investigations

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and Security, the Under Secretary stated that this step marked the beginning of what would be "an intensive effort to ensure that every dollar appropriated for expenditures through the Department is expended for the purposes for which Congress intended." In an April 11, 1975 memorandum, in discussing the establishment two years previously of the Investigations Division of the Office of Investigations and Security, then Secretary Weinberger had referred to the development of a "coordinated campaign to ensure that every dollar appropriated for expenditure through this Department is expended for the purposes for which the Congress intended."¹⁷

At least two important improvements recommended by the Subcommittee have been put into effect. A formerly separate investigative unit in the Social Security Administration has been combined with the central Office of Investigations, and the requirement that each investigation initiated by that office be cleared in advance by the Secretary or Under Secretary has been removed.¹⁸

However, in many respects the amount of measurable progress achieved since the Subcommittee began its investigation is far short of what is needed to alleviate the overwhelming problems facing the Department.

For example, it has been more than a year since the Subcommittee's investigation disclosed that the Department had only ten investigators, with a ten year backlog of uninvestigated cases, in its central investigative unit. But, even though Congress made available funds for a substantial number of additional investigators last year, our hearings in May disclosed that only two investigators had been added.¹⁹

During May 1975, our investigation disclosed that two separate sets of investigators looking into fraud and abuse in the Medicare and Medicaid programs were not allowed to tell each other who they were investigating, even though the same providers might be suspected of fraud under both programs. Despite assurances of prompt corrective action, hearings in May 1976—more than a year later—disclosed that HEW regulations still did not permit such exchange of information.²⁰

Although testimony by HEW witnesses suggested that "a clearly defined working relationship between the Office of Investigations and the Audit Agency" regarding reporting of possible fraud was a recently established innovation, other evidence indicated that such a relationship had previously existed, even if less clearly defined. The two units have not been placed under the overall supervision of a single official, as recommended by the Subcommittee.²¹

Until recently, officials of the Department did not know how many different units within HEW were engaged in activities specifically related to the promotion of economy and efficiency. A study performed at the request of the Subcommittee indicated that there were 63 such units, with a total of 3,642 employees directly engaged in such activities.²²

Administrative steps have been taken in certain instances which are intended to provide greater independence for auditors and investigators; such actions could, of course, be reversed without notice. Moreover, although great emphasis was placed upon the "total" independence of the Director of the Office of Investigations, he apparently did not feel free to respond to Subcommittee questions without submitting his answers for Departmental clearance.²³

During her testimony, the Under Secretary indicated that responsibility for directing and coordinating all departmental efforts relating to fraud and program abuse had been placed under her direct and personal supervision; she is, in effect, acting as an Inspector General. The Under Secretary ex-

pressed confidence that she had adequate time to carry out both her oversight responsibilities and other duties. However, the record clearly indicates that the Under Secretary can give only limited attention to a task which would be very difficult for someone with no other responsibilities. Although the Under Secretary has eight people on her immediate staff, she testified that none of them assist her directly in her fraud and abuse responsibilities. Moreover, the Under Secretary's travel schedule indicated that she was out of Washington on other matters on all or parts of 73 days during the first five and one-half months of 1976; while she was gone, no deputy was assigned to carry out her fraud and abuse responsibilities.²⁴

Another HEW official subsequently acknowledged that, under present organizational arrangements, only the Secretary and the Under Secretary have responsibility for being informed about all significant activities being carried out by the Department for the purpose of promoting economy and efficiency and preventing and detecting fraud and program abuse, and that neither of them can possibly take the time necessary to carry out this responsibility.²⁵

Another strong argument against Secretaries or Under Secretaries acting simultaneously as de facto Inspectors General, if one is needed, is the rapid turnover associated with those positions. During the approximately 23 years since HEW was established in 1953 there have been ten Secretaries and eleven Under Secretaries. The average tenure of Secretaries and Under Secretaries has been well under two and one-half years; the longest time anyone has served as Secretary is three years and eighteen days.²⁶

EFFECT OF H.R. 14761

It is anticipated that HR 14761, if enacted, would have the following effect on some of the major problem areas disclosed by the Subcommittee's investigation:

Resources: HR 14761 would have no direct effect on the level of resources available to promote economy and efficiency and prevent and detect fraud and program abuse. However, it would help to achieve more effective use of such resources through better coordination. It also provides assurance that Congress will be informed without delay in the event available resources are inadequate.

Information: Requires that the Secretary and Congress be kept fully and currently informed about serious problems and deficiencies in HEW operations. Would eliminate lengthy delays resulting from HEW "clearance" procedures by requiring that reports of the Inspector General be submitted directly to the Secretary and the Congress without such clearance.

Corrective Action: Provides for the Inspector General to make recommendations for corrective action and to keep the Secretary and Congress informed about the progress of such corrective action.

Organizational Structure: Establishes a central unit to provide leadership for and coordinate activities relating to the promotion of economy and efficiency and the prevention and detection of fraud and program abuse. While only the Audit Agency and the Office of Investigations would initially be transferred to the new Office of Inspector General, additional units and functions could be transferred to the Office under appropriate circumstances. In order to safeguard the objectivity and independence of the Office, the Inspector General would be appointed by the President, by and with the advice and consent of the Senate, for a fixed term and could be removed only for cause. No program operating responsibilities could be assigned to the Office.

Perhaps most important, HR 14761 would provide for a high-level official with no program responsibilities who would be responsible for giving undivided attention to the

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promotion of economy and efficiency and the prevention and detection of fraud and abuse in HEW programs and who would have a term of office long enough to permit real progress toward those goals.

