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required the performance of official duties on days other than those for which fees were claimed and docket entries made. Oftentimes, the provided fees were of the single fee nature "for all services rendered after the presentation of the accused" or "in lieu of all other fees provided in this section" where petty offenders were tried and sentenced, and did not reflect the fact that the Commissioner's efforts extended over more than a single day.

It is important here to note that these 28 former Commissioners, in order to qualify for coverage under the Civil Service Retirement System, had to earn at least \$3,000 annually for 3 consecutive years after June of 1945. In view of the small size of the fees and the number of sequential proceedings which had to take place before any fee could be claimed, a Commissioner would have to conduct an average of 300 to 400 proceedings a year to have reached the \$3,000 level.

Given the fact that these 28 magistrates met the above requirements during their service as U.S. Commissioners, I believe that it is fair and equitable to assume that they must have performed the 260 days of service required for a full year's retirement credit during their appointment as Commissioners. Such an assumption, which the measure I have introduced today would codify, is both just and necessary if we are to make the former Commissioners' compensation commensurate with the volume of their workload, the time they were required to expend, and their services to the people of the United States.

AFRICAN TALENT—ATHLETICS TO ART

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1975

Mr. STOKES. Mr. Speaker, I am pleased to bring to the attention of my colleagues the United States of America-African Invitational Track Meet that will be held in Cleveland on Wednesday, July 23, 1975. This important and beneficial event is being sponsored by the Lake Erie Chapter of the Amateur Athletic Union of Baldwin Wallace College in Berea. I am sure my colleagues will agree that there is no better way to initiate much needed improvements in this country's working relationship with African nations than to participate in nonpolitical events such as this. The city of Cleveland is honored to sponsor this kind of cooperation.

The athletes involved represent some 15 countries, including Kenya, Nigeria, Ghana, Ethiopia, Uganda, Algeria, Ivory Coast, Egypt, Upper Volta, Mali, Senegal, Gambia, Tanzania, and Tunisia. After the Wednesday track meet they will stay in Cleveland 2 additional days to meet with city officials and visit a few of our fine tourist attractions, including the National Aeronautics and Space Administration. They will also enjoy a soul food dinner and fashion show at the Karamu

House. The festivities will culminate on Friday, July 25, with a welcome to Cleveland banquet at the Crawford Auto and Aviation Museum.

In addition to Mr. Buddy Rich, who is the coordinator of the meet, hosts and hostesses to the delegation include William H. Seawright of Seawright Enterprises, the official host; Mrs. Mae Stewart, commissioner of East Cleveland; Mrs. Cheryl Wills, of the House of Wills; John Nagy, commissioner of recreation; Dr. Donald G. Jacobs of the Greater Cleveland Interchurch Council; Artha Woods of the Artha-Jon Modeling School; George Anthony Moore; Larry Plants; and Charles Patterson.

Mr. Speaker, I cannot overemphasize the importance of American-African interaction to all nationalities involved, and to black Americans in particular. I look forward to November 22, 1975, when this week's events will be reciprocated at the Second World African Festival of Arts and Culture in Lagos, Nigeria. Representatives from Cleveland are already making plans to attend, most notably the Karamu House.

Mr. Speaker, I am sure that my colleagues join me in extending their best wishes for a successful, rewarding, and unifying 3 days. A recent outstanding article on this event written by George Anthony Moore appeared in the Cleveland Press on Friday, July 18, 1975. I commend that article to my colleagues:

AFRICAN TALENT—ATHLETICS TO ART

(By George Anthony Moore)

On Tuesday 50 African athletes will arrive here to take part in the United States of America-Africa Invitational Track Meet sponsored by the Lake Erie Chapter of the Amateur Athletic Union at Baldwin Wallace College in Berea. They will represent some 15 countries of black Equatorial Africa and those north of the Sahara Desert.

Their presence in our city should be a gentle reminder to us that Nov. 22 of this year will mark the opening of the Second World African Festival of Arts and Culture in Lagos, Nigeria. It will extend to Dec. 29, exhibiting another dimension of African life.

Cleveland is making plans to send musicians, dancers, artists and dramatists to this event, and we hope the world famous Karamu Theater will be asked to perform. Mrs. Mildred Mitchell, a faculty member of Cleveland State University, is the coordinator for this area. I know that many Clevelanders are planning to attend as visitors.

When I visited Nigeria in October of 1966 I was impressed to learn that this is the most populous country in Africa and it accounts for almost 25% of black African people. It covers an area about the size of California, Nevada and Arizona combined, and has a population of 79.8 million people.

