DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Hale Champion, of Massachusetts, to be Under Secretary of Health, Education, and Welfare.

Henry Jacob Aaron, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare.

Richard D. Warden, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare.

Eileen Shanahan, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare.

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Robert S. Strauss, of Texas, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

DEPARTMENT OF DEFENSE

Gerald Paul Dinneen, of Massachusetts, to be an Assistant Secretary of Defense.

David E. McGiffert, of the District of Columbia, to be an Assistant Secretary of Defense.

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

IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be general

Lt. Gen. William G. Moore, Jr., [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer for appointment in the Reserve of the Air Force to the grade indicated, under the provisions of chapters 35, 831, and 837, title 10, United States Code:

To be brigadier general

Colonel John B. Conaway, [redacted] FG, Air National Guard.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. William Bennison Fulton, [redacted] Army of the United States (major general, U.S. Army).

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lieutenant General John Alfred Kjellstrom, [redacted] Army of the United States (major general, U.S. Army).

IN THE NAVY

Rear Adm. Kenneth M. Carr, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

IN THE MARINE CORPS

The following colonels of the Marine Corps Reserve for appointment to the grade of brigadier general under the provisions of title 10, United States Code, section 5902:

Kenneth W. Weir
John B. Hirt

Lieutenant General John N. McLaughlin, U.S. Marine Corps, when retired, to be placed on the Retired List in the grade of lieutenant general in accordance with the provisions of title 10, United States Code, section 5233.

IN THE AIR FORCE

The following officer under the provisions of Title 10, United States Code, Section 8066, to be assigned to a position of importance and responsibility designated by the President under Subsection (a) of Section 8066, in grade as follows:

To be general

Lt. Gen. John W. Roberts, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of Section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. John Rutherford McGiffert II, [redacted] U.S. Army.

IN THE MARINE CORPS

Maj. Gen. Andrew W. O'Donnell, U.S. Marine Corps, having been designated, in accordance with the provisions of title 10, U.S. Code, section 5232, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade of lieutenant general while so serving.

IN THE ARMY

Army nominations beginning James J. Hill, to be colonel, and ending David C. Zimmerman, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 14, 1977.

IN THE NAVY

Navy nominations beginning David H. Acton, to be lieutenant, and ending Jeri M. Rigoulot, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 1, 1977.

Navy nominations beginning Ronald J. Abler, to be lieutenant commander, and ending Margaret F. Hamman, to be lieutenant commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 1, 1977.

EXTENSIONS OF REMARKS

BYRD AMENDMENT REPEAL DISGRACEFUL

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 29, 1977

Mr. HARRY F. BYRD, JR. Mr. President, I have maintained for many years now that the punitive sanctions imposed on Rhodesia by the United Nations were hypocritical and ineffective.

The hypocrisy stems from the fact that the Government of Rhodesia is no more illegal, no more oppressive, and no more undemocratic than a great many other governments within the United Nations. Yet Rhodesia is the only nation to date to be singled out for total sanction by the U.N.

Many of the leading members of the U.N. have ignored the sanctions while publicly paying lip service to them.

Despite these multiple hypocrisies, the United States has complied with the U.N. sanctions rigorously with the single exception of strategic materials vital to the defense of the United States.

None has addressed this subject better than did the syndicated columnist, James J. Kilpatrick, in the column published throughout the United States last week. I ask unanimous consent that the text be printed in the RECORD.

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

BYRD AMENDMENT REPEAL DISGRACEFUL

(By James J. Kilpatrick)

WASHINGTON.—The House and Senate voted with a whoop and a holler last week to repeal the Byrd amendment on Rhodesian chrome. An exultant President signed the bill the next day. "This puts us on the side of what's right and proper," he said. It was a fatuous remark, but no more than what we are learning to expect from Mr. Carter.

Until it was snuffed out a few days ago, the Byrd Amendment was the one bright flame of truth in a murky world of diplomatic falsehood. As such, it was a great embarrassment. In the midst of ten thousand lies, there stood the Byrd Amendment: Little Orphan Honesty. Observers of the African scene were perplexed: What's a nice kid like you, they kept saying, doing in a joint like this?

During the five years of its existence, the Byrd Amendment provided the only breath of integrity in the UN's fetid swamp. The amendment openly, unapologetically, without shame or subterfuge, authorized the importation of Rhodesian chrome. The amendment was in palpable violation of the United Nations' sanctions against trade with Rhodesia. So long as it remained on the books, the amendment made Uncle Sam a kind of pariah, as welcome as Billy Graham at an East Side orgy.

With this irritating splinter removed, the United States may again be as crooked, as deceitful, as filled with hypocrisy, as everybody else. And this will be a tremendous relief. For the past ten years, since the UN imposed these punitive sanctions, none of the leading members of the UN has paid the slightest attention to them. Visitors to Salisbury have marveled at the evidence of worldwide commerce before their eyes—Toyota from Japan, Fiats from Italy, Volkswagens from Germany, Chevrolets from the United States. Every major nation of the world has violated the sanctions in every conceivable way.

Rhodesia produces the finest matellurgical chrome in the world; and for the past ten years, despite the UN embargo, Rhodesia has sold every ton that could be mined. The ore has gone to Russia, to England, to German, and of course to the United States. The ore will continue to find its way into the channels of steel production worldwide. The only difference, now, is that the cheating will be unanimous.

Mr. Carter, maintaining his fatuity record in this regard, referred the other day to the "illegal" regime in Rhodesia. The regime at Salisbury is precisely as "illegal" in its origin, neither more nor less, than Mr. Carter's regime in Washington. As we were reminded to the point of saturation throughout 1976, the United States came into being by means of a unilateral Declaration of Independence from Great Britain. Our forefathers were rebels, traitors, revolutionaries. And not to

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

put too fine a point upon it, they were racists also—dedicated to denying the black slaves the most elementary human and civil rights.

In the name of conscience, in the name of history, how can the Americans of that inheritance denounce an "illegal, racist regime" in Salisbury? The government of Rhodesia is no more illegal than any other government born of revolution; and it is no more oppressive or undemocratic than dozens of other regimes that are cordially welcome in the family of nations.

The whole business is disgraceful. Mr. Carter has won repeal of the Byrd Amendment. His next stop will be to obliterate the tiny Rhodesian information Service that has been operating modestly in Washington for the past decade. Not a single dissenting voice is to be permitted. Root and branch, the last vestige of a Rhodesian presence is to be stamped out.

This is the scenario: The peaceful, inoffensive government of Ian Smith under which the blacks of Rhodesia have attained the highest standards of health, education and personal income in southern Africa, is to be toppled. The country then is to be delivered into the hands of power-hungry terrorists, Marxist in their orientation, who will set up a one-party dictatorship in the fashion of Zambia, Mozambique and Angola. The native blacks will have no effective voice in their destiny: they will be worse off than they are now. Most of the white Rhodesians will leave, and a long dark night will begin.

In that dreary prospect, repeal of the Byrd Amendment fits perfectly. In the UN's essentially dishonest atmosphere, polluted by a double standard of international morality, the Byrd Amendment was too good to survive. Let it go. Asking the UN to tolerate truth is asking too much.

ON BEHALF OF SHCHARANSKY AND HUMAN RIGHTS—DON'T LET THE SOVIETS OFF THE HOOK

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. KEMP. Mr. Speaker, I want to bring to the attention of my colleagues an editorial entitled "The Sakharov Challenge." In light of Secretary Vance's trip to the Soviet Union, as well as the anticipated visit of Natalia Shcharansky to Washington this Friday, it is most important for us all to be aware of the current state of human rights in the Soviet Union and to pledge our efforts to assist those who have been victimized by Soviet policy.

I have personally expressed my strong support for the ideas expressed in this editorial to President Carter, for I concur with Mr. Sakharov that we must not allow our strength of conviction to falter in reaction to Soviet criticism. Therefore, I call attention to this editorial, and I urge all in Congress to continue support for the human rights efforts of President Carter.

While Brezhnev is telling Secretary Vance that the efforts toward SALT II and human rights are contradictory, I believe they are not. Indeed, a SALT II agreement, without a Soviet liberalization of its "police state" activities against Jews and Christians and other so called dissidents, would be shallow, indeed. For as Sakharov warns, if the United States lets up, it will only encourage the Soviets to be more repressive and lead to tragic consequences.

The article from the Wall Street Journal of March 25, 1977, follows:

THE SAKHAROV CHALLENGE

Nobel laureate Andrei Sakharov, whose correspondence with President Carter has especially upset the Kremlin, has issued a public challenge to the President in connection with Secretary of State Cyrus Vance's Moscow trip this weekend. If the President is really serious about his human rights campaign, Mr. Sakharov says, he must come to the support of Anatoly Shcharansky.

Mr. Shcharansky, a computer specialist active in the Jewish emigration movement, was arrested in Moscow last week. Tremors instantly spread through the Soviet dissident community, since Mr. Shcharansky had earlier been accused in Izvestia of spying for the CIA. A police spokesman said the arrest was for suspicion of a "crime against the state," the category including treason and espionage. Recently most dissidents have been charged with crimes like "slandering the Soviet state," which have at least some legalistic reference to their actual activities. The introduction of espionage charges is an atavism of the Stalinist era.

It is even more ominous that a Jewish emigration leader was singled out as the target of espionage charges. Anti-Semitism is never far below the Russian surface, but it has emerged with unusual viciousness in recent weeks. Russian prime time television has twice carried a film called "Traders in Souls" attacking Jewish activists as "soldiers of Zionism" and then providing their names and addresses, presumably for viewer reaction. Another TV movie charges a Jewish conspiracy to kill Lenin, and so on.

Israeli Foreign Minister Yigal Allon sees in the Shcharansky arrest "a new dimension in the persecution of the emigrant activist movement, in fact against all Jews—a grave and worrisome dimension such as we have not known for the last 25 years." Mr. Shcharansky himself said recently that the atmosphere "smelled of pogrom."

Mr. Shcharansky is further symbolic because he has been refused permission to emigrate to Israel, though his wife was given an exit visa and is now an Israeli citizen. (She was in fact in New York this week trying to get support for her husband from United Nations officials.) The Helsinki agreement, duly signed by the Soviet Union, the United States and others, not only generally calls for greater freedom of movement, but has explicit provisions on family reunion.

The Shcharansky arrest provoked a press conference by Mr. Sakharov and about 20 other dissidents, which received astonishingly little attention in the American press, but was extensively reported by Robert C. Toth in a front-page story in the Los Angeles Times. Mr. Sakharov said the arrest was a "challenge" to President Carter, and "an attempt to blackmail the new administration, before the visit of Secretary of State Vance, to give up its principled stand on defending human rights all over the world."

The embattled dissidents feel that the Kremlin is unleashing an especially vicious crackdown in an attempt to persuade the U.S. that talking about human rights is counter-productive, and that the U.S. will silence its criticism in order to reach agreement on matters affecting other American interests. But Mr. Sakharov warned that the Soviet authorities will be emboldened to further repression if Mr. Carter is silent on the Shcharansky case: "Any hestitation will have very tragic consequences."

President Carter has in fact been quite steadfast in his human rights campaign, telling Senators not to get nervous every time Chairman Brezhnev sneezes and proposing additional funds for the Voice of America, Radio Free Europe and Radio Liberty. Even so, his human rights campaign will come under a cloud if he ignores the Sakharov challenge. With Secretary Vance headed for Moscow, President Carter should make it publicly clear that whatever deals may be struck, the U.S. recognizes the especially disturbing overtones of the Shcharansky arrest.

FOOD-FOR-PEACE HUMANITARIAN SHIPMENTS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ZABLOCKI. Mr. Speaker, I have introduced a bill designed to strengthen an important humanitarian provision of the food for peace program (Public Law 480), by increasing the minimums for title II food distributions abroad by 300,000 tons. Title II shipments are donations of food to needy people, particularly to young children and mothers, to the poor through food-for-work projects, and to disaster victims. Sponsoring these programs of overseas distribution are American voluntary agencies, the world food program and other international organizations, and governments of the recipient countries.

The International Development and Food Assistance Act of 1975 set a minimum of 1.3 million tons a year for title II of which a minimum of 1 million tons was to be distributed through nonprofit voluntary agencies and the world food program. I was deeply concerned upon learning late last year that actual shipments in fiscal 1976 were considerably below the 1.3 million tons programed. My exchange with the executive branch on this matter appears on page 35793 of the CONGRESSIONAL RECORD of October 1, 1976. The executive branch programed 1.4 million tons for fiscal 1977.

This bill would raise the title II minimum to 1.6 million tons, a modest increase above the 1.5 million tons which the President proposed for fiscal 1978. The minimum for nonprofit voluntary agencies and the world food program would be raised to 1.3 million tons. The minimums would apply within the Public Law 480 total, without raising the overall level of commodities distributed under the law.

I want to stress again that in setting the title II minimum, the Congress did not intend that executive branch planners should regard that as a maximum. I believe this bill merits serious consideration as a step forward for this worthy program in view of the record of its implementation to date.

THE PROPOSED SACCHARIN BAN MUST BE CHALLENGED

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. PEPPER. Mr. Speaker, like millions of Americans, I have been disturbed by the Food and Drug Administration's proposed ban on saccharin, which is the only legal sugar substitute available in the United States.

I believe the FDA acted precipitously and with little regard for the effect this action would have on the millions of Americans who rely on saccharin. As chairman of the Select Committee on Aging, I am especially concerned over the effect it would have on our older citizens. They will be hit hardest by this action, for it is they who suffer most from diabetes and the other chronic illnesses which require the use of sugar substitutes.

On March 21, 1977, I testified in opposition to the ban before the Subcommittee on Health and the Environment of the Committee on Interstate and Foreign Commerce. I wish to share these remarks with my colleagues, and I include them in the RECORD at the conclusion of my statement.

I have joined with my colleague, Congressman JAMES MARTIN, in sponsoring H.R. 5166. This bill would amend the Delaney clause to permit the use of certain additives if their benefits are found to outweigh any risk involved in their use. The Secretary of Health, Education, and Welfare would be required to obtain the recommendations of an advisory committee composed of scientists, consumer and industry representatives, nutritionists, economists, lawyers, and persons who are qualified to evaluate the cancer-producing effect of the additive in question. Orders proposed in this fashion would not take effect until 120 days after they were published in the Federal Register. I am hopeful that this legislation will receive the early and favorable consideration of the Congress.

Mr. Speaker, as I emphasized in my testimony, I believe the Government must take a strong stand to protect our people against health hazards. But I also believe they expect us to temper our concern for the public health with sound judgment. I believe they want us to be reasonable. Reason simply must be a factor in our judgments of this nature, and I am hopeful that the FDA will apply this standard with regard to the issue of saccharin.

STATEMENT BY CONGRESSMAN CLAUDE PEPPER

Mr. Chairman, as one who has served in the Congress for many years, I am well aware that we sometimes make determinations the ramifications of which are beyond our ability to comprehend. Despite our efforts to maintain reason and balance, we are, on occasion, caught in the web of our own hindsight. At times we become victims of our good intentions.

Perhaps the FDA ban on saccharin is an example of this phenomenon. Millions of Americans think so. They think we have violated their freedom of choice. They think this time we've gone too far, and frankly, Mr. Chairman, I am not so sure they are wrong.

The FDA tells us a human would have to drink more than 800 twelve-ounce cans of diet soda a day—the equivalent of some 4,000 packets of saccharin a day— to risk developing the cancer that killed the Canadian rats.

Now I certainly don't mean to sound unsympathetic with the plight of those poor rodents. If this ban goes through, they will have earned their place in history.

But neither can I ignore the effect this action will have on the millions of Americans who rely on our good judgment in the conduct of public business. I speak in behalf of the elderly, for it is they who will be hit hardest by this action. It is they who suffer most from diabetes and other chronic illnesses which require the use of sugar substitutes.

We know that some 10 million Americans suffer from diabetes. It is the third leading cause of death in our country—and it contributes to heart attack, blindness, kidney disease and gangrene. Eighty-five to ninety percent of those persons are over 40 years of age, and many of them rely on sugar substitutes such as saccharin to help control this disease. If we take saccharin off the market, what have we left them? What choice have we left the millions of Americans who suffer from chronic obesity? That in itself is a health hazard, yet without a substitute for sugar, we have left them only the choice to to without the pleasure of sweetness.

Lest I be misunderstood, I want to emphasize that I believe the government must take a strong stand to protect our people against health hazards. But I also believe they expect us to temper our concern for the public health with sound judgment. I believe they want us to be reasonable.

The FDA tells us it might allow the use of saccharin with a doctor's prescription. We are given this option with little regard for the fact that it would add bureaucratic paperwork to the already too thick jungle of government regulations. Moreover, the Library of Congress has indicated that it could triple the cost of saccharin. Our elderly people who live on a low fixed income simply can't absorb cost increases like that.

Let me offer another word of caution. We must not let our preoccupation with saccharin cloud our vision and block out the other components of our diet that could potentially be cancer-causing. For example, some of our esteemed leaders in the field of medicine tell us there is a substance called aflatoxins that is found in peanuts. This is an ominous development. Before long, we might have to ban peanuts. Then we might as well pack our bags, because the Congress would surely be dissolved, and we'd all be sent home!

Mr. Chairman, if conclusive evidence is presented to confirm a health hazard, I will certainly support the ban. But at this time, I feel the action taken by the FDA is precipitous and unreasonable.

The FDA itself acknowledged that it was acting under requirement of Federal law. Mr. Sherwin Gardner, Acting Commissioner of Food and Drugs, said, and I quote: "We have not concluded that saccharin is an immediate hazard to human health." He also said: "We have no evidence that saccharin has ever caused cancer in human beings."

So the FDA acted not necessarily because it foresees health danger for our people, but because the law requires it.

The Delaney clause, which was authored by our distinguished colleague, has served us well. It reflects the appropriate interest of the Congress in protecting our people from substances which could jeopardize human health and life.

We will not abandon our concern, but I believe the time has come to determine what changes might be necessary in light of developments in science and medicine.

Several proposals aimed at revision of the Delaney clause have been offered, and I believe they deserve careful consideration by the Congress.

Finally, I urge that the FDA reconsider its proposed ban. There is ample evidence that the medical community is not in accord on the interpretation the FDA has made. The FDA should undertake a careful review before a formal proposal is published.

I appreciate having the opportunity to give you my views, Mr. Chairman. I am confident that the Congress will develop an appropriate response to this unwise and ill-conceived action.

Thank you.

A SALUTE TO JEROME WHITEHEAD AND THE MARQUETTE WARRIORS

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. McCLORY. Mr. Speaker, last night in Atlanta, an unlikely team won one of the biggest prizes in American sports. Marquette University's Warriors, with seven losses during the regular season, were a tarnished contender for a tournament invitation, much less the NCAA basketball championship.

But under the direction of its superb coach, Al McGuire, Marquette played its best basketball of the season in its five tournament games. The Warriors climbed to the championship by beating talented teams: Cincinnati, Kansas State, Wake Forest, North Carolina-Charlotte, and finally, North Carolina. And today they sit atop the basketball world.

Mr. Speaker, my congressional district naturally ends at the Illinois-Wisconsin border, and I represent neither Marquette itself nor any other part of Milwaukee. But one of Marquette's stars, center Jerome Whitehead, is a constituent of mine from Waukegan, Ill.

Indeed, without Jerome Whitehead, there may have been no championship for Marquette. It was he who scored at the buzzer in the semifinals Saturday to give his team a two-point win and a chance to play for the title.

In that semifinal against North Carolina-Charlotte, Jerome Whitehead made the difference not only at the finish, but throughout the game. He literally played the game of his life, scoring 21 points and snatching 16 rebounds against a team renowned for its aggressive play under the backboards.

Last night against North Carolina, Whitehead contributed 8 points, including some critical free throws, and was the game's leading rebounder with 11.

Mr. Speaker, very few young men ever achieve what the Marquette Warriors did last night. Jerome Whitehead's contributions will be a continuing source of pride

for his family, his friends, coaches, and teachers at Waukegan High School, and the entire Waukegan community.

I rise today to salute Jerome Whitehead, his parents, Mr. and Mrs. John Whitehead, and the entire Marquette team.

FIREMAN'S FIREMAN: CHIEF EARL LEVY

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. FUQUA. Mr. Speaker, the image of the fireman is deeply embedded in the hearts and minds of the American people. Every child has been excited at the sound of the siren, the flashing lights, and the bright red trucks speeding to answer an alarm.

That scene masks a very serious and dangerous occupation, one in which many have lost their lives serving others.

One of the finest men ever to serve the profession has completed 40 years of service as a fireman with the Tallahassee, Fla., Fire Department. He is Earl Levy, the chief of that department, and one who is respected in and out of the profession.

A tribute which says it all was published recently in an editorial in the Tallahassee Democrat, the newspaper serving my State's capital city. As a tribute to this remarkable gentleman, and his profession, I ask that it be printed in the pages of this journal for others to share:

CONGRATULATIONS CHIEF

Fire Chief Earl Levy began his 51st year as a Tallahassee fireman today. Tuesday he celebrated his conclusion of 50 years of service, a truly remarkable accomplishment.

It was March 15, 1927 that Levy, a youth of 16 years, began work with the fire department. He advanced through the ranks and on May 1, 1940 was appointed chief of a department which had nine men and one station. Today there are more than 100 in the department working out of five stations.

During the past half a century Levy has displayed not only a devotion to duty, but a devotion to improving the capabilities of the fire department and of the men who work for it. As a result of his efforts Tallahassee enjoys the best fire insurance rating of any city in the Southeast.

A constant training program is carried out within the department. Firemen study the latest techniques and also become familiar with those buildings to which they might be called.

Many honors have come to Levy over the years and he has served with many organizations interested in fire safety.

He has served as president of the Southeastern Division of the International Association of Fire Chiefs. He has appeared on programs of the National Fire Department Instructors Conference and served as chairman of the Educational Committee of State Fire Chiefs when that committee was instrumental in getting fire fighting service courses, leading to an associate degree, accepted on the college level.

Seven years ago, on the anniversary of his 30 years as chief, Levy was honored with a dinner and with special resolutions adopted by both houses of the Florida Legislature and the Cabinet.

Levy's golden anniversary as a fireman was quiet. City Commissioners adopted a resolution honoring him at last night's meeting. For chief, however, it was another work day, one more since he had joined the department 18,263 days ago. We hope he will have many more.

In the most honorable sense of the word, Chief Levy has been a public servant. We congratulate him for it. Tallahassee is rightfully proud and thankful for his service.

SACCHARIN BAN MUST GO

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. COLLINS of Texas. Mr. Speaker, the recent decree by the Federal Drug Administration to ban the use of saccharin reflects the damaging power of bureaucracy. Five million pounds of saccharin are consumed annually in the United States—three-quarters of it in soft drinks. Ten million diabetics, 40 million overweight Americans, and those with heart disease and hypertension depend upon this chemica to control their diets.

Saccharin has been in use for approximately 80 years, with no evidence that it has ever produced cancer in human beings. The rats who developed cancer as a result of the Canadian tests were fed diets containing 5 percent saccharin. My calculation is that a person would have to drink the equivalent of 1,250 12-ounce bottles of dietetic soda a day or eat more than 4,000 packets of saccharin a day to ingest a quantity of saccharin comparable to that fed to the rats. When you consider that drinking 50 cans of pure water a day can be fatal, it becomes evident that an overabundance of any chemical can upset the body chemistry.

In 1958, the Congress passed the Delaney amendment, enacted as a part of the Food, Drug and Cosmetic Act, which flatly bans the use of any food additive which "is found to induce cancer when ingested by man or animal." The FDA maintains that they are not allowed any leeway or discretionary judgments under the provisions of the Delaney clause.

I feel it is imperative that the Delaney amendment be reexamined. I am sponsoring a bill to require all food additive safety tests to be based upon—first, the probable human consumption of the foodstuff; and second, the cumulative effect of the food additive in the human diet. Applying these reasonable standards will prevent arbitrary bans, such as the one proposed for saccharin.

I am now pressing for legislation which will prevent FDA implementation of the proposed ban until a complete congressional investigation has been conducted. The FDA is allowing 60 days for public comment, and a final decision on the proposal will be made at that time.

Since the saccharin ban announcement, approximately 80 percent of my mail has been from constituents voicing their opposition to the FDA proposal. Not one letter has been in favor of the ban.

Here are some excerpts from the thousands of personal and most sincere letters of the folks in Texas:

"If they are going to ban Saccharin, then why not ban cigarettes from the market and prevent lung disease and cancer?"

"I am very concerned about the proposed ban on Saccharin. One very good reason is my 94 year-old mother. She is a diabetic and has learned to live with it, thanks to Saccharin."

"My 11-year old diabetic son has depended on Saccharin to be as normal as possible. Without it, he would have to increase the already large dosage of daily insulin and eat sugar."

"My husband is a dentist with a B.A. in Chemistry, and I am a dental hygienist with good training in nutrition. If we were going to ban a sweetener, sugar would be it."

"As a lifetime Weight Watcher, I restrict my intake of sugar and am totally dependent on artificial sugar (currently Saccharin products)."

"The people are fed up with big government! We do not like to be told by Washington what we can eat, drink, wear or play with. It should be our choice."

PROCLAMATION

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ABDNOR. Mr. Speaker, today marks the fourth anniversary of the end to one of the most tragic eras of this century. March 29, 1973, ended the participation of American forces in Southeast Asia. To honor those citizens of the great State of South Dakota and our Nation who suffered and sacrificed during that conflict, I urge that we give tribute on this day. The Governor of South Dakota, the Honorable Richard F. Kneip, has urged the citizens of our State to honor those who served; and I echo his proclamation. I would ask that his executive proclamation be included in the RECORD.

EXECUTIVE PROCLAMATION

Whereas, March 29, 1977, marks the Fourth Anniversary of the end of the American participation in the South East Asian Conflict; and,

Whereas, The United States Government has set aside the Twenty-Ninth Day of March as Vietnam Veterans Day; and,

Whereas, South Dakotans are a people with a deep and continuing faith in the aims and principles of the United States and its Constitution; and,

Whereas, Citizens of the United States have always sent their sons and daughters to serve that Government and Constitution, and have further always given to those who serve respect and honor because of that service; and,

Whereas, Over twenty-five thousand of this State's men and women participated in the Citizen-Soldiery of the Vietnam Era and have served with honor and distinction;

Now, therefore, I, Richard F. Kneip, Governor of the State of South Dakota, do hereby proclaim Tuesday, March 29, 1977, as Vietnam Veterans Day in South Dakota, and in suitable recognition of that day request that the flag of the United States be dis-

played on all public buildings, on our streets and on our homes. I also urge that civic and patriotic organizations participate in and give enthusiastic support to appropriate ceremonies marking this special day. I further ask all South Dakotans to participate as fully as possible in the spirit of this day, remembering those who made the sacrifices, those who gave their lives, those who are disabled, those who are still missing and all whose lives were interrupted by their service to our country in the Armed Forces, because of our Vietnam involvement.

OFFICE OF DRUG ABUSE POLICY

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ROGERS. Mr. Speaker, as most of my colleagues are aware, last year the President signed into law legislation establishing an Office of Drug Abuse Policy within the Executive Office of the President. This office is to make recommendations to the President with respect to policies for, objectives of, and establishment of priorities for, Federal drug abuse functions. In addition, it is to coordinate the performance of such functions by Federal departments and agencies. This office replaced the Special Action Office on Drug Abuse Prevention, which was established in 1972.

Unfortunately, the former administration failed to implement the legislation establishing this office, despite the clear statutory requirement that it do so. I am very pleased that the President has announced that he is activating the Office of Drug Policy, and that he has appointed a distinguished physician, Dr. Peter G. Bourne, as Director-designate. Early activation of the office is clear evidence of the President's commitment to the fight against drug abuse, as well as his commitment to work closely with the Congress on matters of mutual concern.

For the information of my colleagues, I am inserting the memorandum signed by the President which activates the Office of Drug Abuse Policy in the RECORD at this point:

ACTIVATION OF THE OFFICE OF DRUG ABUSE POLICY—ODAP—AND REVITALIZATION OF THE STRATEGY COUNCIL

Drug abuse continues to drain our human resources, especially from our youth, with no end in sight. I am determined that we make every effort to reverse this trend, and, therefore, effective with the date of issuance of this memorandum do hereby establish the recently enacted Office of Drug Abuse Policy (ODAP). I look forward to early confirmation of the nominations which I have sent to the Senate of Peter G. Bourne and Lee I. Dogoloff for the positions of Director and Deputy Director respectively.

The Office of Drug Abuse Policy shall be responsible for carrying out the Congressional mandate specified in the law. In addition, and to the maximum extent permitted by law, the Director of ODAP is hereby directed to fulfill the following responsibilities:

Recommend government-wide improvements in the organization and management of Federal drug abuse prevention and control functions, and recommend a plan to implement the recommended changes;

Study and recommend changes in the resource and program priorities among all agencies concerned with drug abuse prevention and control;

Assume the lead role in studying and proposing changes in the organization and management of Federal drug abuse prevention and control functions, as part of my promise to reorganize and strengthen government operations; and

Provide policy direction and coordination among the law enforcement, international and treatment/prevention programs to assure a cohesive and effective strategy that both responds to immediate issues and provides a framework for longer term resolution of problems.

In addition, I am abolishing the Cabinet-level committees concerned with international narcotics control, drug abuse prevention, and drug law enforcement created by previous Administrations, and am directing that the Strategy Council, created by the Drug Abuse Office and Treatment Act of 1972, be revitalized and serve as the government-wide advisory committee for this problem area. Also, I am adding the Secretary of the Treasury and the Director of the Office of Management and Budget as fully participating members of the Council. The Director of the Office of Drug Abuse Policy shall serve as Executive Director of the Council.

The Council shall be supported by Working Groups for supply control and demand reduction, and be composed of personnel from each of the concerned agencies.

I am confident that you will provide your full support to ODAP and the Strategy Council in the performance of their tasks.

JIMMY CARTER.

INTRODUCTION OF A BILL TO PROTECT THE HEALTH OF SMOKERS AND NONSMOKERS IN PUBLIC PLACES

HON. EDWARD P. BEARD

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. BEARD of Rhode Island. Mr. Speaker, I am introducing a bill today that would effectively strengthen the efforts of the Federal Government to provide clean air for all its citizens and at the same time, remove one of the most aggravating problems in our public life, namely, the practice of smoking in public places.

It is high time that cigarette packaging communicate something more significant than the usual warning from the Surgeon-General. I am proposing that such packaging specifically name the diseases that we now know are caused by cigarette smoking.

At the same time, my bill would outlaw smoking in all Federal buildings and provide for all new Federal construction to provide designated places where a smoker cannot produce harmful tobacco smoke that would interfere with a person's right to breathe clean air.

My bill also provides for special smoking areas in all bus, train, and airplane terminals. Smoking would be prohibited in terminal restaurants, cafeterias, waiting rooms, and ticket offices.

I call attention to similar statutes that have been passed in some States and localities, notably in my own State of Rhode Island where the antismoking ordinance went into effect just last week. That bill prevents smoking in churches, supermarkets, museums, movie theaters, schools and hospitals. I think it is high time for action to be taken on a Federal level to deal with this increasingly serious problem.

AGRICULTURAL AND ENVIRONMENTAL RESEARCH ACT OF 1977

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. BROWN of California. Mr. Speaker, I am introducing a bill today which will hopefully take the Nation one step further on the path toward improved maintenance and protection of our environment.

The legislation, known as the "Agricultural and Environmental Research Act of 1977," simply amends those laws which authorized the establishment of the land-grant colleges, the U.S. Extension Service, the State Agricultural Experiment Stations, and the Agricultural Research Service, to enable these institutions to engage in endeavors that will maintain, preserve, and improve the environment.

Such specific authority should help increase education, research, and practical demonstrations related to developing improved conservation utilization practices applicable to land, water, energy, and organic matter resources.

These particular branches of the USDA are equipped to provide immediate leadership in the fields of education, research, demonstration, and application of new and improved farming practices, techniques, and technology.

The affects of our agricultural system on the quality and quantity of soil, water, and organic matter are acute. A recent GAO report stated:

If the United States is to continue to meet its own food needs and help alleviate world food shortages, it must maintain its topsoil. Estimates of soil losses for 283 farms GAO visited on a random basis in the Great Plains, Corn Belt, and Pacific North-west indicate that topsoil losses are threatening continued crop productivity.

Soil loss has continued to increase until approximately 84 percent of the 283 farms tested by GAO had losses over the maximum acceptable limit of 5 tons per acre. As this soil is washed away, valuable nutrients are taken with it affecting the remaining degree of soil fertility and productivity.

Such erosion also damages the quality of our water as wind and water runoff carry chemical biocides and nutrient-laden soil into our rivers, lakes, and streams.

There are various ongoing soil conservation programs within the U.S. Department of Agriculture but the Soil Conservation Service has stated that their efforts under the small watershed program, which receives a major focus, only retard 1 percent of this annual runoff of sediment into our water bodies.

Additional research, instruction, demonstration, and application of new conservation methods would help to improve this situation. Hopefully, if Congress were to indicate its strong support of such an environmentally concerned focus through legislation like that I am introducing today, the U.S. Department of Agriculture will assume a leadership role in the effort.

SMALL BUSINESS LEGISLATION

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ZABLOCKI. Mr. Speaker, I am again introducing a bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes. This measure, which I introduced in the 94th Congress and have supported for years, would provide relief to the owners and operators of small businesses and assist in our effort to reduce the rate of inflation in our economy. It would change the quarterly wage reporting system for social security purposes, IRS form 941, to an annual system utilizing the existing W-2 form. It would also result in substantial paperwork reduction and form simplification, and in appreciable clerical and accounting savings to small businesses.

The owners and operators of small businesses are hard hit by the crush of inflation which increases the cost of doing business—and reduces the income essential to continuing in business.

Certainly, with the economy as it is, we must look to measures which will help to stimulate business and thus strengthen our economy.

The economy of our country is based on the prosperity of 8.8 million small businesses nationally, including nearly 200,000 in Wisconsin. If these firms fail—then so shall our economy fail. Many of these small businesses are now struggling against the pressures of reduced income and increased costs as inflation takes its toll.

We have the opportunity to reduce one of the costs of doing business by reducing the burden of paperwork through the legislation that I have introduced today.

There will be no reduction in revenue essential to the social security system if my legislation is enacted by this Congress. In addition, the Internal Revenue Service favors the bill as they see no need for companies to file quarterly.

Small businesses will realize a savings of time and money, and one of the many pressures will be eased for this very important and necessary segment of our economy.

The cost of doing business, naturally, is passed on to the consumers, and anything we can do to reduce that cost will just as naturally reduce the need to increase costs of goods and services to consumers and thus combat inflation.

It is important to note that the bill I introduced will cost the U.S. Treasury nothing—but it will contribute greatly to the incentive of investing capital and labor in the small businesses of America.

I urge my colleagues to consider the proposed amendment to the Internal Revenue Code and support this legislation.

THE LEGISLATIVE VETO IS CONSTITUTIONAL

HON. ELLIOTT H. LEVITAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. LEVITAS. Mr. Speaker, so much has been said recently about the constitutionality of the legislative veto that I am encouraged to see an informed opinion on the question by such a renowned constitutional law scholar as Prof. Arthur S. Miller of the National Law Center at the George Washington University.

Professor Miller's credentials are impeccable. He received an A.B. from Willamette University in 1938; his law degree from Stanford University in 1949; and a J.S.D. from Yale University in 1959.

Professor Miller has been a professor of constitutional and administrative law at the George Washington University and Emory University, as well as a lecturer in the advanced study program at the Brookings Institution.

He has also worked on a consultant basis for the Government. From 1970 to 1975, he was a consultant to the Senate Subcommittee on Separation of Powers; a consultant to the General Accounting Office from 1975 to the present; and the chief consultant to the Senate Select Committee on Presidential Campaign Activities during 1973-74.

As an author, Professor Miller has published 5 books on constitutional law and has written more than 80 articles in legal periodicals. He is a frequent contributor to newspapers and magazines; often asked to testify before congressional committees; and a frequent participant on television and radio programs.

His scholarship and understanding of the constitutional framework of our Government underpins this important article which originally appeared in the Los Angeles Times of March 20, 1977, and I commend it to the attention of our colleagues and the public:

CONGRESS AGAINST PRESIDENT: BATTLE LOOMS OVER LEGISLATIVE VETO

(By Arthur S. Miller)

Despite the compromise on the prickly issue of government reorganization, a major constitutional battle between the President and Congress still could erupt soon over the so-called "legislative veto."

The legislative (or congressional) veto is a technique by which Congress delegates powers to the executive branch, while reserving the right to scrutinize—and to approve or disapprove—specific White House actions. Although attention this year has centered on President Carter's request for reorganization powers, the problem is far broader.

Carter wants basically the same power that his predecessors from Franklin Roosevelt through Richard Nixon had—to propose reorganizations of the executive branch which would become effective unless disapproved by either house of Congress in 60 days. The Senate on March 3 voted, 92-0, to give him those powers. But he was challenged in the House by Rep. Jack Brooks (D-Tex.), who maintained that the procedure "stands the Constitution on its head."

When Brooks saw that Carter had the necessary votes, however, he agreed to a compromise, which was approved last week by the House Government Operations Committee and is expected to be approved next week by the House.

Under the compromise, Congress is more likely to get a chance to approve or disapprove White House reorganization proposals than might otherwise have been the case. Such proposals in the future could not be bottled up in committee; after 45 days, they would automatically go to the floor of the House or Senate, where only one member's request would bring a roll-call vote. Unless one House disapproved, the proposal would take effect after 60 days. The compromise would limit to three the number of reorganization plans the President may have pending before Congress at one time.

The larger constitutional problem still remains, however. Numerous statutes have some sort of legislative review ("veto") provisions—for example, the War Powers Act of 1973 and the Budget and Impoundment Control Act of 1974. So the issue will not vanish. The confrontation will continue, and must be resolved sooner or later.

Resolution could come by political accommodation, much as most "separation-of-powers" questions have been settled in the past. That would mean either that Congress or the President would give in, or that some sort of compromise would be worked out.

The Supreme Court may have to rule at some time on the constitutionality of the practice. One of several cases already filed could be the vehicle. Perhaps the most important is *Clark v. Valeo*, in which Ramsey Clark contested the one-house veto provision of the Federal Elections Act. In January, Clark lost in the U.S. Court of Appeals in the District of Columbia. But the decision—that the dispute was not yet "ripe" for the judiciary to handle—has been appealed to the Supreme Court. Other cases are pending before the Court of Claims (the suit by federal judges for a salary increase) and the U.S. Fourth Circuit Court of Appeals.

Arguments for and against the constitutionality of the congressional veto are on two levels—legal doctrine and practical considerations. The law at present is unsettled.

Those who contest the veto maintain that it improperly interferes with the President's constitutional veto power and that it violates the principle of bicameralism. These intertwinted arguments are derived from the fact that Article I, Section 7 of the Constitution gives the President a veto over legislation.

In essence, opponents assert that Congress must act by both Houses in making policy; and when it does, those actions must be submitted to the President for approval or veto. They seek to make the executive much more an autonomous entity.

Proponents counter by arguing that Congress may condition its delegations of power any way short of actual violation of an express provision of the Constitution—and that the legislative veto does not violate any express provision. Further, they point to the "necessary-and-proper" clause of Article I, under which Congress has power to make laws necessary and proper to carry into effect both its own powers "and all other powers vested by this Constitution in the government of the United States, or in any

department or officer thereof." The President is an "officer" of the United States; and if the clause is taken to mean what it says, then the ultimate power rests in Congress—and the legislative veto is valid. Proponents, accordingly, wish to continue the blending of powers under the Constitution—the system of "checks and balances."

Their views gain support from *Pressler v. Simon*, decided by a three-judge federal court last October. The court ruled that Pressler's challenge to a congressional salary statute could not stand, relying in part on the "necessary and proper" clause. Said the court: "The Constitution is not to be parsed in the narrow, rigid, pedantic manner of a statute. It must remain flexible and adaptable," preserving "a flexible approach to government that would facilitate accommodation to changing conditions and experience."

Reinforcement for the legislative veto may be found in Justice Byron White's concurring opinion in *Buckley v. Valeo* (1976). Said White: "For a regulation to become effective, neither House need approve it, pass it, or take any action at all with respect to it. The regulation becomes effective by nonaction. This no more invades the President's power than does a regulation not required to be laid before Congress."

On the level of legal doctrine, then, the proponents seem to have the better of the argument. That conclusion is strengthened when one weighs the practical considerations involved.

Opponents point to probable added delay in the promulgation of administrative regulations while Congress' 60-day period elapsed; to the fact that Congress does not have the staff or expertise competent to deal with often abstruse matters; and to the fact that the congressional veto will give lobbyists a "third bite at the apple." That means that those who oppose a given policy would have another chance to stop it, even after having lost at the first stage (enactment by Congress of the basic statute) and the second (drafting of the administrative regulation).

But those views are rather easily overcome. An additional few days' delay for the usual administrative regulation means nothing, for often it takes years for regulations to be written. Congress can enhance its expertise as do such states as Florida, where a special group of lawyers reviews all regulations and makes recommendations to the Florida legislature. And the third bite at the apple can work as well for public-interest lobbyists, such as Common Cause, as it does for the "special interests."

Moreover, there already exists a pervasive scheme of "nonstatutory" vetoes (and approvals) by congressional committees. These informal accommodations, which occur mainly in "reprogramming" of appropriated funds, work to the benefit of the Executive Branch—for example, the Pentagon, where changing military requirements necessitate some pragmatic adjustments to be made. They have been used for many years.

All in all, the legislative veto is a technique that permits a flexible approach to changing problems of government. The alternatives are undesirable: Congress would either have to turn over unrestricted governing power to the bureaucracy, or legislate with specificity and precision on a host of narrow problems. Neither alternative fits the needs of modern government; the former would be an abdication of power, while the latter would be impossible.

The congressional veto is a means by which, in James Madison's words, the government can be "obliged to control itself." A necessary pragmatic adjustment to complex problems of government, the congressional veto enables urgent tasks to be accomplished with a measure of accountability.

Possibly the courts will continue to be reluctant to rule on its validity, preferring to call it a "political question" that must be settled by elected officials rather than judges. That conclusion gains support from the inconsistent positions about the legislative veto taken by both the White House and members of Congress. Presidents are willing, even eager, to have their reorganization powers limited only by the congressional veto, but stoutly oppose wider use of the technique on other proposed administrative regulations. For example, Atty. Gen. Griffin Bell, in his opinion upholding the validity of the legislative veto concerning reorganization powers, expressly excluded from his opinion any other type of legislative veto. Chief executives thus want it both ways—as did Brooks, who opposed the congressional veto for reorganizations, but kept silent when his salary and that of other congressmen was increased recently, even though the law that permitted it allowed either house to "veto" the raise.