FOOTNOTES

¹ House Report 94-786, hereafter cited as "Report."

² 1975 Hearings, p. 7.

³ Report, p. 13; 1977 expenditure estimate obtained from HEW.

⁴ 1975 Hearings, pp. 14-15.

⁵ Report, pp. 8, 15-17.

⁶ Statement at March 26, 1976 news conference, based on data supplied by the Medical Services Administration.

⁷ Testimony before the Subcommittee on Oversight and Investigations, House Committee on Interstate and Foreign Commerce, February 13, 1976, pp. 85-86.

⁸ Report, pp. 9-10, 34-35.

⁹ Report, pp. 9, 36-37.

¹⁰ Report, pp. 8, 15-16.

¹¹ 1975 Hearings, pp. 2-3, 379; 1976 Hearings, pp. 24-25, 115.

¹² Report, p. 36; 1976 Hearings, p. 38.

¹³ Report, pp. 10, 40; 1976 Hearings, pp. 49-50, 63.

¹⁴ Report, pp. 8-9, 27-30.

¹⁵ Report, pp. 11, 21-22.

¹⁶ 1976 Hearings, pp. 17-22.

¹⁷ 1975 Hearings, p. 309; 1976 memorandum in Subcommittee files.

¹⁸ Report, p. 11; 1976 Hearings, pp. 20-21.

¹⁹ 1975 Hearings, p. 47; 1976 Hearings, pp. 35-36.

²⁰ 1975 Hearings, pp. 113-116, 175-177; 1976 hearings, pp. 50-51.

²¹ Report, p. 11; 1976 Hearings, pp. 20, 59, 112 (Question 7).

²² 1976 Hearings, pp. 47-48, 81-99.

²³ 1976 Hearings, pp. 21, 28, 59, 60, 112 (Question 6), 115.

²⁴ 1976 Hearings, pp. 21, 44-47.

²⁵ 1976 Hearings, pp. 61-63.

²⁶ Information supplied by Congressional Reference Service, Library of Congress.

THE ECONOMIC STATUS OF OUR OLDER CITIZENS

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. TRAXLER. Mr. Speaker, as we all realize, no group has suffered more from the effects of inflation than the more than 21 million Americans over the age of 65. In order to ease their plight, it is up to the Congress to do more. I firmly believe that we can do more. We must hasten to act in order to prevent further deterioration of the economic status of our older citizens who are on fixed incomes.

During the 94th Congress I have been pleased to see that we have succeeded in focusing much greater attention than ever before on the problems and needs of older persons in this country. The Committees on Aging in both the House and the Senate have taken initiative in addressing the problems of income security, health care, housing, transportation, and nutrition facing our Nation's senior citizens. We have made progress in many of these areas, but much more needs to be done. It is estimated that one quarter of Americans aged 65 or older are living at poverty level. If this figure is accurate,

we have a long way to go before we will have fulfilled our obligation to older persons in this country.

We must pledge to do all that we can to insure that older Americans can live their retirement years in good health and economic security. We must not relax until we can say without hesitation that this country is providing for the critical needs of its older citizens.

There are two measures that I have introduced that I am convinced would provide a level of protection against the ravages of an economic force that is yet beyond our control: inflation.

One of these bills amends title II of the Social Security Act to provide that the automatic cost-of-living adjustments in social security benefits be made on a semiannual basis, rather than on an annual basis as is presently done.

The second bill calls for the development and publication of a separate Consumer Price Index for senior citizens. This index would be used to determine cost-of-living adjustments to be made to social security recipients over the age of 65.

In a report issued by the Senate Special Committee on Aging these proposals were among the recommendations that the committee strongly advocated. Also, these two measures have long been endorsed by the National Council of Senior Citizens, as well as a number of other senior citizens organizations.

The reason for adoption of these measures should be clear: at current rates of inflation, a year is far too long to wait for a necessary increase in social security benefits. The adjustment mechanism for cost-of-living increases must be responsive to the actual need, not a mechanism adopted for the sake of convenience. If adjustments for cost of living were made twice a year the effects of inflation would be far less damaging to those citizens living on fixed incomes.

The idea of a separate Consumer Price Index for senior citizens is one that has been debated for many years. The principal argument that I find in favor of this proposal is that our older Americans as they advance in years tend to spend a larger, disproportionate percentage of their incomes on goods and services that are particularly subject to inflation, such as health care and utilities. Our cost-of-living adjustments must adequately compensate older persons for these indicative expenditures. It is conceptually preferable that a Consumer Price Index for use in adjusting social security income levels for older Americans be calculated from an accurate survey of expenditures made in those areas where they make them.

Mr. Speaker, I am convinced that these measures could be of inestimable value to older citizens and a positive step toward achieving the goal of an economically secure senior citizenry. I hope that every Member of Congress will join me in this effort to see to it that the needs of our Nation's older persons are met, and met as soon as possible.

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STANLEY SCHNEIDER IS KIWANIS PRESIDENT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. ASHBROOK. Mr. Speaker, on Wednesday, June 23, Stanley E. Schneider, Crestline, Ohio, businessman, and 18-year veteran of Kiwanis membership was named president of that worldwide service organization, as a climax of its 61st annual convention in San Diego. Schneider, who had been serving as president-elect of Kiwanis International, will assume his new office on October 1. This is particularly meaningful to me for three reasons. I am a Kiwanian. Stan Schneider is from my district and, more important, he is a friend and a great American.