Among its natural resources are oil, tin, iron ore, coal, limestone, lead, zinc and timber. This nation ranks eighth in the production of oil and is the world's largest exporter of peanuts and palm products and second largest in cocoa. It also has significant rubber and cotton production.

A festival village is being constructed by the federal government of Nigeria in Lagos for participants and visitors. There will be apartment complexes totaling 10,041 units. Some will have three bedrooms, sitting and dining rooms and other amenities. Others will have either two or four bedrooms and sitting-dining rooms. Additional accommodations will be available in a number of luxury ships.

Dr. Leopold Sedar Senghor, president of Senegal and Gen. Yakubu Gowon, Nigeria's head of state, are the patrons of the festival. Dr. Senghor is a world-famous poet.

Nigeria's new national theater will be the center of activities. The ultra-modern \$40 million building is the largest of its kind in Africa. The theater complex comprises a theater hall seating 5,000, a conference hall with 1,000 seats and two large exhibition halls and two cinema halls of 800 seats each, all air-conditioned.

After the track meet at BW Wednesday, the African delegates attending the AAU meet will remain in Cleveland for two days before their charter plane arrives to take them to their respective countries.

The Cleveland community will be host for a series of events that will include sight-seeing, a visit with Council and the mayor, a soul food picnic outdoors at Karamu House, climaxed by a "Cleveland welcomes you" banquet and reception at the Crawford Aviation Museum that is open to the public.

I urge all citizens to attend and help improve international relations.

MICHAEL J. HARRINGTON: A TRUE PATRIOT

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1975

Mr. STARK. Mr. Speaker, the New Republic has as its lead article this week an excellent piece by our colleague, MICHAEL HARRINGTON, explaining, in detail and with precision, his exact role in the question of the CIA's involvement in Chile.

I urge my colleagues—especially those who have criticized Mr. HARRINGTON—to read this piece with care, and to note well that MIKE HARRINGTON followed every appropriate channel within the Congress to bring the issue to its proper conclusion.

Mr. Speaker, I submit that Mr. HARRINGTON's only "crime" was to recognize the horror of what our Government did in Chile, in trying and indeed succeeding in overthrowing the democratically elected government of Salvador Allende. If that indeed is a punishable offense, then we have surely betrayed our basic constitutional beliefs in open and honest Government.

I applaud MICHAEL HARRINGTON's courage and conviction in recognizing bureaucratic crime in this country, and in attempting, by all appropriate means, to make our Government responsive not to a small elite group of decisionmakers, but to the needs and wishes of our people.

Mr. Speaker, I insert the New Republic article in the RECORD:

CONGRESS CIA COVERUP—GETTING OUT THE TRUTH

(By Michael J. Harrington)

If a President engages in a cover-up of government wrongdoing, as happened in the Nixon White House, he can be challenged through the process of impeachment, which amounts to indictment and trial by the Congress. But what do we do if the Congress engages in a cover-up? Individual members can be censured or expelled, of course, but what if the cover-up is institutional, a

stantially different from those paid in the United States as a whole.

If New England paid the same prices for energy as the United States, the differential would only be 11%. So it can be concluded that the 35% differential is due primarily to higher natural gas and electricity prices, and to New England's consumption patterns which are concentrated in high price fuels, particularly distillate fuel oil.

COST COMPONENTS OF NEW ENGLAND ENERGY PRICES

It appears that cost components differ substantially among fuel types. Preliminary information based on a telephone survey indicate that the cost of crude is the major component in New England's oil costs; the price of coal at the mine is the primary component in coal costs, and distribution is in the case of natural gas. The components are shown in figure 2.

Gasoline and distillate show average U.S. crude costs to the refiner, \$9.22/bbl, refining costs, and transportation from Texas to Massachusetts via pipeline and barge. To this is added terminaling costs in the region and the retailer's margin to make up distribution costs. The taxes shown are federal and state at the pump.

The natural gas production cost is the wellhead price, \$26/MCF. Transportation is from Texas to the final distributor in Massachusetts, via pipeline. Distribution costs are the difference between the cost to the distributor and the end-user.

The coal costs are composed of the price at the mine in West Virginia, \$25/ton, and the transportation from there to New Hampshire, \$6.11/ton. Since utilities contract for nearly all of the coal directly there are not distribution costs shown.

It can be seen that the production costs amount to 80% of the total cost of coal, 59% of distillate, 42% of gasoline, and 10% of natural gas. Accordingly, further increases in the price of coal at the mine or in crude oil would have a large relative effect on the final end price. However, doubling of the wellhead price of natural gas would only result in a 10% increase in the final price.