When politicians are inconsistent, the way is open for compromise. A pragmatic accommodation of the competing interests of President and Congress could come during the next few years; certainly the judiciary must fervently wish for that to be so.

Three bills now pending in Congress provide for across-the-board legislative vetoes of all proposed administrative regulations. Unless there is a compromise on these bills similar to last week's compromise on governmental reorganization, the basic issue of the constitutionality of the legislative veto will eventually have to be decided by the courts.

THE BYELORUSSIAN DEMOCRATIC REPUBLIC

HON. JOHN G. FARY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. FARY. Mr. Speaker, Friday, March 25, Americans of Byelorussian descent celebrated the 59th anniversary of the Declaration of Independence of the Byelorussian Democratic Republic which was signed in Minsk, Russia, on March 25, 1918.

The Byelorussian people on March 25, 1918, achieved national independence and regained the freedom which had been lost to the czarist Russia at the end of the 18th century. This national sovereignty, however, was short lived, and the Byelorussian people continue their valiant struggle to again achieve their national identity as a sovereign state free from the forces of Communistic domination and control.

The Byelorussian people are one of the oldest ethnic groups now under the Soviet yoke of oppression. They had been living in their homeland which extended from the eastern borders of Poland to the approaches of Moscow since before the 9th century. There they led a peaceful and rewarding existence until around the turn of the 16th century when Moscow launched a series of attacks against them. Byelorussia, in fact, served as a cultural and artistic center for all of eastern Europe. The Byelorussians introduced the ideas and works of the Renaissance into the area, and they became the third ethnic group, after only the Germans and the Czechs, to have a Bible printed in their native tongue.

At this point in history when we are commemorating the principles of freedom and democracy on which our country was founded, we should emphasize the right of self-determination for those people deprived of their rights within the Soviet Union.

Mr. Speaker, on behalf of the people of my congressional district I join in this annual observance of the Byelorussian heritage and trust it will help to reassure those people whose human rights are held captive not only behind the iron curtain of the Soviet Union, but throughout the world, that through world opinion we can attain international understanding and agreement that will eliminate the oppression of people and restore human rights, and the people's rights of self-determination to national and political independence in the so-called captive nations of the world.

WESTERN WATER PROJECTS

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. EVANS of Colorado. Mr. Speaker, on February 18, 1977, the administration announced cancellation of 19 Western reclamation Corps of Engineer projects and a review of all 320 nationwide water projects by April 15. The suddenness and confusion surrounding these major decisions disturbs me.

The western Colorado projects represent over a decade of political commitment from both Democratic and Republican administrations and both Houses of Congress.

Funds have already been spent and there is overwhelming local political support.

I am aware of numerous private and public studies attesting to the economic and social benefits of these projects. Environmental considerations have been accounted for.

I have therefore requested the administration justify the deletions and explain their procedures. I have petitioned Secretary Andrus to submit the documents used in the decision and to announce the time, place, and a bill of particulars for the upcoming review period.

I hope that all Members of the House will support me in these efforts.

I would like to include in the RECORD the following Denver Post editorial:

CARTER "NIGHT OF LONG KNIVES" WAS NO WAY TO TREAT THE WEST

Rep. Morris Udall, D-Ariz., has drawn an apt and stinging parallel between President Carter's secret attack on Western water projects and the "imperial" presidency of Richard Nixon.

For the sake of appearances, Udall didn't use the former president's name. But the analogy is impossible to mistake. Nixon let his White House elite run roughshod over Congress, over other administrative agencies—in short, over the democratic process.

That picture is alarmingly similar to the way a small group of White House elitists, operating in an atmosphere described as "vast confusion," wielded its long knives against Western and other water projects the night of February 18.

This under the aegis of a man who prom-

ised the American people "a new era of cooperation" when he ran for the presidency.

It is not to the President's credit that the Colorado congressional delegation has taken steps toward filing suit to secure the White House's documents on this decision under terms of the Freedom of Information Act.

If President Carter is going to maintain confidence in his governing style he can scarcely be pleased to find some of the most energetic and conscientious Democrats in the West questioning his decision process.

The decision was handled so badly that President Carter has driven these loyal Democrats into a corner.

Delay of 19 water projects, three of them in Colorado, reads like a shopping list prepared by the environmentalists surrounding Kathy Fletcher, the President's new environmental adviser, and the young lawyers attached to the staff of consumerist Ralph Nader.

There was very little solid evidence released as to why such a move was needed.

Nobody talked to Gov. Dick Lamm of Colorado about the impending action. Nobody talked to officials of the U.S. Bureau of Reclamation, which has spent years planning many of these projects.

Failure to consult Governor Lamm is simply incredible. Here is a man with deep commitment to environmental causes. But like any governor, Lamm has many constituencies. He cannot ignore the jobs, economic pursuits and political interests of Coloradans at large.

Nobody knows better than Dick Lamm that water projects in the West have serious limitation—serious potential for adverse environmental impact.

That is why Lamm's staff studied the three projects carefully and cut back their environmental impacts. That is why his Department of Natural Resources insisted that repayment contracts be modified to prevent easy conversion of water rights from agriculture to less desirable uses, such as unwise commercialization.

The Lamm commitment to the Dolores, Fruitland Mesa and Savery-Pothook (the latter on the Colorado-Wyoming border) is based on a firm belief that Colorado agriculture is economically depressed and needs help. These projects can strengthen Colorado agriculture; they are an important tool in spreading development away from the big centers of population along the Front Range.

Through repayment and crop production, such projects create far more long-term wealth than the President's narrow focus on public-sector jobs which in some cases are no more productive than leaf-raking. There is a place for both in terms of rebuilding the nation's economy.

The present is a particularly insensitive time to impede Western water projects. The projects in question have no bearing on the current drought. But people are reminded during dusty periods such as this dry winter of 1977 that only the storage of runoff water for dry years keeps the West viable for the people who live here.

The Western delegations are not talking about vast new growth of their states. They are talking about balanced economic activities, survival of agriculture and maintenance of the West's strong social fabric.

When a methodical, careful lawmaker like Morris Udall, chairman of the House Interior Committee, is forced to question the administration's review process there is trouble brewing for President Carter. Udall asked:

"Is it going to be an open review process in which the Congress, the states and the people, as well as federal authorities, are involved?"

And then he cautioned: "We've seen what happens when the executive branch makes decisions secretly."

The President can ill-afford to ignore that message.

HOW BRITAIN'S ONEROUS TAX SYSTEM IS DESTROYING BOTH ENTERPRISE AND THE TAX BASE OF THE UNITED KINGDOM

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. KEMP. Mr. Speaker, recently I had the privilege of dining with Mr. William Rees-Mogg, editor of the Times—London. He discussed the reasons for Britain's economic decline and said that the incredibly heavy burden of taxation was a key reason. For example, he noted that before World War I Britain instituted a surtax on all incomes over 8,000 pounds—equivalent to approximately 55,000 pounds today, or over $100,000. This was assumed to be the level at which one became rich. Yet today, the surtax still begins at the 8,000-pound level, despite all the inflation and devaluation that has taken place in the last half century.

The result is creation of severe disincentives for work and investment today in Great Britain and the emigration of many of Britain's best managers and professional people. Mr. Rees-Mogg noted that the Times' top reporters rarely chose to return to Britain after being stationed somewhere else. Not only is enterprise investments diminished but their tax base in shrinking as well.

I am very worried that the United States is on a similar course. Because of continuing inflation and steeply graduated tax rates, many people are paying a higher percentage of their income in taxes every year even though their purchasing power may not have increased at all, or even decreased. Consequently, I think that the Congress should pay careful attention to the situation in Great Britain and learn some lessons from its experience before it is too late. I therefore commend to you the following article from this morning's Wall Street Journal about the onerous level of taxation in Great Britain today and how it relates to our own Nation. High rates of taxation discourage work and production while encouraging leisure and current consumption, to the extent this happens tax revenues fall and the burden of government spending falls on the middle income taxpayer. My own State, New York, is the closest example on the North American Continent of how this British disease can infect our country:

BRITAIN'S ONEROUS TAX SYSTEM

(By Robert Prinsky)

LONDON.—A director of a medium-sized chemical company decides to skip work for a month and spend the time painting his house. After taxes, he figures, the salary he stands to lose is less than he'd pay to get the job done for him.

A public relations director for a major corporation is scouring branch offices for an assistant. Prospective candidates aren't enthusiastic, though. There's more money in it for them, but barely enough to compensate for losing the tax-free company car that's supplied only outside London.

A newspaper executive is asked to write an article for another publication. He agrees on condition that he's paid in the form of airline tickets to someplace he wants to go. Just plain money, he explains, is taxed too heavily to interest him.

These examples are drawn from management, a group of people whose concerns usually aren't a priority of British governments, especially the current Socialist one. Lately, however, business spokesmen have been loud in complaining that Britain's onerous income tax system—which has a marginal rate in the highest bracket of 83% of earnings—squeezes managers more than most other citizens of these islands. And there are signs that the authorities are listening at last.

WORRISOME MORALE

Low management morale is worrisome in today's economically troubled Britain because "these are the people—from foremen to chairmen—that the country needs to lead the way back to prosperity," declares the Confederation of British Industry, which represents most major corporations and is lobbying hard for the government to cut upper-bracket tax rates in the budget statement it is due to unveil tomorrow.

It has a good point. It's at times like these, when industrial recovery is being counted on to lead the way to economic revival, that management should have every incentive to achieve top performance. Outsiders like Americans have more than a passing interest in Britain's recovery, for they recently lent the country billions of dollars to help achieve it.

At present, though, managers' morale is at a low ebb. "A majority of them are fed up, bitter at unfair treatment (by the government) and worried about money and their standard of living," the independent Opinion Research Centre found in a recent survey.

The pollsters found a quarter of the managers they surveyed believed it isn't worth accepting a promotion because of the effect of taxes on pay increases: The hassle of moving often isn't worth the extra pay a transfer brings. Half those polled consider that lack of financial reward is causing managers to be less efficient in their jobs. Fully 15% admitted they are working less hard than they used to.

"When I talk to groups of young managers in our firm and tell them about our progress, they say, 'Yes, but what's in it for us?' " reports Raymond W. Pennock, a deputy chairman of Imperial Chemical Industries Ltd., one of Britain's biggest companies. "Industry generally has a big problem persuading graduates to join them" as management trainees, he says.

ICI devoted a section of its latest annual report to the "inadequacy" of its executives' pay. None of ICI's nearly 2,000 senior British-based employes earned as much last year as the equivalent of their salaries in 1967, taking inflation and tax changes since then into account. But more than 200 executives working in offices outside Britain earned more than home-based executive directors, some of them two and three times more—and that's after allowing for the higher cost of living abroad, ICI said.

LOSING GROUND ON PAY

Naturally enough, "people don't want to come home from overseas posts," says Mr. Pennock. "They ask to be taken off short lists for promotions."

British salaries generally are lower to begin with than European and American ones. As a result, comparatively few people pay the higher rates of tax that managers are complaining about. Indeed, only 1.3 million people, or one in 20 taxpayers, pay more than the 35 percent "standard rate" at which the British scale begins. As recently as 1973, a mere 370,000 paid more than the standard rate, which currently applies to taxable income up to $8,600.

The fact that 95 percent of Britons pay the

same standard rate negates one of the most frequently cited advantages of income over sales taxes: progressiveness. Everyone pays the same rate of sales tax, but the poor can get a break from income taxes through rates that become progressively higher on higher incomes. Thus, besides changing income tax rates, there's also justification for increasing the number of brackets in the British system; currently there are 10, compared with 25 in the U.S.

Everyone in Britain is suffering as inflation outpaces the level of wage increases allowed under the country's voluntary controls, but managers claim the system hurts them more because gains are limited to a maximum $7 a week. That's barely 3 percent for the average manager, who earns only $10,850 a year.

Higher permitted pay boosts aren't enough to satisfy managers, however. "Top people don't need more money, they can't use it," says Sir John Read, chairman of EMI Ltd., a large electronics, music and leisure concern. But lower tax rates in the higher brackets "would be a great boost for morale," he believes.

What good is a pay increase, many managers say, if up to 83 percent of it is taken away in taxes? That's the rate on taxable income over $34,400. Even a $21,000-a-year family man with a modest mortgage can find 60 percent of a $1,000 raise taken in taxes. An American in similar circumstances would lose only 25 percent of that additional $1,000 to federal tax collectors. There aren't any state taxes in Britain.

Investment income is taxed even more heavily, with a 98 percent top rate. This encourages people to invest in land or paintings that are taxed at lower capital gains rates. Or it encourages them simply to spend on the ubiquitous Rolls-Royces and other luxuries that foreigners find strange to see in a supposedly poor country. Given the disincentive to invest, "the wonder isn't that there are so many of these things to be seen in London at a time of supposed economic tribulation, but so few," notes Samuel Brittan, economic columnist for London's Financial Times.

The CBI proposes that there be six tax brackets and that the starting point for each be raised so that our $21,000-a-year man, for example, loses only 40 percent of a raise instead of 60 percent. In addition, it proposes a single 33 percent bracket right up to $13,760, which provides only two percentage points of relief for those in the current bottom bracket but 17 points for those now earning $13,760.

Whether these particular changes are adopted isn't too important, though, notes ICI's Mr. Pennock. The key is that there should be "a change in direction" of government policy, he says. Indeed, says Roy Close, director-general of the British Institute of Management, what comes out most clearly from recent surveys is "the strong feeling among managers that they have been treated unfairly."

Corporate tax changes don't seem to be in the wind this time around. The CBI, which represents corporations, puts its first priority on personal income tax cuts and, given the government's limited resources, isn't suggesting corporate tax cuts in tomorrow's budget. Also, previous recent budgets have included tax incentives for business, so there isn't any equivalent groundswell of opinion for corporate tax changes.

There are signs the government is listening to the pleas for a tax break for individuals, however. Chancellor of the Exchequer Denis Healy, who is drawing up tomorrow's budget statement in the usual complete secrecy, says he hopes to lower income taxes "particularly at the lower and higher ends of the scale." He recently told a London audience he is "convinced that nothing will do more to increase the incentive for greater efforts to improve our industrial performance.

The government's plans, insofar as they have been hinted at, are endorsed by the Paris-based Organization for Economic Cooperation and Development, whose member nations include Britain's big international creditors. "The legitimate concern with equity problems at the bottom of the scale and with work incentives at the top could be tackled by selective tax reductions at the two extremes," the OECD said recently.

POLITICAL PROBLEMS

But there inevitably are political problems in helping the comparatively well off, especially for a Socialist government like the present British one. With limited financial resources and many of the nation's less well-off in dire straits themselves, the pressures are great to help only those at the bottom end of the tax scale.

While the CBI stresses help for those at the top end, its organized-labor counterpart, the Trades Union Congress, urges that "particular emphasis is given to those at the bottom end." The TUC asserts that liabilities at high income levels can be reduced through permitted deductions such as interest on mortgages. Union officials also point to the many tax-free benefits that managers can receive, such as company cars, entertainment expenses and even company-paid housecleaning services and vacations.

At least one major union favors relief for managers, though. It's ASTMS, the Association of Scientific, Technical and Managerial Staffs, a white-collar union that represents some 10,000 managers. "We'd like to see some tax changes," says Barry Sherman, the union's research director. Most of the tax cuts should come at the lower end of the scale, but there should be some at the higher end too, he says.

ASTMS backs traditional labor goals as strongly as any union. However, it pushes higher salaries rather than tax cuts as the best way to reward managers. "They deserve it in their own right", says Mr. Sherman. "It has nothing to do with the spurious argument about motivation. In the long run, management would be far better off having the salary system changed than having the tax system changed."

Be that as it may, some change in the tax system does seem to be in the cards for managers. Of course, lower taxation for managers in itself won't result in better British economic performance. The nation's class system puts a formidable barrier against cooperation between managers and the people who work for them. The level of competence of the managers themselves is often questioned. Most industries also are saddled with antiquated plants and entrenched union rights. Tax changes won't do much for these basic ills, but they would help managers try to cope with them.

TRIBUTE TO FORMER REPRESENTATIVE FRANCES PAYNE BOLTON

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. STOKES. Mr. Speaker, it is with a sense of sorrow and loss that I rise today in tribute to a great humanitarian and stateswoman. The late Frances Payne Bolton of Cleveland, Ohio, is a familiar personage to many of my distinguished colleagues assembled here today. There are those who will remember that she served with distinction in the U.S. House of Representatives from 1939 until 1968. And, Mr. Speaker, there are others more recently elected to Congress, who know her as a figure of national and international prominence for her political and philanthropic work.

Though former Representative Bolton preceded me in Congress, I knew of her great work in my district in Cleveland. Mr. Speaker, it is a well known fact that Mrs. Bolton was a woman of great wealth and power. Even so, she never removed herself from the plight of the poor and oppressed. As a tireless advocate for social equality and human dignity, Mrs. Bolton will be revered for years to come.

Mr. Speaker, former Representative Bolton passed away on March 9, 1977, at her home in Lyndhurst. While her work on Earth has ended, her accomplishments and great spirit will live on in our hearts and minds. At this time, I would like to ask my colleagues to join me in commemoration of Frances Payne Bolton, and in some small way, rededicate our lives and our professions to those humanitarian ideals she held so dear.

JONATHAN LYLE IS FIGHTING FOR HIS LIFE

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. CARTER. Mr. Speaker, each day we deal with national issues in general terms. Sometimes we forget that to individuals those problems are not abstract, generalized concerns but intensely personal matters.

According to a recent Congressional Budget Office estimate, approximately 40 million Americans are uninsured against medical expenses or else have very poor insurance coverage. Yet virtually every American faces the possibility of financial ruin which can accompany certain types of chronic illness or serious injury.

But that is the general view of the national problem of health insurance; reduced to human terms the problem is a tragic dilemma like that which confronts the John Benningfields of Campbellsville, Ky., in the area I represent.

Since the birth of their twins last fall, John and Debbie Benningfield have worried about whether their son, Jonathan Lyle, will live. But added to this burden is the worry about how they will pay the potential $50,000 uninsured medical cost which has resulted from the hospital care of their son.

The Benningfield's plight is one which faces many Americans, and I submit that the remedy lies in passage by this Congress of legislation to provide catastrophic illness insurance coverage for all Americans.

I am including for the RECORD a copy of the article which appeared in the March 21 edition of the Central Kentucky News-Journal in Campbellsville about the Benningfields so that my esteemed colleagues might see the impact

on individuals of our not having a catastrophic illness insurance program:

JONATHAN LYLE IS FIGHTING FOR HIS LIFE

(By Steve Lowery)

John and Debbie Benningfield celebrated their second anniversary last Tuesday. Like many young couples in Central Kentucky they headed towards Louisville to do it.

But instead of spending the evening out on the town, they went to Norton-Children's Hospital to visit with their son, Jonathan Lyle, who's fighting for his life.

Little Jon is nearly seven months old. All of his short life he's been struggling to live. It's been an uphill battle.

"He's a fighter though," said Debbie, while explaining her son's condition. "He won't give up."

The Benningfields—like their son—won't give up either. They're fighters. They have to be. In the last seven months their entire lives have changed radically.

John, a 26-year-old farm assistant for Southern States, and Debbie, a 22-year-old registered nurse at the Taylor County Health Department, decided they wanted to have a family in early 1975.

Since they both had jobs, a bright future and good health, they planned for Debbie's pregnancy. As planned, she became pregnant. Her baby would be due in November 1975, her doctor said.

Debbie continued working. Her pregnancy seemed normal enough although she felt like she was picking up a great deal of excess weight.

Little did she know.

On September 26—after six and a half months of being pregnant—Debbie felt like she was ready to have her child. Her doctor said she was just afraid, but he called her in for a check-up.

After his examination he informed John and Debbie that, yes she was going into labor and that she was going to have twins.

"We never expected that," said John. "We had no idea."

An ambulance was called to the doctor's office to deliver Debbie to Louisville. Since the babies were going to be born prematurely, complications were expected.

The ambulance left Greensburg. But Debbie didn't wait to get to Louisville to give birth. Jonathan Lyle and Jessica Lea were born in Elizabethtown.

An ambulance took the twins to Louisville. Both were having a rough time. Their little lungs hadn't had enough time to develop. They had to fight to breathe plus they both were very small. Jon weighed 3.5 pounds, Jessica, 2.14 pounds.

Both babies were put into isolation. At times they needed the help of a respirator to breathe. Constant medical attention was needed for the twins.

Jessica started to improve quickly. Her lungs started functioning normally after a short time. Six weeks after her birth, she came home.

Jonathan hasn't been as lucky. His lungs still can't hold up for any length of time.

"The problem is that his body didn't produce enough lung tissue," Debbie explained. "After he was born, he was fighting to breathe so hard that his lungs started hemorrhaging."

That complicated Jon's problems. Furthermore his heart tried to compensate for his lungs. It started beating faster. Fluid surrounded his heart.

A blood clot passed through his lungs once too. And one of his lungs has never functioned correctly.

He's still in intensive care—that's where he's been since being born.

Although they don't talk about it, the Benningfields know that Jon could die at any time. "The doctor said if he makes it past nine months, he'll probably live," Debbie said.

The expense of the hospital care, doctors, medicine, and so on are enormous and growing by the day.

To date, John has received bills totaling more than $61,300. That doesn't include his son's doctor bill, the expense of the ambulance service and a good portion of Debbie's doctor bill.

Then there is the expense of driving to Louisville to see Jon and nightly calls to Norton's to see how he is progressing. The bills and expenses are never ending.

Blue Cross-Blue Shield has paid approximately $35–$36,000 of the expenses. The rest of the money—which could easily mount up to more than $50,000 if and when Jon gets out of the hospital—must be paid by the Benningfields.

John said he used to worry constantly about the bills. Now, he said, he tries not think about them except on pay day.

It's a debt that could very well be with him and Debbie for the rest of their lives. They've adjusted to that fact, they said. They've adjusted as much as they can anyway.

"It's like watchin' television," John said. "I always thought they made these sort of stories up until I saw it happen."

"It's easy to feel sorry for yourself," said Debbie, but then I look at the other babies in the nursery and I see some that have no hope of going home."

They're both back working now. Besides their jobs they travel to Louisville three times a week or more to visit with the little fellow. They've been doing that since he was born; remember the snow, ice, rain and cold weather? They dsove through that too.

"Sometimes I think I'm getting tired but then I think of Jon and how tired he must be. I figure I must be able to take it as long as he can," said John. "I never knew family life could be so rough."

SOLAR ENERGY LOANS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. LEHMAN. Mr. Speaker, following an especially harsh winter, our attention is focused on the shortages of existing energy sources and the resultant soaring costs of oil, gas, and electricity. While we must take steps to deal with these problems, we also realize that viable alternatives for the future must be developed. One answer lies in inexhaustible sources of energy such as solar power.

Earlier this session, I introduced H.R. 485, to establish within the Small Business Administration a new direct low-interest loan program to assist homeowners and builders in purchasing and installing solar energy equipment. A significant portion of energy consumption can be attributed to residential structures. Despite the fact that the Sun would appear to be an ideal source of energy, present programs discriminate against this system because of higher initial costs.

Financially, heating and cooling systems were once looked at in terms of installation costs only. Today, these systems are being viewed in a more realistic light. Energy experts refer to a heating system's "life-cycle-cost" which includes the cost of fuel required to maintain the system. Solar systems are generally more expensive to install, but they have lower life-cycle-costs than conventional systems.

Federal programs of loans and loan guarantees for purchasing or improving homes enable borrowers to obtain loans at low-interest rates. These loans, however, are limited in size and cannot cover the cost of installing a solar heating and cooling system. Many homeowners, therefore, are discouraged from putting solar systems in their homes because the initial cost would put the total loan amount over the limit. In order to qualify for a low-interest loan, many are forced to choose low initial but high life-cycle-cost conventional heating and cooling.

H.R. 485 provides one possible remedy to this unfortunate situation. The benefits of a program such as the one provided for in this legislation would be far-reaching. In addition to significantly reducing the use of fossil fuels, we would be providing a stimulus to a new industry and creating more jobs. The utilization of the small business segment of our national economy recognizes the vital role that small business concerns have played and will continue to play in the development of manufacturing and marketing solar energy equipment.

Mr. Speaker, for the benefit of my colleagues who maintain an interest in promoting the use of solar energy in the United States, the text of my bill is as follows:

H.R. 485

A bill to amend the Small Business Act to establish within the Small Business Administration a new direct low-interest loan program to assist homeowners and builders in purchasing and installing solar energy equipment

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

FINDINGS AND PURPOSE

SECTION 1. (a)(1) The Congress finds that the energy needs of residential structures account for a significant portion of our national energy consumption, and that the expected substantial increases in the cost of oil, gas, and electricity will significantly and adversely affect millions of American homes. The Congress further finds that a program of Federal assistance in purchasing and installing solar energy equipment can provide a new opportunity for the efficient heating and cooling of homes despite the energy shortage.

(2) The Congress recognizes that small business concerns have already demonstrated their ability to participate effectively in the assembly and marketing of solar energy equipment and are increasingly engaging in commercial operations in this field, and declares that it would be in the national interest to place special emphasis upon the small business segment of the economy in any program of Federal assistance of the kind described in paragraph (1).

(b) It is the purpose of this Act to provide a source of financial assistance for homeowners and builders so as to enable them to purchase and install solar energy equipment, primarily through the small business segment of the economy in order to substantially reduce the use of fossil fuels.

SEC. 2. Section 7 of the Small Business Act is amended by adding at the end thereof the following new subsection:

"(l)(1) In addition to its other functions under this Act, the Administration is authorized to make loans as provided in this

subsection to individuals and families owning and occupying residential structures, and to persons engaged in building residential structures, to assist them in purchasing and installing qualified solar energy equipment (as defined in paragraph (4)) in such structures.

"(2) A loan made under this subsection with respect to any residential structure shall—

"(A) be in such amount, not exceeding 75 per centum of the cost of purchasing and installing the equipment involved, and not exceeding—

"(i) $6,000 per dwelling unit in the case of a one- to four-family structure,

"(ii) $5,700 per dwelling unit in the case of a multifamily structure containing five or more but less than twenty-five such units,

"(iii) $5,400 per dwelling unit in the case of a multifamily structure containing twenty-five or more but less than one hundred such units,

"(iv) $4,800 per dwelling unit in the case of a multifamily structure containing one hundred or more but less than two hundred such units, or

"(v) $4,500 per dwelling unit in the case of a multifamily structure containing two hundred or more such units,

as may be necessary to enable the owner or builder of such structure to purchase and install qualified solar energy equipment which is suitable and appropriate for such structure, including the cost of any necessary modifications in the structure itself, taking into account the climatic, meteorological, and related conditions prevailing in the region where the structure is located, as established by the Administration in regulations prescribed by it and in effect at the time of the loan;

"(B) bear interest at a rate equal to the average market yield (computed as of the end of the calendar month preceding the month in which the loan is made) on all marketable interest-bearing obligations of the United States then forming a part of the public debt (with such average yield, if not a multiple of one-eighth of 1 per centum, being adjusted to the nearest such multiple), plus one-half of 1 per centum for administrative costs;

"(C) have a maturity not exceeding—

"(i) eight years in the case of a one- to four-family structure, or

"(ii) fifteen years in the case of a multifamily structure,

except that if the loan is made to the builder of a structure which is sold to another person for occupancy, rental, resale, or any other purpose, the maturity of the loan shall not extend beyond the date of the sale to such other person; and

"(D) be subject to such additional terms, conditions, and provisions as the administration may impose in order to assure that the purpose of this subsection is effectively carried out.

"(3)(A) Each application for a loan under this subsection shall be accompanied by detailed plans for the purchase and installation of the proposed equipment and an estimate of the costs involved.

"(B) No such application shall be approved unless—

"(i) the administration finds that the proposed equipment is suitable and appropriate and will be effective, that the costs will not be excessive, and that the purchase and installation of the equipment will not involve elaborate or extravagant design or materials; and

"(ii) the proposed equipment is being purchased from a small business concern (as defined by the administration under section 3) and, unless installed by the applicant, will be installed by a small business concern (as so defined); except that the requirement of this clause may be waived by the administration in any case upon a specific finding that there is no small business concern within three hundred miles of the structure involved which is engaged in marketing or installing solar energy equipment that would meet (with respect such structure) the requirements of clause (i).

"(C) In making loans under this subsection, the administration shall impose such standards and take such actions as may be necessary or appropriate to assure that both one- to four-family structures and multifamily structures share equitably in the fun family structures share equitably in the funds provided for such loans.

"(4) For purposes of this subsection, the term 'qualified solar energy equipment' means equipment—

"(A) which utilizes solar energy to provide hot water, space heating, electrical power, or cooling (or any combination of any of the foregoing), including devices for the collection, distribution, storage, and regulation of solar energy;

"(B) which, including the installation of such equipment, meets minimum standards promulgated by the Administrator with respect to durability of parts, efficiency, ease of repair, availability of spare parts, acceptability of cost, technical feasibility of design, or proven workability, and such other matters as the Administrator may consider relevant or appropriate; and

"(C) which is not supplementary to the performance of solar equipment through the use of conventional energy forms such as petroleum, gas, coal, or other hydrocarbon fuels, or electricity.

"(5) In carrying out its functions under the Solar Heating and Cooling Demonstration Act of 1974 and in support of the objectives of this subsection, the Energy Research and Development Administration shall—

"(A) establish a mechanism or procedure (or both) for the inspection and evaluation of each type or model of solar energy equipment, making provision for dealing with applications received from manufacturers and for the consideration of comments received from homeowners already using such equipment.

"(B) review each new solar energy unit, system, or component entering the market.

"(C) periodically (no less often than once energy equipment, and recommend the prospective rescissions of such certifications (or energy equipment, and recommend the prospective rescission of such certifications (or appropriate modifications in the equipment involved) whenever it finds that such equipment no longer meets applicable standards or criteria,

"(D) periodically transmit its findings and recommendations under this paragraph to the Administration for use in the performance of its functions under paragraph (4), and

"(E) take such other actions, and impose such other conditions and requirements, as will promote the objectives of this subsection.

"(6) The Administration shall provide to any person upon request (without regard to whether or not such person is making or proposes to make application for a loan under this subsection) full, complete, and current information concerning recommended standards and types of qualified solar energy equipment, available from small business concerns, which is appropriate for use in residential structures of varying sizes and types and in various regions of the country.".

SEC. 3. (a) Section 4(c)(1) of the Small Business Act is amended by striking out "and" immediately before "(B)", and by inserting before the period at the end thereof the following: "; and (C) a solar energy loan fund which shall be available for financing functions performed under section 7(l) of this Act, including administrative expenses in connection with such functions".

(b) Section 4(c)(2) of such Act is amended by striking out "and" immediately before "(B)", and by inserting before the period at the end thereof the following: "; and (C) pursuant to section 7(l) of this Act, shall be paid into the solar energy loan fund".

(c) Section 4(c)(4) of such Act is amended by striking out "and" immediately before "(D)", and by inserting before the period at the end thereof the following: "; and (E) under section 7(l) of this Act, shall not exceed $900,000,000".

SEC. 4. (a) The authority of the Small Business Administration to make loans under section 7(l) of the Small Business Act (as added by section 2 of this Act) shall become effective six months after the date of the enactment of this Act, and shall expire ten years after such date.

(b) Prior to the date on which its authority to make loans under section 7(l) of the Small Business Act becomes effective under subsection (a) of this section, the Small Business Administration shall promulgate and publish the regulations necessary to carry out its functions under such section 7(l).

ARCTIC GAS PROJECT

HON. M. CALDWELL BUTLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. BUTLER. Mr. Speaker, Delegate A. R. (Pete) Giesen from Virginia's 15th Legislative District introduced House Joint Resolution No. 267 "Expressing the Sense of the General Assembly That the United States Should Proceed With the Arctic Gas Project."

This resolution was unanimously adopted by the Virginia General Assembly in its recent session that adjourned March 4.

I believe points made by Delegate Giesen are good and timely, and the resolution follows for the Members attention:

HOUSE JOINT RESOLUTION NO. 267

Whereas, to the great extent in our nation's long, two hundred year history we as a people are dependent upon foreign sources for the energy-producing fuels that run our nation's industries, our people's transportation and our citizens' homes; and

Whereas, substantial alleviation of this immense problem has been found in the form of a reserve of natural gas discovered in the Prudhoe Bay area of Alaska that if brought to market in the lower forty-eight states would greatly enhance our goal of energy self-sufficiency; and

Whereas, the Arctic Gas Project, designed to move Alaskan gas by large diameter pipeline through Canada to eastern, western and mid-western markets, will afford the most feasible means by which Alaskan gas can be made available to markets in the lower forty-eight States; and

Whereas, our nation's chief architect of Federal Power Planning and Action, the Federal Power Commission, in its December, nineteen hundred seventy-six meeting issued staff recommendations for certification of the

Arctic Gas Project as being "vastly superior" when compared with alternative projects; and

Whereas, virtually all of the assemblage of data thus compiled indicates that the proposed overland pipeline route through Alaska and Canada will afford the safest, most environmentally acceptable and economically prudent method proposed to date for the movement of Arctic Gas to markets in the lower forty-eight states; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That the General Assembly of the Commonwealth of Virginia hereby expresses its support for the Mackenzie River Valley Pipeline known as the Arctic Gas Project; and, be it

Resolved further, That the General Assembly of Virginia urges the President of the United States, the Secretary of the Interior, the Congress of the United States, and other responsible federal agencies to expeditiously take all necessary action for the furtherance of the authorization of the construction and operation of the proposed Arctic Gas Project.

The Clerk of the House of Delegates is directed to forward copies of this resolution to Virginia's Congressional Delegation.

LITHUANIAN INDEPENDENCE

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. WALSH. Mr. Speaker, freedom struggles constantly in the face of Soviet oppression throughout the world. Nowhere is this more apparent than in Lithuania.

Her history, which began in the 12th century, has been filled with the constant effort to achieve this freedom and independence. On February 16 of this year Lithuanians throughout the world celebrated the 59th anniversary of the Declaration of Independence of Lithuania. This landmark achievement occurred in 1918 when its people rejected Communist oppression and declared themselves to follow the principle of freedom.

This battle is not new to the people of Lithuania. She remained under czarist domination for 123 years, defying Russian intentions to russify and assimilate its inhabitants. Lithuanians repeatedly revolted against Russian rule.

Under present Soviet rule, the resistance has become even more forceful. Through relentless undertakings the desire for liberty and national consciousness matures and is strengthened. The inhabitants are deprived of basic rights which we as Americans consider essential and God-given. They are starved from the freedom of the press, speech, and even freedom of religion.

But this spirit of freedom is alive in Lithuania. Within its culture and literature Lithuania vitally recognizes its independent history.

Today we in the House of Representatives commemorate this independence and applaud the continuing efforts of the Lithuanian people to achieve such an honorable goal.

At the same time, we must not become complacent but act boldly in the face of such oppression in Lithuania and throughout the world. We must preserve the legal rights of these proud and brave people by keeping their suffering constantly before the bar of world opinion. To this end, it is crucial that we maintain our policy regarding Lithuania and oppose Soviet "incorporation" of independent sovereign states.

I would like to commend and thank the people of Lithuania for their struggles in the face of such overwhelming odds and encourage them in their efforts to survive as independent and freedom-loving people.

CENTER FOR THE ARTS

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. BYRON. Mr. Speaker, last week was a happy week for my hometown, Frederick, Md. An unselfish family there presented the city with a valuable gift to be enjoyed by current and future generations of Fredericktonians.

Dan and Alyce Weinberg and their children, Danyce and Aldan presented the city and its fine arts council with the keys to the magnificent Tivoli Theatre to be used as permanent Center for the Performing Arts.

The beautiful Tivoli Theatre opened in 1926 and boasts a rare in-place concert theatre organ. The Weinbergs' wonderful gift is a source of pride to Frederick and a lasting tribute to the Weinberg family.

So they may share my excitement over this wonderful gift, I wish to share with my colleagues this editorial which appeared in the Frederick Post:

CENTER FOR THE ARTS

"The reaction has been tremendous!"

This is the immediate response to the announcement made Tuesday by Mayor Ronald N. Young that Frederick City may soon have its very own "arts center"—a long-time dream given reality by the generosity of a local family.

Mr. and Mrs. Daniel H. Weinberg (Dan and Alyce) and their chlidren, Danyce and Aldan, have handed the keys to the Tivoli Theatre over to the City and its Fine Arts Council to be used as a permanent center for the performing arts.

The "Tivoli" stands on one of the most valuable piece of property in Downtown Frederick, 20 W. Patrick St., just west of the "Square Corner."

There is only one "string" attached to this offer by the Weinberg family, and that "String" favors the community. That is, the agreement (which must be ratified by the Board of Aldermen at its next meeting) is to continue indefinitely, "as long as the Tivoli is utilized for the purpose for which it is intended"—as a center for the arts. It should be no other way.

The offer by the Weinbergs also includes a "purchase price" for the "building and its contents." The "price" of $19,500—and this amount has already been more than "covered" by pledges of contributions from arts patrons eager to energize the project—is so insignificant in contrast to the value of the property, that it should be considered only a "token"—an expression from the community that it is, in fact, dedicated to the task of turning this rare gift into a most successful center for the performing arts.

President Fred Stenger of the Fine Arts Council said the offer by Mr. and Mrs. Weinberg—Mrs. Weinberg has worked with the Arts Council since it was created—has been "in the mill" for nearly two years. Many community organizations have supported the idea and have pledged to it their wholehearted support.

Preliminary plans call for county-wide use of the facility for drama, concerts, the dance, pageants, conventions, town meetings, exhibitions and other uses related to the performing arts.

The center will be operated by the Arts Council, with a permanent "oversight" committee of three—one designee of the Weinberg family, the Mayor of the City of Frederick, and the president of the Arts Council—responsible for major decisions relating to the center.

Further planning calls for "total civic involvement in repair, restoration and beautification" of the Tivoli, and plans are being made for a community-wide fund-raising drive to support the renovation program.

The Tivoli, which in 1976 marked the golden anniversary of its opening on Dec. 23, 1926, boasts the only "in-place concert theatre organ in the State of Maryland."

The Tivoli Organ is considered by the great concert organist Ray Brubaker of Baltimore and the national organ society as one of the "rare treasures" of its kind still in use. The organ was a "victim" of the Oct. 9, 1976 flood, and Mr. Brubaker and his fellow organ afficionadoes—including Richard F. Kline Jr. of Frederick "have moved pretty well along toward total restoration" of the organ at their own investment of time and labor—"a labor of love."

There is swelling up in the community an exciting enthusiasm for this unique undertaking. Plans for a major fund-raising effort for the arts center will soon be announced, and public support in terms of both "dollars now" and "usage later" will be needed.

The generosity which has made this project such a possibility has marked it for certain success. And we are sure, and those many groups and individuals who have been involved to date are confident, that the Frederick Community will join hand-in-hand in making the arts center dream come true—the only fitting tribute we can give "in kind" to match the spirit of generosity being shown by Dan and Alyce Weinberg and their children.

TUITION CREDIT LEGISLATION

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ZABLOCKI. Mr. Speaker, I am again introducing legislation to amend the Internal Revenue Code of 1954 to provide for a Federal tax credit to individuals for tuition paid for dependents that attend a private nonprofit elementary or secondary school. This bill would provide a credit of 50 percent of the tuition paid for a dependent up to a maximum of $400 per dependent. The credit would be phased out gradually to the extent a taxpayer's adjusted gross income exceeds $25,000.

My legislation is prompted by the rapidly increasing costs of education coupled with the closings and consolidations of private school systems. The dual

burden of parents supporting the public schools as taxpayers and the private schools as parents of students paying tuition is becoming intolerable and inequitable. The difficulty of carrying this dual financial burden has created a crisis in private and parochial education at the elementary and secondary level across our Nation. The resultant decline of private and parochial education is imposing heavy financial burdens on the public schools nationally.

Mr. Speaker, my objective is to strengthen both public and private systems of elementary and secondary education by providing direct and indirect tax relief to all taxpayers. As we are all concerned with education and educational opportunities I urge my colleagues to consider my proposal and support legislation to provide for the tax credit for tuition.

A SOURCE OF FUNDING FOR BLACK AMERICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. RANGEL. Mr. Speaker, as a member of the board of the United Black National Fund I am quite aware of the dependence black communities, organizations, and institutions have on established foundations—including government—for their support. The time has come for the creation of a central black treasury financially sound enough to assume the obligations of current philanthropic groups. The current level of black programs and activities underscores the importance for organized fund raising and capital accumulation.

In light of this, I would like to offer my colleagues the following article from Black Enterprise detailing this important matter. It is very well written, informative, and I feel my colleagues will find it most interesting:

CREATION OF A BLACK NATIONAL FUND

(By Richard F. America)

Within the past decade, events have apparently brought many people to the realization that if they are serious about accelerating the development of their communities and institutions, they will, of necessity, have to develop various forms of central treasuries. The development of such treasures will perhaps first have to be successfully demonstrated in a few localities before coordinated and national fund raising can be undertaken.

We are aware of several sophisticated and apparently effective national fund-raising efforts on behalf of several black institutions and organizations, and there are, from time to time, one-shot appeals in legal emergencies or especially in support of the victims of natural disasters. But there remains a requirement for an annual national program that successfully reaches and effectively appeals to all seven to eight million households and all the business and voluntary organizations in black America. A basic principle has become clear: Black America cannot permit itself to remain quite so financially dependent on government and established foundations and contributors for support of its ongoing or experimental programs.

One example of financial vulnerability can be found in the experience of many of the community-action efforts of the Great Society program. In many places, a kind of grass-roots community organization was undertaken to develop general cohesion, some broader democratic participation in decisions perceived as affecting local interests, and local political leadership. Much of the early energy was generated through the device of rallies against traditional downtown political figures and institutions. Movement was often generated to oppose city hall over specific education, service or developmental issues. Some distortions and even some demagoguery crept into these processes, but there remains an obvious need for organized vigilance to ensure justice and due process in these matters.

But city hall perceived a threat, which ironically was funded by government, and as perceived by many, by the general community. Congress then, at the urging of many mayors, withdrew much of the necessary financial support from community-organizing activities.

That was predictable. To the extent that the interests of black America are in conflict with those of the general community, it is now widely understood as unrealistic to expect general institutions to underwrite consistently the activities of black parties to the conflict, although occasionally some such funding is available. If, as in the example, political organization is considered to have some ongoing value, funds for it will have to be found internally.

Comparative Savings in the United States, 1960–61

	Black	White
Average income after taxes	$3,840	$6,169
Current consumption	$3,707	$5,609
Savings	$133	$560
Savings as percent of income	3.5	9.1

Source: U.S. Bureau of the Census, Department of Commerce.