His election came toward the end of Kiwanis' largest convention—21,000 men, women, and children and its first in San Diego. President Schneider will succeed Ted R. Osborn, Lexington, Ky., businessman who has held his post since October 1, 1975.

As leader of Kiwanis International, Stan Schneider will be spokesman for nearly 285,000 members in 7,000 clubs located in 52 countries and geographical areas of the world. His assumption of the presidency finds Kiwanis larger, more widespread, and enjoying an average younger age for its members than ever before in its 61-year history.

When he delivered his inaugural address Wednesday evening, June 23, in the San Diego Sports Arena, our new president announced Kiwanis' new major emphasis program, which the organization will undertake during his term of office. He said in his introductory remarks:

Free men can no longer tolerate the soaring rate of crime which characterizes our society. We can no longer yield ground to those who have no respect for life or property. We can no longer stand by and allow fear of crime to play a daily role in our lives. Slowly, but surely, fear of crime is narrowing and shrinking your world of movement and mine. When personal security can no longer be a reality, our cherished guarantees of the sanctity of the home and of freedom of movement within our communities are made meaningless by the grimmer reality of a rapidly accelerating crime rate.

What can Kiwanis do? Professional law enforcement agencies tell us with one voice that responsible citizen involvement is the key factor in reducing crime. They tell us, too, that crime will continue to erode our communities and our way of life until responsible citizens become so outraged that they resolve to become involved in lawful carefully structured programs to oppose crime. If Kiwanis is to merit its reputation as being the number one service organization in the world, we cannot avoid entering into the arena—and entering immediately. We must, among all organizations, lead the way in showing the public what can be done, and what must be done.

Thus, I announce to you that the 1976-77 Major Emphasis of Kiwanis International will be the

SAFEGUARD AGAINST CRIME PROGRAM

Our Safeguard Against Crime program will focus upon four objectives.

First, we will create greater understanding among people in our communities of what can be done—the practical possibilities, and the necessity, for establishing safeguards against crime. In accomplishing this, we will make full use of the media, the distribution of printed materials, and the organization of community forums to stimulate public cooperation and public action.

Secondly, we will provide specific counsel to selected groups—especially home residents—as to equipment and practices which will help them to establish safeguards against crime. These will include counsel on identification of personal property, information in home security, and the reporting of crime and the threats of crime.

Thirdly, we will provide direct services to those who need them in setting up safeguards against crime. These can include making available such items as engraving tools for identifying property, demonstrating home security equipment, and providing the leadership for the organization of block watches or other cooperative endeavors.

Our fourth program objective will be to make every effort to bring about greater understanding of, and respect for, law enforcement and the administration of justice as our ultimate and long-range hope for bringing about a major reduction of crime and a major alleviation of fear in today's society.

My confidence that that Safeguard Against Crime program is a sound choice for Kiwanis was strongly reinforced one month ago in a conversation I had in Ottawa, Ontario, when it was my privilege to meet with the men who hold top responsibility for the Federal Bureau of Investigation and the Royal Canadian Mounted Police.

Throughout the past several months, as we have been preparing for the launching of our 1976-77 program, we have enjoyed the excellent cooperation of both of these organizations.

Our plans were thoroughly discussed in my meeting in Ottawa with Commissioner Nadon of the Royal Canadian Mounted Police and Director Kelley of the Federal Bureau of Investigation. Both of these leaders in the fight against crime spoke of the problems, not only in the United States and Canada, but throughout the civilized world. They pointed out the dire need for citizen participation in defending our homes against potential criminals and the strong role Kiwanians could play in this effort. Their considerable interest in our new program is briefly illustrated in this closing portion of our filmed discussion.

President Schneider then went on to announce the Kiwanis International theme for 1976-77 which will be "Lead the Way" and the five "objectives" for the year which will implement that theme:

Lead the Way by Living our Faith Daily
Lead the Way by Building better Communities in a Better World

Lead the Way by Uniting with Youth Organizations to Motivate Responsible Citizenship

Lead the Way by Emphasizing Family Unity to Strengthen Respect for Life and Property, and

Lead the Way by Sharing Opportunities for Service with Others.

He closed by saying

All Can Go . . . From Here to There,
If Some Would Lead the Way—
From Despair to Fulfillment,
From Destruction to Creation,
From Apathy to Action,

From Fear to Peace of Mind.
Many wish to go . . . From Here to There,
And we Shall Lead the Way.

Stan, himself, is well qualified to lead Kiwanis and to insure the success both of the new major emphasis program and the theme and objectives for the coming year.

An automotive retail and investment executive, Schneider had served as Kiwanis International president-elect for 1 year after his election in June 1975, at the 60th Kiwanis International convention in Atlanta, Ga.

Stan has also served 1 year as treasurer, 1 year as vice president, and two 2-year terms as a trustee of Kiwanis International. He has been president of the Kiwanis Club of Crestline, Ohio, lieutenant governor and governor of the Ohio Kiwanis District, member and chairman of several district committees, and chairman of the Kiwanis International Committees on Inter-club Relations and Fellowship, and Membership Development. He has also been a member of the International Committee on Boys and Girls Work. He is a member of the Kiwanis International Foundation's Board of Trustees.

Currently, President Schneider is serving as a member of the executive committee of Kiwanis International, as chairman of the Board Committee on Key Clubs, and as a member of its Committee on Convention.

A Kiwanian for 18 years, the new president has served two terms as a member of the City Council of Crestline, has been a member of the County Elections Board, and a member of the Volunteer Fire Department. He was one of the principal organizers of the United Fund in Crestline and was chairman of a local school bond issue campaign.