In the 1960s and the early 1970s, there were many indications of growing interest in and need for organized fund raising in Afro-America. There were many conferences called by many groups at which plans and programs were discussed but could not be accomplished for, ironically, lack of adequate funding. Groups interested in the arts, in housing, in political action, health, education, criminal justice, commercial development and so on generate a constant stream of proposals, many of which are worthwhile and almost all of which call for ongoing financial support.

All of these activities underscore the need for dramatically increased savings in many forms and for organized fund raising and capital accumulation in few well-planned, well-managed institutions.

The development and security of black America over the next 30 years or so will require the harnessing of its financial resources. Such saving and investment will occur in many forms, commercial and noncommercial. Deposits in savings accounts in financial institutions, as well as the retained earnings of its corporations, will all contribute to "savings." Indeed, increased savings in mattresses, socks, cookie jars and piggy banks are also desirable if ultimately these find their way primarily into the investment stream and do not simply become deferred consumption. But our interest here is in the potential of savings in the form of internal charity or what might be thought of as voluntary taxation. But savings will probably be an important component of any successful, comprehensive, development effort.

In 1975, the NAACP experienced a budget problem in its national program and sought additional funding through a special letter campaign, and through magazine and other advertisements. It could be that the NAACP is the single organization best in a position to launch a national fund that would provide funds for most of its needs and would do so as well for many other organizations and projects under the umbrella.

It does seem obvious that everything any of the major development organizations wish to achieve from now on is going to depend much more on the internal resources of black America. This will be true even with a sympathetic national administration running the government.

Tithing requirements as a means of saving—such as are frequently mentioned in connection with the Nation of Islam—have been the subject of some comment. Also, efforts like the "10–36" program of the Zion Baptist Church and Rev. Leon Sullivan in Philadelphia have attracted attention.

Historically, religious sanctions or charismatic leadership have succeeded in inducing heavy savings increases by groups of people who, because of relatively low incomes and other socioeconomic characteristics, would have been expected to consume virtually all of their income. However this pattern can be altered, apparently, by an effective appeal. The same may be true of middle-income households, which because of relentless advertising and other stimuli, also tend to have trouble saving consistently from year to year.

The national savings rate is in the range of seven to ten percent annually. The black rate is lower than that in most years, although this is a complex subject. Marcus Alexis, a highly regarded economist, for example, says that there is "evidence of higher savings by blacks than by comparable income white families." And "statistical data show regional differences in savings. Northern blacks save a larger portion of their incomes than Northern whites with the same incomes."

Alexis discusses at some length several hypotheses that attempt to explain this greater savings pattern. For our purposes, however, in spite of possible greater household savings at comparable incomes, the overall black savings rate will have to increase as a proportion of total income if satisfactory development is to occur. The rate of three to five percent is probably too low for successful development. Of course, the problem is compounded in that much of black America's savings does not occur in its own financial institutions and is diverted away from its investments into investments in the general economy. Little of the reverse flow has occurred although it may be possible to stimulate white savings in black banks as the banks gain in strength and numbers.

But our particular focus here is on a specific type of savings that occurs in the form of charitable donations. Some interracial flows do occur in this form and presumably will continue. Blacks give to white-controlled efforts like the United Funds and Red Cross, and whites give to the United Negro College Fund and NAACP. There has been controversy over allocation decisions in United Fund budgets in several cities, and some reforms have been made. But even if the United Funds did everything that could reasonably be asked, there would still be a need for an autonomous national fund.

Officials of United Way of America have seemed unenthusiastic at the prospect of the national fund. Their cooperation could be helpful and, certainly, communication during start-up will be desirable to avoid any undue abrasion.

Most traditional civil rights organizations were reported to be experiencing some fluctuation or decline in revenues after the mood of the country began to change around the middle 1960s. Such broad-based membership organizations, if they are to become even more effective, deserve greater internal support.

There are issues on which it may be possible and desirable to develop Afro-American policy. If so, such issues deserve serious research in independent centers or elsewhere, and that is costly. Similarly, specific problems in education, housing, health, employment, transportation, law enforcement, public safety and economic development could be more adequately addressed if major institutions like Howard, Atlanta and Fisk Universities, for example, could undertake more extensive serious research. Additional financial support to them, not just from alumni but from the broader community, perhaps through some such mechanism as a national fund, could help make that possible.

Black America must thus increasingly fund its own development. Problems come quickly to mind concerning intragroup politics, personalities, collection, administration, disbursal and safe-guarding of large funds. These are real enough difficulties to anticipate. But the basic problems are subject to demonstration and evaluative research.

The national fund would contain a number of familiar elements similar to the approach of other national charitable organizations. The key problems will be recognized as marketing problems, and they may be summarized as how to find a set of secular and technically effective substitutes for traditional, charitable and religious commitment.

Many leaders have expressed the desire over the years to see community-wide support for annual fund-raising drives that have the purpose of "raising money from the community for the community."

There is no obvious reason why this cannot be accomplished in this decade, although there are sources of opposition apparently including executives of the major national multipurpose funds. Their opposition is significant because they are in a position to make the launching of the national fund more or less difficult. The major foundations are especially important because operating budgets in the fund's early phases will require significant grant subsidies.

Looking ahead, what might be the order of the financial potential of the national fund? It is difficult to judge, but we can look at a variety of combinations of assumptions as to level of response and level of contribution. With conservative assumptions, estimates can be derived in the $10 million to $15 million range, and with optimistic ones even higher. Roughly, if we reckon total income in Afro-America at over $50 billion, one-tenth of one percent of that is $50 million, and, given the savings rate, this might not be an unreasonable expectation after the fund has achieved some operating history and wide respect as a sensible apparatus for internal philanthropic purposes.

It is possible to debate the contribution assumptions at great length. Suffice it to assert here that annual receipts in the hundreds of millions do not seem unreasonable if careful research can discover a powerful and meaningful appeal, and if a record of prudent management and solid program results can be established.

A number of organizations over the years have thought to attempt such a program. Indeed, there is in existence an effort known as the National Black United Fund (NBUF), which has sought to create a program together with several local funds now affiliated through NBUF. This might be the vehicle that can evolve into the national fund.

In any event, the problems of coordination and cooperation in the national fund may strike some as staggering. It is no secret that there have been, historically, problems of mutual trust. It is reasonable to assume for now that they are manageable, if not solvable.

It takes money to raise money. The catalytic agent to raise seed money to establish the structure and launch the fund should be a business-oriented group, a group of civil rights and legal leaders, perhaps a group of athletes, writers and entertainers frequently mentioned as people looking for ways to make worthwhile contributions to social reform and development, or a body of religious leaders. Such a group may already exist, but more likely it will have to be created.

A major benefit of the entire undertaking will be its pressure toward program emphasis throughout black America. Funding applications presumably will be screened according to seriously applied standards of feasibility and soundness.

One reason that "radicals" and "conservatives" have adopted these postures is that they have tended to lack funds. In the case of radicals, rhetoric has been often a substitute for constructive action. Conservative elements have often tended to be preoccupied with pageantry, frivolity and trivia, in part, because meaningful activity is difficult without organized, reliable, financial resources. With good fortune, the national fund would lead to greater emphasis on careful program development by groups all along the ideological spectrum.

REPORTS OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ROGERS. Mr. Speaker, on March 26, 1977, the Committee on Interstate and Foreign Commerce filed reports on H.R. 4974, the Health Planning and Health Services Research and Statistics Extension Act of 1977; H.R. 4975, the Biomedical Research Extension Act of 1977; and H.R. 4976, the Health Services Extension Act of 1977. At the time of filing, the reports of cost estimates as required by section 403 of the Congressional Budget Act of 1964 had not yet been prepared. Those cost estimates now have been received and I include them in the RECORD at this point:

CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., March 29, 1977.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 4976, the Health Services Extension Act of 1977.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

ALICE M. RIVLIN,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 4976.

2. Bill title: Health Services Extension Act of 1977.

3. Purpose of bill: To extend the authorizations for one year or more as stated for the following Sections of the Public Health Service Act; Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 and the Social Security Act.

Section No.	Purpose	Authorization level (1978)
314(d)(7)(A)	Formula grants to States	$103,500,000
314(d)(7)(B)	Hypertension programs	10,350,000
319(h)(i)	Planning and development of migrant health centers.	1,897,500
319(h)(2)	Operation of migrant health centers.	29,152,500
319(h)(3)	Inpatient and outpatient service.	3,450,000
330(g)(1)	Planning and development of community health centers.	5,750,000
330(g)(2)	Operation of community health centers.	241,670,200
1001(c)	Family planning projects	123,625,000
1003(b)	Training (family planning)	3,450,000
1004(b)	Research (family planning)	67,838,000
1005(b)	Informational and educational materials.	690,000
1121(b)(5)	Sudden infant death syndrome.	2,300,000
1131 (f)	Hemophilia	3,450,000
1132(e)	Blood separation centers	3,450,000
Subpt. IV, pt. C, title VII: sec. 757.	Scholarship programs (1978)	5,450,000
	National health service centers (1979).	6,300,000
	1980	7,200,000
COMMUNITY MENTAL HEALTH CENTERS ACT		
202(d)	Planning community mental health center programs.	100,000
203(d)	Initial operation of CMHCS	22,775,000
204(c)	Consultation and education service.	15,000,000
205(c)	Conversion grants	22,000,000
213	Financial distress grants	12,000,000
231(d)	Rape prevention and control	5,750,000
SOCIAL SECURITY ACT		
501	Maternal and child health crippled children's services.	399,864,200
PUBLIC LAW 94-63		
602(a)(5)	Home health services	3,450,000
602(b)(4)	Home health service training	1,000,000
Total authorizations:		
1978		1,087,962,400
1979		6,300,000
1980		7,200,000

4. COST ESTIMATE

[Outlays in millions of dollars]

	1978	1979	1980	1981	1982
314(d)(7)(A)	95.2	8.3			
314(d)(7)(B)	5.2	5.2			
319(h)(1)	1.2	.702			
319(h)(2)	18.4	10.8			
319(h)(3)	2.2	1.3			
330(g)(1)	3.2	2.7			
330(g)(2)	130.5	111.2			
1001(c)	48.2	37.7	37.7		
1003(b)	1.4	1.1	1.1		
1004(b)	26.5	20.7	20.7		
1005(b)	.270	.210	.210		
1121(b)	.280	1.9	.120		
1131(f)	1.7	1.7			
1132(e)	2.1	1.1	.210		
Sec. 757	3.3	1.8	.327		
1979		3.8	2.1	.388	
1980			4.4	2.4	0.432
COMMUNITY MENTAL HEALTH CENTERS ACT					
202(d)	.020	.055	.025		
203(d)	4.6	12.5	5.7		
204(c)	3.0	8.3	3.8		
205(c)	4.4	12.1	5.5		
213	2.4	6.6	3.0		
231(d)	1.2	3.2	1.4		

SOCIAL SECURITY ACT

	1978	1979	1980	1981	19
Amount	243.9	72.4	83.6		

PUBLIC LAW 95-63

Amount	1.2 .050	1.7 .050			
Total outlays	600.7	327.0	170.0	2.8	.432

Note: Totals may not add due to rounding.

5. Basis for estimate: Outlays are based on specific program spendout rates from HEW as of January 19, 1977, and updated by CBO.
6. Estimate comparison: None.
7. Previous CBO estimate: None.
8. Estimate prepared by: Mary Plaska (225-7766).
9. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

CONGRESSIONAL BUDGET OFFICE,
Washington, D.C. March 29, 1977.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 4975, the Biomedical Research Extension Act of 1977.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

ALICE M. RIVLIN,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 4975.
2. Bill title: Biomedical Research Extension Act of 1977.
3. Purpose of bill: To extend the authorizations for one year (fiscal year 1978) for the following Sections of the Public Health Service Act:

Section No.	Purpose	Authorization level
390(c)	Medical libraries	$9,200,000
409	Cancer control	69,116,150
410C	National Cancer Institute	847,162,450
414(b)	Heart and lung treatment programs.	29,900,000
419B	National Heart and Lung Institute.	406,636,550
472(d)	National Research Service awards.	137,700,000
	Total authorization	1,499,785,150

4. COST ESTIMATE

[Outlays in millions of dollars]

	1978	1979	1980	1981
390(c)	8.4	0.8		
409	26.3	31.1	9.7	2.0
410C	321.9	381.2	118.6	25.5
414(b)	11.4	13.5	4.2	.8
419B	154.5	183.0	56.9	12.2
472(d)	52.4	62.0	19.3	4.1
Total	574.9	671.6	208.7	44.6

5. Basis for estimate: Medical libraries were assumed to be primarily salaries and expenses and were projected to spend out at 91% the first year and 9% in 1979. All other programs which include much more grant and contract funds will, based upon historical experience, spend out at 38%, 45%, 14% and 3% between 1978 and 1981.

In each case, outlays were calculated assuming that appropriations would be at full authorization levels.
6. Estimate comparison: None.
7. Previous CBO estimate: None.
8. Estimate prepared by: Jeffrey C. Merrill (225-7766).
9. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., March 29, 1977.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 4974, the Health Planning and Health Services Research and Statistics Extension Act of 1977.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

ALICE M. RIVLIN,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 4974.
2. Bill title: Health Planning and Health Services Research and Statistics Extension Act of 1977.
3. Bill purpose: To authorize appropriations for FY 1978 for the following Sections of the Public Health Service Act:

Section No.	Purpose	Authorization level
308(i)(1)	National Center for Health Services Research.	$27,600,000
308(i)(2)	National Center for Health Statistics.	31,740,000
1516(c)(1)	Planning grants	125,000,000
1525(c)	State planning agencies	35,000,000
1526(e)	Rate regulation	6,000,000
1534(d)	Centers for health planning	10,000,000
1613	Facilities construction	135,000,000
1640	Area development	120,000,000
	Total authorization	490,340,000

4. COST ESTIMATE

[Outlays in millions of dollars]

Section	1978	1979	1980	1981	1982
308(i)(1)	9.9	18.8	3.9		
308(i)(2)	22.5	9.2			
1516(c)(1)	50.0	75.0			
1525(c)	14.0	21.0			
1526(e)	3.0	3.0			
1534(d)	2.0	6.0	2.0		
1613	18.9	33.8	47.2	27	8.1
1640	24.0	60.0	24.0	12	
Total	144.4	221.8	77.1	39	8.1

5. Basis for estimate: Spendout rates for 1978 are based upon HEW's Outlay Analysis, dated January 19, 1977. Spendout rates for 1979-1982 are based upon prior spending experience of these programs. The following rates were used for each Section: (First year through fifth year):

308(i)(1), 36 percent, 50 percent, 14 percent.
308(i)(2), 71 percent, 29 percent.
1516(c), 40 percent, 60 percent.
1525(c), 40 percent, 60 percent.
1526(e), 50 percent, 25 percent, 25 percent.
1534(d), 20 percent, 60 percent, 20 percent.
1613, 14 percent, 25 percent, 35 percent, 20 percent, 6 percent.
1640, 20 percent, 50 percent, 20 percent, 10 percent.

In each case, outlays were calculated assuming that appropriations would be at full authorization levels.
6. Estimate comparison: Not Applicable.
7. Previous CBO estimate: None.
8. Estimate prepared by: Jeffrey C. Merrill (225-7766).
9. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

"NATIONAL LUPUS WEEK" DRAWING

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ANDERSON of California. Mr. Speaker, for almost a year now I have been striving to achieve an expression of recognition by the Members of this House of the Congress of a deadly, widespread, and largely unknown disease called lupus erythematosus—lupus.

This disease currently afflicts over 500,000 people in this country, many of them women and children. On the first day of this session I introduced House Journal Resolution 24 with 24 of my colleagues; the purpose of which was to authorize the President of the United States to proclaim a week in 1977 as "National Lupus Week."

Since that time 156 additional Members have joined in cosponsorship of this joint resolution including 11 of our full committee chairmen. But due to the rules of the subcommittee with jurisdiction in this matter, our resolution remains in a state of limbo since 219 cosponsors are needed in order for the subcommittee to consider it.

I would like to personally thank the 181 Representatives who have demonstrated their concern and compassion for these hundreds of thousands of lupus-afflicted patients across the country and have cosigned the resolution. I would also like to thank the many local lupus chapters in Tennessee, in central Illinois, in Pennsylvania, in southern Arizona, in Texas, in New York, in my home State of California, and elsewhere throughout the United States for their support.

We still need 38 more cosponsors. Time is running out if we are to be successful in having a week of Federal recognition in 1977.

I urge those Members who do not see their names listed below to contact me and join in our efforts to bring to the attention of the American people the existence of this deadly disease of the connective tissues and vital organs.

Our resolution authorizes no Federal funds and in no way obligates the Treasury of the United States. All it does is authorize President Carter to issue a presidential proclamation proclaiming the week of September 18-24, 1977 as "National Lupus Week."

The list of cosponsors follows:

A LISTING OF THE COSPONSORS OF HOUSE JOINT RESOLUTION 24

James Abdnor of South Dakota, Joseph Addabbo of New York, Daniel Akaka of Hawaii, Clifford Allen of Tennessee, Glenn Anderson of California, Les AuCoin of Oregon, Herman Badillo of New York, Max Baucus of Montana.

Robin Beard of Tennessee, Anthony Beilenson of California, Tom Bevill of Alabama,

James Blanchard of Michigan, David Bonior of Michigan, David Bowen of Mississippi, John Brademas of Indiana, John Breckinridge of Kentucky.

Jack Brinkley of Georgia, William Brodhead of Michigan, Garry Brown of Michigan, George Brown of California, Clair Burgener of California, J. Herbert Burke of Florida, Yvonne Burke of California, Phillip Burton of California.

Charles Carney of Ohio, Tim Lee Carter of Kentucky, Del Clawson of California, James Cleveland of New Hampshire, E. Thomas Coleman of Missouri, Silvio Conte of Massachusetts, James Corman of California.

David Cornwell of Indiana, Baltasar Corrada of Puerto Rico, William Cotter of Connecticut, Lawrence Coughlin of Pennsylvania, Norman D'Amours of New Hampshire, George Danielson of California, Mendel Davis of South Carolina, E de la Garza of Texas.

Ronald Dellums of California, Ron de Lugo of the Virgin Islands, Robert Dornan of California, Thomas Downey of New York, Robert Drinan of Massachusetts, John Duncan of Tennessee, Robert Edgar of Pennsylvania, Mickey Edwards of Oklahoma.

Allen Ertel of Pennsylvania, Bill Lee Evans of Georgia, Walter Fauntroy of Washington, D.C., Millicent Fenwick of New Jersey, Hamilton Fish of New York, Daniel Flood of Pennsylvania, Walter Flowers of Alabama.

William Ford of Michigan, Benjamin Gilman of New York, Bo Ginn of Georgia, Dan Glickman of Kansas, Barry M. Goldwater Jr. of California, Henry Gonzalez of Texas, Albert Gore of Tennessee, Tennyson Guyer of Ohio.

Sam Hall of Texas, John Paul Hammerschmidt of Arkansas, James Hanley of New York, Mark Hannaford of California, George Hansen of Idaho, Augustus Hawkins of California, Margaret M. Heckler of Massachusetts, W. G. Hefner of North Carolina.

Cecil Heftel of Hawaii, Harold Hollenbeck of New Jersey, Frank Horton of New York, James Howard of New Jersey, William Hughes of New Jersey, Henry Hyde of New York, Andy Ireland of Florida, Ed Jenkins of Georgia.

John Jenrette of South Carolina, Bizz Johnson of California, Ed Jones of Tennessee, James Jones of Oklahoma, Abraham Kazen of Texas, Jack Kemp of New York, William Ketchum of California, Peter Kostmayer of Pennsylvania, John Krebs of California.

John LaFalce of New York, Robert Lagomarsino of California, Raymond Lederer of Pennsylvania, Joseph Le Fante of New Jersey, Norman Lent of New York, Elliott Levitas of Georgia, Jim Lloyd of California Marilyn Lloyd of Tennessee.

Trent Lott of Mississippi, John McFall of California, Matthew McHugh of New York, Stewart McKinney of Connecticut, Andrew Maguire of New Jersey, James Mann of South Carolina, Ron Marlenee of Montana, Dawson Mathis of Georgia.

Romano Mazzoli of Kentucky, Helen Meyner of New Jersey, Barbara Mikulski of Maryland, Abner Mikva of Illinois, Clarence Miller of Ohio, Norman Mineta of California, Joseph Minish of New Jersey, Joe Moakley of Massachusetts.

Anthony Moffett of Connecticut Robert Mollohan of West Virginia, Carlos Moorhead of California, William Moorhead of Pennsylvania, Austin Murphy of Pennsylvania, John Murphy of New York, Michael O. Myers of Pennsylvania, Stephen Neal of North Carolina.

Robert Nix of Pennsylvania, Richard Nolan of Minnesota, Mary Rose Oakar of Ohio, James Oberstar of Minnesota, George O'Brien of Illinois, Richard Ottinger of New York, Leon Panetta of California, Edward Patten of New Jersey.

Jerry Patterson of California, Edward Pattison of New York, Claude Pepper of Florida, Carl Perkins of Kentucky, Otis Pike of New York, Melvin Price of Illinois, Albert Quie of Minnesota, James Quillen of Tennessee.

Nick Joe Rahall of West Virginia, Charles Rangel of New York, Henry Ruess of Wisconsin, Frederick Richmond of New York, Matthew Rinaldo of New Jersey, Ted Risenhoover of Oklahoma, Ray Roberts of Texas.

Peter Rodino of New Jersey, Robert Roe of New Jersey, Edward Roybal of California, Marty Russo of Illinois, Jim Santini of Nevada, Ronald Sarasin of Connecticut, James Scheuer of New York, Paul Simon from Illinois.

Bernie Sisk of California, John Slack of West Virginia, Stephen Solarz of New York, Gladys Spellman of Maryland, Harley Staggers of West Virginia, J. William Stanton of Ohio, Pete Stark of California, Louis Stokes of Ohio.

Steven Symms of Idaho, Richard Tonry of Louisiana, Bob Traxler of Michigan, Morris Udall of Arizona, Al Ullman of Oregon, Guy Vander Jagt of Michigan, Bruce Vento of Minnesota, Joe Waggonner of Louisiana.

Douglas Walgren of Pennsylvania, Robert Walker of Pennsylvania, William Walsh of New York, Henry Waxman of California, Ted Weiss of New York, Charles Wiggins of California, Charles Wilson of Texas, Charles H. Wilson of California.

Larry Winn of Kansas, Lester Wolff of New York, Antonio Won Pat of Guam, Sidney Yates of Illinois, Gus Yatron of Pennsylvania, Don Young of Alaska, Robert Young of Missouri, Leo Zeferetti of New York.

ANNIVERSARY OF THE BYELORUSSIAN DEMOCRATIC REPUBLIC

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. RHODES. Mr. Speaker, March 25 marked the 59th anniversary of the founding of the Byelorussian Democratic Republic. It has long since been swallowed up by the tyranny of Communist Russia.

It is most appropriate that here in the United States we observe this anniversary. For two centuries we have preserved freedom as the bedrock of our Republic. Today, benevolent paternalism, exercised in the guise of public protection, is an internal threat to our own tradition of freedom.

In this year of 1977 the cause of human rights around the world has taken on new dimensions. There are stirrings everywhere of oppressed people against the shackles of thought and action imposed by totalitarian regimes. Although the nations of Eastern Europe have been obliterated in many instances, and their populations dispersed, those of Byelorussian descent in the United States observe this anniversary in the fervent hope that one day their homeland may again be autonomous and free. It is fitting that we in Congress take note of their faith and that we work to advance the cause of human rights for all peoples. We also must be on guard that we do not fritter away our freedoms through overbearing Government, confiscatory taxation, and overdependence on Government to make decisions that a free people must make for themselves.

DOCTOR ON TRIAL

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. McDONALD. Mr. Speaker, it has been obvious to many people for years, and even the press is catching on, that the battle against cancer is being lost, not won. However, the Congress continues to appropriate millions to be spent on more variations of radiation and chemotherapy. It is as though all our cancer researchers had blinders on. However, woe to anyone who steps out of this path.

Dr. John Richardson, a California doctor, has been treating cancer patients for some years with B–17 or Laetrile. He is a personal friend and one of the finest people I know. This treatment has been successful in many instances. Indeed, many other scientists and doctors are working with various vitamins and nutritional aspects of food as they might relate to cancer.

Dr. Richardson has been under constant harassment by Federal authorities for this treatment in spite of the fact the FDA pins its whole case on the prohibition of interstate movement of the drug. Alaska legalized B–17 and several other States have similar bills pending. But the saga of one honest doctor's attempt to provide the best remedy he knows is a story in itself. I commend this item as it appeared in the Review of the News on February 2, 1977, to the attention of my colleagues:

DOCTOR ON TRIAL

Dr. John Richardson is on trial in San Diego, California, along with a dozen others, for conspiracy to smuggle and conspiracy to receive smuggled goods. The doctor is acting as his own attorney, and the following is a condensation of his introductory remarks to the jury.

Ladies and gentlemen of the jury:

You are sitting in judgment of a case that may be one of the most important in American history. The issue is not smuggling, but literally whether medical science is to be frozen by bureaucratic fiat. The lives of millions are in the balance. I am charged with conspiracy to smuggle—but the purpose of this prosecution is not to punish a smuggler but forever to chain the advancement of medical science to political whim.

Let me begin with a short biography. I was in college when our country was attacked and forced into World War II. I quit school and joined the Marine Corps. After successfully completing the Officers Candidate School Training, I served in Guam, Saipan, and China. Following the war I returned to college where I played football and served on the student council and honor court. After being graduated I entered medical school at the University of Rochester and upon completion of my studies received a fellowship for medicine and surgery at Mary Imogene Bassett Hospital in Cooperstown, New York. Continuing to prepare myself for practice I accepted a fellowship in ear, nose, and throat at Kaiser Hospital in San Francisco.

Finally, in 1956, I opened a general practice in Albany, California. It grew rapidly and I became both professionally and financially successful. I stress this because, as we all know from watching Perry Mason and Sher-

lock Holmes on television, a major element in judging those charged with crime is to examine motive. Why would a professionally and financially successful physician risk everything to become a smuggler? Surely that is something we associate with professional criminals or people who are desperate and have no other way of making a comfortable living. That is clearly not the case with myself.

I am here before you today instead of at home in Albany treating my patients because in my practice I use a substance called Vitamin B–17, also known as amygdalin or laetrile. I think it is important for you to understand how and why I became involved in fighting the giant medical bureaucracy by using this vitamin.

WHAT IS LAETRILE?

The efficacy of laetrile is not the subject of this trial; but the story of B–17 is relevant to why I happen to be in this courtroom charged with being a common criminal. In 1969, as part of my continuing medical studies, I spent some time investigating the claims made for Vitamin B–17. This vitamin is extracted from apricot seeds and contains a substance from a family known as nitrilocydes. I discovered that these nitrilocydes occurred in nature not only in apricot seeds but also in peach seeds, bitter almonds, and some 1,200 natural sources. Tonight, if you have lima beans with your dinner, you will be ingesting nitrilocydes.

While studying this subject, I learned that there are parts of the world where the everyday diet is high in nitrilocydes; and I noted that the higher the natural diet is in this substance, the lower the incidence of cancer. It was hypothesized that these nitrilocydes are connected to the immunity system which exists in each of our bodies. One noted, for example, that in the last century *millet*, which is high in nitrilocydes, was a staple in the American diet. Since that time wheat, which is low in nitrilocydes, has replaced millet on our tables even as the incidence of cancer has been steadily increasing.

WHEN ASKED FOR HELP

Such information was fascinating, but strictly academic since I did not treat cancer patients as part of my practice. Then one day my nurse, Charlotte Anderson, came to me almost in tears to announce that her sister had cancer. She wanted to know if I would treat her with laetrile shots. Whether to do this was a very difficult decision. I told her that the proponents of B–17 did not claim that it was a cure for cancer, but that it often acted as a control much in the way that insulin, not a cure for diabetes, serves to control that disease. My nurse believed that her sister's chances were better with laetrile than through the traditional forms of treatment—composed of cutting (surgery), burning (radiation), and poisoning (chemotherapy).

At that time I had no idea of how political the treatment of cancer had become, and how politics and self-interest now so often supersede the search for medical cures. I did know that the treating of cancer with laetrile was frowned upon by the medical establishment. But my Hippocratic Oath as a physician was and is more important to me than politics, the whims of bureaucrats, the vested interests of drug companies and research institutions, or even the current fads of those who claim to speak for the medical profession. I knew I could not refuse to treat my nurse's sister without betraying my Hippocratic Oath and becoming a traitor to my conscience. It was a momentous decision and I knew it. What I did not then realize was that I was about to bring down upon myself and my family the vengeance and hatred of a professional machine that felt its authority threatened.

Kaiser Hospital had biopsied a melanoma on the arm of my nurse's sister and wanted to amputate immediately. Consider what it meant to her and all of us when she responded beautifully to the B–17 treatment. I saw her recently at a wedding, and ladies and gentlemen of the jury she came up to me and grabbed both of my hands . . . with both of her hands.

With such splendid results, I began using B–17 with other patients as part of an overall nutritional program. The use of B–17 is legal in the State of California as long as it is not being used specifically and exclusively as a treatment for cancer. But I soon found myself the victim of harassment by armies of state and federal bureaucrats.

SUSTAINED HARASSMENT

In June of 1972, eight men from the California Food and Drug Administration and the Albany police burst into my office as if to capture John Dillinger. They were accompanied, if you can believe it, by a film crew from ABC television. My staff and I were treated like heroin pushers as government agents manhandled my nurses and ransacked the office. They were looking for laetrile, as if there were some dark secret that I was using it in my practice. The presence of a television crew to record such a commando operation is, as far as I know, unprecedented in annals of the C.F.D.A. Apparently the idea was to put me, a faithful and respected physician, in the worst possible light by making me look like a common criminal to a public that gets 70 percent of its news from images flashed on television. It seemed obvious that I was to be tried by the press with loaded and phony evidence, and that the creation of such a smear was the sole reason why the C.F.D.A. had brought along the television crew.

Outraged at such abuse, some of the local media began to champion my cause and I was soon refused my right to a jury at the first trial. I appealed, and forced the judge to permit a trial by jury. But I soon had major problems with my attorney, a nightmare within a nightmare, and I was convicted of using laetrile to treat cancer, even though I had always been careful to explain to each patient that I was providing laetrile as part of an overall nutritional program. Never have I claimed laetrile would "cure" cancer. Despite the many carefully documented cases of total remission, no reputable physician that I know of claims that Vitamin B–17 is anything more than a control for the disease.

I appealed, was granted a second trial, and it resulted in a hung jury. Unsatisfied, the state tried me yet again on the same charge and I was forced to endure a third trial. Once more there was a hung jury, and this time the judge saw what was happening and ordered the state to get off my back and quit harassing me. Unfortunately, as you know, there are now so many government bureaus and agencies that harassment can be moved from one bureau to another, to another, to another, until the victim surrenders or is destroyed. The idea is to crush resisters to the bureaucracy by keeping them constantly in court while draining them financially through attorneys fees.

The time and money which go into such a defense are enormous, and by the time you are found innocent you have been driven so deeply in debt that every practical impulse urges you to give up your principles, forget your moral obligations, and do whatever it is they want. I can't do that. I have sworn an oath as a physician and I can't let innocent people die needlessly. This is why I am defending myself in this trial.

The logical question now is why everybody would get so excited about a doctor using Vitamin B–17 in his practice. This is a simple question, but the answer is very complicated. Let me try to make sense out of it for you.

THE CANCER ESTABLISHMENT

Every year more than 370,000 Americans are killed by cancer. It is by far the most feared of the deadly diseases. Man has with little success been looking for a cure to this horrible killer for ages. Much of the research has been sponsored by the American Cancer Society, established long ago by the Rockefeller family and some of its business friends. Since they were in the petroleum and drug businesses they were interested in looking for a solution to the cancer threat that involved the use of synthetic drugs. As it happens, most synthetic drugs have a coal-tar base; that is, they are derivatives of petroleum.

Over the past several decades the American Cancer Society has financed and directed the vast majority of the cancer research in this country through grants. There may or may not have been something sinister in all this, but the point is that if you wanted money to do cancer research you were most likely to get it by looking in an area which involves the use of coal-tar-based chemicals and assorted synthetic medicines.

Maybe they have not been looking in the right place. There is another theory on the prevention and control of cancer. This lies in the field of orthomolecular medicine. That is a term coined in 1968 by Dr. Linus Pauling, the famous Nobel laureate. The prefix "ortho," from the Greek means "correct." And "molecular" relates to molecules. According to the Linus Pauling Institute of Science and Medicine, in its *Newsletter*, Volume 1, Number 1:

"Orthomolecular medicine is the achievement and preservation of good health and the prevention and treatment of disease by the use of substances that are normally present in the human body; that is, by changing the amounts of those substances in the human body. The vitamins are substances of this sort. One of the goals of orthomolecular medicine is to determine the amounts of various vitamins that are needed to put people in the best of health. Synthetic drugs and other artificial substances are not a part of orthomolecular medicine."

As much as $28 billion is spent each year in the fields of cancer research, detection, and treatment. You could put the portion of this $28 billion which goes into orthomolecular research in your eye and it would not blur your vision. The bureaucrats, foundation powers, and medical politicians do not intend to be proved wrong. The answer is going to be found in synthetics come hell or high water. In the opinion of those of us in orthomolecular medicine, this means it may never be found at all while Americans continue to die horribly at the rate of 370,000 a year.

THE PAULING PROSPECT

Let us take a look at Linus Pauling for a moment. Now, politically, I consider Dr. Pauling to be on the moon, but there is no denying that he is one of the great scientists of this century. And for many years he was the absolute reigning darling of the American scientfic establishment. Then, about ten years ago, he began looking into diet as a factor in preventing and treating disease. Pauling has set up an institute at Stanford University for the study of orthomolecular medicine. But even Linus Pauling, possibly the most famous living scientist in the world, cannot obtain grants from either the big foundations or the government to carry out his research. Professor Pauling has gone from the penthouse of the scientific establishment to its outhouse. He was forced to buy ads in the *Wall Street Journal* of November 8, 1976, to solicit research funds. The Pauling Institute's solicitation begins:

"Our research shows that the incidence and severity of cancer depends upon diet. We urgently want to refine that research, so that

it may help to decrease suffering from human cancer.

"The U.S. government has absolutely and continually refused to support Dr. Pauling and his colleagues here in this work during the past four years."

I can tell you that if Dr. Pauling were researching in the field of petroleum-based chemicals he would be inundated with funds from both the U.S. Government and the American Cancer Society. But, Nobel laureate Linus Pauling, the world's most famous living scientist, has become a pariah. He is now a non-person as far as the U.S. medical establishment is concerned—simply because he believes that a solution to the mystery of cancer lies in the field of diet, and that prevention and treatment can be found through vitamins, minerals, and enzymes. You see, they cannot be patented. Potential profits do not therefore justify commercial research.

A WORD ABOUT MOTIVES

Probably the most difficult thing to understand about all this is that men of science could be so foolish as to foreclose the avenue suggested by Pauling and others. Cancer is such a horrible disease that it staggers the mind to think that every possibility of finding a means of prevention or remedy is not being exhaustively explored. Cynics have pointed out that with the billions of dollars flowing into cancer research—that is, cancer research of the "right" kind—there is more money to be made looking for a cure than in actually finding it. I believe that the scientists doing actual cancer research hope with all their hearts that they will be successful. Besides the humanitarian aspects involved, whoever finds a cure or preventative for cancer will become one of the most famous people in history. Just as Jonas Salk has become a household word for producing a preventative for polio, the man or woman who beats cancer will become an instant superstar. Wealth and power will lie at his feet.

The trouble is, as I have explained, that scientists are being financed to look for the answer to cancer only within the realm of traditional cancer therapies. They have not been able to get money to investigate the field of nutrition as it relates to cancer—no matter how much we in orthomolecular medicine produce in the way of evidence that they are looking for the needle in the wrong haystack. At the rate things are going, they may never find it. If so, millions of people are going to die agonizing and terrible deaths because of the intransigence springing from politics, bureaucracy, and blind arrogance.

We have no quarrel with those who insist on finding the solution to cancer within the realm of petroleum-based chemicals, although we think they are wrong. What grates us is that these people and their legion of associated bureaucrats and hired propagandists insist that anybody dealing with cancer from any other position is automatically a quack. Now, of course, they do not call Dr. Linus Pauling a quack. They just cut off his funds while shaking their heads and tsk-tsk-ing about what a shame it is that this great man has lost his marbles. But, ladies and gentlemen of the jury, let me remind you that Pauling is dealing in the field of pure research. I have to face the man or woman who is dying of cancer. The doctor is on the front line of this battle, sandwiched in between medical orthodoxy which would label him a quack and the patient who is in desperate need. This is why I am in court for the fourth time.

THE POLITICAL GAME

There is an obvious tendency for the federal regulated big drug companies, the medical politicians of the American Cancer Society, and the Food and Drug Administration to act as one big happy family. We all know that many generals and admirals leave the Pentagon and retire to cushy jobs with defense contractors. Then they proceed to negotiate defense contracts with their old chums. This fact of political life has received a fair amount of publicity. What has received virtually no publicity is the fact that the same kind of musical chairs is played between the drug company giants, the American Cancer Society, and the Food and Drug Administration. Much of this, incidentally, has been brought out by Senator William Proxmire of Wisconsin.

What it all means is that, by operating in both the private and public sectors, a powerful clique has a hammerlock on research and treatment in the field of cancer. If you are on their team and play the cancer game their way, you are respectable and you get public recognition with lots of generous grants. If you are not on their team, and persist, you will be vilified as a quack preying upon the suffering of others. You will be harassed by every possible branch of government, with sensationalists in the mass media treating you like some kind of dope peddler. You can imagine how humiliating and infuriating it is to be faced with such an assault and to know that if you and other medical scientists give in to it you could be signing the death warrants of literally millions.

Not that there are not real quacks in the field of cancer who prey upon ignorance and desperation—black-box charlatans and seedy con men. But it should be clear to even the merest stripling that no legitimate Doctor of Medicine like myself, with a thriving practice and after years of study and faithful service, would give all that up to become a quack and subject himself and his family to the Hell that I am being put through.

RATIONALIZATION THAT KILLS

I am not trying to imply that everyone connected with the big drug companies, the American Cancer Society, and the F.D.A. is consciously saying to himself: "I don't care how many people die agonizing deaths as long as my career is on the upswing." Nobody is that blatant. But we do know that human beings have an incredible capacity for rationalization of anything which they see as being in their immediate self-interest. If people were not given to rationalization, nobody would smoke. The bars would close down, we would all go on a diet, and the churches would be overflowing. Crime would virtually disappear, and maybe we would all sprout angel wings. But this is not Utopia; it is the real world. People are given to self-deception and self-delusion. Probably even the prosecutor in this case sincerely believes that he is here today to protect the public's interest, justifying on that basis some of the lawyer tricks he has been playing.

My point is that human nature is still human nature, and there is a vast and vested self-interest in the orthodox treatment of cancer that has been endorsed by a massive bureaucracy. These people tend to be unwilling to admit that anyone searching for answers elsewhere can be motivated by any other feelings besides greed and malice. The oil companies want to sell petroleum products to the pharmaceutical companies. The drug companies want to sell their products to doctors and hospitals. Doctors who are trained to do so, and ignorant of other alternatives in indicated cases, want to perform operations, and use radiation and chemotherapy. Scientists want grants. Bureaucrats at H.E.W. want to expand their authority by getting the federal government more and more involved in medicine, and they recognize in fear of cancer an excuse for doing so.

All these people have an enormous interest in maintaining the *status quo*, and react with anger and resentment at anyone who challenges their well-financed authority. Collectively, the prejudice and bigotry of their reaction is the defense perimeter of what can only be called the Cancer Establishment.

Those of us who dare to differ with this Cancer Establishment become the enemy. That is why I am in here in this court today instead of home treating the sick and suffering.

WHAT IS AT STAKE

As I said earlier, I began using Vitamin B–17 because I felt obligated under my Hippocratic Oath to do so. But I know for a fact of many other good doctors who have attended seminars on the prevention and control of cancer through diet who have spent considerable time and effort doing their own research into this matter and who would like to use B–17 in their practice. A number of them simply do not dare. They believe from the evidence that our position is medically right, but they know it is politically dangerous. They dare not subject themselves to the kind of harrassment I have had to endure. And I must admit that if I had known what I was getting into when I stumbled into this field I can't say what my own course would have been. I pray it would have been the same.

If enough doctors would jump into this fight, the sinister effort to use the bureaucracy to dictate scientific truth would be exposed and defeated. But each of us sees himself as an individual and few busy doctors dare to pit themselves against a powerful army of bureaucrats and prosecutors backed by a multibillion-dollar machine. Doctors are not masochists.

I hope that now you see why I began this introductory statement with the observation that you are acting as the jury in an affair which is far more important than a simple smuggling case. The prosecutor knows I am not a smuggler. He knows he has no case against me. What is going on here is that a physician named John Richardson has challenged the Cancer Establishment. If I can be forced to stop treating patients with Vitamin B–17—if I can be destroyed, even imprisoned—then, because I am the most widely known of the doctors using vitamin therapy, other physicians will be afraid to work and research in this field. Even now, of the hundreds of doctors providing their patients with B–17 because they feel morally obligated to do so, most do it in secret because they fear being subjected to what is happening to me. I have put my years of study, my professional practice, the reputation and comfort of myself and my family, on the line, I have endured every humiliation, fought successfully through trial after trial, and continued to fight. No hope of personal gain could be worth this. I have done it because a physician's job is not to be a lackey to the bureaucracy but to save lives and relieve suffering. I have done it because I could not break my Hippocratic Oath. If that makes me an old-fashioned doctor who doesn't recognize the new realities, and you consider that a criminal offense, I guess you're going to have to let them put me in jail.

THE NLF OF VIETNAM: ANOTHER MYTH DESTROYED

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ASHBROOK. Mr. Speaker, throughout the fight against the Communists in Vietnam I pointed out that the National Liberation Front of Vietnam—NLF—and the Vietcong were nothing but fronts for the North Vietnamese Communists. Some of those who opposed the fight for freedom in Vietnam maintained that the NLF and the

Vietcong were separate from the Communists and were trying to throw off colonialism—first the French and then the Americans.

That myth has been completely destroyed. The Vietcong have been made part of the regular army. The NLF's Provisional Revolutionary Government has been incorporated into the Hanoi government.

The battle in Vietnam was a fight between the forces of communism and those forces that opposed communism. The defenders of the Vietcong were in fact defending the Communists.

EXPERIENCE WARNS AGAINST TRUSTING HANOI'S GOOD FAITH

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. DERWINSKI. Mr. Speaker, Frank Starr, who is a columnist in the Chicago Tribune's Washington Bureau, and one-time bureau chief of that publication's office in Moscow, has a good insight into the historic pattern of Communist duplicity.

In his column of March 28, he raises a legitimate warning that the trust and good faith in the Communist dictatorship in Hanoi should be carefully pondered by the administration's policy decisionmakers who are leaning toward embracing that particular Government.

The article follows:

EXPERIENCE WARNS AGAINST TRUSTING HANOI'S GOOD FAITH

(By Frank Starr)

WASHINGTON.—It is not every schoolboy who knows exactly how many nations there are in the world with which the United States has no diplomatic relations.

Even the President could be forgiven if he did not know the precise number. Jimmy Carter does know it, though. It apparently is a statistic which causes him some discomfort, one he would like to reduce to zero. That would be nice. Even admirable. If that's all there were to it.

But the nature of the movement toward Viet Nam suggests that Hanoi is to be the first in line, and that the President had made up his mind about this even before the Woodcock Commission on the Missing-in-Action went to Viet Nam and reported home.

One may understand that this President feels it is incumbent on him to take the last step in putting the war behind us and to do it early and promptly. It is also understandable that he feels such evenhandedness in dealing with adversaries and friends of left and right is fundamental to the open foreign policy he wishes to conduct. It can certainly strengthen his hand for the confrontations that could arise later.

But the nature of the movement toward iVet Nam suggests that Hanoi is to be the first in line, and that the President had looking to the future and not the past, there is very good reason to believe that the Vietnamese are not acting in good faith.

That little matter of the Paris accords to end the war still stands huge on the landscape of agreements made and very promptly broken. In fact, from the purely diplomatic point of view, it was a permanent mark on the credibility of the Socialist Republic of Viet Nam as well as the "face"—in the Asian sense of losing face—of the United States.

Now comes the Woodcock Commission which, in its report, says at the outset it determined to approach Viet Nam without reference to the past. What followed was a description of a very slick con job at the hands of the Vietnamese but to which the commission was ready to submit itself willingly.

According to its report, the commission did not examine any evidence except that presented it by the Vietnamese "although they almost certainly have at least some additional MIA information available [which] they did not provide."

The commission also observed that further obstacles to gathering information might be presented by the reluctant attitude of many Vietnamese as well as the passage of time and nature of the country. Nonetheless, the commission concluded that "there is no evidence" of deserters or defectors alive. It also concluded that other Americans who stayed behind "probably have been allowed to leave." Additionally, "it is probable no accounting will ever be possible."

Still the commission found, and the President agreed, that the Vietnamese had done "about all they can do." And if he finds, the President says, that they are acting in good faith he will look favorably on normalizing relations and economic aid.

It is certainly in the North Vietnamese interest to persuade us that they are acting in good faith. Then it is certainly not in our interest to be so easily persuaded, given recent experience, unless there is some other, deeper interest that Carter has not yet explained.

Vietnamese membership in the United Nations will bring yet another activist member into that body's Communist-Third World bloc.

Moreover, Carter's promise that "we will never cease attempting to account for those 2,500 American servicemen who were lo=t" rings a little hollow against the commission's report that probably "no accounting will ever be possible."

But the final indignity heaped upon us is the Vietnamese position that, under those bitter Paris accords, American reparations are "an obligation to be fulfilled with all your conscience and all your sense of responsibility."

If Americans are to accept that, it is my guess they will need to hear a better reason why.

TENANTS' TAX JUSTICE BILL

HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. HARRIS. Mr. Speaker, I am today reintroducing the tenants' tax justice bill with additional cosponsors. This bill is identical to H.R. 84, H.R. 383, H.R. 1676, and H.R. 2642. To date, 75 Members of the House have cosponsored this legislation to extend property tax relief to renters.

Tenants pay property taxes through their rent. However, unlike other taxpayers, renters are denied the right to claim their property tax payment for Federal income tax purposes. The tenants' tax justice bill attempts to correct this inequity by extending property tax relief to renters.

The inequity in the current law is clearly demonstrated by two similarly situated taxpayers who live in the same single-family development. Despite the fact that their homes, their housing costs, their income, the number of their dependents, and so forth, are identical, the Federal income tax liability of the individual who rents his home is greater than that of the individual who has been able to purchase his home.

However, the inequity is even more fundamental. Under current law, lower and many middle-income taxpayers receive no property tax relief, while upper income taxpayers obtain assistance.

I urge my colleagues who would like to cosponsor this legislation or who would like additional information to contact me.

VIETNAM VETERANS DAY

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ABDNOR. Mr. Speaker, we are all aware of the uproar which was heard throughout the Nation as a result of the President's pardon of draft evaders 2 months ago. A great number of the citizens of the State of South Dakota expressed the same anguish. The citizens of my great State have always supported the American fighting men and women in their endeavors to protect this Nation. The South Dakota State Legislature, sensing this attitude, passed Senate Concurrent Resolution No. 4 honoring South Dakota veterans for their services in the armed forces and protesting the Presidential pardon on March 22, 1977. I include the text of the resolution at this point in the RECORD:

SENATE CONCURRENT RESOLUTION No. 4

A concurrent resolution, honoring the South Dakota veterans for their service in the armed forces and protesting the presidential pardon

Be it resolved by the Senate of the State of South Dakota, the House of Representatives concurring therein:

Whereas, the duty to serve one's country is above and beyond the call of citizenship; and

Whereas, over 27,500 South Dakotans responded to their civic duty during the Vietnam conflict; and

Whereas, there are over 83,000 veterans in the state of South Dakota who have honorably served their state and nation; and

Whereas, the South Dakota National Guard has honorably served their state and nation; and

Whereas, our president has seen fit to grant pardon to those who fled this country or otherwise evaded mandatory compliance of the draft laws; and

Whereas, such pardon may jeopardize the future of the United States in the event our country should again be required to institute a draft to defend itself from attack; and

Whereas, such action of the President is distressing to those who have honorably served their state and nation:

Now, therefore, be it resolved, by the Senate of the Fifty-second Legislature of the State of South Dakota, the House of Representatives concurring therein, that those who have served their state and nation be honored as having served honorably above and beyond the call of citizenship and be in-

formed that we, the Legislature of the State of South Dakota will continue to hold them in the high esteem they deserve; and

Be it further resolved, that the Legislature of the State of South Dakota protests any pardon program; and

Be it further resolved, that copies of this Resolution be sent to the President of the United States, the Governor of the State of South Dakota, the Adjutant General of South Dakota, and the Congressional delegation of South Dakota.

THE 95TH CONGRESS SCOUTING SURVEY

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. BROWN of Ohio. Mr. Speaker, during each of the past five Congresses, I have surveyed the Members of the House and Senate for the Boy Scouts of America to determine the participation of Members of Congress in Scouting, either as Scouts during their youth or as leaders.

The survey for the current Congress is now complete. I thank my colleagues for their 100 percent participation and cooperation.

As I have done in the past, I am placing the results of the survey in the RECORD so that they will be available to Members and others during the next 2 years for reference. The results are also made available through the press and the Boy Scouts of America.

I am happy to report that the percentage of Members who have participated in Scouting has increased by 1 percent since the 94th Congress, signalling a welcome increasing trend.

The percentage of Members who have participated in scouting stands at 58.7 percent for the 95th Congress. The 314 Members who have participated is an increase over the 309 Members of the 94th Congress. The totals include 254 Members of the House and 60 Members of the Senate.

There are four more Eagle Scouts in the 95th Congress than in the 94th. Both the House and the Senate lost one Eagle Scout, but the House gained five and the Senate one.

A summary of the results and a list of the participating Members follows:

BREAKDOWN OF 95TH CONGRESS SCOUTING SURVEY

	Representatives	Senators	Total
Scout (only)	166	38	204
Scout & Leader	68	16	84
Leader (only)	20	6	26
Total	254	60	314

Total who were Leaders: 110

Percentage of Members who participated in Scouting: 58.7 percent.

Eagle Scouts:

Senators—Richard Schweiker, Penn. (R), Lloyd Bentsen, Tex. (D), John Culver, Iowa (D), Sam Nunn, Ga. (D), and Richard G. Lugar, Ind. (R).

Representatives—
Bill Alexander, Ark. (D).
Charles Bennett, Fla. (D).
Keith J. Sebelius, Kans. (R).
Larry Winn, Jr., Kans. (R).
Thad Cochran, Miss. (R).
Barber E. Conable, N.Y. (R).
Mark Andrews, N.D. (R).
Clarence J. Brown, Ohio (R).
J. William Stanton, Ohio (R).
Tom Steed, Okla. (D).
Daniel J. Flood, Penn. (D).
J. J. (Jake) Pickle, Tex. (D).
Henry S. Reuss, Wisc. (D).
M. Caldwell Butler, Va. (R).
Philip R. Sharp, Ind. (D).
John P. Murtha, Penn. (D).
Richard T. Schulze. Penn. (R).
Robert C. Krueger, Tex. (D).
Jim Guy Tucker, Ark. (D).
Eldon Rudd, Ariz. (R).
Richard A. Gephardt, Mo. (D).
Ike Skelton, Mo. (D).
Dan Marriott, Utah (R).

Silver Buffalo: Senator John Glenn, Ohio (D).

Silver Beaver: Senator Mark Hatfield, Ore. (R).

Representatives: Del Clawson, Calif. (R), Larry Winn, Jr., Kansas. (R).

Silver Antelope: Senator Mark Hatfield, Ore. (R).

Cub Scout Den Mother: Rep. Marjorie Holt, Md. (R).

RESULTS OF BOY SCOUT SURVEY, 95TH CONGRESS, 1ST SESSION, CONDUCTED BY CONGRESSMAN CLARENCE J. BROWN, OHIO

(Scout denoted by "S"; Leader or Adult Volunteer denoted by "L"; Scout and Leader denoted by "S&L").

ALABAMA

Sen. John Sparkman (D) S&L.
John Buchanan, Jr (R) L.
William Dickinson (R) S.
Ronnie G. Flippo (D) S&L.
Walter W. Flowers (D) S&L.

ALASKA

Sen. Mike Gravel (D) S.
Sen. Theodore F. Stevens (R) S&L.

ARIZONA

Sen. Barry Goldwater (R) S.
John J. Rhodes (R) S.
Eldon Rudd (R) S.
Morris K. Udall (D) S&L.

ARKANSAS

Sen. Dale Bumpers (D) S&L.
Bill Alexander (D) S.
John Hammerschmidt (R) S.
Ray Thornton (D) S.
Jim Guy Tucker (D) S&L.

CALIFORNIA

Sen. S. I. Hayakawa (R) S.
Sen. Alan Cranston (D) S.
Robert Badham (R) S&L.
Anthony Beilenson (D) S.
Del Clawson (R) S&L.
James Corman (D) S.
George Danielson (D) S.
Ronald Dellums (D) S.
Robert K. Dornan (R) S.
Don Edwards (D) S.
Barry Goldwater, Jr (R) S.
Harold Johnson (D) L.
Robert J. Lagomarsino (R) S.
Robert Leggett (D) S&L.
James F. Lloyd (D) S.
Paul McCloskey (R) L.
John McFall (D) L.
George Miller (D) S.
Norman Y. Mineta (D) S&L.
John E. Moss (D) S.
Carlos Moorhead (R) L.
Leon E. Panetta (D) S.
Jerry M. Patterson (D) S.
John Rousselot (R) S.
Edward Roybal (D) S.
Lionel Van Deerlin (D) S.
Bob Wilson (R) S.

COLORADO

Frank Evans (D) S&L.
James Johnson (R) S.
Patricia Schroeder (D) S.
Timothy E. Wirth (D) S.

CONNECTICUT

Sen. Lowell Weicker (R) S.
Sen. Abraham Ribicoff (D) S.
William Cotter (D) S.
Robert Giaimo (D) S.
Stewart McKinney (R) S.
Anthony J. Moffett (D) S.

DELAWARE

Sen. Joseph Biden (D) S.
Sen. William Roth, Jr (R) L.
Thomas B. Evans, Jr (R) S&L.

FLORIDA

Sen. Lawton Chiles (D) S&L.
L. A. Bafalis (R) S.
Charles Bennett (D) S.
J. Herbert Burke (R) S.
Dante B. Fascell (D) S.
Louis Frey (R) S.
Don Fuqua (D) S&L.
Sam Gibbons (D) S.
Andy Ireland (D) S.
Paul Rogers (D) S.
Claude Pepper (D) S&L.
Robert Sikes (D) S.
C. W. Young (R) S&L.

GEORGIA

Sen. Sam Nunn (D) S.
Doug Barnard (D) S&L.
Jack Brinkley (D) L.
John Flynt, Jr. (D) S&L.
Bo Ginn (D) S.
Ed Jenkins (D) S&L.
Elliott Harris Levitas (D) S.
Lawrence P. McDonald (D) S.
Dawson Mathis (D) S&L.

HAWAII

Sen. Spark Matsunaga (D) S.

IDAHO

Sen. Frank Church (D) S.
Sen. James McClure (R) S.
George V. Hansen (R) S&L.

ILLINOIS

Sen. Charles Percy (R) S&L.
Frank Annunzio (D) L.
Philip Crane (R) S.
Edward Derwinski (R) S.
John Erlenborn (R) S.
John G. Fary (D) S.
Henry J. Hyde (R) S.
Robert McClory (D) S.
Edward Madigan (R) S.
Ralph Metcalfe (D) S.
Abner J. Mikva (D) S.
Morgan Murphy (D) S.
Dan Rostenkowski (D) S&L
Paul M. Simon (D) S.
Sidney Yates (D) S.

INDIANA

Sen. Richard G. Lugar (R) S.
John Brademas (D) S&L.
David L. Cornwell (D) S.
Lee Hamilton (D) S.
Elwood Hillis (R) S.
Andrew Jacobs, Jr. (D) S.
Philiip R. Sharp (D) S.

IOWA

Sen. Dick Clark (D) L.
Sen. John C. Culver (D) S.
Berkley Bedell (D) S&L.
Michael T. Blouin (D) S.
James A. S. Leach (R) S.
Neal Smith (D) L.

KANSAS

Sen. Bob Dole (R) S.
Sen. James Pearson (R) S.
Dan Glickman (D) S.
Martha E. Keys (D) S&L.

Keith Sebelius (R) S.
Joe Skubitz (R) L.
Larry Winn, Jr. (R) S&L.

KENTUCKY

Sen. Wendell H. Ford (D) L.
Sen. Walter Huddleston (D) S.
John Breckinridge (D) S.
William Natcher (D) S.
Gene Snyder (R) S.

LOUISIANA

Jerry Huckaby (D) S&L.
David Treen (R) S.
Joe D. Waggonner (D) S.

MAINE

Sen. William Hathaway (D) S.
Sen. Edmund Muskie (D) S.
William Cohen (R) S.

MARYLAND

Sen. Charles McC. Mathias (R) S.
Sen. Paul Sarbanes (D) S.
Goodloe Byron (D) S&L.
Marjorie Holt (R) S&L.
Clarence Long (D) S.
Gladys Spellman (D) S&L.
Newton I. Steers, Jr. (R) L.

MASSACHUSETTS

Sen. Edward Brooke (R) S.
Michael Harrington (D) S.
Thomas O'Neill, Jr. (D) L.
Edward J. Markey (D) S.
John Moakley (D) S.
Paul E. Tsongas (D) S.

MICHIGAN

Sen. Robert Griffin (R) S&L.
Sen Donald W. Riegle (D) S&L.
William Broomfield (R) S&L.
Garry Brown (R) S.
Elford Cederberg (R) S.
John Dingell (D) S&L.
Lucien N. Nedzi (D) L.
Carl D. Pursell (R) S&L.
Philip Ruppe (R) S.
Harold S. Sawyer (R) S.

MINNESOTA

Sen. Hubert Humphrey (D) S&L.
Donald Fraser (D) S.
Bill Frenzel (R) S.
Bruce F. Vento (D) L.

MISSISSIPPI

David Bowen (D) S.
Thad Cochran (R) S&L.
G. V. Montgomery (D) S.

MISSOURI

Bill Burlison (D) S&L.
William Clay (D) S.
Richard A. Gephardt (D) S.
Ike Skelton (D) S&L.
Harold L. Volkmer (D) S&L.
Robert A. Young (D) S.

MONTANA

Sen. Lee Metcalf (D) S&L.
Max S. Baucus (D) S.

NEBRASKA

John J. Cavanaugh (D) S.

NEVADA

Sen. Howard Cannon (D) S.
Sen. Paul Laxalt (R) S.
James D. Santini (D) S.

NEW HAMPSHIRE

Sen. Thomas McIntyre (D) L.
Norman E. D'Amours (D) S&L.

NEW JERSEY

Sen. Clifford Case (R) S.
Sen. Harrison Williams, Jr. (D) L.
James J. Florio (D) S.
Harold C. Hollenbeck (R) S.
James J. Howard (D) S.
William J. Hughes (D) S.
Joseph A. Le Fante (D) S.
Andrew Maguire (D) S.
Helen S. Meyner (D) S.

NEW MEXICO

Sen. Harrison Schmitt (R) S.
Manuel Lujan (R) S&L.
Harold Runnels (D) S&L.

NEW YORK

Sen. Daniel P. Moynihan (D) S.
Herman Badillo (D) S.
Bruce F. Caputo (R) S.
Barber Conable, Jr. (R) S&L.
Thomas J. Downey (D) S.
Hamilton Fish (R) L.
Benjamin Gilman (R) S.
Frank Horton (R) S&L.
Jack Kemp (R) S.
Robert McEwen (R) S.
Matthew F. McHugh (D) S.
Donald Mitchell (R) S.
Otis Pike (D) S&L.
Frederick W. Richmond (D) S.
Samuel S. Stratton (D) S&L.
Theodore S. Weiss (D) S.
John Wydler (R) S.

NORTH CAROLINA

Sen. Jesse Helms (R) S.
Ike Andrews (D) L.
James Broyhill (R) S.
L. H. Fountain (D) S.
Lamar Gudger (D) S.
Walter Jones (D) S.
James Martin (R) S.
Stephen Lynbrook Neal (D) S.
L. Richardson Preyer (D) S&L.

NORTH DAKOTA

Mark Andrews (R) S.

OHIO

Sen. John Glenn (D) L.
John Ashbrook (R) L.
Clarence J. Brown (R) S&L.
Samuel Devine (R) S.
Tennyson Guyer (R) S&L.
William Harsha (R) S.
Thomas N. Kindness (R) S&L
Delbert Latta (R) S.
Clarence Miller (R) S.
Ronald M. Mottl (D) S.
Donald J. Pease (D) S.
J. William Stanton (R) S.
Louis Stokes (D) S&L.
Chalmers Wylie (R) S&L.

OKLAHOMA

Sen. Dewey Bartlett (R) S.
Mickey Edwards (R) S.
James Jones (D) S.
Theodore M. Risenhoover (D) S.
Tom Steed (D) S&L.
Wes Watkins (D) S.

OREGON

Sen. Mark Hatfield (R) S&L.
Sen. Robert Packwood (R) S.
Walter Leslie AuCoin (D) S.
Robert B. Duncan (D) S&L.
Al Ullman (D) L.

PENNSYLVANIA

Sen. Richard Schweiker (R) S&L.
Lawrence Coughlin (R) S.
Robert W. Edgar (D) S.
Joshua Eilberg (D) S&L.
Allen E. Ertel (D) S.
Daniel Flood (D) S.
William F. Goodling (R) S&L.
Raymond F. Lederer (D) S&L.
Joseph McDade (R) S.
Marc L. Marks (R) S.
Austin Murphy (D) S&L.
John P. Murtha (D) S&L.
Gary A. Myers (R) S.
Fred Rooney (D) S.
Richard T. Schulze (R) S&L.
E. G. Shuster (R) S.
Douglas Walgren (D) S.
Gus Yatron (D) S.

RHODE ISLAND

Sen. John H. Chafee (R) S&L.
Sen. Claiborne Pell (D) S.

SOUTH CAROLINA

Sen. Ernest Hollings (D) S.
Sen. Strom Thurmond (R) S&L.
Mendel Davis (D) S.
Kenneth Lamar Holland (D) S&L.
Floyd Spence (R) S&L.

SOUTH DAKOTA

James Abdnor (R) S.

TENNESSEE

John Duncan (R) S&L.
Harold E. Ford (D) S.
Ed Jones (D) S.
Marilyn L. Lloyd (D) S.

TEXAS

Sen. Lloyd Bentsen (D) S&L.
Bill Archer (R) S.
Omar Burleson (D) S.
James Collins (R) S.
Eligio de la Garza (D) S&L.
Bob Gammage (D) S.
Henry Gonzalez (D) S&L.
Jack E. Hightower (D) S&L.
Abraham Kazen, Jr., (D) S.
Robert C. Krueger (D) S.
Jim Mattox (D) S.
Dale Milford (D) S.
J. J. Pickle (D) S.
W. R. Poage (D) L.
Ray Roberts (D) S&L.
Olin Teague (D) S.
Richard White (D) S&L.
Charles Wilson (D) S.
James Wright, Jr., (D) S&L.

UTAH

Sen. Jake Garn (R) S&L.
Sen. Orrin G. Hatch (R) S.
K. Gunn McKay (D) S&L.
Dan Marriott (R) S&L.

VERMONT

Sen. Patrick Leahy (D) S&L.
Sen. Robert T. Stafford (R) S.
James M. Jeffords (R) S.

VIRGINIA

Sen. William Scott (R) L.
M. Caldwell Butler (R) S.
W. C. (Dan) Daniel (D) L.
Joseph Fisher (D) S.
J. Kenneth Robinson (R) S&L.
David Satterfield III (D) S.
Paul S. Trible (R) S.
William Wampler (R) S.

WASHINGTON

Sen. Henry Jackson (D) S.
Don L. Bonker (D) S.
Norman Dicks (D) S.
Thomas Foley (D) S.
Lloyd Meeds (D) S&L.

WEST VIRGINIA

Sen. Robert Byrd (D) S.
Sen. Jennings Randolph (D) S.
Robert Mollohan (D) S.
Nick Joe Rahall (D) S.
John M. Slack, Jr., (D) S.
Harley O. Staggers (D) L.

WISCONSIN

Sen. William Proxmire (D) S.
Robert W. Kastenmeier (D) S.
Henry S. Reuss (D) S&L.
William A. Steiger (R) S.

WYOMING

Sen. Malcolm Wallop (R) S.

SENATE CONCURRENT RESOLUTION 7

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. EDWARDS of California. Mr. Speaker, as a cosponsor of a similar House measure, I strongly support Senate Concurrent Resolution 7, and am pleased at its passage by both the House and the Senate. The Congress has now

clearly demonstrated its deep concern at the Soviet Government's mistreatment and harassment of Soviet Jews and other minorities.

In his speech to the United Nations earlier this month, President Carter outlined his commitment to a strong human rights policy. In the President's words:

All the signatories of the U.N. Charter have pledged themselves to observe and to respect basic human rights. Thus, no member of the United Nations can claim that mistreatment of its citizens is solely its own business. Equally, no member can avoid its responsibilities to review and to speak when torture or unwarranted deprivation occurs in any part of the world.

By our overwhelming vote in favor of Senate Concurrent Resolution 7, we have shown the Soviet Union and the world that the Congress and the American people stand behind our President's human rights commitment.

We must continue to voice our concern when the basic human and civil rights of individuals are violated. We must continue to urge the Soviet Union to abide by the human rights provisions of the Helsinki Declaration. I believe the Congress has shown that it will meet this responsibility.

A CHAMPIONSHIP FOR MARQUETTE, AND AL McGUIRE

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. REUSS. Mr. Speaker, I want to share with my colleagues the jubilation of my district over the victory last night of the Marquette Warriors basketball team in the finals of the National Collegiate Athletic Association championships in Atlanta. I would also like to express my pride and admiration—and that of my constituents—for Mr. Al McGuire, who will now retire as coach of the Warriors after 13 great seasons.

My Milwaukee office reports that Wisconsin Avenue—the city's main street—was jammed last night with celebrators for the 3 miles between 16th Street and Lake Michigan. One staffer says that she was hugged several times by total strangers. There are also unconfirmed reports of beer flowing in Milwaukee houses of refreshment at great discounts, and vigorously increased volumes.

For the last 10 years, Al McGuire has been taking his strong Marquette teams to post season tournaments. Now, at last, the Warriors won the national championship, and Milwaukee went wild with joy. It was fitting that the team should win the championship in Mr. McGuire's last season.

The national press, which gets to see Mr. McGuire only around this time every year, paints him the iconoclast and bad boy of college basketball—a position he likes.

These members of the national press, however, have not seen the strong respect in which Mr. McGuire is held in the community of Milwaukee. And they cannot see up close, as we see in Milwaukee, the superb work of education and guidance he gives to the young members of his teams.

For all the shouting and press fireworks, there is a real sense of love on Mr. McGuire's teams, and a feeling that the youngsters who come to Marquette at the ages of 17 and 18 draw real guidance and purpose from their years with him. For all the winning, and all the brilliant strategy of Mr. McGuire's games—I direct my colleagues' attention to the way he handled the vaunted Carolina four-corner offense—he is above all an excellent teacher, and an excellent example to young men who strive to be best.

My special congratulations to Al, and to Hank Raymonds, who will step into his shoes next year. And I congratulate the entire Marquette team: Bo Ellis, Bill Neary, Jerome Whitehead, Butch Lee, and Jim Boylan; Gary Rosenberger, Bernard Toone, Ulice Payne, Robert Byrd, Craig Butrym, Jim Dudley, and Mark Lavin.

THE PROBLEMS OF FUNDING SOCIAL SECURITY

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. WHITEHURST. Mr. Speaker, 2 years ago I introduced a bill to establish a Special Advisory Council on Social Security Financing, since it was already abundantly clear that our social security system was in deep financial trouble. It seemed obvious to me that no time should be lost in pursuing possible alternative means of financing the system, so that those now employed could, with some degree of confidence, expect to benefit from the system when they retired.

Between now and the year 2050, the average annual deficit in the system will be 7.96 percent, according to the estimate of the trustees. However, if we continue at the present rate, the deficit in 2050 will be 16.69 percent of the taxable payroll. I have already introduced one bill this year to end the present system of coupling and another to permit everyone, regardless of whether or not he or she is covered under a pension plan of any kind, to participate in a tax-sheltered individual retirement account. The former would go a long way toward reducing the anticipated deficit, and the latter would protect future retirees from major cuts in social security benefits.

Today I am reintroducing my 1975 bill, in the hope that a special advisory council, with the sole responsibility of investigating alternative means of financing the system, can offer proposals to help solve the major problem we are facing by coming up with something that would be actuarially sound, perhaps a phasing-in of an annuity plan akin to civil service and a phasing-out of the present FICA tax, which has been putting an ever-increasing burden on the current work force. If our present birth rate continues, or declines, it is not inconceivable that within a generation the retirees will outnumber those working.

It seems to me that there is a declining confidence in the present system. One sign of this is the sharply increased rate at which State and local governments are exercising their legal option to withdraw.

Mr. Speaker, 2 years ago it was urgent that new ways be found to finance the social security system; now it is a critical need. I hope that my colleagues will see fit to take prompt, positive action in this regard.

THE MERITS OF THE DEATH PENALTY

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. McDONALD. Mr. Speaker, the recent reinstitution of capital punishment by the State of Utah has generated a new round of debate over the merits of the death penalty as a just, effective punishment for those who commit heinous crimes. Although current polls indicate that the vast majority of Americans now favor the death penalty, a vocal minority led by organizations such as the American Civil Liberties Union continue to attack the death penalty on grounds such as: First, it does not deter crime; second, it is impossible to guarantee that an innocent man will not be executed under our imperfect judicial procedures; third, Christian doctrine requires forgiveness and mercy, rather than punishment, even when dealing with murderers; and fourth, discriminates against minorities and the poor.

An article by Reed Benson and Robert Lee in the August 1974 issue of the Georgia Journal of Corrections analyzes these and other arguments used by opponents of capital punishment. I commend this article, which originally appeared in the August 9, 1972, issue of The Review of the News, to the attention of my colleagues.

The article follows:

On June 29, 1972, the Supreme Court (92 S.Ct. 2726 [1972]) handed down a 5-to-4 decision which, for all practical purposes, abolishes existing state and federal laws authorizing capital punishment and commutes the death sentences of some 600 prisoners throughout the nation. Rejecting the precedent established by all prior Supreme Court decisions on the matter, as well as the clear intent of the framers of the Constitution, the Court ruled that the death penalty violates the Eigth Amendment's ban on "cruel and unusual" punishments.

The decision comes at a time when crimes such as murder, rape, and skyjacking have reached unprecedented levels, leading many to question the wisdom of removing from our statute books recourse to what may well be the most potentially effective and just means of dealing with the most brutal of criminals.

The narrow vote and the nine individual opinions which accompanied it reflect the controversial nature of this issue. Only two members of the Court (Justices Thomas

Brennan and Thurgood Marshall) concluded that capital punishment should be banned under all circumstances. Presumably, this leaves the door ajar for possible future use of the death penalty, provided that extensive legislature revisions are made in the meantime. But the decision of June twenty-ninth is nevertheless the most devastating legal blow yet struck in the longtime Leftist campaign to abolish capital punishment.

It is often argued that the death penalty should be abandoned because of the possibility of executing an innocent person. Justice Marshall asserted in his concurring opinion: "We have no way of judging how many innocent persons have been executed but we can be certain that there were some" (92 S.Ct. 2726[1972]).

One wonders how we can be certain, if there is no way of judging. Especially since the Legislative Reference Service of the Library of Congress looked into the matter in 1966 and determined that: "There have been no known cases of the execution of an innocent man in this country" (Vialet, 1966, p. 61). What is known, however, is that scores of innocent people have been killed over the year by escaped or paroled murderers who had not been executed. Strangely, neither Justice Marshall no other members of the Court majority made reference to this provable fact.

It is certainly possible that sometime during the last 196 years human fallibility has, indeed, resulted in an as yet undisclosed legal execution of an innocent man in our country. But the point of such fallibility is clearly at the end of a two-edged sword. If lawyers and juries can make mistakes, so can psychiatrists and parole boards: A killer who is incorrectly determined to be "reformed" or "cured" can be sent back to society to kill again. Consider this illustration from the F.B.I. Law Enforcement Bulletin for January of 1971:

"After a recent gun battle, one suspect was arrested for two murders, a kidnapping, and the gunpoint robbery of his own mother. Citizens leared in disbelief that he had been freed from a mental hospital just a few months before, after six court-appointed psychiatrists had testified he has regained his sanity. In 1967 he had been found insane after the strangulation murder of a woman." . . . (Hoover, p. 21).

Examples of innocent citizens dying at the hands of convicted murderers are many. Here are a few cases to consider:

(a) Some sixty years ago Charles Fitzgerald killed a deputy sheriff and was given a 100-year prison sentence as a result. But he was released after serving just eleven years, and in 1926 proceeded to murder a California policeman. Sentenced to life imprisonment for this second killing of a law enforcement officer, Fitzgerald was nevertheless granted parole once again in December of 1971. (Associated Press, 1971).

(b) In 1931, "Gypsy" Bob Harper, who had been convicted of murder, escaped from a Michigan prison and killed two persons. After being recaptured, he then proceeded to kill the prison warden and his deputy. (Bedau, 1967).

(c) In 1936, the late F.B.I. Director J. Edgar Hoover reported the case of a Florida prisoner who committed two murders, received clemency for each, and then showed how much he had been "reformed" by murdering twice more. (Bedau, 1967).

(d) In 1952, Allen Pruitt was arrested for the knife slaying of a newsstand operator and sentenced to life imprisonment. In 1965, while in prison, he was charged with fatally stabbing a prison doctor and an assistant prison superintendent, but was found not guilty by reason of insanity. In 1968, his 1962 conviction was overturned on a technicality by the Virginia Supreme Court, thus forcing the state to re-try him for the 1952 slaying. In November of 1970, he was again found guilty, but was given a 20-year sentence instead of life. And since he had already served eighteen years and some time off for "good behavior," he was released. One year later, on December 31, 1971, Pruitt was arrested and charged with the murder of two men in Spartanburg, South Carolina. (Associated Press, 1972).

(e) A man convicted of murder in Oklahoma pleaded with the judge and jury to impose the death sentence, but was given a life sentence. He later killed a fellow inmate and was executed for this second murder in 1966. (Sellin, 1968).[1]

(f) On March 17, 1971, J. Edgar Hoover told a Congressional Subcommittee that nineteen of the killers responsible for the murder of policemen during the Sixties had been previously convicted of murder, (Hoover, 1971.)[2]

And the listing could go on and on of innocent Americans slain at the hands of murderers who, had they been executed for earlier killings of which they were convicted could not have murdered again.

Abolitionists would have Americans spend sleepless nights worrying about the possibility that our system of justice may misfire and execute an innocent man—a possibility for which there is no known precedent in all American jurisprudence. But they shed few tears for the many innocent people who die because of judicial leniency and erroneous psychiatric evaluation of murderers.

Another argument forwarded by opponents of capital punishment is that we are a more humane society today than ever before, so must reject taking even the lives of killers and rapists. It is interesting to note, however, that many leaders of the abolitionist movement who use this "humane" appeal are often leaders in the movement to kill the innocent unborn through abortion. It is a double standard that deserves more attention than it has received.[3] Certainly with abortion, crime, violence and sadism—both in real life and on the movie and television screens—more prevalent than ever before, the claim that we are more "humane" than in the past must be questioned.

It is also alleged that most Americans now oppose capital punishment. Usually, such an assertion is based on nothing more substantial than small-sample surveys conducted by such "Liberal" pollsters as George Gallup and Louis Harris. But such polls fly in the face of the hard fact that only nine of our states have abolished capital punishment completely, and at least eight states which had at one time abolished the death penalty later restored it. (U.S. Department of Justice, 1969). On at least four occasions within the past dozen years, the U.S. Congress, itself, has adopted legislation providing the death penalty for various monstrous crimes.

Another central issue of the debate over capital punishment is whether or not it is an effective deterrent to violent crime. It should be made clear, however, that deterrence is not to be considered the primary reason for administering the death penalty (nor, for that matter, any criminal penalty). It would be both immoral and unjust to punish one man merely as an example to frighten others. The basic consideration should be: Is the punishment deserved? If not, then it should not be administered, regardless of what its usefulness as a deterrent might be. After all, if deterrence supersedes justice as the basis for criminal sanctions, the guilt or innocence of the accused becomes largely irrelevant. Deterrence can be as effectively achieved by executing an innocent man as a guilty one, something which Communist leaders discovered long ago (Hoover, 1962). You simply have to be sure that those to be deterred are convinced by propaganda that the accused is guilty.

If a punishment administered to a guilty man deters another from committing a crime, all well and good. But such a result should be looked on as a bonus of justice properly applied, not as a purpose for the application of the penalty. The decisive consideration should be: Has the accused earned the penalty to be inflicted?

In at least one important respect, capital punishment is unquestionably an effective deterrent. It simply cannot be contested that a killer, once executed, is forever deterred from killing again.

The deterrent effect on others, however, depends largely on how consistently and surely the penalty is applied in those cases justifying it. Since capital punishment has not been used with any degree of consistency in recent decades, it is quite impossible statistically to evaluate its deterrent potential with any degree of accuracy. Abolitionists often claim that a lack of significant difference between the murder rates for states with and without capital punishment proves that the capital penalty does not deter murder. But that is nonsense. Even states with the death penalty have used it so little over the years as to preclude any meaningful comparison between states. Any punishment—even death—will cease to be an effective deterrent once it is recognized as mere bluff.

Although seldom considered during the last decade, there are some interesting, and perhaps significant, relationships between the murder rate and the extent to which the death penalty was used. For instance, the number of executions carried out in 1960, 1961, and 1962 were, respectively, fifty-six, forty-two and forty-seven (U.S. Dept. of Justice, 1969). The F.B.I.'s 1970 Uniform Crime Reports establishes that during those years both the number and rate of murders declined slightly. But in 1963, there was a record low of only twenty-one executions, and the murder statistics immediately escalated into an upward climb which continues to this day.[4] With no executions at all in 1971, there were 17,630 murders, compared to approximately 9,000 in 1960—a 96 percent increase! The population increased less than 16 percent during that same period (Federal Bureau of Investigation, 1971).

Opponents of the death penalty may perhaps rejoice that in 1971 there were fifty-six fewer court-ordered executions than in 1960 (U.S. Dept. of Justice, 1969); but what of the nearly nine thousand additional innocents who died at the hands of murderers in 1971 than was the case in 1960?

It is interesting to note the trouble England has been experiencing since abolishing the death penalty for murder. An article in the *Wall Street Journal* for June 6, 1972, noted: "There has been a sharp rise in the armed robberies and violent crime throughout Britain since 1965, when the death penalty was dropped, and more criminals seem to carry gus now" (Kessler, CONGRESSIONAL RECORD, June 8, 1972, p. 20215). According to a United Press dispatch on September 3, 1967, there were more murders, rapes, assaults, and robberies in London during 1968—the second year after the death penalty was abolished—than in any previous year of its 2,000-year history!

To allege that the death penalty, if enforced, would not be a deterrent to crime is, in essence, to say that people are not afraid of dying. If that is the case, as columnist Jenkin Lloyd Jones has observed, then warning signs reading "Slow Down," or "Bridge Out," or "Danger—40,000 Volts" are useless and futile relics of a day when men were fearful.

This is not to say that the death penalty could ever become a 100 percent deterrent to murder. Obviously it could not, because the fear of death varies among individuals.

Footnotes at end of article.

Some people will always tame lions, shoot rapids, or walk circus high-wires, despite the obvious risks involved. But, as attorney Bernard Cohen observes, "there are even more people who refrain from participating in . . . [such] activities mainly because risking their lives is not to their taste (1970, pp. 49–50).

Now consider the following:

(a) According to the Uniform Crime Reports during the period 1968–71 forty-nine policemen were slain from ambush in the United States. No such murders from ambush occurred during 1966 or 1967, the last two years during which the death penalty was actually used in this country. Seven police officers were murdered from ambush in 1968, three in 1969, nineteen in 1970, and twenty were murdered from abush in 1971.

(b) The Commissioner of Police in London reported a few years ago that when a member of a gang of armed robbers was apprehended and sentenced to death, but had this sentence commuted to life imprisonment, the gang continued its operations. But when, shortly thereafter, two other gang members were caught, convicted, and executed, the remainder of the gang promptly disbanded and disappeared. (Taylor 1963).

(c) In February of 1960, the Los Angeles Police Department submitted a report to the California Senate Judiciary Committee which revealed that at least thirteen robbery suspects had, during the previous year, told police they "(1) used toy guns; or (2) empty guns; or (3) simulated guns in robberies rather than take a chance on killing someone and getting the gas chamber." (Bedau, 1967, p. 267).

(d) In March of 1959, newspapers reported the escape of a convict who carried hostages to the state line, and then let them go. He was later apprehended, and told police he had freed the hostages because the neighboring state had the death penalty for kidnapping, and he didn't want to risk his life by transporting the hostages into that state (Bedau, 1967).

Let's consider this matter of deterrence on a far less serious level: The fine today for driving through a red light is around twenty-five dollars. Some motorists drive through red lights despite the threat of this relatively minor penalty, but most do not. Are we to assume that the threat of the fine has no influence on this reluctance of most drivers to run red lights? Should penalties for traffic violations be abolished because some people violate the law anyhow? The answers are obvious, and far more so when the possible penalty is death rather than a $25 fine.

Is life imprisonment an adequate substitute for the death penalty? As we have already noted, scores of innocent people have died at the hands of men previously convicted and jailed for murder. As the Reverend E.L.H. Taylor notes:

"The imprisoned murderer has everything to gain and nothing to lose by murdering his guards. Why should a murderer who has once been convicted of that offense be given the opportunity to add a second victim to his list?" (Taylor, 1963, p. 16).

Swift and certain punishment has long been recognized by law enforcement authorities as an essential element of crime deterrence (Allen, 1960; Hoover, 1960, 1970). But the severity of the punishment must match the seriousness of the crime if the interests of justice, the protection of society, and the maximum deterrent impact are to be realized. Suppose, for example, that a bank robber is very swiftly and surely sentenced to a month in the county jail, or a rapist swiftly and certainly given a $100 fine. Would such "punishment" deter either criminal? Very unlikely.

Related to this problem is the possible rise in vigilante activity if judges and juries continue to deal leniently with rapists, murderers, and other brutal criminals (Anonymous, 1974; Griffin, 1968). Though concurring in the Supreme Court's decision against capital punishment, Justice Potter Stewart nevertheless summarized this particular danger as follows:

"The instinct for retribution is part of the nature of man and channeling that instinct in the administration of criminal justice serves an important purpose in promoting the stability of a society governed by law. When people begin to believe that organized society is unwilling or unable to impose upon criminal offenders the punishment they "deserve," then there are sown the seeds of anarchy—of self-help, vigilante justice, and lynch law" (92 S.Ct. 2726 [1972]).

A tragic example confirming Justice Stewart's analysis was recently reported by United Press International in a dispatch which appeared in the Washington Star for June 15, 1972:

"Anthony Phillips, 60, heard a judge in New Castle, Pa., sentence a 19-year-old youth to six years in prison for killing Phillips' younger brother during a robbery attempt.

"Phillips quietly left the Lawrence County courtroom of Judge John F. Henderson, Tuesday, and walked downstairs to a rear door. He mingled with a small crowd until the youth, Gary Couch, emerged surrounded by sheriff's deputies.

"As Couch walked to a patrol car, Phillips pulled a snub-nose .38-caliber revolver from his pocket and fired four quick shots. Couch was struck once in the head and three times in the chest. He died an hour later.

"Phillips, taken to Western Penitentiary where Couch was to have been imprisoned, was charged with murder.

"He said he was displeased by the 'lenient judge' who sentenced Couch after he pleaded guilty to manslaughter in the Jan. 18 shooting death of Alex Phillips, 55."[5] (United Press International, 1972, p. A3).

Abolitionists often cite statistics which they claim indicate that capital punishment has been used in a discriminatory manner, so that the poor, black, friendless, etc., have suffered a disproportionate share of executions. This was a key argument used by the Supreme Court majority in reaching its decision. But, even if true, this is certainly not a valid reason for abandoning the death penalty, unless it can be shown that such alleged discrimination results in the punishment of innocent persons—a claim which none of the Justices made or implied.