He is a member of the National Automobile Dealers Association, the National Guard Officers Association, the Aircraft Owners and Pilots Association, the Veterans of Foreign Wars, the Marine Corps League, and the Association of the U.S. Army.

Stan Schneider has also been active with local and area council affairs of the Boy Scouts. He is a past trustee and chairman of the commission on stewardship and finance for the First United Methodist Church.

He and his wife, Millie, a fifth grade social studies teacher, have three daughters.

REFORM OF CENSUS OF AGRICULTURE

HON. PATRICIA SCHROEDER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mrs. SCHROEDER. Mr. Speaker, I am today introducing legislation which will dramatically reduce the paperwork burden imposed on farmers by the census of agriculture.

While it is important that reliable agricultural information be collected and published, it is neither necessary nor de-

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sirable for family farmers to be forced to fill out incredibly detailed forms which many times ask questions for which farmers just do not have answers.

The most recent census of agriculture has met with great resistance throughout rural America because of the unreasonable burden it has placed on farmers. It appears as if much too little thought and effort has gone into considering the average farmer's time and frustration in filling out these forms.

The result has been an agricultural census which is a marketer's dream, but a farmer's nightmare. I believe that now is the time to deal with this issue before plans are made for the next census of agriculture which will be taken in 1979.

The bill which I am introducing comes after extensive hearings on this issue which the House Subcommittee on Census and Population, which I chair, and the Subcommittee on Family Farms and Rural Development, which is chaired by Congressman Rose, have held during this Congress.

My bill would require the Bureau of the Census to reduce, by at least one-half, the paperwork burden imposed on farms with annual sales of \$50,000 and less. It is anticipated that this class would include over 80 percent of the farmers in the United States when the agricultural census is next conducted. For those farms with sales of more than \$50,000, the bill would require the reduction of respondent burden to the maximum extent feasible which, for these farms, would also result in much less paperwork. The effect of such a provision will undoubtedly force the Bureau of the Census to make much greater use of sampling techniques in 1979—something it should have been doing all along.

My bill would also do two other things. First, it would require the Bureau of the Census to continue to collect certain limited information on very small farms, and to continue to consider them as farms. Last year, the Bureau of the Census and the Department of Agriculture wanted to increase by 400 percent the minimum sales required for an establishment to be considered as a "farm." This would have resulted in hundreds of thousands of farms being technically redefined out of existence.

Because of an adverse congressional response to this redefinition, the action was later rescinded. But I think that the Congress ought to preclude any future attempts to redefine large number of farms out of existence. Therefore, my bill provides that any future changes in definitions which would increase the sales to qualify as a "farm" cannot exceed inflationary trends.

Third, my bill recognizes the fact that there have been great changes in the ownership structure of farms in recent years which are not fully understood or documented. Therefore, the bill calls upon the Bureau of the Census to improve upon its collection of data on the farm ownership structure of the United States.

Mr. Speaker, I hope that the Congress will soon have the opportunity to vote on this important legislation which will help to get the Government off the farmer's back.

July 22, 1976

The full text of the bill follows:

H.R. 14830

A bill to provide for a 50-percent reduction of the burden on respondents in the censuses of agriculture, drainage, and irrigation taken in 1979 and thereafter, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Agricultural Census Amendments Act of 1976".

STATEMENT OF FINDINGS

SEC. 2. The Congress hereby finds—

(1) that the census of agriculture, drainage, and irrigation has increased in complexity and detail to the extent that the reporting burden now imposed on farmers is unreasonable and possibly counterproductive.

(2) that the respondent burden of such census can be substantially reduced by the increased use of sampling and survey techniques without any loss of necessary data;

(3) that in order to develop a comprehensive policy for the rural areas of the United States, and to recognize the continued existence of small farming enterprises and their contributions to our Nation, it is necessary to continue to collect and publish information on such farming enterprises; and

(4) that significant changes in the ownership structure of farms in the United States have developed in recent years which need to be better understood and documented.

REDUCTION OF RESPONDENT'S BURDEN BY 1978

AGRICULTURAL CENSUS

SEC. 3. The Secretary of Commerce shall—

(1) determine the reporting burden on establishments which, on an annual basis, have average sales of agricultural products of \$50,000 or less, and such burden on all other establishments, in the 1974 census taken under section 142 of title 13, United States Code,

(2) take steps which he considers to be consistent with the purposes of such section and which will assure that in the census taken in 1979 under such section—

(A) in the case of establishments which, on an annual basis, have average sales of agricultural products of \$50,000 or less, the reporting burden will be equal to or less than one-half of the reporting burden determined by him under paragraph (1) with respect to such establishments, and

(B) in the case of other establishments, the reporting burden will be reduced to the maximum extent feasible, and

(3) not later than June 30, 1977, prepare and transmit to the Congress a report which—

(A) sets forth his determinations under paragraph (1) of the respondent burden in the 1974 census, and

(B) states what steps have been or will be taken under paragraph (2) to reduce the respondent burden in the census taken in 1979 under such section and his evaluation of such steps.

CLASSIFICATION OF FARMS USED FOR 1974

AGRICULTURAL CENSUS

SEC. 4. (a) The statistical classification of farms in effect on June 30, 1976, with respect to the 1974 census taken under section 142 of title 13, United States Code, shall be effective, for purposes of that census, on and after the effective date of this Act.