All criminal laws in all countries have tended to be administered in an imperfect and uneven manner, with the result that some elements in society have been able to evade justice more consistently than others. But because one person escapes justice, is it right that all should escape justice? Since justice nowhere prevails perfectly, should we abandon the attempt to attain it? Police Chief Edward J. Allen of Santa Ana, California, helped put the problem in its proper perspective a few years ago when he observed:

"The deals which allow criminals to escape justice are consummated by courts and attorneys . . . Responsibility also devolves upon citizen jurors to return proper verdicts. If some citizens, courts and lawyers fail in their duty, is the law itself to blame? Rather it is their administration of it." (Allen, 1960, p. 138).

Another question which arises is the degree to which justice should be tempered by mercy in the case of killers. Some will ask, "Is it not the duty of Christians to forgive those who trespass against them?" But, in criminal cases, the two most responsible sources to extend mercy and forgiveness are (1) God, and (2) the victim of the injustice. This places the crime of murder in a unique category, because so far as the world is concerned the victim is no longer here to extend mercy and forgiveness. Does the state or any earthly party have the right or authority to intervene and offer mercy on behalf of a murder victim? The Reverend E. L. H. Taylor makes the point this way:

"Now it is quite natural and proper for a man to forgive something you do to him. Thus if somebody cheats me out of $20.00 it is quite possible and reasonable for me to say, "Well, I forgive him, we will say no more about it." But what would you say if somebody had done you out of $20.00 and I said, "That's all right, I forgive him on your behalf"?" (Taylor, 1963, p. 23).

There is simply no way, in this life, for a murderer to be reconciled to his victim, and secure the victim's forgiveness. This leaves civil authority with no other responsible alternative than to adopt justice as the standard for assigning punishment in such cases.

Sometimes those who defend the death penalty are pictured as being intolerant. But isn't it true that one of our real problems in America today is too much toleration of evil? Too many Americans accept acts of violence, cruelty, lying, fraud, and civil turmoil with all too little response in the way of righteous indignation. Intolerance of such destructive acts is simply a reflection that a person is seriously concerned with the question of right and wrong. Perhaps it is time for all Americans to begin taking right and wrong more seriously.

The exact status of capital punishment remains highly confused at present, and it may take months for state and federal officials to figure out what can or cannot be done as a result of the Court's ruling. Some observers (including Justice Powell) speculate that nothing short of a constitutional amendment can reverse the Court's judgment.

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FOOTNOTES

[1] See also To abolish the death penalty. Hearings before the Committee on the judiciary, U.S. Senate, Ninetieth Congress, 2d Session (March 20, 21, and July 2, 1968), p. 84.

[2] See also Federal Bureau of Investigation 1972 (Washington: Federal Bureau of Investigations), p. 55.

[3] For specific examples, see The Review of the News for January 5, 1972, pages 33, 35.

[4] There were fifteen executions in 1964, seven in 1965, one in 1966, two in 1967, and none since.

[5] Another disgusting example of how "justice" is determined by some modern jurists was related by J. Edgar Hoover in the F.B.I. Law Enforcement Bulletin for January 1971: A young midwestern criminal who confessed beating to death a 75-year-old woman in a $5 street robbery was granted a 7-to-10 year term. Offered as an excuse for the light sentence was the advanced age of the victim, on the fanciful theory that, if the murdered woman had been younger, she might not have died from the brutual assault. (Hoover, 1971, p. 22).

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BATAAN-CORREGIDOR DAY

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. PANETTA. Mr. Speaker, I am introducing today a joint resolution directing the President of the United States to proclaim April 9 of each year as Bataan-Corregidor Day in recognition of the anniversary of the fall of Bataan and Corregidor and in honor of the brave men of the Philippine Scouts who gallantly fought alongside American soldiers to preserve the principles of democracy.

For too long we have failed as a Nation to give due recognition to the sacrifices made by these people. The Filipino survivors of the Second World War who have become citizens of the Nation they fought so bravely to protect continue to be denied the full benefits entitled to every other American who fought in that war.

The joint resolution I am introducing today is one small step toward correcting this injustice. I invite the support of all Members of Congress in this important effort.

H.J. RES. 364

Joint resolution designating April 9 of each year as "Bataan-Corregidor Day"

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall annually issue a proclamation designating April 9 as "Bataan-Corregidor Day" in observance of the anniversary of the fall of Bataan and Corregidor and as a tribute to the gallant American and Philippine soldiers who fought, suffered, and died side by side defending the principles of freedom. Such proclamation shall call upon the people of the United States to observe each such day with a minute of silence at 11:00 ante meridiem and with other appropriate ceremonies and activities.

JOSEPH "REDS" VERNON

HON. GLADYS NOON SPELLMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mrs. SPELLMAN. Mr. Speaker, I state the obvious when I say that the responsibility for the future prosperity of this Nation rests squarely on its youth. Regardless of our actions now and those of our predecessors, these attempts to insure long-range stability and security will be meaningless unless the succeeding generations possess the capabilities and convictions to "take the baton" when we, inevitably, must pass it to them.

Yet, the obvious goal is not always the easiest to achieve and this is especially true with developing and strengthening the character of our youth. Indeed, as a mother and grandmother, I am all too familiar with the difficulty and frustration which all parents experience during those formative years when the child, grudgingly and with loud protestations, is gently prodded into assuming the responsibilities and demeanor of an adult.

The parents of Prince Georges County, Md., however, may have an easier time of it than their peers in other communities. For we are blessed to have as a neighbor and assistant one of the most respected figures in the Nation in the field of youth development—Mr. Joseph "Reds" Vernon, executive director, since 1952, of the Prince Georges County Boys and Girls Clubs.

In this limited space, it would be all but impossible to fully document Mr. Vernon's accomplishments during his 20-year tenure as leader of the Boys and Girls Clubs. I would like to mention though, that in 1952, when "Reds" took the helm of this vital organization, it had 5,000 members. It now has a membership of 28,000 young people 18 years of age or younger. Its programs both encourage community involvement and concern, and emphasize the importance of physical fitness, all so vital to the future well-being of the individual and his environment. And, they are as successful as they are extensive. Indeed, just a partial list of the awards which Mr. Vernon has received during his career will give you some idea as to the degree of this success. Included among them are: The Governor of Maryland's Distinguished Citizen Award; Maryland Junior Chamber of Commerce Physical Fitness Leadership Award; Certificate of Public Service—County Executive Commission; State of Maryland Appreciation Award; Prince Georges County Advisory Youth Action Award; Certificate of Public Service—County Council; Governor's Commission on Physical Fitness Award; and the Brookland Boy's Club Man of the Year Award.

On March 31, the citizens of Prince Georges County will pay well-deserved tribute to "Reds" Vernon and the role he has played in guiding our county's youth toward meaningful and productive lives. But, his contributions to the welfare of these citizens undoubtedly will help strengthen the character of countless other individuals for years to come. With this in mind, I am sure my colleagues in the Congress will join me in extending congratulations and deep appreciation to Joseph "Reds" Vernon for his efforts to insure that when the baton is passed, it will be received by a generation anxiously waiting to continue the work their predecessors began.

CHILD PORNOGRAPHY

HON. LINDY BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mrs. BOGGS. Mr. Speaker, the Washington Post recently carried an article entitled "'Sexploiting' Kids—An Abuse of Power" by Ellen Goodman. I would like to call it to the attention of my colleagues as a direct address to what has become apparent as a significant national problem.

Until recently little, if anything, was known about child pornography. Now that we are becoming aware of the seriousness and the extent of this national operation we must take action to stop it. In the process, however, we must make sure not to lose sight of the major concern: the children.

I insert this article for the RECORD:

"SEXPLOITING" KIDS—AN ABUSE OF POWER

(By Ellen Goodman)

BOSTON.—There is almost a sense of relief in talking about it. At last, a simple matter of right and wrong. There is no "redeeming social value" for "Lollitots" with its sex shots of little girls. There is surely no "community standard" left unviolated by "Moppets" with its children posing in adult fantasies.

No. Finally there is an unequivocal villain. Finally a group we can pursue with a clear sense that "This, we know, is wrong."

After being force-fed the "heroics" of a creep like Larry Flynt, after pondering the defense of an obtuse sexual gymnast like

Harry Reems, the question of kidporn is refreshingly uncomplicated.

Our reaction is equally direct: Stop it! Already there are two federal bills and half a dozen pieces of state legislation designed to stop the use of children's bodies as sexual capital.

The speed with which child pornography has become a national concern says a great deal about our gut feelings about pornography in general. Kidporn is just a distillation of the worst of the genre: the perversion of the healthy, the rape of the natural, the sale of people.

But it has been dangerous and difficult to ban the trafficking among "consenting adults"—those who pose and those who peer The Supreme Court's notion—to determine what is pornographic by "community standards"—is so flexible and flaky that 12 jurors in a remote village could sentence Masters and Johnson to jail.

But the children cut through all of the murkiness. This is not a First Amendment issue. It is not a matter of legislating the sexual fantasies of adults. Its a matter of protecting the real lives of the young models.

We can take kidporn out of the realm of sex and into the realm of power, where it belongs. The children are victims, and kidporn is the exploitation of the powerless by the more powerful. That exploitation is as common to the history of adult-child relationships as is protection.

Children have always been the dependent subjects of adults. Until recently they were the objects as well. For centuries, parents simply owned them as property, and only gradually has society modified that power.

Now adults are not allowed to abuse their children, at least not badly, and not allowed to send them to work, at least not hard work or long work.

Yet it's estimated that thousands of children are killed every year by their "guardians" and that two million are "abused." In the home, the majority are merely "hit." In the schools, others are administered "corporal punishment." In the fields, thousands are put to work beside desperate migrant-worker parents.

Numerically, there are far, far fewer cases of sexploitation than of other forms of misuse. But now the federal legislation against kidporn will appear under two peculiarly appropriate categories. One has been filed under child abuse, the other under child labor statutes. These are the areas that already legislate restraint.

If we take this issue, and look at it as a matter of the abuse of power rather than of sexual deviance, we may begin to look at adult-child relationships more intently and more generally. We can continue to sort out and deal with our own confused notions of what is the appropriate use of power by adults over children. How should we use it and how should we further limit it?

At least on the kidporn question we are sure. As a Village Voice writer noted: Even Lolita, a teenage "seductress," was finally a powerless child. In the novel, after her mother dies, Lolita goes to the bed of the obsessed Humbert, who explains: "You see, she had absolutely nowhere else to go."

EXPORT-IMPORT BANK SUBSIDIES FOR NUCLEAR EXPORTS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. LONG of Maryland. Mr. Speaker, I recently testified before the House Committee on Banking, Finance and Urban Affairs, the Subcommittee on International Trade, Investment and Monetary Policy, on the subject of Export-Import Bank subsidies for nuclear exports. I should like to make available the full text of my remarks to my colleagues, many of whom share my deep concern with the problem of nuclear proliferation and U.S. nuclear export policy:

STATEMENT OF REPRESENTATIVE CLARENCE D. LONG

(NOTE: Portions of this statement are excerpted from my forthcoming article in the spring 1977 issue of International Security.)

Mr. Chairman, distinguished members of the committee, I appreciate the opportunity to testify before this committee on a subject which I believe to be of the utmost importance to our country and to the world: nuclear proliferation. Specifically, I want to address the question of how the Export-Import Bank of the United States subsidizes nuclear exports, and why those subsidies should be stopped.

The Export-Import Bank has been the principal vehicle for U.S. Government promotion of nuclear power exports. Since 1959, the Export-Import Bank has provided loans and guarantees for almost $4.8 billion of exports of nuclear equipment and fuel through 68 loans totalling $3.2 billion and 34 financial guarantees of $1.6 billion in commercial bank lending.

Commercial banks, with Export-Import Bank guarantees, have provided a substantial portion of the funding—generally 40 to 45 percent, and typically are first to receive any repayment. In an industry-by-industry calculation for FY 1975, the Congressional Budget Office concluded that the Export-Import Bank loans for nuclear exports, when compared with 16 other industries, had the longest average terms and received the second highest proportion of subsidy.

The Export-Import Bank has financed 50 of the 60 nuclear reactor exports by the United States. Of the 10 reactors exported without Export-Import Bank financing, only three exports of small reactors for Europe in the 1960's were not accompanied by some financial subsidy. Subsidy has been critical to almost all American nuclear reactor exports.

Mr. Chairman, I should like to insert in the record a table which shows the value of Export-Import Bank authorizations for nuclear power exports by country, from inception through the end of 1976. The figures are those of the Export-Import Bank itself.

Let us examine more closely the question of why the Export-Import Bank loans and guarantees constitute a subsidy for nuclear exports. The Export-Import Bank has insisted that it gives no subsidy to nuclear exports because the Bank lends to foreign countries at a rate of interest higher than the rate at which the U.S. Government borrows its funds. But a more relevant comparison should be made: the Export-Import Bank's lending rate is less than the rate charged in the private market for a loan of comparable class and maturity.

Export-Import Bank interest rates of 5–6% in the late 1950's and the current rates of 8–8.5% for nuclear power projects are well below market rates in the U.S. and even further below those available in the less-developed countries. Public utilities in the U.S. today borrow for 20-year projects at the rate of about 11–13% (for debt and equity combined). In less-developed countries, the cost of capital for corresponding projects is 2–3% higher, given the greater economic and political risks and undeveloped financial markets.

One prominent analyst of nuclear exports, Albert Wohlstetter, calculates that the Bank's lower interest rates on a portion of the capital required has resulted in a reduction of the cost of capital for nuclear power projects in other countries by at least 4–7%. Indeed, many nuclear projects probably would not have been undertaken otherwise. For example, if the average cost of a 20-year loan for a nuclear project is 10.5% with Eximbank backing and it would be 15% without it, the total project investment cost is reduced by about 24% (in terms of present value).

The Office of Management and Budget (OMB) estimates that total Eximbank subsidies for FY 1978 will reach $430 million, assuming a 12% discount rate. A sizable portion of that amount, 24% according to the Congressional Budget Office, can be attributed to financing nuclear exports.

Another, and perhaps more critical, element of subsidy can be identified. Without Export-Import Bank financing, very few (if any) nuclear power plants would be exported, probably none to the less-developed countries. An official of the Bank testified before this very subcommittee last year that "nuclear power plants . . . are one of the most clear-cut examples where it is necessary for the Eximbank to provide financing because private export credit is not available in sufficient volume and on appropriate terms."

Because of what Eximbank delicately refers to as "imperfections in the capital market", private lenders are unwilling to lend large sums for long periods at great political and economic risk to finance nuclear power projects abroad. The Export-Import Bank's willingness to lend when nobody in the private market will do so represents a subsidy, even though it is difficult to measure in quantitative terms.

Further, the magnitude of the effect of this subsidy on the export of nuclear plants and technology is even greater than the value of the subsidy itself. This is because the full faith and credit of the United States Government backs every Eximbank loan or guarantee. Private credit markets are strongly influenced by this "signal" to come in and finance the rest. The result is that more financial and real resources are allocated to nuclear exports that would be without Eximbank financing.

To make matters worse, the Export-Import Bank finances not only the export of nuclear equipment, but also the fuel needed to run nuclear power reactors! Certainly Eximbank offers no comparable inducement for other countries to develop alternative energy sources. It does not finance oil or coal exports—for example.

How do Export-Import Bank (and other U.S. Government) subsidies for the export of nuclear power plants encourage the proliferation of nuclear weapons around the world?

A nuclear power plant is the major step to nuclear weaponry. The engineers and physicists needed to develop nuclear explosives would be available in a power program. So also would be the plutonium, since the standard size 1,000-megawatt power reactor of current design would produce annually spent fuel containing 200 kilograms of plutonium—or enough for forty small nuclear explosives. All that is required to separate the plutonium from the radioactive wastes is a reprocessing plant which, for a modest weapons program, would require as few as 8 engineers with standard training and would cost as little as $25 million (a small fraction of a power reactor's cost).

I have often heard the argument that the poor nations must have nuclear power to replace skyrocketing oil imports, to save foreign exchange, and to insure continuing economic development. This is a fraudulent argument, on several counts. Nuclear power offers the prospect not of relieving shortages of foreign exchange and capital in poor nations but of exacerbating them. Nuclear power requires enormous capital—approximately $1 billion in capital and construction costs of a 1,000 megawatt reactor, susbtantially more than for coal or oil-powered plants of that output. Reactor parts, highly skilled technicans, and nuclear fuel would have to be imported at additional foreign exchange cost; whereas more conventional power plants could use indigenous factors or production.

Furthermore, if the bill to develop nuclear power in the under-developed nation is paid by the U.S. it would be at the expense of aid to those nations for food production, irrigation, and fertilizer, roads, education, health, ports, and housing. To construct the projected nuclear capacity for urban India alone in 1990 (not counting annual fuel costs) would require about $20 billion, and this immense sum would do nothing for the energy needs of the rural poor who make up four-fifths of the Indian population and who represent the real reason for seeking economic development.

What about the argument that if the U.S. stops subsidizing nuclear exports, other nations will take over the nuclear market? The threat of abandoning the nuclear market to other suppliers would be more formidable if the nuclear market were lucrative. Those who claim it is profitable should be asked to substantiate their contention. Even the French may ultimately get the message that nuclear exports have a way of costing the taxpayers more than the industry earns in profits. If France, Germany, or any other nation chooses to lose money, or to give away its resources to other countries, this is hardly the reason for us to follow its example.

There is no little possibility that U.S. leadership combined with economic and political pressure could bring other countries to cooperate. There appears to be some movement towards restraint on the part of the major nuclear exporting nations, which the U.S. should seek to encourage. What evidence is there that the political and economic levers at our disposal cannot be made to work, if we use them in good faith? It is even possible that clear American leadership and example will be supplemented by the burgeoning opposition to nuclear power in many developed countries, including a number of the nuclear exporting nations.

On February 11, 1977, I sent a letter to President Carter outlining my recommendations to end U.S. subsidies of nuclear exports and to encourage what I call light capital energy technologies as a substitute for nuclear energy. I would like to insert a copy of that letter in the record at this point, Mr. Chairman.

In that letter to the President, the following recommendation appears at the top of the list: "Prohibit Export-Import Bank loans or guarantees for nuclear reactors, fuel, or technology." In view of the very clearly demonstrated importance of Export-Import Bank subsidies to nuclear exports, I believe such a prohibition would be a critical first step for the Congress to take in mandating a comprehensive non-proliferation policy for the U.S.

It is my conviction that the greatest danger confronting the balance of this century is nuclear weapons proliferation; that the major impetus to nuclear power and weaponry has been U.S. subsidy and promotion; that past Congresses abandoned leadership to the President and the now-defunct Joint Atomic Energy Committee; that the Congress can act during this session to stop subsidy and promotion; and that ending the subsidy of nuclear proliferation would be wise politically, economically, and environmentally.

NUCLEAR POWER VERSUS UNEMPLOYMENT

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. WEISS. Mr. Speaker, acceptance of nuclear powerplants in many parts of our country seems to occur because people believe that one of the attending results of its development is the promise of employment and prosperity. It is often difficult for persons who are in the construction crafts and trades which have been so hard hit by the recession to oppose further development of nuclear power in spite of any doubts which they may have about its relative safety or efficiency as a source of energy.

New York State Assemblyman Maurice Hinchey, in an article which appeared in the March 26, 1977, New York Times, addresses this problem which affects his 101st assembly district in upstate Ulster County. Mr. Hinchey tells us that his is not a prosperous area; that unemployment is a very serious problem. Also, he states that the Power Authority of the State of New York is conducting a campaign aimed at the people in his area which promotes the belief that many new jobs will be forthcoming with the development of nuclear plants in Ulster and surrounding communities in upstate New York. Yet, 60 percent of the respondents to Mr. Hinchey's recent questionnaire on the subject indicated that they were opposed to future nuclear development in their area.

Mr. Speaker, we are faced at this time with developing both an employment program and an energy plan which respects the rights of our people and the condition of our environment. I agree with Assemblyman Hinchey that nuclear power is not the answer for either energy or jobs. I would like to bring Mr. Hinchey's article to the attention of my colleagues and at this time insert it into the RECORD:

[From the New York Times, Mar. 26, 1977]

NUCLEAR POWER VERSUS UNEMPLOYMENT

(By Maurice Hinchey)

ALBANY.—I am an upstate Assemblyman faced with the possibility of having not one but as many as five nuclear-reactor plants built in my area. A substantial number of my constituents, although fortunately not a majority of them, are actually looking forward to this because it will mean more jobs.

We are situated in one of the less prosperous parts of the state, and our labor force has been particularly hard-hit by the current recession. Anything promising work therefore has to possess a powerful attraction.

The public-relations people working for the Power Authority of the State of New York are very much aware of this. They bombard the local newspapers with press releases describing the number and kinds of construction and other jobs that will be created.

Many of our construction workers have been out of work well over a year. You can easily imagine the hope that surges through them as the Power Authority unfurls its vision of coming prosperity: 189 carpenters, 493 pipefitters, 321 electricians, 35 cement finishers—all to be employed directly in the construction of only one of the plants, not to mention the indirect benefits as additional homes are built, highways improved, and new commercial enterprises started.

It is easy for people who are out of work to convince themselves that the technological problems connected with nuclear energy have been satisfactorily solved and that all who criticize are misguided crackpots.

Some of them have told me as much, very plainly and bluntly. Confronted with their desperate need for work, their real sense that the government has let them down, and their rising anger now that they fear they may be thwarted just when an opportunity has arisen at last to obtain a job, I do not find it easy to raise a cautionary hand against their hopes; and yet, the more I study the nuclear-power issue the more convinced I become that it is not the correct answer to our energy needs and that it may indeed become the single, irreversible technological blunder of our time.

But how do you tell this to a man who is out of work?

"I helped build the Indian Point plant," one unemployed construction worker told me angrily a few months ago. "I tell you it's absolutely safe!"

Such certitude was remarkable, especially since the Indian Point complex is built along the Ramapo Fault, vulnerable to earthquakes.

I had known the man a long time and I realized that despite his air of confidence he was deeply troubled. My questions regarding the safety of nuclear plants reminded him of the Faustian bargain he was willing to make in exchange for an opportunity to pay off his back debts and shine a little more brightly in the eyes of his wife and children. He could not afford to admit that there are still unanswered questions about nuclear power. Such an admission would have been the same as confessing that he was willing to gamble with the lives of his family.

At one time it was only the President of the United States who had to face the dilemma posed by atomic power. Then it became the responsibility of the Congress of the United States and the various regulatory agencies. Now, at last, it has become the responsibility of the average citizen.

I could scarcely blame the man if he buckled under the pressure. Certainly many others, at various levels of government, had already done so. But I was disheartened because I knew that what is happening to the mid-Hudson Valley cannot be stopped without the support of the general public.

But that was a few months ago. We have just completed tabulating the results of a recent questionnaire that I sent to all the households in my district. Of the approximately 10,000 or so respondents to the 35,365 questionaires, I am happy to say, 60 percent have taken a stand against nuclear plants in our area.

As I said, we are situated in one of the less prosperous parts of the state and our people need jobs. Happily, they are also willing to accept the responsibility of making difficult moral decisions.

RIGHT TO LIFE AMENDMENT

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. LUKEN. Mr. Speaker, I am today proposing an amendment to the Constitution of the United States, guaranteeing the right to life for all human beings, both born and unborn. This extraordinary step of a constitutional amendment is made necessary because the Supreme Court of the United States has attempted to define human beings in terms of "meaningful life," a situation which I, and a large number of the American people, find intolerable.

For any legal body to attempt to define human life, a decision upon which scientists and physicians widely disagree, is to threaten the moral and ethical principles on which our country was founded, and the progress of human rights over the past two centuries. Throughout our Nation's history more

and more groups were brought into full citizenship. Now we are asked to regress and deny the most fundamental right of all, the right to live.

Since the 1973 Supreme Court decision, there have been additional legal precedents attacking the sanctity of life and the integrity of the family. Respect for life, in our legal precedents and in our whole society, seems to be diminishing.

All the arguments for the court decision permitting abortion are overshadowed by the moral precept of protecting life. These problems cannot be solved by ignoring this basic moral tenet; solutions can be found, but only in the full knowledge that a human life is most precious.

My amendment recognizes that this moral principle is part of our heritage, contained in the spirit of the Bill of Rights and the 14th amendment to our Constitution. The amendment offered today would extend the basic rights of Americans to include the unborn.

The amendment follows:

H.J. RES. —

Joint resolution proposing an amendment to the Constitution of the United States with respect to the right of life

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE—

"SECTION 1. With respect to the right to life, the word 'person' as used in this article and in the fifth and fourteenth Articles of Amendment to the Constitution of the United States applies to all human beings irrespective of age, health, function or condition of dependency, including their unborn offspring at every stage of biological development.

"SEC. 2. No unborn person shall be deprived of life by any person: *Provided, however,* That nothing in this article shall prohibit a law permitting only those medical procedures required to prevent the death of the mother.

"SEC. 3. The Congress and the several States shall have power to enforce this article by appropriate legislation.".

CONCERN OVER CETA

HON. ROBERT W. EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. EDGAR. Mr. Speaker, had there been a recorded vote on H.R. 2992, the Comprehensive Employment and Training Act, CETA, authorization, I would have risen in mild support. In the absence of such a vote, I would like to articulate some of my concerns about the way we are expanding and extending the CETA public service employment programs.

Last year Congress passed the Emergency Jobs Programs Extensions Act, providing authorization and adequate funds for maintaining 260,000 public service employment jobs under title VI of the CETA programs. This act required that new public service employment jobs, created above this level—plus one-half of the vacancies occurring within the level—be filled according to new standards focusing on the employment and training needs of the poor and the long-term unemployed. I applaud this attempt to direct our Federal manpower effort toward those who need the most help.

Unfortunately, last year's act did not provide any funds to expand the program so that these new job placement rules could be tested the way they should be tested.

On March 14, 1977, the House of Representatives passed the Economic Stimulus Appropriations Act, which provides funds adequate to extend the title VI program through September 30, 1978, expanding the program from 260,000 jobs to 600,000 jobs. Accordingly, CETA prime sponsors are going to be given a quick lesson in the new job placement requirements.

I believe that it is necessary to test requirements. However, it seems that we have gone overboard, to say the least, in providing funds adequate to make the test. I fear that what we had in mind was not a testing of this program's new requirements, but rather a massive priming of the program in response to the Nation's persistent unemployment problem.

I have serious doubts that public service employment is the best way to respond to that unemployment problem. Better we spend the funds building things: for instance, I am greatly concerned about the inadequacy of the Federal commitment toward public transportation.

Even if we do want to solve the unemployment program by creating hundreds of thousands of new public service employment jobs, I suggest that title VI may not be the place to do it. As I have said, new jobs under this title must be filled according to stringent new requirements. Based on my familiarity with the CETA prime sponsor in my congressional district, the seventh of Pennsylvania which includes most of Delaware County, I very much doubt that Delaware County will be able to fill its new title VI slots. Filling them within a reasonable period of time would require an on-line orientation toward the needs of the disadvantaged and the long-term unemployed, an orientation which the prime sponsor, the Delaware County government, lacks. It was not required to have this orientation under the old CETA guidelines; accordingly, its orientation has sadly been one of responding to the political needs of its county government.

Delaware County might not be typical; I hope it is not. In any event, I believe that we are putting too much money into a program whose benefits remain to be tested. I support the program because I want to see the test take place. If the results show that CETA continues to be lacking in meeting the real job experience and training needs of the poor and others, I shall not hesitate to vote against future extensions and authorizations of this program.

ENERGY CONSERVATION AND PRODUCTION IDEAS

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mrs. HOLT. Mr. Speaker, a number of my constituents have provided me with copies of their suggestions sent in response to the President's request for energy conservation and production ideas.

One of the most interesting proposals I have reviewed involved the use of solar energy to heat anaerobic digestors and produce methane gas. This proposal was submitted by Mr. Jess W. Malcolmn, president of Environmental Systems, Inc., of Annapolis, Md., and I would like to share it with my colleagues:

ENVIRONMENTAL SYSTEM, INC.,
Annapolis, Md., March 15, 1977.

Mr. JAMES R. SCHLESINGER,
Assistant to the President, National Energy Policy Recommendations, Washington, D.C.

DEAR MR. SCHLESINGER: We are happy to respond to President Carter's request for energy saving/production suggestions to help the Nation achieve energy self-sufficiency in the years ahead.

In June, 1974, this firm conceptualized a plan that appears to be one of the most sensible and efficient uses of solar (heat) energy available to the Nation today. A report entitled, "Use of Solar Energy to Maximize Anaerobic Digestion and Metnane Production Rates as a Means of Supplementing the National Energy Supply," was circulated among various federal agencies as a preproposal. A feasibility study, including plans and specifications for demonstrating the project at the old Annapolis waste water treatment plant, was funded by NERC/EPA, Cincinnati, Ohio on November 10, 1975 (Contract No. 68-03-2356). We were unsuccessful in obtaining funds for project demonstration at Annapolis. This study was followed by a second study funded by the Cincinnati office of EPA on September 30, 1976 to 'provide a research report detailing the most economic levels or means of utilizing solar energy for heating anaerobic digesters at any location in the United States" (Request No. 76-239; Requisition/Purchase Request No. M00249). Both studies were completed and are scheduled for later publication by EPA. We are now seeking funds to demonstrate the project at a suitable waste water treatment plant in this vicinity.

The technical requirements for both projects were strict in term of performance. They required digestion operating temperatures of 33° to 37°C±1° (91.4° to 98.6°F) year around, with supplemental heat limited to less than 10 percent. Despite the high performance requirement, both studies proved the technical and economic feasibility of the process at all locations in the United States, including Fairbanks, Alaska.

The economic attractiveness of solar energy to heat anaerobic digesters and the value of the methane gas produced is illustrated by the two graphs attached hereto. As pointed out in our preproposal, there are three distinct advantages to this concept. First, the source material (methane rich, biodegradables) can be conveyed to a single

location for processing via existing sewer collection systems. The source material need not be limited to sewage only, but could include other biodegradable materials such as solid wastes, algae, manure, etc. which would reach the treatment plant thoroughly mixed, "seeded" and ready for the digestion process. Second, the material can be converted to fuel gas economically through use of low cost (solar) energy sources. Third, the gas thus produced could be distributed to homes and industry through existing (pipe line) networks.

It takes little imagination to visualize many of the advantages, as well as the technical and economic spin-offs inherent in this plan. Some of the more obvious include:

1. Virtually every city in the United States has the potential to engage in the economical production of significant quantities of methane gas.

2. Most of the facilities required for raw material collection, gas production and distribution are already in existence.

3. Since most waste water treatment plants tend to be isolated and are already producing gaseous products, their conversion to methane gas production facilities would cause little additional environmental impact.

4. The conversion of waste water treatment plants into energy production facilities would supplant the now negative connotation of "waste" disposal with a more positive sense of resource utilization.

5. Conversion of costly "waste" water treatment plants into profitable energy production facilities would provide economic incentive for improving the efficiency of the treatment process generally in order to make it more cost effective.

Sewage sludge treatment, handling and disposal now represent about 50 percent of the cost of waste water treatment. Many of the more modern plants have installed incinerators to burn sludge as the choice of disposal methods. This process requires energy consuming dewatering devices, and supplemental fuel (often natural gas) to sustain ignition. Even so, a great number of incinerators fail to function properly, and are frequently environmentally objectionable because of inherent air pollution and odor problems. Not only is this technology costly in terms of construction and operating costs, but the potentially valuable methane the raw sludge contains is lost. Also lost is the residual sludge itself, which could (and should) be returned to the soil as an organic additive.

We are pleased to have had this opportunity to convey our ideas for energy saving/production methods to you. Also, we will continue our efforts to obtain funds for project demonstration purpcses. It is our sincere hope that you will share our enthusiasm for this project and will support our efforts to demonstrate it under field conditions.

Very truly yours,

JESS W. MALCOLM,
President.

ERDA ANNOUNCES PROGRAM FOR SAVING ENERGY AND MONEY WITH AUTOMATIC TEMPERATURE CONTROLS

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. McCORMACK. Mr. Speaker, on March 21, the Energy Research and Development Administration released a pamphlet designed to help inform the people of this country of methods for saving energy in residential heating and cooling systems, using automatic temperature control devices.

Because of the fact that about 12 percent of this Nation's total energy consumption is used for heating or cooling private residences, and because average citizens do not, without technical assistance and information, understand how to minimize energy consumption for home heating without undue hardship, this program, established by the ERDA, can be of great value.

Under this program, homeowners will be able, on an individual basis, to conserve energy without lowering their standard of living.

Of course, the entire Nation will benefit from the reduced consumption of energy.

I am including herewith a portion of the announcement by the Energy Research and Development Administration of this program. I want to call the Members' attention to the fact that citizens of this country may obtain free single copies of the instruction pamphlet by writing to the ERDA Technical Information Center, P.O. Box 62, Oak Ridge, Tenn., 37830.

The release from the ERDA reads in part, as follows:

NEW ERDA PAMPHLET TELLS HOW TO SAVE ENERGY AND MONEY WITH AUTOMATIC TEMPERATURE CONTROL DEVICES

During the unusually cold winter of 1977, homeowners were asked to turn down their thermostats to save fuel. As summer approaches, there will be a need to conserve electricity by turning air conditioning thermostats up.

You can do this, and reduce your heating and cooling bills substantially, with the help of an automatic temperature control device. These devices are described in a new pamphlet available from the Energy Research and Development Administration (ERDA).

"It is a common misconception that leaving your thermostat at one setting 24 hours a day is the most efficient way to heat or cool your home," said ERDA's Acting Assistant Administrator for Conservation, Dr. Gene G. Mannella. "You can save energy and money by turning down heat or air conditioning at night. An automatic temperature control device does this job for you after you're asleep and resets your thermostat before you begin the day," Mannella continued.

"You can purchase one for less than $40 and install it yourself, and it will save fuel and money year-round," Mannella added.

Single copies of the pamphlet are free and can be obtained by writing ERDA Technical Information Center, P.O. Box 62, Oak Ridge, Tennessee 37830."

CALLING OUR NATION BACK TO GOD

HON. LAMAR GUDGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. GUDGER. Mr. Speaker, on Sunday afternoon, March 27, Dr. Billy Graham, of Montreat, N.C., the evangelist whose worldwide fame as a soul winner for God, has carried him to the four corners of the Earth, brought his crusade team to his home community in western North Carolina where he addressed a capacity audience at the new Asneville Civic Center.

This was the last of a series of five evangelistic programs in Dr. Graham's western North Carolina crusade. It was a dramatic occasion and an exalting spiritual experience for everyone present. George Beverly Shea sang again the familiar hymn, a favorite of so many, "I'd Rather Have Jesus," and Evie Tournquist, of Sweden, sang with childlike innocence "Jesus Loves Me." Then every heart was stirred when the thousand-voice choir, composed of representatives from the various churches of western North Carolina, sang "Come Thou Almighty King."

Former Congressman Roy A. Taylor, Dr. Graham's neighbor from Black Mountain, was honorary chairman of the crusade. He called the crusade "a blessing" and applauded Dr. Graham. Taylor said:

This crusade is not as big as some of those held in football stadiums in larger cities but it is just as meaningful. Billy is calling the nation back to God.

In his closing crusade message, Dr. Graham compared the times in which we live today with those of Noah, a faithful servant of God who preached God's word for 120 years "without a convert." Noah was instructed of the the Lord to build the ark for a place of refuge from His impending judgment upon the evil of his day. And although Noah was looked upon by his neighbors as insane—building his ark in the middle of the desert—he nevertheless was obedient and fulfilled the task assigned him.

Dr. Graham referred to recent books and writings on new discoveries on Mt. Ararat suggesting the possible presence there of fragments of the ark. He also made comparison of the evil and wantonness of Noah's day and the times in which we live. He reminded his audience that God called to Noah to "come into the ark" and thus into his presence when the rain began to fall upon the Earth. He closed his message with the reminder that Christ said:

As in the days of Noe, so shall also the coming of the Son of Man be. (Matt. 24:37.)

And he implored his audience to live as Noah lived as though each day might be the day of flood and judgment.

His own visible personal emotions indicated that Dr. Graham realized that he was talking to thousands of persons, his neighbors and friends, who love him deeply, who look upon him as their inspiration and intercessor, and as one able to express their visions and dreams.

In the closing minutes of the crusade, Dr. Graham thanked his mountain neighbors for their friendship and their faith. He expressed gratitude to them for making his home at Montreat "a perfect place to live"; and he thanked them for sharing his testimony of the love of God by carrying their Bibles openly and by worshiping humbly together.

The people of North Carolina deeply respect Dr. Graham. They are aware that he has been an intimate friend and confidant of many Presidents, including Jimmy Carter. And they know what he

means when he says President Carter is setting a good example by walking to church and carrying a Bible. They also understand what he means when he says that he sees no inconsistency in his evangelical theology and his interest in government. And they believe him when he says that "society and the redemptive gospel are now going hand in hand."

In the final moments of his message, when he called for decisions for Christ, hundreds came forward. They received counseling and literature telling them how to continue their commitment. Then, after assuring the audience that he would not stop preaching "until the Lord retires me," Dr. Graham concluded his remarks by saying, "I am not going to say goodbye but au revoir—til we meet again."

Mr. Speaker, I am particularly pleased that this Extension of Remarks relates to one of my district's best known citizens, Dr. Billy Graham, and that the subject developed in his message last Sunday was—as described by your friend and mine, former Congressman Roy A. Taylor, "calling our Nation back to God."

COMMON SITE PICKETING

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. FISHER. Mr. Speaker, last week the House considered but failed to pass the common situs picketing bill, H.R. 4250. This issue has generated more heated debate than is warranted by the limited impact of the bill. However, the matter is of substantial interest to many so I offer the following comments.

Last year, when similar legislation was considered, I voted for the bill. In light of the controversy, I decided that before voting this year I should review my position. I have met with groups representing both sides of the issue, and after much deliberation and thought, I again cast my vote in support of the legislation. This was not an easy decision.

The situs picketing issue has been festering for many years; its roots may be found in the 1951 Denver Building Trades decision of the Supreme Court. In that case, the Court ruled that picketing on an entire construction site by a single craft union was in violation of the secondary boycott provisions of the Taft-Hartley Act.

Unions have felt that the Supreme Court wrongly defined secondary boycotts with respect to the construction industry by unfairly limiting the economic pressure which could be brought to bear on construction employers in order to bargain for employee benefits and wages. They argue that this leverage is available to unions in all other industries where employees working on a common site are employed by a single firm or group of firms in a joint venture. They claim that construction contractors and subcontractors on a single job site are, in fact, engaged in close business relationships and should also be regarded as a single venture for this purpose.

Two years ago during the Ford administration, then Secretary of Labor John Dunlop and others with a great deal of experience and knowledge in this area, fashioned a proposal, at that time supported by President Ford, designed to remedy the inequity the unions saw. They drafted legislation which I supported and which passed last session.

The bill before us last week, which President Carter had said he would agree to, was similar in all important respects. It set out specifically the proper uses of common situs picketing and made clear when it could not be used. It did not allow picketing at one site in furtherance of a dispute at a different site; it prohibited picketing at nonconstruction or industrial workplaces; it prohibited picketing if it was intended to discriminate against anyone with respect to union or nonunion membership; and it prohibited picketing in violation of existing collective bargaining agreements. It required that all interested parties be given 10 days advance notice and that the picketing be approved by the parent labor organization.

More than that, however, amendments which I voted for, were added to the bill that would have meant it would have had very little impact in the 10th District. One amendment exempted from the bill all residential construction other than high rise apartment buildings, another exempted all construction undertaken by a public agency or political subdivision such as a State or county, and a third confined picketing to construction workers only.

Instability within the construction industry remains with us in some part because of the highly fragmented structure of collective bargaining within the industry. Title II of the bill, an important part largely overlooked in the intense and symbolic concentration on the section dealing with picketing, would have established a Construction Industry Collective Bargaining Committee composed of both labor and management, with the Director of the Federal Mediation and Conciliation Service and the Secretary of Labor acting as ex officio members.

This committee was designed to create a more practical system of collective bargaining within the construction industry by establishing certain procedures for negotiations, including a provision requiring that the committee be given notice 60 days before the expiration of an agreement. If the committee decided to assume jurisdiction in the case, it could have required that any strike or lockout be deferred for up to 30 days after the agreement expired. In my opinion the most useful part of the whole bill was the new bargaining process contained in title II.

Whether or not one supports this legislation most people will agree that the construction industry has been extremely unstable for a number of years. Unemployment in the construction industry is very high. Some say that this instability has been due in part from the mistrust and struggle over the situs picketing issue. This has often resulted in higher costs and less attention to the safety and quality standards of the industry. Finally putting this issue to rest could have allowed both labor and management to work together to increase economic stability in this important industry.

Now that the House has made its decision, even though by a very close margin, I hope all sides will put the matter behind them and get on with the job of restoring the construction industry to the prosperous and stable condition necessary for the good health of the whole national economy.

PHILADELPHIA FEDERATION OF AMERICAN HELLENIC SOCIETIES

HON. RAYMOND F. LEDERER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. LEDERER. Mr. Speaker, I take a great deal of personal pleasure in sharing with my colleagues in the Congress remarks made by the distinguished Member from Pennsylvania, JOSHUA EILBERG, at a recent ceremony held by the Philadelphia Federation of American Hellenic Societies. Congressman EILBERG was the honored guest at the wreath-laying ceremony held at the Liberty Bell after which the Congressman delivered these remarks at the Judge Edwin O. Lewis Quadrangle at Independence Hall:

REMARKS BY CONGRESSMAN JOSHUA EILBERG

This is an especially joyful occasion, because it marks the 156th anniversary of Greek independence.

The attainment of their freedom by the Greek people should be a matter for rejoicing among all who love democracy; it should be especially treasured by Americans, because the struggle of both our countries for independence has been so closely intertwined.

And how wonderfully intricate that relationship has been.

The great concept of democratic self-government was handed down to mankind from ancient Greece.

In that cradle of democracy, Aristotle and Plato first enunciated the great and enduring principles of government based on the dignity of the individual and the supremacy of the state.

Here in the New World, when we achieved our own independence, America's Founding Fathers took their inspiration from these ancient Greek philosophers—and thus it was that men like Jefferson and Hancock, Adams and Franklin, shaped our democratic, representative government, firmly rooted in individual freedom.

For more than four decades, the American democratic experience shone like a beacon to all the world.

And when, in 1821, the Greeks finally achieved their own independence, among the first voices raised in praise were those of such noted American patriots as Henry Clay and Daniel Webster, James Monroe and James Madison.

It has been like that down through the generations since then—that Greece and America have been the great strongholds of democratic self-government, and that Greece and America have repeatedly stood shoulder

to shoulder whenever peace and freedom were imperilled—whether that peril came from totalitarianism of the Left or Right.

During World War Two, for example, the Greeks played a unique and invaluable role with us in helping defeat the Fascist dictatorships.

And, in the early postwar period, Americans and Greeks cooperated not only in nation-building but in battling the new totalitarian menace of Communism.

During that struggle against the Communist rebels, President Truman was lavish in his praise of "the valor of Greece."

When that battle against Communist totalitarianism was won, and the American Legion of Merit was conferred on King Paul, President Eisenhower saluted Greece for having waged "a battle that thrilled the hearts of all free men and free women everywhere."

The struggle for freedom and human rights is never over; it continues today, and nowhere is the joint American-Greek commitment to freedom more in evidence than in the issue of Cyprus.

For a quarter of a century—ever since Greece and Turkey entered NATO in 1952—those two countries have contended bitterly over Cyprus, and three times have moved to the brink of war.

The blatant Turkish military adventure in Cyprus in 1974—armed intervention mounted with arms and material which the United States had supplied to Turkey for defensive, not aggressive, purposes, brought an angry response from the United States Congress.

Presidents Nixon and Ford, and Secretary of State Kissinger, wanted to continue the flow of U.S. economic and military aid to Turkey, in spite of this open act of aggression in Cyprus.

It was the United States Congress which, banned the sale of arms to Turkey until genuine progress was made toward resolution of the Cyprus issue.

It was the United tSates Congress which, in nine major votes, castigated the aggression of the Turkish troops and supported the restoration of the political independence and territorial integrity of Cyprus consistent with U.N. resolutions.

And it is the United States Congress which already has voted over $50 million for the relief of the Cypriot refugees, and which has demanded their return to their homeland.

Now we have a new Administration in Washington.

President Carter, Secretary of State Vance, and my dear personal friend, U.N. Ambassador Young, have already made clear to the world America's commitment to the cause of human rights.

I suggest that one of the places to apply this principle of human rights is on Cyprus, where those rights have been so grossly violated by Turkey.

It is my hope that the White House will make the same clear commitment that the Congress has made to the independence of Cyprus and the withdrawal of the Turkish invaders.

Last year, the United States celebrated the 200th anniversary of our independence; today, Greece celebrates her 156th.

Both of our countries already have made monumental contributions to the history of western civilization.

But both of our countries know that freedom is never secure, and that the cause of human rights must be constantly defended against those who would destroy liberty.

I am confident that Greece and America are equal to the challenge; I believe that, together, our two great democratic nations will continue to write glorious new chapters reflecting the durability of our democratic institutions.

WELFARE REFORM

HON. DAN QUAYLE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. QUAYLE. Mr. Speaker, recently the Secretary of Health, Education, and Welfare, Joseph Califano, extended an invitation to Members of Congress to testify before him on the subject of welfare reform. Several of my colleagues and I accepted this opportunity to advocate methods of reform consistent with the views of our constituents, and I am appreciative of the Secretary's efforts to incorporate us in his plans.

I am reprinting here the testimony which I gave because it does represent the views of the people of the Fourth District of Indiana. As such, I believe it also voices the opinions of the majority of American citizens, who would gladly help those in need but who nonetheless object strenuously to tax dollars wasted on welfare fraud.

I would strongly encourage my colleagues to take a personal interest in this problem during this session of Congress. The hour is late to effect real reform, before the tax burden becomes too great and our working citizens rebel. We must eliminate waste in our public assistance programs and insure that the truly needy are aided, as the theory behind the programs originally intended.

The testimony follows:

WELFARE REFORM

(Testimony of the Honorable DAN QUAYLE, Member of Congress, before the Secretary of Health, Education, and Welfare, March 10, 1977, Washington, D.C.)

Mr. Secretary, I am Congressman Dan Quayle, representing the Fourth District of Indiana. I am grateful for the opportunity to appear before you today and to convey a number of my concerns, and those of my constituents, concerning the subject of welfare reform.

Certainly, Mr. Secretary, as I am sure you realize, you have an opportunity of both great magnitude and historical significance to restructure our welfare programs so that they meet the purposes for which they were originally intended. You will be faced, as I am sure you have already encountered, with countless pressures from all directions: for of course many different individuals, groups, and entities have many different definitions of welfare reform. I would urge you, however, to resist the siren call to attempt to meet all of the numerous special interest requests and to keep your eye focused upon the historic purpose and role of public assistance in this country.

That role, Mr. Secretary, is in my opinion fundamentally this: to assist persons who through no fault of their own must rely—and I emphasize must rely—upon aid provided by the working men and women of America through a period of hardship. That period of hardship should—for almost all persons except the permanently handicapped—be as short as possible, so that every means available is used to return the individual, to self-sufficiency and self-support.

Public assistance should not be available to those who, in effect, elect its receipt. It should not be available to the voluntarily unemployed. It should not be so devoid of eligibility criteria that persons can have significant outside resources available to them and still qualify. It should not be so lacking in work requirements that persons can choose a relaxed life-style at taxpayers' expense.

Mr. Secretary, the working men and women of my District share a historic sense of compassion for the truly needy, the persons who have no other recourse but public assistance. They also, however, share a rising sense of indignation and outright rebellion at many of the defects, loopholes, and abuses which exist in the present welfare programs.

They ask, for example:

Is it appropriate to have no gross income ceiling in the Aid to Families with Dependent Children (AFDC) program? Or in the food stamp program?

Is it fair to permit persons to own expensive homes, cars, and send their children to private school, and have that actually assist—because many of these items are deductible—in establishing their welfare eligibility?

Should voluntarily unemployed persons—such as college students and strikers—be able to avail themselves of the various kinds of public programs that were intended for the nation's needy?

Should eligibility verification and quality control be so lax that error rates of 25% and even 50%, plague these programs?

Should caseloads have escalated as dramatically as they did in the late 1960's, a period of relatively prosperous times in the United States?

Should the system allow illegal aliens to become a continuing part of our nation's public assistance rolls?

Should earnings exemptions and work-related expense deductions be manipulated so high-income persons stay on welfare?

Should work requirements be so weak that "suitability of employment can be so defined to enable many persons to refuse work even when it is offered to them?

Should fathers—and other individuals associated with a welfare family—be permitted totally to escape a support responsibility?

These, Mr. Secretary, are only examples; but they illustrate the kinds of concerns that any thinking person has when he examines the defects and loopholes in our present public assistance programs.

As you set about the task of correcting them, or closing them, I would urge that you be guided by a series of fundamental questions, many corresponding to the problem areas that I have outlined above. Is the person's need legitimate or of his own creation? Does he have significant outside resources on which to rely? Is he subject to stringent and operationally effective work requirements? Is his application carefully completed and verified? Is he subject to frequent, periodic reverification and re-investigation? Must he use every resource at his command again to become self-sufficient?

Permit me, if you will, to go into some of these problem areas in somewhat greater detail. We have, as you know, the so-called "$30 and ⅓" provision in AFDC—the first $30, plus one-third of the remainder, of outside income is exempt from consideration: that is, it is not subtracted from the aid level to which the person would otherwise be entitled. Coupled with the absence of a gross income ceiling, this permits persons with relatively high incomes to continue to receive a welfare supplement.

Now, when this was first conceived, and this is still the case in the minds of many policy-makers, its entire purpose was to serve as a work-incentive: to encourage persons to go to work, and not have their welfare grants reduced $1 for $1. The problem is that it has a "boomerang" effect—persons stay on welfare for longer periods of time, collecting more in cumulative benefits than if, at some point, their welfare eligibility were termi-

nated. Your own Department has statistics which indicates that the "$30 and ⅓" costs us $10 for every $1 that it "saves"—that is, for every dollar in public assistance that is saved by persons responding to the work incentive, it costs us $10 to pay for all of the exempted income for those who remain.

Well, one might say, at least the amount being paid is less than what would otherwise be paid if the person stayed on welfare at the full grant level—i.e., if he chose not to pursue the work alternative and, instead, to receive public assistance. The answer to that is clear: he ought not to have that choice in the first place, if a job is available to him.

Thus, in these and other areas, Mr. Secretary, I would urge you to re-examine the kind of "conventional wisdom" that seems to permeate so many of our welfare accretions over the last thirty years. Does the work incentive work, or is it a costly failure? Do social services achieve what they set out to do—and what is it, exactly, that social services set out to do? Have they achieved their promised goals, set forth in 1962, of being a significant force for reducing caseloads and lessening dependency? Or are we simply spending $2.5 billion, perhaps soon to become over $3 billion, with no evidence of a cost/benefit analysis in our social services programs?

Test—examine—critically evaluate—and apply the test of common sense. Social theorists in Washington may have every conceivable solution for all of the problems which exist—and perhaps for some which do not exist—but the autoworker in Fort Wayne or the druggist in Angola often knows far better what works, and what doesn't, when it comes to the question of what motivates a man to support himself and his family.

And that leads to two final concerns. First, I would strongly urge you to resist the call for further federalization of these programs. That is not the answer: I know that, I suspect you must know that, and the nation's taxpayers certainly know that. Some State and local officials, in the desperate wish to rid themselves of the growing burden of welfare programs, wish to ship them over the horizon to Washington—forgetting that it was Washington which created them, mandates them, and often makes them infinitely worse; forgetting that federal taxpayers are no different than State or local taxpayers. Resist, if you will, Mr. Secretary, the shell game of "federalization, integration, and simplification"—surely these programs must be made more rational and orderly, but the place to do it, and to bring them under effective control, is at the State and local level: where both the problems, and the solutions, are understood often with far greater insight and perception than they are in Washington—much as you and I might not like to admit that.

Secondly, Mr. Secretary, in the same vein, listen to what the heart of America is saying on this issue. Listen to the pleas for restructuring public assistance so that only the legitimately needy consume what the taxpayer produces. The same social theorists who will urge you to federalize are urging you to relax the eligibility standards, to pursue a kind of guaranteed annual income, so that even more of the nation's population will become dependent upon the public dole. For the very sake of the future of this nation, for the ability of this economy to sustain and withstand the kinds of demands that are being placed upon it, you must resist that kind of non-solution, that kind of Trojan horse.

For the problem is critical and the hour is late: one of your predecessors pointed out quite correctly that, by the year 2000, if we have no new expansions and simply continue our present social program—50% of the American people will be living off the other 50%. Even if other governmental spending, including defense, were reduced—as we have been doing—to fund these escalating programs, these would not be enough left to meet their voracious appetites. We must bring them under control, not expand them. We must respond to the call for real, lasting, and meaningful welfare reform, not some kind of deceptive imagery which lulls the nation's taxpayers into hoped-for inattention to what is in fact being done to them. We must give the working men and women of America a legacy, and a promise, that we will bring the nation's welfare programs under control. For if we continue the way we are now, or if your solution worsens the economic impact which I assure you they feel, they will not be inattentive or apathetic. They will rise up and insist that government no longer take from them, in the name of income transfer and in increasingly larger amounts, what they have worked so hard to achieve and what, by every standard of justice and equity, is rightfully theirs.

ENERGY SHORTAGE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. TEAGUE. Mr. Speaker, Dr. Richard Wainerdi of Texas A & M University, a gentleman for whom I have much admiration and respect appeared recently at a news conference, arranged by the Texas Electric Service Co., relating to our energy problems.

Under leave to extend my remarks in the RECORD I wish to place the following article which appeared in the Fort Worth Star Telegram for March 10, reporting on this conference:

EXPERTS PAINT GRIM PICTURE OF ENERGY SHORTAGE

(By Royce Yancey)

This country's potentially critical energy situation has been neglected so long that measures even more distasteful than rationing may be in store for Americans.

As unreal as it may seem, there is a definite possibility that by 1985 there will be "people coming around to check the temperature in your home," Dr. John McKetta, a nationally known energy expert and professor of chemical engineering at the University of Texas at Austin, predicted here Wednesday.

Although he did not spell out details of how such temperature checks in private homes would be made, it would obviously have to be some form of governmental inspection, his remarks suggested.

Dr. McKetta and Dr. Richard Wainerdi, director of the Center of Energy and Mineral Resources at Texas A&M University, appeared at a news conference arranged by Texas Electric Service Co.

They were among the speakers at an energy science symposium at Scott Theater Wednesday afternoon when TESCO offered senior high school students a broad look at the energy situation.

McKetta, former chairman of the National Energy Policy Committee, said "the saddest part of all" about the energy crisis "is that it is true. The people of Texas know this, but in other parts of the country the public has been hard to convince," he said.

"I suspect that real soon President Carter will get on TV and tell the people that the energy crisis is real," McKetta said. The nation has been hit hard by the energy problem and there will be no quick solution, he added.

"Great sacrifices are needed. Many have been lead to believe that the energy crisis will be solved by 1985 or 1990 or 1995, but this simply is not true. It's too late to bring the energy supply up. It will continue to decline at a rate of 3 per cent per year," McKetta warned.

It is wishful thinking to believe in a short-term solution, McKetta said. "There are many things an individual can do to save energy and help alleviate the problem." He cited car-pooling and heating only two rooms in a three-bedroom, two-bath home as examples.

He predicted "we will have to live this way" for the foreseeable future. If the nation does not learn to cope, and at the rate it is going now, its tab for imported oil will be $150 billion annually by 1985.

McKetta said he doubts any Fort Worth resident will have to do without natural gas, but that very little of the new gas supply will find its way into interstate markets.

He said that legislators who have promised energy at no economic impact, will continue to point the finger at energy producers but "the public is getting wise."

Wainerdi said Texas' energy sources "are being exploited," and worst of all "there is a treasure in petrochemicals which should be saved for the future."

He said the state of Ohio, which recently advertised for gas purchases in Texas, "should drill for its own gas, not drain Texas." He said there is plenty of gas to be found in Ohio and under Lake Erie, but if Ohio and Pennsylvania did it now, it would be eight years before it would be available.

Wainerdi said he believes offshore drilling does not impair beaches and cited Padre Island as an example of beaches that have not been hurt by offshore wells.

He said there must be alternative fuels to replace imported oil and that nuclear power plants offer the "quickest and safest" solution.

Wainerdi said the United States already has the technology and a 22-year safety record in the production of electricity from nuclear power plants, while other sources such as solar energy and hydrogen fusion, are years away.

"We don't have the technology yet and it will be too expensive to be developed by private industry alone," he said.

He said nuclear power plants generated 10.6 per cent of the nation's electricity in August 1976, and with a perfect safety record of 22 years there is no reason why "we should not follow the lead of France," which has limited all of its power plant construction to nuclear sources.

Wainerdi denounced the long delays for energy consumers, "with tons of paper work and the regulatory attitude of the government. He said it was "stupid" for an intervenor to be able to delay a nuclear power plant for four or five years, or longer, "generally for inadequate reasons."

He said there are two ways to measure the cost of electricity—by the kilowatt or "whether we have it at all. We must train ourselves on priorities. The dangers of technology have been overstated and we can cope."

He said he expects solar energy and fusion will continue to offer technical problems for another 50 years.

Asked if he expects Congress to decontrol oil and gas prices, McKetta said "No." He said the most "we can hope for is a two-tier system of pricing for new and old gas. He expects new gas to be highly sensitive to market demand, with prices ranging from $5 to $6 per million BTUs in the future.

"That will hurt," he said, but "it's the most we can hope for" McKetta said it is up to Texas, not Congress, to prevent the confiscation of Texas gas supplies for the benefit of other sections of the nation.

He noted that during a recent speaking tour in the North and East, he found that "Texas and Louisianians" were "the most

disliked. We have the oil and gas and they don't."

Wainerdi said he "is an optimist. We will come out of it (the energy crisis), but how long it will take is anybody's guess. We must have a comprehensive national energy policy. Our future demands it.

"There are a number of ways to make energy and we can cope, but the lack of government motivation is profound," Wainerdi concluded.

A TRIBUTE TO HAL SHEAN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. ANDERSON of California. Mr. Speaker, this summer one of the truly illustrious careers in California organized labor will come to a close with the retirement of Harold W. Shean. After 37 years of full-time service with the International Association of Machinists, Hal—as he is known to his many friends—is stepping down from his current position as international representative in charge of safety-legislation-health-apprenticeships and new technology programs in California, Arizona, Nevada, New Mexico, and Hawaii.

A native of Chicago, Hal Shean was born on August 31, 1912. Educated in the public school system there, he came to California and like so many before him, soon became a worker in the growing aircraft industry of that day—in this case, in a McDonnell Douglas plant.

Hal Shean has devoted his intelligence, energy and enthusiasm on behalf of organized labor in many capacities. He has served as president of Machinists Union Lodge 727–I in Burbank, as well as the business representative and the research director for the International Association of Machinists in Burbank. In addition, Hal has served as the Machinists Union's educational director for California, Nevada, New Mexico, and Arizona; as national contract coordinator for General Dynamics, Douglas, Lockheed, and other companies; and as safety coordinator for Aerospace.

Hal Shean serves on a number of national assignments for the machinists as well. He is a member of the National Safety Council, which is headquartered in his hometown of Chicago. He has served as president or chairman of the National Council of Aircraft Unions for 6 years, and as chairman of the National Council on Electronics and New Technology for 12 years.

Within California, Hal Shean has been active on a number of fronts on behalf of the organized labor movement. He was appointed to the State technical services advisory board by Gov. Edmund G. Brown in 1963, and again in 1968 by Gov. Ronald Reagan. Governor Brown also appointed Hal Shean to the manpower, automation, and new technology commission in 1963. In 1972 he was appointed by Governor Reagan to the advisory board on safety.

Hal Shean has been a leader in California labor circles for many years, and as such has represented the working man and woman on many advisory boards in Government. He has also been extremely active in civic affairs, as an involved and concerned member of the community. Hal has served on the boards of San Fernando Valley Red Cross and medical group in Los Angeles; the Defense Manpower Board; and as vice president of the California State Federation of Labor. In addition, Hal Shean was a designee to the Industrial College of the Armed Forces from 1951 to 1952; served on the executive board, California Health Plans Alternatives.

Mr. Speaker, Harold Shean has devoted his career to the improvement of society for the working man and woman. His longstanding concern with safety, especially important among the membership of a union involved in heavy industry, has gone a long way toward improving working conditions for members of the Machinists Union and their fellow workers.

My wife, Lee, joins me at this time in congratulating Hal Shean on an outstanding career in organized labor, and in wishing him a healthy and productive retirement. His lovely wife, Madeline, and their sons, Fred, Bill, and Chris, must all be understandably proud of their father's fine career and many achievements.

THE LINE WAS BUSY

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. JACOBS. Mr. Speaker, the line was busy:

INDIANAPOLIS, IND., *March 8, 1977.*

DEAR MR. PRESIDENT: Since I did not get through on my call during the phone-in, I accept your invitation to write. I shall write of my situation not because I personally merit your consideration, but because I am typical of a class of senior citizens who are given no consideration in the very popular senior citizens' programs of the day.

I was in my early twenties when my father worked himself to death trying to hang on to his farm during the great depression. I worked my way through college by cleaning dormitories. With my first job in one of the lowest paying professions (teaching), I contributed to my mother's support and began a savings account for old age.

During World War II I became a naval officer purely and devotedly to help my country. I continued to support my mother rather than declare her a dependent and let the Navy support her. Although my husband died after twenty-three years of service to his country, the navy does not contribute to my support. It did contribute for a few years to my son. With my teaching and his work program, our son went through two of the best colleges in the country, and I have always managed to put something in savings. I have always paid my debts, contributed to charities (I no longer contribute to charities since the government taxes me for its charity programs), and abided by the law. I remember a speech I gave once at a political rally in which I said I was proud to pay my taxes. I meant it. Now, the only reason I don't cheat on my tax reports is fear. I was, indeed, a person who asked what he could do for his country, and I did not expect my country to do for me.

So now I have retired. I do not eat the free meals which are provided for the senior citizens, and which cost God only knows how much. I do not ride the buses for reduced rates. I do not live in government housing nor do I get the taxes on my house reduced. What does my country do TO me? It takes a big hunk out of the interest I get on those life savings so that instead of living in the comfort I have saved for, I live on the fringe of the economy. Who gets my husband's social security? Perhaps someone who was dining on steaks while I was frying eggs and potatoes and raising my own vegetables.

My patriotism has been profound. Any pupil I have had in my thirty-plus years of teaching would so testify. I no longer feel patriotic. I say this not to flaunt my lack of it. I say this with a confidential sadness: an emptiness. I miss the elation which our stars and stripes—even a presidential inauguration—formerly provided me.

I am not alone. There are many senior citizens like me out here. The details of their lives differ from mine, but their experiences have led them to similar situations. We are not permitted to work, but we must continue to pay income tax! We deserve the interest on the money we have been saving all these years while the rate of inflation was taking away more than the interest was bringing us.

Yours truly,

BERTHA C. STARKUS.

LIMITED CONGRESSIONAL TERMS

HON. ROBERT W. KASTEN, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. KASTEN. Mr. Speaker, after recent congressional scandals that have further undermined the faith of the people in their Government, it is time for us to reevaluate the role of our elected officials and determine how we can best attract and maintain a continuous flow of creative ideas and talent into Government.

To do that, we must insure that our elected officials are sensitive to the needs and aspirations of their constituents, and that they have not been in office so long that they have lost touch with the people they serve. Responsive Government demands leaders who reflect the public will, not professional politicians whose sole desire is to perpetuate themselves in office.

Today I am introducing legislation which would limit the terms of U.S. Congressmen and Senators. The constitutional amendment I propose would limit the terms of Congressmen to six 2-year terms, or 12 years, and would limit the terms of Senators to two 6-year terms, or 12 years.

As I travel throughout my district and visit with my constituents, I have learned much about their frustrations and anger with the "politicians" in Washington who no longer seem to hear their voices of outrage.

The people are tired of being hit by high taxes and inflation, while watching Congress approve budget deficits. The people are demanding an end to the constant barrage of Government regulations, and yet they see on a daily basis

the steady stream of paperwork pouring from various Federal agencies. The people said "no" to a $13,000 pay raise for Members of Congress, and yet watched that pay raise take effect without the accountability of a vote.

There is insufficient movement in and out of Congress, which needs new blood and fresh thoughts to revitalize it. Unlike local officials who are close to the people. Representatives far away in Washington often lose touch with the people after awhile. Too many have become professional officeholders rather than servants of the people.

By limiting terms, we encourage new persons to enter the political arena with fresh ideas and enthusiasm to represent the people.

Limited terms will give many more people the opportunity to trade private life for public service—and yet never be so far from the people that the concerns of middle-income taxpayers are forgotten.

More important, unless those who serve in public office return to private life, they will never fully know the impact of the laws they passed.

Mr. Speaker, the 95th Congress should spearhead the Nation's debate on limiting the terms of federally elected officials. Passage of a constitutional amendment would bring the issue before the 50 State legislatures, the governmental units much closer to the people than the Halls of Congress. It is there—where the people's voices cannot be ignored—that the issue should be resolved.

COMMUNITY SERVICE OF O. C. WHITE

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. REUSS. Mr. Speaker, I want to share with my colleagues the fine public service record of Mr. O. C. White of Milwaukee, who was honored recently in a special section published by the Milwaukee Community Journal.

Mr. White was a pioneer in black radio programming in Milwaukee, and he has used his prominence as a disc jockey to accomplish good in Milwaukee's black community.

He is the founder of the O. C. White Soul Club, which provides work and a home away from home for inner-city youngsters. Every summer members of the Soul Club work as painters and carpenters, fixing up homes in the central city.

And in the recent harsh winter, Soul Club members made emergency deliveries of fuel oil to families whose supplies had gone dry.

All his life, Mr. White has broken the barriers of race, and he has excelled in everything he tried. In the 1950's, he worked on road construction crews, and was one of the first black men around Milwaukee to drive heavy construction equipment.

At the same time he played organized football with the Racine Cardinals, and at one point had a chance to sign with what is now the Oakland Raider team.

He got his start on radio when Manny Mauldin, Jr., gave him a few minutes on his radio show.

Mr. White recalled recently:

Back then, there was just no way that a Black D.J. was going to be on the radio after 6 a.m. You had to be on and off before the white folks got up in the morning. That was the extent of Black programming. Manny was on from 5 until 6 a.m. back then. He gave me 15 minutes of that hour to do my thing.

In 1964, he and Hoyt "Dr. Bop" Locke started broadcasting together on radio station WAWA, and black programing finally saw the light of day on Milwaukee airwaves.

It was in those days that Mr. White began the grueling schedule that he still keeps today. At first, he kept his construction job, and would sandwich that work between his times on the air. He would broadcast from 5 to 8 a.m., then drive bulldozers until 5 p.m., when he would go back on the air for another 3 hours.

Today his schedule is just as rough. He is general manager of station WAWA, head of his Soul Club, and a candidate for a Ph. D. in policy studies. His day begins at 3:30 a.m. and ends around 11 p.m., and it is packed with work and study.

At the Soul Club, he stresses to his young friends that education is needed more than anything to put the black community on an equal footing in Milwaukee—and in the country.

"We have the greatest potential to make our own opportunities very productive in this city," he says. With education, he says, a young black can pull himself up—

Tell those kids who have a hole in their shoe and one sock, not to give up. It can be done . . . I was there too. When I was going to Lincoln High School . . . my shoes were so thin I could stand up and study agriculture and lay down to study astronomy.

The opportunities are nine times as great now as then. I tell children today not to depend on welfare for tomorrow. Welfare is a handout and that hand just might pull in.

You may not have much and may not be able to do big things, but you can do small things in such a big way.

RECOMPUTATION LEGISLATION

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. GONZALEZ. Mr. Speaker, I am again proposing recomputation legislation for retired members of the military. In the past Congresses my bills have called for complete recomputation for all retirees who were affected by the change in the retirement policy in 1958, but, in view of the economic realities of the military budget, I am today proposing a compromise measure.

The subject of recomputation is a complex one and there has been considerable debate on this subject ever since 1958 when the 100-year-old tradition of tying annuities directly to active pay scales was abandoned in favor of a cost-of-living increase system. However, the new system has not proved beneficial to the retirees and I feel we have broken faith with those who relied on a comfortable retirement after many years of dedicated service to our country.

The bill I am proposing, which has been passed by the Senate on several occasions provides for a one-time recomputation of military retired pay. Those who are covered under my proposal are disability retirees with a rating of 30 percent or more, military retirees who are 60 years of age or older, present retirees when they reach 60 based on the January 1, 1972 pay scales with any subsequent cost-of-living raises, and pre-1949 disability retirees, who would have the option to remain under the current retirement laws or to come under the new computation legislation at their actual degree of disability.

The opponents of recomputation, and there are many, continually emphasize that the cost of such legislation is prohibitive. I am not trying to minimize the cost because it is certainly a factor that will have to be considered, but if you take any program currently on the books and calculate the cost to the year 2000, as some have done to discredit recomputation, the figures would be just as staggering.

Mr. Speaker, it is no secret that all those living on a fixed income have had a difficult time in the past few years because of the soaring inflation our country has been experiencing, but those military retirees effected by the 1958 change in the law can only feel a sense of frustration and betrayal knowing that they would have been in a better financial position if Congress had not broken its promise and changed the retirement program after they had fulfilled their commitment.

The legislation I am proposing is long overdue and I hope we can have it enacted into law in this Congress in order to provide those retirees with the income they need and deserve for the service and dedication they provided our country in its time of need.

MANDATORY RETIREMENT: THE ALL-AMERICAN TRAGEDY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. FINDLEY. Mr. Speaker, an article by Leo Branham, published a few months ago in the Moberly Monitor-Index of Moberly, Mo., recently came to my attention. It illustrates the injustice of mandatory retirement, the last major form of discrimination still allowed by law. After being forced to retire from the journalism profession, Mr. Branham

established a new and personally rewarding career in landscape gardening. But he did so only after near superhuman courage and perseverance which many might not be able to muster.

With his well-written article Mr. Branham demonstrates that, but for mandatory retirement, he could still be an excellent newspaperman. It is well past time we outlawed the cruel practice of forcing people into retirement merely because they reach an arbitrary age.

The article follows:

FORMER MOBERLYAN FINDS NEW LIFE IN RETIREMENT

From minor Associated Press executive (editorial and administrative supervisor, AP-World Service Division, which serves news to over 100 countries) to landscape-gardener.

That's the seven-league boot journey I've traveled the past three years. Downward, perhaps, from social and professional viewpoints. Maybe, I couldn't care less. It's been a lifesaver for me. Stimulated a new zest for life.

When AP's mandatory retirement caught up with me I wasn't ready for it. I shall never be ready—so long as health continues. I found retirement the most traumatic, painful and humiliating experience of my life.

Yes, even humiliating. For I felt ruthlessly kicked out of a beloved profession to which I had devoted my entire working life. Also, most of my AP colleagues, friends, and neighbors in my home town of Stanford, Conn., thought I was much younger than I am. Somehow, I had never got around to putting them straight. The unmasking via retirement was a bit embarrassing—and damaging to the ol' ego.

Mandatory retirement, in my opinion, is the all-American tragedy of our times. Most men reaching 65-year retirement are in good health, in the very prime of life, at the height of their mental powers and professional expertise. Dumping such men—unfairly branded unwanted, unneeded and useless—on a human scrap heap is barbaric. It's an awesome waste of skilled manpower. When will business and the professions evaluate a man first, of course, on merit, then on his functional age, not his chronological years?

I'll bet the functional age of most retirees is well below their calendar years. My own physical age is many years under my chronological figure. I think I have demonstrated that by the work I've done since "graduating" from AP in 1973.

I wrote the first of around 50 job application letters before my retirement date. Prospects for two government jobs in New York, one a Voice of America post, seemed good. These prospects evaporated when President Nixon announced budget cuts and staff reductions.

I sought work with various news media, magazines, publishing firms and public relations offices. Because of the recession it was a poor time to seek employment. Numerous concerns replied they had the same mandatory retirement rule as AP. My hopes soared when one of the largest PR firms in New York interviewed me three times. The fact that I was an ex-war correspondent and had worked abroad seemed to improve my chances. I was told two vice presidents recommended I be hired. However, top brass finally ruled me out because of my age.

Eventually, I got a part time job as a copy desk editor and headline writer on one of the Gannett papers in a nearby city. After several months, a 30-year-old editor succeeded the fiftyish one who had hired me. Young ed wanted only young faces around the copy rim. Out I went. First time in my life I was fired from a job.

I wrote more letters. Some brought interviews. But the age factor proved an insurmountable obstacle. My final interview had been a very encouraging one with a Stamford head office of a national concern. Prospects appeared good. But a week later came word a young man had applied since my interview and they had decided to hire him.

I gave up.

"If no one will hire me for my brains and know-how, maybe they will for my muscles," I told myself. For I had recalled that my son, Robbie, had worked two college summer vacations at a plush country club near Stamford.

I asked the club's greens superintendent for a job. Surprise! I was hired immediately. I was placed in charge of planting and caring for flower beds and the lawn around the clubhouse.

Over the years, I'd often "knocked myself out" working weekends with my wife, Milly, on our home grounds. On our place in Stamford we have besides towering maple, oak and evergreen trees, 60 kinds of flowers and shrubs, a big lawn, three rock gardens, a vegetable garden and a lovely hillside picnic area with a flat fieldstone patio and a big barbecue fireplace.

We'd made a beautiful place out of what once had been a wilderness of giant weeds, fallen trees and rocks. In the process, we had learned to become pretty good landscape gardeners.

After those weekend orgies of hard work I'd always had a week at the office to recuperate from aches and pains. But now, at the country club, I was pitted daily against 20 and 23-year-olds on the greens crew and expected to keep pace with them. I did, but oh, brother, it was one of the toughest ordeals I've ever experienced.

Many nights my bones and muscles ached so badly I literally dragged—and doubted I could report for work the next morning. But I did.

Gradually, I toughened up. Then, as now, I can push a heavy lawnmower, dig flower beds, plant anything, reseed and fertilize lawns, rake leaves or grass, shovel snow and perform other manual chores all day long with no more than normal fatigue. At the end of the day, then and now, after a shower, an hour's reading and relaxation and a pre-dinner cocktail I'm as chipper as ever.

Country club members sometimes stopped to chat with me about my flowers. Several asked if I would be interested in working for them when I finished at the club. That gave me an idea. Why not go into business for myself?

When my job ended last November the club manager phoned a New York business man he said had asked about me. The manager arranged an interview.

A year-around job resulted from that interview.

With Milly as partner, I formed my own landscape gardner service. Milly is also company bookkeeper. Her thumb is even greener than mine and she's proved invaluable in helping me design landscaping plans for my work projects. Together we case area nurseries for best buys and new ideas.

So far I've confined my work to two large estates in the affluent "Ridges" section of rural North Stamford. One is owned by the president of a multimillion dollar business in New York City. The other is owned by the treasurer of the same company. Both men are relatively new to "country" living in the Stamford area.

They've placed landscaping, plantings and care of their respective grounds in my hands. Milly and I have designed and I have planted rose and various other flower beds and borders. I made over an entire hillside adjoining a driveway on one estate with pachysandra, juniper, laurel, rhododendron, heather, and other kinds of ground cover greenery.

The lawn is so large at one estate I use a small tractor and a 3-unit gang lawnmower to cut the grass. A mechanized lawnsweeper and leaf blowers reduce much manual raking.

Winter before last I built large work benches in the basement of each estate and completely equipped them with all kinds of tools. I did home repairs, indoor painting, snow shoveling and other chores.

Thus goes my new "career," one I never dreamed I'd ever enter.

Landscape gardners are in demand in this area. I'm sure the same situation exists in many other parts of the country. I recommend my new kind of work to any other retiree with a green thumb who is bored with inactivity. I could work seven days a week if I wished.

But except for an occasional extra day, I hold my work week to four days, two at each estate. This leaves me three days a week to work on my own place and roam Long Island Sound in my 20-foot, 115 HP, cabin cruiser fishing for Blues, Striped Bass, Blackfish, Porgies and Flounders.

I have a medical checkup every three months. I am, my doctor says, in tip top condition. My consistent blood pressure readings of around 120 over 90 "can't be beaten for a man of my age," he adds.

Doc says the daily exercise and fresh air resulting from my job will "probably add years" to my life. Hope he's right.

VICENTE T. BLAZ, USMC BECOMES FIRST GUAMANIAN GENERAL

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. WON PAT. Mr. Speaker, today I wish to share with you and our fellow Members a matter which has brought me great personal pleasure and which represents a true milestone in the cultural development of my entire district of Guam and its Chamorro people.

Recently I was privileged to take part in ceremonies in the office of the Commandant of the U.S. Marine Corps when one of my constituents, Vicente T. Blaz was promoted to brigadier general.

I am well aware that in the districts of most of my colleagues such an occasion would be a notable one but hardly a milestone. However, in this instance, General Blaz is the forerunner of entirely new generations of Guamanians and as such is the first Guamanian to reach general rank in any of the U.S. military services.

We of Guam are very proud of the fact that Guamanians serve in our armed services on a per capita rate approximately six times the national average. However, it was somewhat an accident of birth that General Blaz was even eligible to become a U.S. military commissioned officer. He graduated from the University of Notre Dame in 1951 and received his commission. Only the previous year did he, and all other Guamanians, become U.S. citizens.

Thus, Brigadier General Blaz was the first native of Guam to receive a commission. He has continued to be first in his military and academic endeavors since.

In receiving his promotion and one star flag from Marine Commandant Gen.

Lewis Wilson, Brigadier General Blaz credited his family, the people of Guam, the Nation, and the Marine Corps for his being able to seek and attain his present success. However, in most instances of this nature, it was the personal motivation and performance of the individual himself who, despite immense handicaps, made the primary contributions to his success.

One of his major handicaps was early education. Vicente Blaz was born on Guam, one of eight children of Rita Blaz and the late Vicente C. Blaz. Educational opportunities on Guam at that time were very limited. During his teenage years Brigadier General Blaz remained on Guam during almost 3 years of Japanese occupation during World War II.

Despite these learning setbacks, Vicente Blaz had set his own goals and through personal striving qualified for a scholarship and for admission to the University of Notre Dame in 1947.

Since then he has received a master's degree in personnel management from George Washington University, an honorary doctor of laws degree from the University of Guam and was a "distinguished graduate" of the College of Naval Warfare at Newport, R.I.

His military career has been equally noteworthy. Among other duties, he has served as a base legal officer, an infantry company commander in Korea, operations officer of the 9th Marine Regiment during combat operations in Vietnam, and represented the Joint Chiefs of Staff on three delegations to multinational negotiations in Europe.

As a sidelight, Brigadier General Blaz' life has been uniquely tied to the 9th Marine Regment. Not only did he serve as its operations officer in Vietnam, it was his first unit as a junior officer in Japan and was later its commanding officer. He now has received his general's stars and flag personally from General Wilson who was awarded the Congressional Medal of Honor while a company commander in the 9th Marines for actions during the 1944 liberation of Guam.

Mr. Speaker, I am personally very proud to bring this matter to the attention of the House. Brig. Gen. Vicente T. Blaz represents the first generation of Guamanians to reach adulthood as U.S. citizens. We of Guam are exceedingly proud of him and his accomplishments. Moreover, he is a credit not only to our island but also to the U.S. Marine Corps and our Nation.

MRS. CHERYLE WILLIS HONORED BY CLEVELAND JAYCEES

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. STOKES. Mr. Speaker, Mrs. Cheryle Wills, an outstanding young woman in my district in Cleveland, Ohio, has recently been named as this year's recipient of the Cleveland Jaycees Distinguished Service Award. I would like to add, Mr. Speaker, that this is the first time that a woman has received this honor which has been presented annually since 1938 for outstanding contributions to the community.

It is an understatement to say that Mrs. Wills is deserving of this award. She has been at the forefront of numerous projects and organizations for civic and social betterment and has served her community with unusual commitment and zeal.

Mr. Speaker, so that you and my colleagues in the House can familiarize yourselves with Mrs. Wills' community service record, I would like to take this opportunity to give you a brief biographical sketch of her work in Cleveland.

Currently, Mrs. Wills' career ranges from mother, to housewife, to business director, to civic activist. She is a licensed funeral director and was the first woman officer of Goodwill industries in its 58-year history. Her affiliations are many, but I believe that it is important for us to hear them in order to assess the extent of her impact on the city of Cleveland.

CIVIC ORGANIZATIONS

Phillis Wheatley Association, trustee, immediate past president, and cochairperson of the membership drive.

Greater Cleveland Neighborhood Centers, trustee.

Central Multi-Service Center, trustee, chairman finance committee.

Y.W.C.A., trustee, co-chairperson personnel committee, member financial development committee.

Community Services Center, chairman of the board.

Karamu, trustee, member of finance committee.

United Torch Services, trustee, vice president, administration, member health allocation panel, member priorities determination committee.

Cleveland Public Library, trustee, chairman of personnel committee, secretary of the board.

Catholic Family Services, trustee, member of adoptions committee.

Golden Age Centers of Cleveland, trustee, secretary board of directors, chairperson, King Kennedy Golden Age Center.

Goodwill Industries, trustee, secretary board of directors, member public relations committee.

National Black Caucus on Aging, trustee, State chairperson of membership.

NAACP, trustee.

Woman Space, trustee.

Friendly Town, trustee.

Buckeye Health Plan, trustee, member of marketing committee.

Cleveland Arts Council, trustee.

Dyke College, corporation trustee.

Martin Luther King Plaza, corporate trustee.

Central Businessmen Alliance, convener.

Lake Front Forum, convener.

Mr. Speaker, Mrs. Wills is also a member of the Community Planning Youth Commission, Junior Women's Committee of the Cleveland Orchestra, the Delta Sigma Theta Sorority, and the Urban League of Cleveland. May I add, Mr. Speaker, that Mrs. Wills has been of enormous assistance to me as a consultant and tireless campaign worker.

Mr. Speaker, I have spoken of Mrs. Wills' professional and civic responsibilities but I would be remiss if I did not make reference to her wonderful family. She is married to Guy A. Wills and is the mother of Jae, age 13 and Duane, age 8.

At this time, I would like to ask my colleagues to join me in congratulating Mrs. Wills for her outstanding service to Cleveland. She is one of those committed individuals who never passes along the responsibilities to others. When there is a job to be done, Mrs. Wills is always on the case. I know that I speak for my constituents and all socially responsive citizens in Greater Cleveland when I say thank you Cheryle Wills for a job magnificently done.

HUMAN LIFE AMENDMENT

HON. ROBERT A. YOUNG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. YOUNG of Missouri. Mr. Speaker, last week I introduced the following constitutional amendment with respect to the right to life:

SECTION 1. With respect to the right to life, the word "person" as used in this Article and in the Fifth and Fourteenth Articles of Amendment to the Constitution of the United States applies to all human beings, including their unborn offspring at every stage of their biological development, irrespective of age, health, function, or condition of dependency.

SECTION 2. Nothing in this Article shall prohibit medical procedures which physically verificable facts establish as necessary to prevent the death of a pregnant woman.

SECTION 3. The Congress and the several States shall have power to enforce this Article through appropriate legislation.

At that time I asked permission to extend my remarks; I would like to take that opportunity now.

As a society, we are attempting to establish world food reserves to feed all people and support human rights recognized by every government. We want the world to look upon us as moral leaders—the compassionate, the caring, the generous. Yet, as a society, we daily destroy our Nation's greatest potential—people.

I have heard the argument that some children are unwanted, and therefore should be aborted. Have we as a nation truly decided that it is better to be unborn than unwanted? That in the long haul, for financial reasons, it is better to abort a child than feed and clothe it?

Unfortunately, the answer appears to be yes. Our society through the courts has sanctioned the viewpoint that life is secondary to convenience, and that some individuals have the right to deny existence to others, simply because those individuals have decided a child would inconvenience them.

The decisions of the Supreme Court

can be changed by law. This national disgrace of our attitude toward life can be changed. I have introduced a constitutional amendment with respect to life in a spirit of optimism that life is worth living.

I would like to submit two articles dealing with this vital and basic issue. I urge all Members to review these writings and offer comments of their own.

The first article is a recent editorial by KMOX-Radio, the CBS station in St. Louis. The editorial, entitled "Abortion: A Growth Industry?" was presented by Robert Hyland, regional vice president of the CBS Radio Division. The editorial follows:

We Americans are fascinated by facts and figures that reflect growth: a higher gross national product; a record harvest; increases in sales; housing starts; exports to other nations. We regard these growth figures as an index of our national vitality.

But there is one set of growth figures that should not give us a feeling of pride. In fact, they should appall us. These are the statistics on abortion. In 1970, there were 193,000 legal abortions in our nation. Last year there were 1,300,000. The 1980 forecast is for 2,800,000 abortions. That a staggering ten-year growth rate of 1,451 percent.

Look at the figures another way. In the last five years, there were five million abortions. That's ten times the number of Americans killed in all wars in our nation's 200 years and over a thousand times the number of deaths in the Vietnam war.