(b) The Act of March 15, 1976 (Public Law 94-229) is amended by striking out section 2 thereof.

CLASSIFICATION OF FARMS TO BE USED IN FUTURE

AGRICULTURAL CENSUSES

SEC. 5. The statistical classification of farms effective with respect to censuses taken in

1979 and thereafter under section 142 of title 13, United States Code, shall be prescribed in such a manner as not to exclude any establishment which, for the calendar year to which the data collected relates, has sold or would normally sell more than a minimum value of agricultural products. For purposes of the preceding sentence, the term "minimum value" means, with respect to any census, \$250 adjusted by a percentage equal to the percentage change in the index of prices received by farmers (maintained by the Department of Agriculture) from January 1, 1969, through January 1 of the year to which the data collected in such census relates.

OWNERSHIP STRUCTURE OF UNITED STATES FARMS

SEC. 6. The Department of Commerce, in cooperation with the Department of Agriculture, shall develop methods of improving the collection, analysis, and publication of data relating to the ownership structure of farms within the United States, and the Department of Commerce shall collect, analyze, and publish such data.

A VOICE FROM AMERICA'S PAST

HON. VIRGINIA SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mrs. SMITH of Nebraska. Mr. Speaker, during the Fourth of July observance, it was my privilege to attend Sunday worship at Lexington, Nebr.'s Chapel of the Lake. The sermon offered by the Reverend Harvey L. Moore on that occasion was one of the most inspired and moving I have ever heard.

In keeping with our observance of the Nation's Bicentennial, I insert the Reverend Moore's message at this point in the RECORD:

A VOICE FROM AMERICA'S PAST

A Sermon Given by the Reverend Harvey L. Moore, Minister, First Presbyterian Church, Lexington, Nebraska, at the Chapel of the Lake, Johnson's Lake, Nebraska, on Our Bicentennial Anniversary of the United States of America, July 4, 1976.

I am a voice from America's past. I am indeed glad for the opportunity, on this 200th anniversary of our beloved country, to visit with you this morning. You will soon recognize who I am as I continue to talk. My name has been a household word in America for well over a hundred years.

Now, I am quite aware of all that's happened in the country since I lived and died here long ago. This country has been through rough times in recent years—there's no denying that—at times, things still seem very uncertain. You have your share of critics and cynics and some have all but lost faith in the American dream.

Well, it really wasn't much different when I lived. We, too, had our trials and our spoliars. It seemed at times to many that we wouldn't make it, but we did. Out of that great earlier victory in American history, I bring you hope today. I bring you faith and assurance for the future of the country.

Let me share with you some things from my life that maybe you haven't heard about me—yet. There has been much written of my life but not nearly enough about my personal faith in God. That was the foundation of my life as it has also been the foundation of America. One of your recent Presidents said, "You can't explain free government in any other terms than religious."¹

Footnotes at end of article.

EXTENSIONS OF REMARKS

No, it wasn't my good fortune to be alive in 1776. My Grandfather, though, whom I was named after, saw the light of 1776. He was a Captain in the Virginia Militia. George Washington, the Father of Our Country, was his President. My Grandfather's friend was Daniel Boone, and Boone told him of a land of "blue grass, game and fish, tall timber and clear running waters."² My Granddad moved to a place by the Green River in Kentucky.

My own father, then six years old, saw my Grandfather killed by Indians. Dad was a good man—hard-working, law-abiding, honest. He didn't get any book learning but he could sign his name.

My parents were Christians—first of the Free Will Baptists, and then later, Presbyterians, when we moved to Indiana. Our home was a place of prayer, the Bible read every morning and evening, and Father always gave Thanks at the table.

My mother was a fine Christian woman and this had the greatest effect upon my life. As I have said at other times: "I remember her prayers, and they have always followed me. They have clung to me all my life."³

Well, I was born shortly before the turn of the 19th century. My mother died when I was nine years of age. She called my sister, Sarah, and me to her bedside, placed her feeble hand on my head, and told us she hoped we would worship God.

I share all of this about my early training to show you what an influence a Christian family, the Bible and prayer had on me early in life, and so, eventually, on my country. I'm sure that Bible verse is still right when it says: "Train up a child in the way he should go and when he is old, he will not depart from it" (Prov. 22: 6).

I did manage to get a little formal education in a log cabin school but most of my learning I got on my own. The Bible was one of the main books I read.

By the time I was 21, I had lived in Kentucky, Indiana, and then Illinois. That rugged frontier life with all the hard work that followed made me into a strong man.

When I was about 22, I hit out on my own. I hired out on a boat going down the Mississippi. For a time, I worked in a store as a clerk, was a Captain in the Army, and a land surveyor. I spent a good number of years studying law and then practicing law for many more years. I finally got into politics.

Some, in writing later of my life, spoke of my "determination and courage to drive on in the face of adversity."⁴ I surely would have to admit that my life was no bed of roses. Seemingly, I had more than my share of failure but there were the successes as well.

I said once that "I have felt His hands upon me in great trials and submitted to His guidance." He took me through; the courage came from His presence with me and His strengthen. How can you otherwise explain the record someone wrote of my years:

Lost job, 1832. Defeated for Legislature, 1832. Failed in business, 1833. Elected to Legislature, 1834. Sweetheart dies, 1835. Had nervous breakdown, 1836. Defeated for Speaker, 1838. Defeated for nomination for Congress, 1843. Elected to Congress, 1846. Lost re-nomination, 1848. Rejected for Land Officer, 1849. Defeated for Senate, 1854. Defeated for nomination for Vice-president, 1856. Again defeated for Senate, 1858. Elected President of the United States, 1860.⁵

Someone wrote of that High Office of President that one might enter that job as a doubter of God but one would leave a believer. Though my belief in God was strong, when I became President, I had not really committed myself to Christ. That was still to happen while I was President.