We know that many sincere, dedicated people believe in legalized abortion. They regard a woman's decision to bear—or not to bear—an unborn child as a private matter—between her and her doctor—not a social issue. These spokesmen cite the number of unwanted, neglected and abused children as one justification for the legal right to end the life of the unborn.

We do not deny the tragedy of the unwanted baby, but as we have stated many times, we believe there are alternatives. Adoption is one. Counseling and aiding the mother in keeping her baby is another.

We urge those who favor legalized abortion to consider the shocking increase in its usage. Surely our just, democratic and compassionate nation can find alternatives to killing millions of innocent infants. Do we really want to turn abortion into a growth industry?

The second article is by Ed Raterman, a Midwestern farmer and prominent member of Missouri Citizens for Life. The following article, entitled "A Non-Expert's Rejoinder to Abortion," is reprinted from the National Pro-Life Journal and follows:

As a farmer, I find it unnecessary to agonize when life begins, or the kind of life to anticipate if the source is known. Having sown many acres of wheat that within seven days of planting is visible to the naked eye, very much alive, and undergoing constant change, I have long been convinced that germination was almost immediate upon contact of seed with soil and moisture. The same is true of any seed, be it corn, sorghum, milo, or maize. Germination is but the beginning of a progression that is continuous until harvest, a harvest that will reap and reflect only that which was initially deposited into the ground. This is a fact undeniable and without need of proof. This is a fact wherever biological activity takes place, and yet, the amassed and awesome intelligence of the Supreme Court simply ignored what every realist truly knows and appreciates.

The above determination is no less apparent or expected, if one mates a cow or heifer to a bull, the only known resulting progeny is always a calf. A hog-raiser who breeds his sows or gilts to a boar, would be a fool to think his fortune to be increased by anything different from pigs. And so with humans, when a man and woman cohabitate, and beget new life, the results are similar and equally conclusive. Before a woman is possibly sure she is pregnant, vital organs of her progeny function, progress is continuous, life is in existence, and it can be only human.

The living end-product of any gestation has to be alive from its inception, and ultimately can only bear the same qualities and characteristics of its origin.

Abortion on demand is now perceived as good, intelligent, and legal, and the determination of ages has been reversed, but only, for so long as prevails the apathy of individuals, who are unwilling to undergo the fatigue of changing the crass and corrupt verdict of the Supreme Court.

I suffer no illusions about my ability to impress people or to markedly influence my community. However I call upon the wheat growers of Kansas and North Dakota, the corn and hog producers of Iowa, Indiana, and Illinois, the ranchers and cattlemen of the West, every farmer across this land, every craftsman, laborer, miner and clerk, all those who know what life is, those who value it's dignity because of the instinctive sense of morality and justice that is theirs, the competent and educated doctors, lawyers, and philosophers, who can best articulate the sanctity of life; I call upon them to mobilize for a battle that must be won, if we are to forestall the proliferation of ever lower standards of human behavior.

Like murder, abortion is brutally wrong and intolerable. To permit it by law is inconceivable in a nation, which under God, proclaims liberty and justice for all. It represents maximal discrimination and zero responsibility in the last and greatest perversion of sex.

The right to life is a Civil and more importantly a Human Right, that is both intrinsic and inalienable, a right that must be loudly proclaimed, faithfully and forever defended, and constitutionally guaranteed for all, because the natural law, the best of civilized tradition, and the law of God so demand.

To do less, is to invite for this and future generations, sure passage through the most cruel vale of tears the world, this nation, and society, has ever seen or yet endured.

VICTORY FOR THE FAMILY FARM

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. PANETTA, Mr. Speaker, a few days ago Continental Illinois Bank and Trust Co. withdrew its application to the Internal Revenue Service requesting tax-exempt status for its ag land fund I proposal. Marking a major victory for family farmers in their efforts to halt the invasion of nonfarm interests into the agricultural sector, this action effectively scuttles plans for the $50 million plan to invest pension funds in the purchase of working farms on prime farmland throughout the country.

The strong opposition to the ag land fund proposal voiced by family farmers, consumers, and the press indicates the seriousness of the issues raised by this type of investment scheme. Although ag land fund I has now been withdrawn from consideration, the public testimony before the House Agriculture Subcommittee on Family Farms and Rural Development illustrated the need for new legislation which will further guarantee the survival of the family farm in America.

In the last 25 years, the number of farms in America has decreased from 5.4 million to 2.9 million, with predictions that another 1 million will cease production by 1980, unless current trends are halted. These declines in the numbers of farms, along with the growth in the size of the average farm, points out that the small farmer simply cannot make it under current economic conditions. With the rapidly rising costs of production, and increasing competition from agribusiness, farmers are doing all they can just to stay in business. In light of the unstable situation for small farmers and the present trends of skyrocketing land values, new nonfarm investment proposals will continue to surface. It is my fear that, unlike ag land fund I, these new schemes will go unnoticed and therefore unimpaired if new legislation is not passed. It is essential that farmers and consumers fully understand the dangers that corporate investment proposals pose to this country's philosophic as well as economic foundations. All of us must continue to be on the lookout for new projects which offer similar threats to their survival.

All plans for corporate investment in farming raise the following philosophical questions regarding the future of agriculture in America. What happens to the land and lifestyle in our rural communities when profit becomes the basis for farming? What are the consequences of making many of our farmers into tenant operators? And, more practically speaking, what will corporate ownership and absentee investment do to land values, consumer prices, and the economy as a whole?

I am convinced that the encroachment of corporate investment into farming can only lead to escalated land values, the decline of competition and further concentration in the food industry, spiraling consumer prices, and the destruction of rural America as we know it. In addition, as the capital base accumulates in fewer and fewer hands cutside of our agricultural communities, opportunities for our young farmers to enter farming will be greatly diminished.

In the effort to implement my support of family farms, I am cosponsoring two bills which would restrict the trend toward absentee corporate ownership and investment in farming. The Family Farm Antitrust Act of 1977, H.R. 941, would prohibit persons or businesses with an excess of $3 million in nonfarm assets from engaging in agricultural production. Further, businesses with close ties to farming such as packinghouses, feed manufacturers, chemical and fertilizer manufacturers and farm machinery suppliers, having more than $1 million in assets, would be prohibited

from engaging in agricultural production. Farm cooperatives would be exempted from the act as would charitable, educational and nonprofit institutions.

The other bill I am sponsoring, entitled the Family Farm Preservation Act, would simply amend the Federal Deposit Insurance Act to prevent federally insured banks from investing collectively pooled trust funds in farmland.

It is evident from the testimony presented at the recent hearings on the Ag land fund proposal that the Federal Government is failing to restrict the corporate move into rural America, or to offer much assistance to those who are being forced out of farming. Although the family farm scored a significant victory this time against a serious threat to its existence, public awareness must be heightened and legislative action must proceed. Corporations are expanding into the agricultural sector because it is profitable and because there is no national policy to prevent or regulate such action. Now is the time for Congress to reaffirm its dedication to the survival of the family farm and our rural communities before new corporate investment schemes proceed to turn all of our farmers into tenant operators. The passage of the Family Farm Act and the Family Farm Preservation Act would mark the beginning of that reaffirmation.

WATER PROJECTS

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. RUDD. Mr. Speaker, President Carter's arbitrary decision to delete from the Federal budget numerous water projects has generated controversy throughout the land. One of these projects, the central Arizona project, is a source of great concern to the people of my State. We find it extremely difficult to comprehend why any administration would choose to remove from the budget a project of such vital importance to so many people and one that is 30 percent completed.

In a highly incisive article which was published on March 26 by the Washington Post, my distinguished colleague from Arizona, House Minority Leader JOHN RHODES, suggests that most of the criticism leveled against the water projects appear to be coming from individuals who may not understand fully the importance of water to the Western States. Mr. RHODES' column should be read by all who need to gain a proper perspective on this major issue.

The column follows:

. . . AND FROM THE DESERT

(By John J. Rhodes)

In the Southwest of this land of ours
In the Valley of the Sun
Phoenix, Arizona
Our growing just begun.
Change desert to fertile valley
Get a tan on Christmas Day
Phoenix, Arizona
With a touch of yesterday.

—Theme Song, Phoenix TV Station KTAR.

For the benefit of my Eastern friends I would like to point out something about that part of the nation I represent in Congress, Arizona's Maricopa County.

It's a desert.

It's also a well-populated desert, one of the fastest growing areas in America. People migrate there from all over because they are attracted to both our climate and our standard of living.

I have the suspicion that many people have trouble understanding what it means to live in a desert. I am sure that it's difficult for President Jimmy Carter, who grew up about 30 minutes from the Chattahoochee and Flint Rivers, to realize that the Salt River that cuts across metropolitan Phoenix is nothing more than a barren, rock-filled ditch.

How else to explain the President's sudden and arbitrary decision to delete from the budget some 30 water projects around the country, among them the Central Arizona Project? For the question is this: If the Central Arizona Project—or some alternate means of transporting large amounts of water into the central areas of the state—is not built, then what is to be done to provide for the many people who live there?

Unlike most Eastern communities, the people of central Arizona must live with the reality that their water supplies are limited. Our water tables have been diminishing over the years at an alarming rate, and it is only a matter of time before we go to turn on our water faucets and find that nothing comes out.

To its credit, Arizona had the foresight to recognize the problem of finite water reserves and the intelligence to plan accordingly. The Central Arizona Project was designed. It is a frankly ambitious plan to take water from the Colorado River at Lake Havasu, lift it over the mountains through a series of pumping plants and aqueducts and allow it to flow by gravity into the central valleys of the state.

After a lengthy series of complex legal battles (which went all the way to the Supreme Court), Congress passed and President Johnson signed into law in 1968 the bill authorizing construction of the CAP. Since that time Congress has appropriated over $400 million for the project, which is now almost 30 percent complete.

In a column printed in the March 14 Post, Colman McCarthy (who incidentally was born and raised on Long Island) dismisses the CAP as a prime example of "pork barrel politics" and takes off after Morris Udall (D-Ariz.), who is chairman of the House Interior Committee, for opposing wasteful spending on the one hand and supporting strongly the CAP on the other. What Rep. Udall (who, above all else, is no hypocrite) knows that Mr. McCarthy evidently does not is that over 80 percent of the funds required for construction of the Central Arizona Project will be paid back to the U.S. Treasury by the state of Arizona. The project will be mainly paid for by the water users themselves, a fact that, in my opinion, hardly qualifies the project as "pork barrel."

The issue is not cost, nor even cost-effectiveness, since the administration is already committed to the concept of public works projects (the CAP is responsible for approximately 4,300 new jobs per year). Neither should the issue be environmental, since the project has been the subject of numerous environmental impact statements at every stage of its development.

As I see it, the Central Arizona Project and other similar projects are at the vortex of a fundamental issue confronting America. It is the issue of growth versus non-growth.

Opponents of the CAP make the argument that it is fundamentally wrong for man to challenge nature to the extent that a viable community is erected in a desert. Colman McCarthy alluded to this attitude in his column (to wit: "By trying to improve on God's design of the Colorado River . . ."). In other words, if God had intended for people to inhabit Maricopa County, He would have put more water in the Salt River.

Perhaps. But what about the hard fact that our nation and the world is becoming an increasingly crowded place in which to live? The no-growth people have no answer to this unavoidable question.

In my opinion it is the responsibility and challenge of 20th-century man to use his God-given intelligence to devise innovative ways for the human race to exist comfortably on this crowded planet of ours.

That is what we have done in Arizona. We have transformed a desert into fertile land. People from the congested East and elsewhere are attracted to Arizona. They like what they find there, and they stay. There is no way that Arizona could keep them out, even if it wanted to. Americans have a right to live wherever they want. They have a right to seek a better way of life.

Unless the Central Arizona Project is built as planned, central Arizona will dry up eventually into a giant dust-bowl. The lifestyle that people find so attractive will be gone. People now living there will be forced to re-locate.

We cannot let this happen.

TANKER SAFETY

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. LENT. Mr. Speaker, the administration's recently announced change in U.S. policy on oil tanker pollution is welcome, but I doubt whether the shift in policy will do much to reduce tanker accidents.

On the whole, the new proposals should be effective in reducing oil pollution which results from tanker operations. In particular, the commitment to implement stricter tanker construction standards should help curb the amount of oil which gets dumped overboard each and every day. Such discharges account for 85 percent of all marine pollution.

Unfortunately, the administration's proposals do not adequately address the problem of accident-caused pollution. The administration's plans to require double bottoms on all new tankers, and to require sophisticated navigational equipment on ships calling at American ports, may reduce the incidence of accidents marginally, at best. But the core issue here is that of how effectively a tanker's crew performs.

The administration's approach to this issue is, unfortunately, a cautious one, though it need not be so. Beefing up standards for crews on American ships is probably a step in the right direction, but American ships carry only 15 to 20 percent of the oil entering our ports. Taking the issue of tanker crewing standards before international forums, with an eye toward a treaty, may be effective in the long run, but the long run may be as much as 10 years, if we may judge from similar negotiations in the past.

The administration's approach to this problem is even more perplexing because an immediate and effective solution is right under our noses.

I have introduced legislation, H.R. 2427, with my friend and colleague from

Maine, DAVE EMERY, and 27 cosponsors to extend U.S. jurisdiction under the Ports and Waterways Safety Act to 200 miles.

Our bill differs from the administration's action in only one respect: It would allow extension of American vessel traffic control systems into deep water.

The administration's proposals already involve considerable unilateral actions which will undoubtedly result in increased operating costs to foreign shipping firms wishing to enter U.S. waters. Furthermore, the administration's decision to require periodic inspection and certification of foreign vessels trading at U.S. ports is a clear assertion of U.S. jurisdiction over the trade which enters our ports. That it doesn't carry a 200-mile tag is significant only in symbolic terms.

Yet, the proposal my colleagues and I are making—extension of U.S. vessel traffic control to 200 miles—offers a clear way of avoiding the considerable difficulties involved in either a unilateral imposition of crewing standards, or in negotiating the issue multilaterally.

Under a comprehensive guidance system, similar to current air traffic control systems, U.S. shore-based nagivators would be able to "pick up" vessels entering the U.S. 200-mile zone while they were still in deep water, and guide these ships safely into port. Such a system would augment on-vessel navigation, and allow for timely corrective actions in the event a ship strayed from its course.

While international agreement on standards of training and competence in oil tanker operations are clearly needed, the outlook for quick agreement is not good. It seems to me that we should use the viable options which are open to us.

GRAND JURY REFORM—COLORADO SENATE PROPOSALS PARALLEL H.R. 94 REFORMS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. EILBERG. Mr. Speaker, Dale Tooley, the district attorney of Denver, Colo., has recently forwarded to me Colorado Senate bill 186 proposing reforms in that State's grand jury procedures. These reforms are almost identical to those I have proposed in H.R. 94 for our Federal grand jury system. Specifically, the provisions of the Colorado bill, which match my bill—

Would provide for a right to counsel in the grand jury room, free if the witness is indigent. Counsel would only advise, and could not make objections, arguments, or addresses to the grand jury. The court would maintain the power to remove any disruptive counsel;

Would require the grand jury to be informed of its duties, rights, and responsibilities prior to hearing the testimony of witnesses or reviewing documentary evidence;

Would permit any person to request to testify before the grand jury and allow denial of such a request to testify only for good reasons;

Would require witnesses to be informed of their rights before the grand jury and prohibit calling any witness if they indicate that they will exercise their privilege against self-incrimination;

Would allow subpenas to be challenged if they are unreasonable, oppressive, or for harassment purposes;

Would require all grand jury proceedings to be recorded and permit transcripts of a witness' testimony to then be made available to the witness prior to trial;

Would grant witnesses the right to review any prior statements in the prosecutor's possession prior to his testimony before the grand jury;

Would allow witnesses to be held in contempt only after a hearing with counsel and allow confinement only for the term of the grand jury or 6 months, whichever is less;

Would prohibit reiterative contempt, that is, prohibit witnesses imprisoned or fined for refusal to testify from being subsequently imprisoned or fined for refusal to testify as to the same matter;

Would prohibit repeated jeopardy, that is, once a grand jury has refused to issue an indictment, prohibit a new inquiry on the same matter from being initiated unless there is a finding that additional evidence has been discovered.

As District Attorney Tooley and others have indicated, the reforms proposed by H.R. 94—and the Colorado Senate bill—would not in any way interfere with legitimate investigations by grand juries. Rather, they would insure that such investigations are fair, thorough, and productive.

I would like at this point to insert in the RECORD the forwarding letter of District Attorney Tooley and the full text of Colorado Senate bill 186:

STATE OF COLORADO,
Denver, March 16, 1977.

HON. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration, Citizenship and International Law, Committee on the Judiciary, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN EILBERG: Thank you for your letter of January 25, 1977, and for the information which you enclosed.

I thought you might be interested in S.B. 186 concerning grand jury reform, pending before the Colorado legislature. Enclosed is a copy of this legislation, in the form in which it was approved by the Senate Judiciary Committee. It was approved on second reading, and we expect it will clear the Senate within the next two weeks. There will be two amendments to it, [one which will leave to the discretion of the prosecutor the form of the subpoena and any required notice thereon, and the other restricting grand jury reports]. That restriction will probably require that a subject of a report have an opportunity to appear and to testify and that in no event could a report be issued without the approval of a judge who determines that public release of a report is important to the public interest.

Because so many of these changes encompass elements of the legislation which you are proposing, and which Dade County State's Attorney Richard Gerstein advocates, I am sending this information to you and to Mr. Gerstein.

Yours truly,

DALE TOOLEY.

The committee recommends that S.B. No. 186 be amended as follows and, as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 1, strike everything below the enacting clause, and substitute the following:

"Section 1. 16-5-204, Colorado Revised Statutes 1973, is repealed and reenacted, with amendments, to read:

16-5-204. Witnesses before a grand jury—procedure (1)(a) Whenever a witness in any proceeding before any grand jury refuses, without just cause shown, to comply with an order of the court to testify or provide other information, including any book, paper, document, record, recording, or other material, the prosecuting attorney may submit an application to the court for an order directing the witness to show why the witness should not be held in contempt After submission of such application and (a hearing at which the witness may be represented by counsel, the court may, if the court finds that such refusal was without just cause, hold the witness in contempt and order the witness to be confined). Such confinement shall continue until such time as the witness is willing to give such testimony or provide such information; however, (the court may release the witness from confinement if the court determines that further confinement will not cause the witness) to give such testimony or provide such information. No period of such confinement shall exceed the term of the grand jury, including extensions, before which such refusal to comply with the court order occurred, and in no event shall such confinement exceed six months.

(b) If a witness has been confirmed in accordance with paragraph (a) of this subsection (1), he may, upon petition filed with the court, request a hearing to be held within ten days to review the contempt order at which hearing he shall have the right to be represented by counsel. The court, at the hearing, may rescind, modify, or affirm the order.

(c) In any proceeding, conducted under this section, counsel may be appointed for a person financially unable to obtain adequate assistance.

(2) No person who has been imprisoned or fined by a court for refusal to testify or provide other information concerning any transaction, set of transactions, event, or events in any proceeding before a grand jury impaneled before any district court shall again be imprisoned or fined for a subsequent refusal to testify or provide other information concerning the same transaction, set of transactions, event, or events before any grand jury.

(3) Upon impanelment of each grand jury, the court shall give to such grand jury adequate and reasonable written notice of and shall assure that the grand jury reasonably understands the nature of:

(a) Its duty to inquire into offenses against the criminal laws of the state of Colorado alleged to have been committed;

(b) Its right to call and interrogate witnesses;

(c) Its right to request the production of documents or other evidence;

(d) The subject matter of the investigation and the criminal statutes or other statutes involved, if these are known at the time the grand jury is impaneled;

(e) The duty of the grand jury by an affirmative vote of nine or more members of the grand jury to determine, based on the evidence presented before it, whether or not there is probable cause for finding indictments and to determine the violations to be included in any such indictments; and

(f) The requirement that the grand jury may not find an indictment in cases of perjury unless at least two witnesses to the

same fact present evidence establishing probable cause to find such an indictment.

(4)(a) Each grand jury subpoena shall contain the following advisement prominently displayed on the front of the subpoena:

NOTICE

(I) You have the right to retain an attorney to represent you and to advise you regarding your grand jury appearance.

(II) Anything you say to the grand jury may be used against you in a court of law.

(III) You have the right to refuse to answer questions if you feel the answers would tend to incriminate you or to implicate you in any illegal activity.

(IV) If you cannot afford or obtain an attorney, you may consult with the public defender's office, or request the court to appoint an attorney to represent you.

(b) Any witness who is not advised of his rights pursuant to paragraph (a) of this subsection (4) shall not be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he testifies or any evidence he produces, nor shall any such testimony or evidence be used as evidence in any criminal proceeding, except for purjury, against him in any court.

(c) In any proceeding before the grand jury, if the prosecuting attorney has written notice in advance of the appearance of a witness that such witness intends to exercise his privilege against self-incrimination, such witness shall not be compelled to appear before the grand jury unless a grant of immunity has been obtained.

(d) Any witness subpoenaed to appear and testify before a grand jury or to produce books, papers, documents, or other objects before such grand jury shall be entitled to assistance of counsel during any time that such witness is being questioned in the presence of such grand jury, and counsel may be present, in the grand jury room with his client during such questioning. However, counsel for the witness shall be permitted only to counsel with the witness and shall not make objections, arguments, or address the grand jury. Such counsel may be retained by the witness or may, for any person financially unable to obtain adequate assistance, be appointed in the same manner as if that person were eligible for appointed counsel. An attorney present in the grand jury room shall take an oath of secrecy. If the court, at an in camera hearing, determines that counsel was disruptive, then the court may order counsel to remain outside the courtroom when advising his client.

(e) Once a grand jury has returned a no true bill based upon a transaction, set of transactions, event, or events, a grand jury inquiry into the same transaction or events shall not be initiated unless the court finds, upon a proper showing by the prosecuting attorney, that the prosecuting attorney has discovered additional evidence relevant to such inquiry.

(f) A certified or authorized reporter shall be present at all grand jury sessions. All grand jury proceedings and testimony from commencement to adjournment shall be reported. The reporter's notes and any transcripts which may be prepared shall be preserved, sealed, and filed with the court. No release or destruction of the notes or transcripts shall occur without prior court approval.

(g) Upon application by the prosecutor, or by any witness after notice to the prosecutor, the court, for good cause, may enter an order to furnish to that witness a transcript of his own grand jury testimony, or minutes, reports, or exhibits relating to them.

(h) Any witness summoned to testify before a grand jury, or an attorney for such witness with the witness's written approval, shall be entitled, prior to testifying, to examine and copy at the witness's expense any statement in the possession of the prosecuting attorney or the grand jury which such witness has made that relates to the subject matter under inquiry by the grand jury. If a witness is proceeding in forma pauperis, he shall be furnished, upon request, a copy of such transcript and shall not pay a fee.

(i) No person subpoenaed to testify or to produce books, papers, documents, or other objects in any proceeding before any grand jury shall be required to testify or to produce such objects, or be confined as provided in this section, for his failure to so testify or produce such objects, if upon filing a motion and, upon an evidentiary hearing before the court which issued such subpoena or a court having jurisdiction under this section, the court finds that:

(I) A primary purpose or effect of requiring such a person to so testify or to produce such objects before the grand jury is or will be to secure testimony for trial for which the defendant has already been charged by information, indictment, or criminal complaint.

(II) Compliance with a subpoena would be unreasonable or oppressive;

(III) A primary purpose of the issuance of the subpoena is to harass the witness;

(IV) The witness has already been confined, imprisoned, or fined under this section for his refusal to testify before any grand jury investigating the same transaction, set of transactions, event, or events; or

(V) The witness has not been advised of his rights as specified in paragraph (a) of this subsection (4).

(j) Any grand jury may indict a person for an offense when the evidence before such grand jury provides probable cause to believe that such person committed such offense.

(k) The district court before which the indicted defendant is to be tried shall dismiss any indictment of the grand jury if such district court finds, upon the filing of a motion by the indicted defendant based upon the grand jury record without argument or further evidence, that the grand jury finding of probable cause is not supported by the record.

(l) Any person may approach the prosecuting attorney or the grand jury and request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. The prosecuting attorney or the grand jury shall keep a record of all denials of such requests to that prosecuting attorney or grand jury, including the reasons for not allowing such person to testify or appear. If the person making such request is dissatisfied with the decision of the prosecuting attorney or the grand jury, such person may petition the court for hearing on the denial by the prosecuting attorney or the grand jury. If the court grants the hearing, then the court may permit the person to testify or appear before the grand jury, if the court finds that such testimony or appearance would serve the interests of justice.

(m) The foreman, or acting foreman when designated by the court, of the grand jury may swear or affirm all witnesses who come before the grand jury.

(n) Any other motions testing the validity of the indictment may be heard by the court based only on the record and argument of counsel, unless there is cause shown for the need for additional evidence.

Section 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

MINIMUM WAGE INCREASE HURTS YOUNG PEOPLE

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. DEVINE. Mr. Speaker, much has been said over the years as the big labor union bosses beat the drum for continuous increases in minimum wage under the fancy title of Fair Labor Standards Act. Our colleague, JOHN DENT of Pennsylvania, again is masterminding this bill, which, unfortunately, will create unemployment among our young people and will be used as a base to launch a whole series of increases at the higher levels of those receiving $10 and $12 per hour now.

The executive vice president of the Ohio Hotel and Motel Association directed a letter to Congressman DENT relative to the problems in the industry, compounded by the periodic increase in the base, which I feel should be read by every Member of Congress prior to voting on this issue.

The following information was contained in a March 7 letter:

Member hotels and motels of our association, ranging in size from 25 to 500 rooms, are concerned deeply about your H.R. 3744. In it you propcse:

To increase the federal minimum wage base by approximately 25 percent 30 days after enactment.

To repeal the tip credit, which will increase the employer's wage costs by more than a dollar an hour for service employees who are required by law to report $20 a month or more in gratuities they receive in the course of their employment, and

To create automatic annual wage increases every Jan. 1, based on 60 percent of the average earnings of employees in one of the biggest industries—manufacturing—so this would provide built-in increases for years ad infinitum.

Equitable legislation usually is proposed to right an existing wrong, or to create a need. There probably isn't an employer anywhere today who exploits labor, simply because employees won't be exploited and this poses the question: What and where is the wrong you propose to right? And what is the need for such a burden upon business and employers?

Your pension reform act examples legislation that righted many wrongs you found existing in that field—(and you probably never received due credit for that major legislative accomplishment.)

As exacting as your proposals are, they become more so because:

The social security tax base has been increased,

The unemployment compensation tax base has been increased, and

The workmen's compensation premium base will be increased again July 1; it was increased 20 percent last July 1.

Our tax-paying member hotels and motels plead for some relief. They hope you can find a way to modify your proposals down to:

1—a tolerable minimum wage increase to become effective in 1978,

2—to retain the tip credit,

3—to eliminate from H.R. 3744 the 60

percent of the average manufacturing industry wage.

As you doubtless realize, service businesses—hotels, motels, inns and restaurants—employ minors, they employ marginal and unskilled workers. Many of the minors are part-time workers who go to school and work only 24 hours a week so they have time for their school requirements.

It is foreseeable that the burdensome standards you propose in H.R. 3744 will prevent employment of deserving workers who find work and responsibility and enjoy it; they prefer being on payrolls, instead of welfare rolls.

Co-incidentally, on March 3, last week, when we were reading your H.R. 3744, owners of the Fort Hayes Hotel here in Columbus closed the hotel, which had served the public for 50 years. When I asked the owners why, they explained they simply couldn't cover the losses any longer.

They emphasized their increases in operating costs, among them

(a) increased labor contract requirements;

(b) an electric current bill for $21,000 a month;

(c) a natural gas bill in excess of $4,000 a month; a ruling of the Public Utilities Commission of Ohio that prohibited the Ohio Bell Telephone Co. paying hotels a commission on telephone business that originated in hotels and motels;

(d) an increase in its county real estate tax;

(e) and the impossibility of passing all these increases along to the customers by increasing its room rates, because the necessary increase would exceed the value to the customer.

You aren't impervious to conditions today.

For examples:

Three major downtown hotels in Cleveland are in receivership and two others are "hanging on" to 30–to–40 percent occupancies.

Two inns in the Columbus area are for sale and if a prospective buyer makes an offer and tried to withdraw it, he'll risk a broken arm.

Two hotels in Toledo with attractive modern and adequate facilities are experiencing business volumes far below the break-even figure and one of them with a labor union contract recently renewed the contract, with a 20 percent wage increase across the board.

In a 400-room hotel in Columbus, the four utilities—water and sewer service, telephone, electricity and natural gas—have been increased to a total of $1,000 a day. That racks up to $365,000 for the year 1977 It's the equivalent of 365,000 Scotches-and-soda at $1 each.

These example economic conditions. They're mentioned to assure you the hospitality business in Ohio has enough economic problems and state laws and requirements to live by. They really could get along tolerably well without H.R. 3744.

BLACK PRESS HONORS W. O. WALKER, CLEVELAND NEWSPAPER PIONEER

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. STOKES. Mr. Speaker, on Friday, March 18, 1977, I had the distinct honor to be present at the sesquicentennial banquet of the National Newspaper Publishers Association. On hand were distinguished publishers and journalists from the Nation's black newspapers and magazines.

Since 1827, the black press has been at the cutting edge of the struggle for freedom and survival of black Americans. It is fitting then that one of America's oldest and most respected newspapers should be cited on this auspicious occasion. The Cleveland Call and Post, under the able pen of W. O. Walker, has fought for human rights and equality since 1913.

Mr. Speaker, Mr. Walker's colleagues cited him for his role in establishing the joint Howard University-NNPA Archives and Gallery of Distinguished Newspaper Publishers. The archives are expected to become the No. 1 repository of black newspapers, press photos, editorial background reference material, and memorabilia.

In recognition of this honor, Mr. Speaker, I would like to submit an article to you which appeared in the Saturday, March 10, 1977, Cleveland Call and Post. The article gives a brief history of Mr. Walker's unparalleled career in journalism. It reads as follows:

FOUR BLACK WOMEN BREAK CONGRESSIONAL GROUND

Four black women hold seats in the U.S. House of Representatives and all four have broken ground as "firsts" in a variety of areas.

The distinction of being the first black woman elected to Congress goes to Shirley Anita Chisholm, Dem.-N.Y., elected in 1969.

Barbara C. Jordan, Dem.-Tex., was the first black woman elected to Congress from the deep south and the first black woman ever to give the keynote address at a Democratic national convention.

Yvonne Brathwaite Burke, Dem-Cal., is the first congresswoman ever to have given birth while in office. She was the first woman elected to Congress from California in 20 years and the first black woman ever elected to the House from her state.

Cardiss Collins, Dem.-Ill., is the first black to hold the office of whip-at-large, to which she was appointed by the House majority leader.

The four are included in a new publication "Women in Congress, 1917 to 1976," released by the Joint Committee on Arrangements for Commemoration of the Bicentennial.

Shirley Chisholm, a native of Brooklyn, N.Y., began her political career as a clubhouse worker before being elected to the New York State Assembly. Before that, she was a teacher and director of a day nursery.

Elected to Congress from the Bedford-Styvesant section of Brooklyn in 1969, she campaigned with the slogan "Unbought and Unbossed," the title of her autobiography.

Under Chisholm's leadership, Congress enacted legislation to include domestic workers under the protection of the minimum wage law.

She also sponsored legislation dealing with environmental health, food stamps, day care, national home health care, school lunches, comprehensive supplemental security income reform, full employment and women's rights.

Chisholm is a member of the Education and Labor Committee. In 1972, she was a candidate for President of the United States, and received 152 delegate votes.

Barbara Jordan received a three-minute ovation after being introduced to keynote the 1976 Democratic convention.

"There is something different and special about this opening night," she told the convention. "I, Barbara Jordan, am a keynote speaker, and notwithstanding the past, my presence here before you is one additional bit of evidence that the American dream need not forever be deferred."

An attorney, Jordan ran for the Texas state legislature and lost shortly after graduation from law school. After two losses, she ran for the State Senate and won. She was elected to the U.S. House of Representatives in 1972.

Jordan was supported in her Congressional campaign by President Lyndon B. Johnson, who also helped her get a seat on the Judiciary Committee after her election.

It was on the Judiciary Committee during the impeachment hearings of President Nixon, that she became known for her brilliant oratory and judicious manner.

"My faith in the Constitution is whole, it is complete, it is total," she stated. "I am not going to sit here and be an idle spectator to the diminution, the subversion and the destruction of the constitution."

Among the bills Jordan has introduced are: the civil rights amendments to the Law Enforcement Assistance Administration authorization; amendments to the Voting Rights Act of 1965; a bill repealing Federal authorization for state "fair trade" laws; and legislation that strengthened civil rights enforcement procedures for General Revenue Sharing and LEAA.

She has also cosponsored legislation guaranteeing equal credit; food commodities for school lunch and child nutrition; freedom of information; emergency public service jobs; home rule for the District of Columbia; tax credits for low income workers and health programs.

Burke, an attorney from Los Angeles, has introduced over 20 bills and major amendments since assuming office in 1973. These have included legislation to: provide funds for planning a comprehensive west coast mass transit system; Federal aid for the mentally retarded and the autistic; equal opportunity in the construction of the Trans-Alaskan pipeline; Federal part-time employment for homemakers and the elderly; improved out-patient care facilities in under-supervised areas; and the establishment of a National Center for the Prevention and Control of Rape.

She introduced an amendment to the 1976 appropriations bill for the Department of Labor and HEW restoring previously eliminated funds for programs that provided services for senior citizens, emergency food and medical care.

Burke serves on the House Appropriations Committee. She was elected to chair the Congressional Black Caucus in 1976 and served as vice chairman of the 1972 Democratic National Convention in Miami Beach.

Cardiss Collins, a resident of Chicago, Ill., began her career as a stenographer in State government, where she rose to become revenue auditor of the Illinois Department of Revenue.

At the time she ran for the seat left vacant by the untimely death of her husband, George, she was committeewoman of Chicago's 24th ward. She won the (1973) election with 87.9 percent of the vote.

Collins serves on the International Relations Committee and the Government Operations Committee. She has sponsored over 25 bills, including the National Condominium Act; Economic Disaster Community Assistance Act; and the Elementary and Secondary Education Act. Other areas of legislative interest involve bills to help the aged, consumer credit, Medicare and water pollution.

Mr. Speaker, I am certain that my colleagues here assembled will join me in extending congressional recognition to

Mr. W. O. Walker for his outstanding career and service to Cleveland and the Nation. As one of his avid readers, I can only hope that his great newspaper continues to fight on in the struggle for racial equality and human dignity.

PUBLIC ATTITUDES TOWARD ENERGY: LOU HARRIS POLL

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. WIRTH. Mr. Speaker, as we all await President Carter's energy message of April 20, I hope we wait with the understanding that his message must be tough. Our bolts have to tighten; we must stop wasting energy; and our previously inexpensive energy resources are going to go up in price.

Now we manage these changes in behavior and cost will be the public policy test. And hopefully President Carter's message will do what has to be done in such difficult areas as cost and conservation.

And hopefully these steps will be outlined without fear of political retribution. Too often over the last months I have heard many of my colleagues, the press, and others say that we won't be able to have the tough energy policy we need, because the American people do not believe that we have an energy crisis, or would not make the sacrifices needed.

This kind of thinking sells our constituents short—the American people are prepared for, and willing to support, a tough policy that will be effective and fair. The best evidence I have seen of this willingness is the following summary of the Lou Harris poll, recently completed for ABC News. I am including this poll's results, as I think it points out to my colleagues how ready Americans are. And I hope the strong public attitudes outlined here are reflected in President Carter's energy message:

THE ABC NEWS/LOU HARRIS POLL ON ENERGY

THE MAGNITUDE OF THE SHORTAGE

A sizable 81 percent of the American people are convinced that there is a serious shortage of energy in this country. Even more significant, 73 percent estimate that this shortage will be just as acute 10 years from now, sharply up from 64 percent who felt that way last summer and from the 53 percent who saw a long-term shortage back in 1975.

Gnawing at the American people is a sense that as a nation we have been wasteful in our use of energy and that we now also find ourselves at the mercy of foreign sources for oil, thus putting our energy destiny beyond our control.

On the issue of waste, by 92–6 percent most Americans think the public has been wasteful on the use of energy, 59 percent thinking we have been highly wasteful. A majority of 86 percent think people have been wasteful in the use of gasoline, 54 percent highly wasteful. A majority of 81 percent feel most people are wasteful on the use of home heating fuel, 36 percent highly wasteful. And 78 percent think industry has been wasteful in its use of energy, 41 percent highly wasteful.

By a nearly unanimous 88–9 percent, most people think it important that the country learn how to cut back on its use of energy. By 57–27 percent, a majority favor having President Carter "impose" a tough program of conservation on both consumers and industry.

VOLUNTARISM VS. CMPULSION ON CONSERVATION

By a narrow 52–46 percent, people believe that voluntary conservation of energy by the public would be effective. By 51–45 percent, a slender majority think that such voluntary approaches would work with industry. By contrast, a much larger 61–34 percent think that a compulsory conservation program would work with the people and an even higher 67–28 percent think the compulsory approach would be effective with industry.

The nationwide cross-section of 1517 adults, interviewed in their homes between March 1st and 7th, was then asked to estimate which approach would be more effective generally: voluntarism or compulsion on energy conservation. The result: by 55–38 percent, a clear majority opted for a compulsory approach.

However, when asked which approach they preferred to see taken, by an overwhelming 75–20 percent, a majority favored a voluntary way to solve the problem.

This study shed some light on the degree to which voluntarism is now working. Each interviewer was given a thermometer to take into each home surveyed. The temperature outside the door and then inside the house was recorded. President Carter had asked the American people during the natural gas shortage in January to turn down their thermostats to 65 degrees during the day and down to 60 degrees at night. In 84 percent of the communities surveyed, the outside temperature averaged under 65 degrees, thus necessitating some kind of home heating.

Among the 84 percent whose outside temperatures were below the 65 degree mark, here are the inside the house temperatures recorded:

Only 8 percent of the homes had an inside the house temperature of 65 degrees or less.

No more than 28 percent of the homes had an inside temperature of 68 degrees or less.

In 64 percent of the homes, the temperature was 70 degrees or above.

Despite the fact that some regions of the country have been harder hit than others during the cold winter, the median temperatures on a regional basis were remarkably uniform; in the East 70 degrees, in the Midwest 71 degrees, in the South 70 degrees, and in the West 71 degrees. By any measure, the temperatures in the living rooms of the country, where the interviews were conducted, were a full five degrees above the level requested by the President.

The study probed in considerable depth about a whole host of both voluntary and compulsory steps that might be taken on energy conservation.

Basically, it should be pointed out that by 71–16 percent, a majority of the public agrees with the estimate of top Carter energy officials that as much as 30 percent of the total energy used in the country can be saved through the application of tough conservation measures. And by 54–27 percent, a majority clearly expects the President to come up with just such a tough program on April 20th.

In the area of voluntarism, the public still believes that a number of steps can be effective and sizable majorities favor taking these approaches:

Urging people to put their thermostats down to 65 degrees during the day and to 60 degrees at night is felt by 67 percent to be an effective approach and by 78–18 percent, they favor such exhortation by the President. (Obviously, however, most Americans are not aware of the average 70 degree temperature in most homes of this country).

A substantial 74 percent think it would be effective to "urge people to use less electricity during the day when it is more expensive and to use washers and dryers and other utilities at night when it is cheaper," and a 75–15 percent majority supports such appeals.

By 87–10 percent, the public also thinks that urging more people to use car pooling would be effective, and by 88–10 percent a majority wants to see such a voluntary approach.

In the area of compulsion, there are fewer majorities and they are clearly harder to come by. Nonetheless, mainly in the areas of compelling key institutions to change their ways, the public does opt for compulsion:

An 81 percent majority feels that we could effectively conserve gasoline if the 55-mile-an-hour speed limit were strictly enforced. A lopsided 79–17 percent majority would favor such a tightening of enforcement of that speed limit.

A high 80 percent of the public believes that a compulsory policy of allowing "only the buildings of new housing which uses the most efficient heating methods" would be effective and a 73–19 percent majority opts for such a move.

A big 78 percent thinks it would be effective to "prohibit the use of outdoor lighting on signs outside buildings, restaurants, and other places, although keeping street lights lit," and by 68–25 percent they would favor adoption of this rule.

A substantial 87 percent think it would be effective to "compel business to turn off unnecessary lights in halls and in other places," and by 85–11 percent, most people favor mandating this rule.

Nearly two out of every three people, 65 percent, think it would be effective to "require employers to set up special bonus arrangements for employees who form car pools in driving to work, with the employer being given a tax credit on the bonuses paid," and by 60–28 percent most people favor adopting such a regulation.

A majority of 56 percent of the public feels that it would be effective "to have the federal government help pay for vans that companies would loan to employees to drive car pools to and from work," and by a narrow 49–43 percent, a plurality would like to see that policy adopted.

Some 57 percent of the public thinks that a policy of "compelling older plants and factories to convert to coal from natural gas and oil" would work and by 48–34 percent the public favors such a new rule.

One area to emerge from this study indicates the American people might well be willing to change their car buying habits. While a substantial 61–24 percent majority opposes simply mandating that no more medium-sized or large cars will be produced, it is more than apparent that people are willing to bend on the issue of bigger cars. A substantial 70 percent think it would be effective to "prohibit the sale of new cars that don't get 20 miles to the gallon," and by 61–29 percent, a majority would favor adopting that regulation now. A sizable 64 percent think it would be effective to "prohibit the sale of new cars that don't get 22.5 miles to the gallon," and by 50–38 percent most would like to see that regulation put into effect. Finally, 60 percent of the public feels that it would be effective to "prohibit the sale of new cars that don't get 25 miles to the gallon," and by a razor thin 44–43 percent, most would opt for the immediate passage of such a regulation.

Clearly, people are willing to put an acid test on the ability of manufacturers to produce new cars that yield a high number of miles to the gallon. The implication of this finding surely must be that people would respond to a regulation that meant they would have to buy smaller automobiles.

Another major program under consideration is mandatory insulation of homes Thirty percent of homes are now estimated to be improperly insulated nationwide. A substantial 64 percent of the public feels it

would be effective to "require local gas and electric power companies to insulate homes with added insulation materials, storm windows, and weather stripping, with customers paying for it themselves on an instalment basis over a year's time on their gas and electric bills." However, by a narrow 49–42 percent, a plurality would oppose such compulsion on insulation. Nevertheless, the survey also found that such insulation might be acceptable if people were allowed to deduct the charges for insulation from the federal income taxes, a step 75 percent thought would be effective and favored by a 67–25 percent margin.

In four areas, the public is both unimpressed with the effectiveness of compulsory measures and also clearly opposes them:

A system of rationing home heating fuel, with each family allotted an amount equal to the amount used the previous year, is thought to be effective by only 50 percent of the public and would be opposed by 61–30 percent.

Rationing gasoline is viewed as an effective measure by only 51 percent and is overwhelmingly opposed by a margin of 66–24 percent.

Only 38 percent of the public feel it would be effective to make employers pay a tax on each car where company parking facilities are provided, and by 66–24 percent, a majority opposes such a step to discourage the use of cars in driving to work.

A tax on public parking facilities to discourage people from driving is believed to be effective by only 36 percent and is opposed by 69–21 percent.

THE DIMENSION OF HIGHER PRICES

When the public was asked to estimate what they think will happen to the price of energy they will have to pay in the next few years, the median estimate was that energy will go up 50 percent. This means that most people hold the view that gasoline prices, for example, are headed toward $1.00 a gallon.

In order to see just how much give there might be on the part of the American people to pay higher prices for energy, a series of trade-off questions were asked:

When forced to choose between a 50 cents a gallon increase in the price of gasoline or to go to a system of permanent rationing, by a narrow 43–38 percent, a plurality opted for permanent rationing.

When forced to choose between a gasoline price hike of 50 cents a gallon or prohibiting the manufacture and sale of medium and large cars, a 45–35 percent plurality came down in favor of stopping the sale of bigger cars. This finding reinforces previous results that show there is considerable give in the American penchant for bigger autos.

When forced to make a choice between paying 100 percent more for home heating fuels next winter or running the risk of not having enough home heating fuel, 45 percent opt for a 100 percent fuel price increase, only 29 percent are willing to run the risk of inadequate supply, and 9 percent say the issue is not applicable to them.

THE OTHER SIDE OF THE COIN: HOW TO INCREASE THE SUPPLY OF ENERGY

Clearly, as reported earlier, 73 percent of the public think there is a real energy shortage here and now, and that it will continue to plague this country for the next decade.

The public was asked whom they thought was to blame for the shortage that now exists:

71 percent think "Arab oil-producing countries playing politics" are very much to blame;

68 percent pin very much of the blame on "the failure of this country to come up with new sources of energy closer to home;"

65 percent feel the "way major oil companies have behaved" deserves a major share of the blame;

63 percent believe that "the tactics of foreign oil-producing countries in raising the price of oil and natural gas" are very much to blame;

52 percent pin much of the blame on "continued waste of energy by industry;"

51 percent attribute much blame to "continued waste by the American people;"

48 percent put very much of the blame on "the lack of an energy policy by the federal government."

It is evident that the American people are deeply distressed that they are 51 percent dependent on foreign oil to meet their national needs. The survey asked them about it and found by an overwhelming 89–9 percent that they feel "it is bad for this country to be that dependent on foreign sources of oil." They see national security overtones in this condition: by 74–17 percent, they believe "with so much of our oil coming from the Middle East, we place our whole system of military security in danger in case of war." Yet, the public also firmly rejects the notion of "making political and economic concessions to the oil-producing countries so we can be sure we keep getting their oil," held by a 62–26 percent majority.

The public instead wants the Carter Administration to "get tough with the oil-producing countries on such matters as food, equipment needed for industrial development, and on the use of our know-how in getting their oil out of the ground, processing and transporting it," a position favored by a 72–15 percent majority. This result indicates strong public backing for the stand President Carter took during the campaign in which he said he would use tough measures short of war to bargain with the oil-producing cartel.

The other side of the coin, of course, to public worry over too much dependence on foreign oil sources is just how to develop new sources of added supply of energy at home. A central pivot in the debate over this question is the matter of deregulating oil prices:

By 66–17 percent, a majority favors the powers already given the President to deregulate natural gas on a temporary basis in order to distribute available supply across state lines.

The much debated proposal for a "federal law which would gradually deregulate the price of all oil and natural gas over a 26 month period" is favored by a 44–34 percent plurality of the public. When the price decontrol issue has added to it "deregulation of oil and natural gas supplies in this country to encourage companies to explore for and develop new oil and natural gas," support rises to a 55–27 percent majority.

However, public support for decontrol may only be viable if an additional provision is added to any such legislation: by 72–14 percent, the people say they favor "a plan under which prices would be deregulated but most of the profits which oil companies make would be required to be put back into exploration and development of new sources of energy to relieve the energy shortage."

Specifically, the public opts for giving a green light to these activities to generate more energy supply here at home:

77 percent feel it is very important to "expand work on solar energy."

68 percent feel it is highly important to "build more and better public transportation systems of commuter trains, buses, subways, and other means besides highways and freeways." (This result marks the first time that such backing has emerged for mass transit in this country.)

68 percent opt as very important "allowing more drilling for oil and natural gas on government-owned lands."

64 percent feel it very important to "build plants that can convert coal to gas and oil."

62 percent give a priority to drilling for oil and natural gas off the Atlantic, Pacific and Gulf coasts."

58 percent think it highly important to "build more nuclear power plants to generate electricity."

52 percent believe it highly important to "expand underground mining for coal."

51 percent give major importance to work on nuclear power that uses hydrogen instead of uranium" (nuclear fusion).

However, several proposed approaches to increasing energy supply come up with less than 50 percent who feel they are very important:

Only 42 percent attach high importance to "expanding strip mining."

No more than 42 percent feel it highly important to "convert oil shale to synthetic crude oil."

Only 36 percent give high priority to "relaxing auto emission rules and standards to save gasoline."

And no more than 32 percent say it is very important to "relax emission standards for power plants so they can burn higher sulfur content fuels."

Finally, only 22 percent attach a high priority to "importing more oil and natural gas from overseas."

Underlying these specific measures people favor is a sense that current sources of energy are either running out or cannot be relied on over the next 10 to 25 years:

24 percent of the public reports that it now depends mainly on oil for their electric power energy, but a much smaller 5 percent think they still will in 10 years, and a small 1 percent think they will still be highly dependent on oil in 25 years.

In the case of hydro-electric power, 19 percent report being dependent on it today, only 10 percent think they will in 10 years, and no more than 4 percent think they will in 25 years.

19 percent say they are mainly dependent on coal today for electric power energy, 15 percent in 10 years, and a smaller 8 percent in 25 years. However, recent talk of greater use of coal has increased the number who see themselves dependent on it in 10 years from 7 percent to 15 percent just in the past six months.

Only 2 percent of the public are now mainly dependent on nuclear power, but a much higher 26 percent think they will be in 10 years, with 20 percent viewing it as the major electric power supply 25 years from now.

Less than one-half of one percent now are mainly dependent on solar energy, but 12 percent think it will be their main source of electric power in 10 years and a high 30 percent see it as their major source of energy in 25 years.

Coal shows signs of coming back as an alternate source to many people, but coal is felt by a 75–18 percent margin to be too great a polluter of the environment. Oil is thought to be environmentally unsound by a 59–33 percent margin. By contrast, nuclear power is thought to be non-polluting by 51–26 percent and solar energy by an even larger 77–12 percent.

Clearly, the public sees solar energy as a long-term hope, with nuclear filling in much of the gap left by the prospective decline of dependence on oil. Not only do the American people feel uneasy about foreign oil dependence today, but they feel it will be disappearing as a major resource for their energy needs over the next 25 years.

THE 156TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE

HON. JOHN G. FARY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. FARY. Mr. Speaker, March 25 marks a significant day, a historic date

for the people of Greece for March 25, 1977, is the 156th anniversary of the independence of the Greek people.

The Greek Independence Day must be a significant day for all peoples everywhere who love human freedom and cherish democratic political institutions.

It was on the 25th of March 1821 that the Greek patriots began a revolt against the Ottoman Empire which, for centuries, ruled the people of Greece with an oppressive and tyranical hand.

The people of Greece, however, inspired by the prospect of independence, and supported by champions of freedom in Europe and America succeeded in breaking the yoke of the Ottoman domination.

We all know that the concept of democracy was spawned by the remarkable leaders and thinkers of ancient Greece, and we realize as well that their teachings inspired the Founding Fathers of our country, as well as of other democratic nations.

Mr. Speaker, I should like to recall that in the year 1821 our own Republic was young and, therefore, the cause of Greek independence won the sympathies of many leaders of the United States. It was in 1882 that President James Monroe wrote words that are on this day often quoted, but nonetheless deserve repetition:

> The mention of Greece fills the mind with the most exalted sentiments, and arouses in our bosoms the best feelings of which our nature is susceptible. That such a country should have been overwhelmed, and so long hidden, as it were, from the world under a gloomy despotism, has been a cause of unceasing and deep regret to generous minds for ages past. . . . A strong hope is entertained that these people will recover their independence, and resume their equal station among the nations of the earth.

The idea of democracy, born in ancient Greece over 2,000 years ago has prevailed and has inspired other nations in their struggle against oppression. In fact, possibly no other people since their beginnings have given more to the world in the fields of thought and beauty and practicality than the Greeks. Modern philosophy was born of the reasoning and logic of Socrates, Plato, and Aristotle. Medicine is indebted to Galen and Hippocrates, mathematics to Euclid and Archimedes, law to Nestorius, the arts to Aeschylus, Sophocles, and Euripides, and politicians emulate Demosthenes.

I extend with great pleasure greetings to Americans of Greek descent in my congressional district, as well as those in Chicago and across our Nation on the occasion of their independence and to recall with great pride a century and a half of genuine friendship between the people of America and the people of Greece.

PRESIDENTIAL PAPERS—PUBLIC OR PRIVATE?

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. VENTO. Mr. Speaker, the question of who owns the proprietary and legal rights to Presidential papers has been an issue for nearly 200 years, starting with George Washington's papers and continuing through our recent 37th and 38th Presidents.

The continuing and thorny issue—pressuring Members of Congress, pressuring publishers, pressuring librarians and, yes, pressuring Presidents themselves—is "What is public and what is private where Presidential papers are concerned?"

As we recall, the problem came to a climax in 1974 when President Nixon left office and Congress decided to take custody of his documents. The question of who owns these papers and where they should go is still unsettled. Sometime the U.S. Supreme Court will decide.

Mr. Speaker, a determined effort to explore this 200-year-old issue and to point the directions in which a solution may be found has been made by a distinguished Washington author and publisher. M. B. Schnapper, the owner of a small publishing firm here on Capitol Hill, publishes books of a serious, and often scholarly, historical, political, economic, and social concern.

His book, "Public Trust, Public Property and Private Property," will come from the presses in a few weeks. It should be of interest to all students of the subject. I place in the RECORD a comprehensive discussion of our 200-year-old problem that appeared in yesterday's Washington Star:

USE AND ABUSE OF WASHINGTON'S PAPERS

(By William Delaney)

The papers of George Washington, which he consdered "a species of public property, sacred in my hands," instead became an instrument of private profit and partisan politics in the hands of his favorite nephew, Supreme Court Justice Bushrod Washington, and the debt-ridden Chief Justice John Marshall, according to a forthcoming book.

The tangled tale of the Washington papers, as researched by author M. B. Schnapper, reveals those justices' efforts—bold even by today's publishing and ethical standards—to turn them into a bestseller.

And it reveals that a colleague of theirs on the Supreme Court, whose ruling on the private nature of Washington's papers is being cited in Richard Nixon's current effort to gain control of his White House tapes, was a promoter of the edition of Washington's documents that profited from his decision.

Schnapper, editor of Public Affairs Press here and a crusader against the private profiteering of government-produced materials by public officials, has released to leading newspapers the Washington-papers chapter of "Public Trust, Public Property, and Private Profit," to be published by his press in late spring.

In it, he cites a 1782 letter from Washington to a New England clergyman-historian, William Gordon—a letter disregarded by most historians and archivists, Schnapper says—in which the general called his Revolutionary War records "a species of public property, sacred in my hands."

While Washington said he would be happy eventually to comply with Gordon's request to see his war documents, he pointed out that the war had not yet been concluded by treaty:

"When Congress then shall open their registers, and say it is proper for the servants of the public to do so, it will give me much pleasure to afford all the aid to your labors . . . which my papers can give."

Years later, when he left the presidency, Congress had still neglected to say anything about the proper thing to do with the military and White House documents. So he took them home to Mount Vernon, voicing concern about their security in letters to the Treasury and War departments.

Shortly after his death, with their fate left in his will to his nephew-executor, Washington's papers were seized upon by the nephew and his colleague, Chief Justice Marshall, as a vehicle for enriching themselves personally and politically, as well as paying homage to the late president.

Envisioning a huge bestseller that would firmly link the heroic Washington to their Jefferson-defeated Federalist party, the pair sought an unprecedented $150,000 advance from a Philadelphia publisher for the biography which Marshall would write with exclusive access to the papers. The justices (Marshall and his brother, for example, then owed $31,500 on a newly acquired Virginia estate) would split the proceeds 50–50.

According to Schnapper, the astounded publisher wrote back that no one had ever got more than $30,000 for a copyrighted work.

The justices reduced their demand to $100,000. Finally they settled on an installment package totaling $70,000, with the publisher suggesting that Marshall not depict the British so unfavorably that sales in England would suffer.

As work on his five-volumne "Life of Washington" progressed, however, Marshall got skittish about the appearance of his role in the whole undertaking.

He sent his son to Philadelphia to try to prevent the use of his name on the work. The publisher, of course, refused. (Imagine, for example, a publisher today agreeing to an anonymous biography of Jimmy Carter by Jody Powell.) Eventually it was agreed that Marshall's name would appear on the title page, in relatively small type and without mention of his Supreme Court title.

Meanwhile, President Jefferson was so angered by reports of what he called Marshall's "evil labor" that he forbade postmasters to take orders for the books.

"It is intended to come out just in time to influence the next (1804) presidential election," Jefferson told the celebrated poet Joel Barlow, urging him to write a counter-history from the anti-Federalist viewpoint.

When the volumes appeared, beginning in 1804, Marshall's "Life of Washington" drew predictably mixed reviews. But even former President John Adams, himself a Federalist, privately described it as a "mausoleum" principally designed to make money. While successful commercially, it was never quite the smash hit the two justices hoped for.

Joseph Story of Massachusetts, the third justice in Schnapper's account of the Washington papers, enters in the 1820s when his friend, House chaplain Jared Sparks (later an important historian and president of Harvard College), enlisted his warm support for a Sparks-edited publication of all of Washington's writings.

At first Bushrod Washington was uninterested in helping someone else make a buck from his uncle's papers.

Sparks complained to Story, arguing that "Washington's public letters and papers are the property of the nation" and as such should be laid before the people.

Meanwhile, Sparks began assembling copies of Washington's letters from other sources—so many that we wrote Justice Washington he was going ahead with the project in any case, but would agree "to divide with you equally the property of copyright and the profits of sale" if he could use the papers in the justice's possession.

Sparks turned to Marshall, whom he had met socially through Story.

Marshall's intercession with Justice Washington was "apparently decisive," Schnapper believes. In fact, the 1827 contract called for a three-way split of the profits, cutting Marshall in.

Story, who offered his "affectionate friend" Sparks all manner of encouragement about

the project, lent his name to newspaper letters promoting Sparks' undertaking—letters which were used in a brochure soliciting prepaid orders for the 12-volume Washington papers.

Following the deaths of Justices Washington in 1829 and Marshall in 1835, Story found himself in 1841 sitting as a circuit judge in a case brought by Sparks' publisher. The publisher complained that a new biography of Washington contained excerpts from the Sparks edition of the papers, thus infringing on the Sparks-Marshall-Washington copyright.

The opposing publisher claimed the papers were public property, not copyrightable.

Story, in what Schnapper calls "a puzzling lapse" for "one of the early giants" of the court, did not disqualify himself, despite his personal promotion of the Sparks series and multiple other apparent conflicts of interest (the publisher, whom Story knew, was Harvard's librarian; Story taught there part-time, Sparks full-time).

In his ruling, he held that the papers were Washington's private property, had been deemed such by the president himself, and were in the same boat as letters by British literary figures.

Schapper contends that Story ignored the failure of Congress to sanction the private ownership of presidential documents, and other basic constitutional issues involved, including its ban on extra presidential income apart from salary.

As a result of Story's opinion—which Schnapper says was practically unnoticed at the time—the new biography was withdrawn from circulation.

Washington's personal opinion as to the nature of his papers as commander-in-chief and as president seems to have been ambiguous.

"A species of public property," he told Gordon. In his letter to the Treasury he referred to "my papers of a public nature." His letter to the War Department made mention of "my military, civil and private papers." But it remained a potentially bothersome issue for officialdom, and by the time of his death nothing was resolved.

"Thus," Schnapper concludes, "records of great historical importance came to be treated as private property because of official negligence."

Not until 1934 did Congress authorize a National Archives.

Not until 1955 did it authorize a system of government-maintained libraries to house the records of recent presidents.

And not until 1974, after Nixon left office, did Congress take custody of a president's documents, leaving the question of ownership to the courts. Nixon's personal claim to his tapes and papers is pending before the Supreme Court.

At the same time it seized the controversial Nixon materials, Congress created a Public Documents Commission to study the question of how the records generated by a wide variety of officials—judges and congressmen and agency chiefs, as well as presidents—should be treated. What is public? What is private? And what meant Washington by his cryptic phrase, "a species of public property?"

That commission meets here today to discuss its recommendations, which are due on Capitol Hill next Thursday.

LITHUANIAN INDEPENDENCE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 1977

Mr. FORD of Michigan. Mr. Speaker, I am extremely proud today to join many of my colleagues in the commemoration of the 59th anniversary of the Declaration of Independence of Lithuania.

It was on February 16, 1918, that Lithuania declared its independence after surviving a long period of Russian domination followed by a brief German occupation during World War I. Every freedom-loving American must admire the determination and perseverance of the Lithuanians that allowed them to realize, if only briefly, their goal of independence.

In 1795, when Lithuania was annexed by Russia, Lithuanians banded together against their enemy. Their resentment of their Russian overlords grew in strength as the Russians tried to suppress what Lithuanians cherish most—their language, religion, and traditions. Each attempt of the brave Lithuanians to overthrow Russian domination brought more intensified efforts to convert the Lithuanians to Russian ideology. But with unmatched determination the Lithuanians resisted and remained true to their traditions.

The Lithuanians' determination finally led to their independence on that special day in February 1916. Ironically, Lithuania's independence was short lived. No sooner had the Lithuanians proclaimed their independence than the Red Army entered the country and installed a Communist government. The Lithuanians, having struggled for centuries for their precious independence, joined forces with the Polish Army and drove the Russians from their native land. A treaty was signed with the Russians on July 12, 1920, recognizing Lithuania as an independent nation. Once again her proud people stood tall.

Despite some internal problems, typical of any young country, Lithuania and her culture began to flourish with newly acquired independence. In 1939 Lithuania felt the brunt of Nazi and Soviet aggression. Despite her policy of neutrality in World War II, Lithuania was forced into many concessions by the Russians and Germans. Then, on August 3, 1940, Lithuania was declared a constituent republic of the U.S.S.R. by the Supreme Soviet in Moscow.

Soviet domination did not end with World War II and anti-Soviet Lithuanian partisans fought for freedom against the military occupation at the cost of about 50,000 lives. In addition about 75,000 were able to escape to the West.

Mr. Speaker, we cannot let the struggles of these proud and brave people be forgotten. I strongly support the continuing policy of our country toward Lithuania. We have refused to recognize the seizure and forced "incorporation" of Lithuania and her neighbors, Latvia and Estonia, by the Soviet Union.

I do hope that in the not too distant future these proud people can once again regain their independence.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of all meetings when scheduled, and any cancellations or changes in meetings as they occur.

As an interim procedure until the computerization of this information becomes operational, the office of the Senate Daily Digest will prepare such information daily for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Wednesday, March 30, may be found in the Daily Digest section of today's RECORD.

The schedule follows:

MEETINGS SCHEDULED

MARCH 31

9:00 a.m.

Agriculture, Nutrition, and Forestry

To resume hearings on proposed legislation to amend and extend the Agriculture and Consumer Protection Act.

332 Russell Building

Foreign Relations

Foreign Assistance Subcommittee

To mark up legislation on international financial institutions and bilateral development assistance.

4221 Dirksen Building

9:30 a.m.

Appropriations

Interior Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the Bureau of Outdoor Recreation and the Land and Water Conservation Fund.

1318 Dirksen Building

Commerce, Science, and Transportation

Subcommittee on Aviation

To continue hearings on bills proposing regulatory reform in the air transportation industry, including S. 292 and S. 689.

5110 Dirksen Building

Energy and Natural Resources

Business meeting, to consider the nominations of Guy Richard Martin, of Alaska, and Robert L. Herbst, of Minnesota, each to be an Assistant Secretary of the Interior.

3110 Dirksen Building

Human Resources

Handicapped Subcommittee

To resume oversight hearings on the implementation of the Developmentally Disabled Assistance and Bill of Rights Act (Public Law 94–103).

Until 1 p.m. 6202 Dirksen Building

Human Resources

Health and Scientific Research Subcommittee

To hold hearings in connection with the protection of human subjects used in experimental research.

Until: 12:30 p.m. 6226 Dirksen Building

Select Small Business

To hold hearings on the nomination of Arthur Vernon Weaver, Jr., of Arkansas, to be Administrator of the Small Business Administration.

424 Russell Building

10:00 a.m.

Appropriations

Defense Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for the defense establishment, to hear public witnesses.

1223 Dirksen Building

Appropriations
Public Works Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for public works projects, to hear Members of Congress and public witnesses.
1114 Dirksen Building

Appropriations
Transportation Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the National Highway Traffic Safety Administration.
1224 Dirksen Building

Banking, Housing, and Urban Affairs
To hold hearings on S. 664, to provide for the insurance of graduated payment mortgages, and S. 1078, to revise the experimental mortgage insurance program.
5302 Dirksen Building

Budget
To mark up proposed first concurrent resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.
357 Russell Building

Energy and Natural Resources
Subcommittee on Public Lands and Resources
To consider S. 7, to establish in the Department of the Interior an Office of Surface Mining Reclamation and Enforcement to administer programs to control surface coal mining operations.
3110 Dirksen Building

Environment and Public Works
Water Resources Subcommittee
To hold hearings on national water policy in light of current drought situations.
4200 Dirksen Building

Governmental Affairs
To continue hearings on S. 591 and S. 826, to establish a Department of Energy in the Federal Government to direct a coordinated national energy policy.
3302 Dirksen Building

Human Resources
Subcommittee on Labor
To continue hearings on S. 717, to promote safety and health in the mining industry.
Until 1:00 p.m. 3232 Dirksen Building

Select Intelligence
Subcommittee on Budget Authorization
To continue closed hearings on proposed fiscal year 1978 authorizations for Government intelligence activities.
S-407, Capitol

Select Nutrition and Human Needs
To continue hearings to examine the relationship between diet and health, to receive testimony on the need for fiber in diet.
Until 1 p.m. 1202 Dirksen Building

11:00 a.m.
Foreign Relations
Subcommittee on Arms Control, Oceans and International Environment
To hold hearings on S. Res. 49, favoring international agreement to a treaty requiring the propagation of an international environmental impact statement for any major project expected to have significant adverse effect on the physical environment.
4221 Dirksen Building

2:00 p.m.
Appropriations
Labor-HEW Subcommittee
To continue hearings on proposed budget estimates for the fiscal year 1978 for the Office of Civil Rights, Inspector General, Policy Research, and General Management.
S-128, Capitol

Appropriations
Public Works Subcommittee
To continue hearings on proposed budget estimates for the fiscal year 1978 for public works projects, to hear Members of Congress and public witnesses.
1114 Dirksen Building

Appropriations
Defense Subcommittee
To continue hearings on proposed budget estimates for the fiscal year 1978 the Defense establishment, to hear public witnesses.
S-126, Capitol

Appropriations
Legislative Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the legislative branch, on items under the Office of the Secretary of the Senate.
S-146, Capitol

Select Intelligence
Subcommittee on Budget Authorization
To continue closed hearings on proposed fiscal year 1978 authorizations for Government Intelligence activities.
S-407, Capitol

3:30 p.m.
Foreign Relations
To receive a briefing (in closed session) from officials of the Central Intelligence Agency on the general world situation.
S-116, Capitol

APRIL 1

9:00 a.m.
Agriculture, Nutrition, and Forestry
To resume hearings on the administration's proposals relative to the food stamp program.
322 Russell Building

9:30 a.m.
Commerce, Science, and Transportation
Subcommittee on Aviation
To continue hearings on bills proposing regulatory reform in the air transportation industry, including S. 292 and S. 689.
5110 Dirksen Building

Environment and Public Works
Water Resources Subcommittee
To hold hearings on the proposed replacement of Lock and Dam 26, Alton, Ill.
4200 Dirksen Building

Foreign Relations
Subcommittee on Western Hemisphere Affairs
To meet in closed session to receive a briefing from Ambassadors Ellsworth Bunker and Sol Linowitz on Panama Canal negotiations.
S-116, Capitol

Human Resources
Health and Scientific Research Subcommittee
To continue hearings in connection with the protection of human subjects used in experimental research.
Until 12:30 p.m. 6226 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
To continue hearings on S. 664, to provide for the insurance of graduated payment mortgages, and S. 1078, to revise the experimental mortgage insurance program.
5302 Dirksen Building

Budget
To markup proposed first concurrent resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.
357 Russell Building

Commerce, Science, and Transportation
To hold hearings on the nominations of Charles Linn Haslam, of North Carolina, to be General Counsel, and Frank Alan Well, of New York, to be an Assistant Secretary, both of the Department of Commerce.
235 Russell Building

Energy and Natural Resources
Subcommittee on Energy Research and Development
To hold hearings on S. 419, to test the commercial, environmental, and social viability of various oil-shale technologies.
3110 Dirksen Building

Environmental and Public Works
Nuclear Regulation Subcommittee
To hold hearings on proposed fiscal year 1978 authorizations for the Nuclear Regulatory Commission.
457 Russell Building

Governmental Affairs
Energy Subcommittee
To hold hearings on S. 897, to strengthen U.S. policies on nuclear nonproliferation, and to reorganize certain nuclear export functions.
3302 Dirksen Building

Human Resources
Subcommittee on Labor
To continue hearings on S. 717, to promote safety and health in the mining industry.
Until: 1:00 p.m. 4232 Dirksen Building

11:00 a.m.
Foreign Relations
International Operations Subcommittee
To hold hearings on proposed fiscal year 1978 authorizations for the International Broadcasting Board.
4221 Dirksen Building

Joint Economic
To hold hearings on the employment/unemployment situation.
1202 Dirksen Building

2:30 p.m.
Foreign Relations
To receive a briefing by Leonard Woodcock on his delegation's recent trip to Vietnam and Laos.
4221 Dirksen Building

APRIL 4

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To resume hearings on bills proposing regulatory reform in the air transportation industry, including S. 292 and S. 689.
5110 Dirksen Building

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Department of the Treasury, on funds for New York City financing.
1318 Dirksen Building

Appropriations
Public Works Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for public works projects, to hear Members of Congress and public witnesses.
1114 Dirksen Building

Budget
To mark up proposed first concurrent resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.
357 Russell Building

Commerce, Science, and Transportation
To hold hearings on S. 263, to provide for interim regulatory reform of the Interstate Commerce Commission, Federal Trade Commission, Federal Power Commission, Federal Communications Commission, Civil Aeronautics Board, Federal Maritime Commission, and Consumer Product Safety Commission.
235 Russell Building

Energy and Natural Resources
Subcommittee on Energy Conservation and Regulation
To hold oversight hearings to determine status of national efforts in energy conservation.
3110 Dirksen Building

Energy and Natural Resources
Subcommittee on Energy Research and Development
To resume hearings on proposed authorizations for fiscal year 1978 for the Energy Research and Development Administration.
S-407, Capitol

Governmental Affairs
To hold hearings to release an Office of Technology Assessment report entitled "Nuclear Proliferation and Safeguards."
3302 Dirksen Building

Human Resources
Subcommittee on Labor
To hold oversight hearings on the administration of the Black Lung Benefits program.
Until: 2:00 p.m. 4232 Dirksen Building

Human Resources
Subcommittee on Child and Human Development
To hold hearings on S. 961, to promote the healthy development of children who would benefit from adoption by facilitating their placement in adoptive homes.
Until: 1:00 p.m. 2228 Dirksen Building

2:00 p.m.
Appropriations
Publics Works Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for public works projects, to hear Members of Congress and public witnesses.
1114 Dirksen Building

APRIL 5

9:30 a.m.
Appropriations
Interior Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Forest Service.
1114 Dirksen Building

Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on S. 562, the proposed Union Station Improvement Act.
235 Russell Building

Human Resources
To consider S. 855, to authorize funds for fiscal year 1978 for activities of the National Science Foundation; S. 755, extending through fiscal year 1978 all expiring health programs under the Public Health Service Act and the Community Health Centers Act; and S. 725, authorizing funds through fiscal year 1982 for certain education programs for handicapped persons.
Until: 11:30 a.m.
4232 Dirksen Building

*Select Small Business
Monopoly Subcommittee
To resume hearings on alleged restrictive and anticompetitive practices in the eyeglass industry.
424 Russell Building

10:00 a.m.
Appropriations
HUD—Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Consumer Product Safety Commission.
1224 Dirksen Building

Appropriations
Public Works Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for public works projects, to hear Members of Congress and public witnesses.
1114 Dirksen Building

Budget
To mark up proposed first concurrent resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.
357 Russell Building

Joint Economic Committee
To resume hearings on a recent study prepared by the University of Wisconsin on food chain stores' profits and prices.
318 Russell Building

Energy and Natural Resources
Subcommittee on Energy Production and Supply
To resume hearings on S. 977, to conserve gas and oil by fostering increased utilization of coal in electric generating facilities and in major industrial installations.
3110 Dirksen Building

Energy and Natural Resources
Subcommittee on Energy Research and Development
To continue hearings on proposed authorizations for fiscal year 1978 for Energy Research and Development Administration.
S-407, Capitol

Governmental Affairs
Intergovernmental Relations Subcommittee
To hold hearings on S. 904, to establish a center within OMB to provide current information on Federal domestic assistance programs.
3302 Dirksen Building

Select Committee on Intelligence
Subcommittee on the Budget
To hold hearings on the question of public disclosure of funding levels authorized for Government intelligence activities.
2228 Dirksen Building

10:30 a.m.
Commerce, Science and Transportation
To hold a business meeting.
5110 Dirksen Building

2:00 p.m.
Appropriations
Public Works Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for public works projects, to hear Members of Congress and public witnesses.
1114 Dirksen Building

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To consider S. 365, authorizing funds for fiscal year 1978 for NASA.
235 Russell Building

APRIL 6

9:00 a.m.
Energy and Natural Resources
Parks and Recreation Subcommittee
To hold hearings on S. 393, the proposed Montana Wilderness Study Act.
Room to be announced

9:30 a.m.
Appropriations
Interior Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior, to hear congressional witnesses.
1114 Dirksen Building

Commerce, Science, and Transportation
Communications Subcommittee
To hold oversight hearings on rural telecommunications policy.
325 Russell Building

Commerce, Science, and Transportation
Aviation Subcommittee
To continue hearings on bills proposing regulatory reform in the air transportation industry, including S. 292 and S. 689.
5110 Dirksen Building

Human Resources
Subcommittee on Child and Human Development
To hold oversight hearings on extension of the Child Abuse and Prevention Treatment Act (Public Law 93-247).
Until: 12:00 noon 4200 Dirksen Building

Select Small Business
*Monopoly Subcommittee
To continue hearings on alleged restrictive and anticompetitive practices in the eyeglass industry.
424 Russell Building

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for foreign aid programs, to hear public witnesses.
1318 Dirksen Building

Appropriations
HUD-Independent Agencies Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Consumer Product Safety Commission, Office of Consumer Affairs, and Consumer Information Center.
Room to be announced

Appropriations
Public Works Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for public works projects, to hear Members of Congress and public witnesses.
1114 Dirksen Building

Budget
To mark up proposed first concurrent resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.
357 Russell Building

Energy and Natural Resources
Subcommittee on Energy Conservation and Regulation
To continue oversight hearings to determine status of national efforts in energy conservation.
3110 Dirksen Building

Governmental Affairs
Energy Subcommittee
To continue hearings on S. 897, to strengthen U.S. policies on nuclear nonproliferations, and to reorganize certain nuclear export functions.
3302 Dirksen Building

Human Resources
Health and Scientific Research Subcommittee
To hold hearings on the benefits from and technological uses of genetic engineering-Deoxyribonucleic Acid (DNA) research.
Until 3:00 p.m. 6202 Dirksen Building

Human Resources
Subcommittee on Labor
To continue oversight hearings on the administration of the Black Lung Benefits program.
Until: 1:00 p.m. 4332 Dirksen Building

Select Committee on Intelligence
Subcommittee on the Budget
To hold hearings on the question of public disclosure of funding levels authorized for Government intelligence activities.
2228 Dirksen Building

APRIL 7

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To continue hearings on bills proposing regulatory reform in the air trans-

portation industry, including S. 292 and S. 689.
5110 Dirksen Building

10:00 a.m.
Appropriations
Military Construction Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for military construction programs, on funds for NATO and classified programs.
S-146, Capitol
Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To hold hearings on S. 1019, to authorize funds for fiscal years 1973 and 1979 for certain maritime programs.
235 Russell Building
*Energy and Natural Resources
Subcommittee on Energy Production and Supply
To continue hearings on S. 977, to conserve gas and oil by fostering increased utilization of coal in electric generating facilities and in major industrial installations.
3110 Dirksen Building
Select Intelligence
To hold a closed hearing on proposed fiscal year 1978 authorizations for Government intelligence activities.
S-407 Capitol

2:00 p.m.
Commerce, Science, and Transportation
To hold hearings on the nomination of Dr. Frank Press, of Massachusetts, to be Director of the Office of Science and Technology Policy.

APRIL 18

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Department of Housing and Urban Development and Independent Agencies, to hear public witnesses.
1318 Dirksen Building
Environment and Public Works
Water Resources Subcommittee
To resume hearings on the national water policy in view of current drought situations.
4200 Dirksen Building
Judiciary
To hold hearings on S. 825, to foster competition and consumer protection policies in the development of product standards.
2228 Dirksen Building

APRIL 19

9:30 a.m.
Appropriations
Interior Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior and Related Agencies, to hear public witnesses.
1114 Dirksen Building
Appropriations
Transpotration Subcommittee
To resume hearings in proposed budget estimates for fiscal year 1978 for the Federal Aviation Administration.
1224 Dirksen Building
Commerce, Science, and Technology
Science, Technology, and Space Subcommittee
To hold hearings on S. 126, to establish an Earthquake Hazards Reduction Program.
5110 Dirksen Building
Environment and Public Works
To resume hearings on the proposed replacement of Lock and Dam 26, Alton, Ill.
4200 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
To hold hearings on proposed housing and community development legislation with a view to reporting its final recommendation thereon to the Budget Committee by May 15.
5302 Dirksen Building
Consumer Subcommittee
To hold oversight hearings on activities of the Consumer Product Safety Commission.
235 Russell Building
Energy and Natural Resources
To resume hearings on S. 9, to establish a policy for the management of oil and natural gas in the Outer Continental Shelf.
3110 Dirksen Building
Governmental Affairs
Subcommittee on Reports, Accounting, and Management
To hold hearings to examine government accounting and auditing practices and procedures.
3302 Dirksen Building
Judiciary
To continue hearings on S. 825, to foster competition and consumer protection policies in the development of product standards.
2228 Dirksen Building

3:00 p.m.
Appropriations
HUD-Independent Agencies Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of Housing and Urban Development, to hear public witnesses.
1318 Dirksen Building

APRIL 20

9:30 a.m.
Environment and Public Works
Water Resources Subcommittee
To continue hearings on the proposed replacement of Lock and Dam 26, Alton, Ill.
4200 Dirksen Building

10:00 a.m.
Appropriations
Interior Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior and related agencies, to hear public witnesses.
1114 Dirksen Building
Banking, Housing, and Urban Affairs.
To continue hearings on proposed housing and community development legislation with a view to reporting its final recommendations thereon to the Budget Committee by May 15.
5302 Dirksen Building
Commerce, Science, and Technology
Consumer Subcommittee
To continue oversight hearings on activities of the Consumer Product Safety Commission.
235 Russell Building
Judiciary
To continue hearings on S. 825, to foster competition and consumer protection policies in the development of product standards.
2228 Dirksen Building
Select Small Business
To hold hearings on S. 972, to authorize the Small Business Administration to make grants to support the development and operation of small business development centers.
424 Russell Building

APRIL 21

10:00 a.m.
Appropriations
Interior Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior and related agencies, to hear public witnesses.
1114 Dirksen Building
Banking, Housing, and Urban Affairs
To continue hearings on proposed housing and community development legislation with a view to reporting its final recommendations thereon to the Budget Committee by May 15.
5302 Dirksen Building
Commerce, Science, and Technology
Consumer Subcommittee
To continue oversight hearings on activities of the Consumer Product Safety Commission.
5110 Dirksen Building
Governmental Affairs
Subcommittee on Reports, Accounting and Management
To continue hearings to examine Government accounting and auditing practices and procedures.
3302 Dirksen Building

APRIL 22

10:00 a.m.
Banking, Housing, and Urban Affairs.
To continue hearings on proposed housing and community development legislation with a view to reporting its final recommendations thereon to the Budget Committee by May 15.
5302 Dirksen Building

APRIL 25

10:00 a.m.
Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1978 for the Coast Guard.
5110 Dirksen Building
Judiciary
To resume hearings on S. 825, to foster competition and consumer protection policies in the development of product standards.
2228 Dirksen Building

APRIL 26

9:30 a.m.
Select Small Business
To hold hearings on problems of small business as they relate to product liability.
1202 Dirksen Building

10:00 a.m.
Appropriations
Transportation Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Urban Mass Transportation Administration.
1224 Dirksen Building
Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To hold hearings to receive testimony in connection with delays and congestion occurring at U.S. airports-of-entry.
235 Russell Building

2:00 p.m.
Appropriations
Transportation Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the National Highway Traffic Safety Administration.
1224 Dirksen Building

APRIL 27

10:00 a.m.
Appropriations
Transportation Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Urban Mass Transportation Administration.
1224 Dirksen Building

Commerce, Science, and Technology
Consumer Subcommittee
To hold hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building

APRIL 28

10:00 a.m.
Appropriations
Transportation Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the National Highway Traffic Safety Administration.
1224 Dirksen Building
Commerce, Science, and Technology
Consumer Subcommittee
To continue hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building
Environment and Public Works
Nuclear Regulation Subcommittee
To resume hearings on proposed fiscal year 1978 authorizations for the Nuclear Regulatory Commission.
4200 Dirksen Building

APRIL 29

10:00 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To continue hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building

MAY 3

10:00 a.m.
Banking, Housing, and Urban Affairs
To hold oversight hearings on U.S. monetary policy.
5302 Dirksen Building
Commerce, Science, and Technology
Consumer Subcommittee
To hold hearings on proposed legislation amending the Federal Trade Commission Act.
235 Russell Building

MAY 4

10:00 a.m.
Appropriations
Transportation Subcommittee
To resume hearings on proposed budget estimate for fiscal year 1978 for the Federal Highway Administration.
1224 Dirksen Building
Banking, Housing, and Urban Affairs
To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendations to the Budget Committee by May 15.
5302 Dirksen Building
Commerce, Science, and Transportation
Consumer Subcommittee
To continue hearings on proposed legislation amending the Federal Trade Commission Act.
235 Russell Building

MAY 5

10:00 a.m.
Banking, Housing, and Urban Affairs
To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendations to the Budget Committee by May 15.
5302 Dirksen Building
Commerce, Science and Transportation
Consumer Subcommittee
To hold hearings on S. 957, designed to promote methods by which controversies involving consumers may be resolved.
5110 Dirksen Building

MAY 6

10:00 a.m.
Banking, Housing, and Urban Affairs
To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendations to the Budget Committee on May 15.
5302 Dirksen Building

MAY 9

9:30 a.m.
Commerce, Science and Transportation
Communications Subcommittee
To hold oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.
235 Russell Building

MAY 10

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To continue oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.
235 Russell Building

10:00 a.m.
Appropriations
Transportation Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for the Federal Railroad Administration (Northeast Corridor).
1224 Dirksen Building
Banking, Housing, and Urban Affairs
To resume oversight hearings on U.S. monetary policy.
5302 Dirksen Building
Governmental Affairs
Subcommittee on Reports, Accounting, and Management
To resume hearings to examine government accounting and auditing practices and procedures.
3302 Dirksen Building

MAY 11

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To continue oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.
235 Russell Building

MAY 12

10:00 a.m.
Governmental Affairs
Subcommittee on Reports, Accounting and Management
To continue hearings to examine government accounting and auditing practices and procedures.
3302 Dirksen Building

MAY 18

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1978 for DOT, to hear Secretary of Transportation Adams.
1224 Dirksen Building

2:00 p.m.
Appropriations
Transportation Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for DOT, to hear Secretary of Transportation Adams.
1224 Dirksen Building

MAY 24

10:00 a.m.
Governmental Affairs
Subcommittee on Reports, Accounting and Management
To resume hearings to examine government accounting and auditing practices and procedures.
3302 Dirksen Building

MAY 26

10:00 a.m.
Governmental Affairs
Subcommittee on Reports, Accounting and Management
To continue hearings to examine government accounting and auditing practices and procedures.
3302 Dirksen Building

JUNE 13

9:30 a.m.
Commerce, Science and Transportation
Communications Subcommittee
To hold oversight hearings on the cable TV system.
235 Russell Building

JUNE 14

9:30 a.m.
Commerce, Science and Transportation
Communications Subcommittee
To continue oversight hearings on the cable TV system.
235 Russell Building

JUNE 15

9:30 a.m.
Commerce, Science and Transportation
Communications Subcommittee
To continue oversight hearings on the cable TV system.
235 Russell Building

CANCELLATION

APRIL 7

10:00 a.m.
Energy and Natural Resources
Subcommittee on Energy Production and Supply
To resume hearings on S. 419, to test the commercial, environmental, and social viability of various oil-shale technologies.
3110 Dirksen Building

HOUSE OF REPRESENTATIVES—*Wednesday, March 30, 1977*

The House met at 12 o'clock noon.

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

We know that in everything God works for good with those who love Him.—Romans 8: 28.

Almighty and Eternal God, make us ready for the duties of this new day by bringing us closer to Thee. Renew our faith, restore our hope, replenish our love that we may do great things for our great people in this great Nation demonstrating the fact that a government of the people, by the people, and for the people is at work in this House of Representatives. Fill our minds with wisdom, our hearts with compassion that we may think clearly, choose wisely, and act nobly for the good of our Republic and the good of all mankind. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.