My farewell address to the good folks of Springfield as I left for Washington and the Presidency, spoke of my faith in God. I said

on that occasion, "... I now leave with a task before me greater than that which rested upon Washington. Without the assistance of that Divine Being who ever attended him, I cannot succeed. With that assistance, I cannot fail"

I found that I would need that Divine Assistance in the years that lay ahead more than I could ever imagine. I had two great challenges in my Presidency: the freeing of the slaves, and the Civil War. I did not want war but that was what it finally came to in order to gain the blacks freedom. I spoke of the Slavery Issue in these words: "I know there is a God, and that He hates injustice and slavery. I see the storm coming, and I know that His hand is in it. If he has a place and work for me—and I think He has—I believe I am ready . . . I am nothing, but truth is everything. I know I am right, because I know that liberty is right, for Christ taught it and Christ is God . . . Douglas doesn't care whether slavery is voted up or down but God cares and humanity cares, and I care: and with God's help, I shall not fail. I may not see the end, but it will come, and I shall be vindicated and these men will find that they have not read their Bibles aright"

The War was terrible and my pain and anguish during those years when brother fought brother cannot be measured. Peace, not War, was my dream and goal, and so the Lord Himself seemed to inspire from me those words in the Second Inaugural Address:

"With malice toward none; with Charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan, to do all which may achieve and cherish a just and a lasting peace . . . among ourselves, and with all nations"

The Bible became my constant companion as President. I told Mr. Speed, my close friend who was somewhat of a sceptic, "I am profitably engaged in the reading of the Bible. Speed, you are wrong. Take all of this book upon reason that you can, and the balance on faith, and you will live and die a happier man."⁶

Prayer to God was one of my greatest resources. I said once, "I have been driven many times upon my knees by the overwhelming conviction that I had nowhere else to go."

The Church also meant a great deal to me. Though I never joined any church, while in Springfield I did engage to rent a pew and worshipped regularly at the First Presbyterian Church. While President, my wife and I attended the New York Avenue Presbyterian Church. I used to attend the Wednesday evening prayer meeting in that church as well, and received great help.

My personal acknowledgement of Christ as personal Saviour came finally when my son, Willie, died. His death was my greatest sorrow. "That blow overwhelmed me. It showed me my weakness as I had never felt it before. When I left Springfield, I asked the people to pray for me. I was not a Christian. When I buried my son, the severest trial of my life, I was not a Christian. But when I went to Gettysburg and saw the graves of thousands of our soldiers, I then and there consecrated myself to Christ. Yes, I do love Jesus"⁷

A gentleman once asked me, in the midst of the crisis of the Civil War, "Will our country come through safe and live?" The words I gave to him then can well apply to you now, on this 200th anniversary of America.

I said then: "I do not doubt—I have never doubted—that our country would finally come through safe and undivided. I do not rely on patriotism of our people (alone). . . . I do not trust in the bravery and devotion of

EXTENSIONS OF REMARKS

July 22, 1976

the boys in blue (by themselves). Nor yet do I rely on the loyalty and skill of our generals. But the God of our Fathers who raised up this country to be the refuge and asylum of the oppressed and downtrodden of all nations, will not let it perish now . . . God will bring us through safe."¹¹

At Gettysburg, when I had my deep and most profound experience with Christ, I uttered these words:

"Four score and seven years ago, our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But in a larger sense, we cannot dedicate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here might resolve that these dead shall not have died in vain, that this nation, under God, shall have a new birth of freedom and that government of the people, by the people, and for the people, shall not perish from the earth. . . ."¹²

I, Abraham Lincoln, a President of the United States, pray with you on this Bicentennial Sunday.

"God Bless America!"

FOOTNOTES

¹ Eisenhower, Dwight D.: A speech.

² Sandburg, Carl: *Abraham Lincoln, The Prairie Years*, P. 21.

³ Johnson, William J.: *Abraham Lincoln, The Christian*, P. 22.

⁴ Gard, Grant: *Don't Talk About It, Do It*, P. 4.

⁵ *Ibid.*, P. 4.

⁶ "The Lincoln Home," (Pictorial History and Guide Book).

⁷ Johnson, *op. cit.*, P. 65-66.

⁸ *Ibid.*, P. 174.

⁹ *Ibid.*, P. 148.

¹⁰ *Ibid.*, P. 172.

¹¹ *Ibid.*, P. 110.

¹² Frank and Waynal: *World's Famous Orations*, "Gettysburg Speech," P. 254.

ther Alan Steichen, headmaster of Saint John's Preparatory School, delivered the following speech on May 27, 1976 at the Fest Akadamie at Melk. The Deputy Chief of Mission at the American Embassy in Vienna and the American Consul from Salzburg were there to represent the United States.

The text follows:

SPEECH BY FATHER ALAN J. STEICHEN

Father Abbot Burkhardt, Father Petrus, Dr. Wegscheider, monks of Melk Abbey, parents, students and friends:

I am pleased to have this opportunity to speak to you today about a program which has great significance for all mankind in the twentieth century. I speak to you about the foreign exchange program which has been in continuous operation for the past ten years between your own Melk Abbey and Saint John's Preparatory School in the United States. While this program is small when measured in mere numbers of participants, it is immensely significant nonetheless. It is significant in a truly Benedictine sense—the sense of providing a model for mankind to ponder upon. We who are sons of Saint Benedict know that our influence is not measured in numbers, for if that were the only criteria we would be minuscule. Yet Benedictine monasticism has never been minuscule. Quite the contrary, Benedictine monasticism can claim responsibility for the very continuation of Western culture as we know it. Your own monastery here at Melk has had a very direct participation in the preservation of culture through your religious dedication and scholarly pursuits.

How is this possible? How is it possible for small monasteries to have been responsible for such an immense task? Certainly the answer must lie in the examples of virtue and scholarship which monasteries have provided mankind. When a young man enters a monastery he enrolls in a "school of the Lord's service." And in turn, he teaches the wisdom he has learned to others, wishing them to take this message to the whole world. Thus, emanating from his own small community, the world at large is profoundly affected.

Why then is our small exchange program so important? Not because it has affected a great number of people directly, but because it has provided a model of brotherhood for all the world to see. Just two weeks ago we completed an evaluation of our school by scholars from universities, private and public schools and representatives of the clergy. And in the course of their evaluation they interviewed a number of our students who have participated in the foreign exchange program. Their conclusion was that this experience was perhaps the most important experience these young students had had in the formation of their understanding of brotherhood and peace. Now many of these students have already taken their place in society—in government, in religion, and in the various professions. These students will carry out the message of peace and brotherhood which they learned here at Melk. In a way far more profound than the negotiations of statesmen, these participants can speak to the world of international understanding.

And this understanding is so very important today. We are living in an era in which we must learn that all of us are brothers. As the economist Kenneth Burke characterized our times in a speech at St. John's, we are all living in a spaceship—and the name of the spaceship is the "Planet Earth." Our own survival as a planet is dependent upon learning brotherhood.

These are the reasons that I am pleased to be here on the occasion of the Tenth Anniversary of our program. It has not always been an easy program. There have been problems in the past and there will continue to be problems. But we have succeeded in our

mission! We have shown the world that brotherhood can survive. And you at Melk should be justly proud of your participation. You have shown us warmth and love. You have made our students, faculty and parents feel that Melk is their home. You have sent to us your own sons and daughters to learn about our American culture. You have allowed some of your finest faculty members to join us in America to deepen our understanding. And therefore we say, "Thank You."

THE NUCLEAR FUEL ASSURANCE ACT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. BINGHAM. Mr. Speaker, next week the House is scheduled to act on H.R. 8401, entitled the Nuclear Fuel Assurance Act. The original purpose of this bill was to guarantee that the United States have an adequate supply of enriched uranium for which we must now plan if we are to have plants on-line producing enriched uranium.

I wholeheartedly support this goal. I believe it is imperative that we retain all our energy options: to do so in the nuclear field means to maintain an adequate supply of reactor fuel to guard against any contingency. It is this conviction—that we should guarantee a supply of enriched uranium in case we should make the considered judgment that nuclear fission is an economically viable, environmentally-sound source of energy—which has led me to support section 4 of the pending legislation. This section provides for the construction of a new government-owned uranium enrichment plant alongside the existing facility at Portsmouth, Ohio.

However, there are contained in sections 2 and 3 provisions for "privatization" of the enrichment industry and creation of a new, Government-guaranteed export market for enriched uranium. While I believe there are many compelling reasons for opposing an unwise proposal, today I would like to call my colleagues' attention to just one single aspect which I believe illustrates the ill-conceived nature of the administration's proposal.

Sections 2 and 3 would provide hidden subsidies and out-front market guarantees of up to \$8 billion for private investors seeking to expand the uranium enrichment market. ERDA is already accumulating a stockpile aimed at "back-stopping" the contracts of such ventures; ERDA has apparently manipulated the uranium market prices upward and still higher prices are expected should H.R. 8401 pass unamended. This is but one reason that the American Public Power Association opposes this bill.

If such manipulation of the enrichment market continues in conjunction with the privatization scheme embodied in the administration's bill, there is considerable speculation that, as a recent article in Science magazine put it, it may have "a glut" of enriching capacity by 1985. The argument here is that it is

FOREIGN EXCHANGE PROGRAM

HON. RICHARD NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 1976

Mr. NOLAN. Mr. Speaker, during these times of coldness and hostility in the international affairs, it is comforting to hear of successful foreign exchange programs between universities of different countries. One such example is the foreign exchange program between Saint John's Preparatory School at Collegeville, Minn., and the Stift Melk at Melk, Austria. In celebration of the foreign exchange program's 10th anniversary, Fa-

not just improvident, but also unnecessary for Congress to commit the Federal Treasury to underwriting the creation of new markets for nuclear fuel. It is precisely this argument which has caused the pronuclear Oil, Chemical and Atomic Workers Union to lobby vigorously against sections 2 and 3, in support of an amendment I shall offer to strike these sections—the "privatization" scheme—from the legislation.

The fact is, as a letter from the president of the OCAW union accurately states:

The present three Government diffusion plants plus the additional add-on plant at Portsmouth, Ohio, will provide more than sufficient enriched uranium . . . the building of a fifth gaseous diffusion-enrichment plant by—private and foreign investors—would provide excess capacity.

I commend this letter to my colleagues' attention, as well as the letter from the American Public Power Association:

ENCLOSURE No. 1

OIL, CHEMICAL AND ATOMIC
WORKERS, INTERNATIONAL UNION,
Denver, Colo., June 21, 1976.

To: All Members of the U.S. House of Representatives.

DEAR HOUSE MEMBER: On behalf of the approximately eight thousand workers in the gaseous diffusion plants represented by my Union, I am writing to urge you to take a strong position against the Nuclear Fuel Assurance Act, H.R. 8401.

We oppose the sections of this bill which would turn over uranium enrichment to private corporations under terms which would be very beneficial to these corporations but detrimental to U.S. taxpayers, to electricity consumers and to the future of the existing Government-owned gaseous diffusion plants.

The present three Government diffusion plants plus the Government additional add-on plant at Portsmouth, Ohio, will provide more than sufficient enriched uranium to fuel the 185 thousand megawatt nuclear power plants which are projected by ERDA to be operating by 1985. (The present number

of operating plants is sixty.) The principal object of the bill is to authorize ERDA with the Uranium Enrichment Associates to negotiate a fifth (private) gaseous diffusion plant.

The building of the fifth gaseous diffusion plant by UEA would provide excess capacity. In the first draft of the UEA-ERDA contract, any surplus capacity would be met by curtailing operations at the lower-cost government plants. Other private centrifuge enrichment plants would be covered by the bill but the technology is not yet proved on a commercial scale so that these projects are much further down the road.

The comparative costs of the UEA venture with the Government add-on plant at Portsmouth are clearly brought out by the \$3.5 billion estimate for the UEA plant as against \$2.5 billion for the Portsmouth add-on. The difference in interest rates is enormous. UEA has stated that they expect the return to investors on the \$3.5 billion to run 15% after taxes. This compares with normal U.S. Government bond interest on \$2.5 billion for Portsmouth. The high return to UEA investors is expected in spite of the fact that the money of U.S. investors would be fully guaranteed by the Government under the Nuclear Fuel Assurance Act.

As uranium enrichment is highly capital-intensive, the cost per kilogram of UEA enriched uranium would be much higher than that from the Government plants. The prices for Government uranium would have to be raised in order to make UEA uranium commercially competitive. As the cost of uranium enrichment is a substantial fraction of the costs of nuclear power, increasing the price of fuel grade uranium would be another setback to the program of nuclear power expansion in this country.

My Union notes with dismay that 60% of the ownership of the UEA consortium will be foreign. UEA states that this will not lead to further disclosures of U.S. secret enrichment know-how to foreign interests. The record of the handling of classified knowledge over the past several years hardly reassures us. Once in the hands of foreign powers, control of the classified knowledge is lost and it may readily diffuse to third parties, including non-signers of the nuclear non-proliferation treaty.

The bill states that any contract between UEA and ERDA will require specific approval

by Congress at a later date. But the passage of the Nuclear Fuel Assurance Act would, in fact, give the green light to UEA and ERDA to go ahead with the drafting of a contract. Under the terms of the Act, this contract would be clearly disadvantageous to the Government and the public. It is my strong conviction that the time to stop this contract is NOW.

Sincerely yours,

A. F. GROSPIRON,
President.

AMERICAN PUBLIC POWER ASSOCIATION,
Washington, D.C., June 24, 1976.
Hon. JONATHAN B. BINGHAM,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BINGHAM: The American Public Power Association, representing more than 1,400 local publicly-owned electric utilities throughout the country, urges you to support section 4 and to oppose sections 2 and 3 of H.R. 8401, the Nuclear Fuel Assurance Act. Sec. 4 of H.R. 8401, would authorize \$255 million for Federal construction and operation of an expansion of an existing Government-owned uranium enrichment facility. We believe such a program would supply fuel for nuclear power plants at the lowest cost to the consumer, prevent monopolization, and protect national interests.

At the association's annual conference last week, APPA members adopted a resolution opposing "Federally-subsidized privately-owned commercial gaseous diffusion plants." Accordingly we urge you to oppose sections 2 and 3 of H.R. 8401 which would provide \$8 billion in Government guarantees to private plants. Under the plan proposed in sections 2 and 3, the public would bear the risks while private industry would reap the benefits. It has been estimated that the private enrichment plant would result in an increase in the cost of nuclear fuel by approximately \$700 million a year—a cost that consumers would have to pay. The General Accounting Office has termed this concept "excessively generous" and has said, "Its fundamental short-coming is that it shifts most of the risks during construction and proving the plant can operate to the Government."

Sincerely,

ALEX RADIN.

SENATE—Friday, July 23, 1976

The Senate met at 9 a.m. and was called to order by Hon. JOHN C. CULVER, a Senator from the State of Iowa.

PRAYER

The Chaplain, the Reverend Edward L. R. Elston, D.D., offered the following prayer:

Our Father God, reverently we pause in Thy presence to welcome the new day and to place our lives upon the altar of public service. By Thy grace may we strive to lift every moment of this day into the higher order of Thy kingdom. Grant us wisdom higher than our own and to the gift of wisdom add some wit lest we become morose and our ways monotonous. Endow us with creative insight, disciplined thought, precise expression, and sound judgment. At the end assure us of Thy goodness and mercy which never ceases.

Through Jesus Christ our Lord. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 23, 1976.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JOHN C. CULVER, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. CULVER thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President. I ask unanimous consent that the reading of

the Journal of the proceedings of Thursday, July 22, 1976, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. I ask unanimous consent that the Senate go into executive session to consider the nominations of Mr. Poole and Mr. Chase.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE JUDICIARY

The second assistant legislative clerk read the nomination of Cecil F. Poole, of California, to be a U.S. district judge for the Northern District of California.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.