SUMMARY

Forecasts of price differentials between the U.S. and New England cannot be made without taking into account the capital changes that may be required in the conversion to alternate fuels. However, it appears that some actions would probably lead to reduced differentials. These include: deregulation of the price of natural gas; increased use of coal; and increased use of nuclear plants for electric baseload. Further work is required to determine the optimum fuel mix for the region in terms of price, security, environmental, and economic objectives.

RUNAWAY SPENDING

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1975

Mr. DEL CLAWSON. Mr. Speaker, an editorial in the *Lamplighter of La Mirada, Calif.*, calls attention to a study of obvious importance for this Congress. The problem of freeing ourselves from past program decisions cannot be over-emphasized. The editorial entitled "Runaway Spending" from the June 21 issue of the newspaper is included at this point in the Record for the information of my colleagues:

RUNAWAY SPENDING

Almost every president, congressman and senator talks at one time or another about economy in government.

Not many do anything about it.

One reason is that they have set up the system so that it's difficult for them to do anything.

A study by the nonprofit Tax Foundation demonstrates that the areas in which Congress and the President exercise control of expenditures are relatively limited. The federal budget is described by the foundation as "not so much a financial plan (as) a forecast of the consequences of program decisions made in earlier years."

Indeed, the foundation reports that about three-fourths, or \$261 billion, of the expenditures projected in the original federal budget for the 1975-76 fiscal year were not subject to annual control by either Congress or the President.

That does not mean they are uncontrollable, the foundation points out. It does mean that if Congress and the President are to control such expenditures they will have to exercise care at the time new programs are created.

Social Security, Medicare, veterans' benefits, housing assistance, food stamps, retirement pay for military officers—these and other programs are among those that lead the foundation to describe government as "a massive transfer agent, collecting dollars from some groups of people and then paying out those dollars to other groups of people."

All the programs listed are good ones. But it is easy for such programs to take over the budget—and require higher and higher taxes. That will happen if Congress builds into these programs automatic escalator clauses, if it inaugurates the programs without planning their financing, and if it sets them up in a form that restricts annual budget review.

The payments to individuals involved in these and other programs cost \$41.8 billion as recently as 1967. In the current fiscal year, their estimated cost is \$165.1 billion.

There are no easy solutions, but if such programs are not to go even more wildly out of control, solutions will have to be found. Among the solutions suggested by the Tax Foundation:

1. Require that program expansion or new programs be accompanied by tax increases or offsetting reductions in other programs.
2. Establish special goals and guidelines when programs are set up.
3. Provide an annual budget review for all programs.
4. Limit application of automatic escalators in benefit programs.

"In fashioning a new budget," the foundation says, "both Congress and the executive have to an important degree become prisoners of past program decisions."

So far as possible, they should release themselves from this thralldom and resolve to avoid imposing it on future Congresses and future presidents.

PERSONAL EXPLANATION

HON. CLAIR W. BURGNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1975

Mr. BURGNER. Mr. Speaker, I was not present on the floor today when the vote was taken on House Resolution 605, the Disapproval of the President's Order on Oil Decontrol.

Had I been present, I would have voted "nay".

TO PROVIDE FULL-YEAR RETIREMENT CREDIT FOR U.S. COMMISSIONERS

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1975

Mr. MINETA. Mr. Speaker, I today have the privilege of introducing a measure allowing for full-year retirement credit for the service provided to the United States by former U.S. Commissioners prior to the enactment of the Federal Magistrates Act of 1968.

Prior to 1971, U.S. Commissioners performed valuable and necessary service to the United States. Under the commissioner system, prior to the appointment of the first magistrate in each Federal judicial district, the Commissioners were authorized by the Federal Rules of Criminal Procedure to receive complaints, issue warrants, and conduct precommitment proceedings in criminal cases in the district courts. In certain instances, they were legally authorized to try and sentence persons committing petty offenses in places where the United States had exclusive or concurrent jurisdiction. In addition, these Commissioners were authorized to take depositions, to issue attachments and conduct subsequent hearings in internal revenue matters, and to settle or certify the nonpayment of seamen's wages.

The U.S. Commissioners were on call 24 hours a day, unless physically absent from their official station and not within reach, for the issuance of legal process and the conduct of bail hearings, which by law must be held without unnecessary delay following an arrest. When not conducting formal proceedings, the Commissioners were oftentimes obliged to justify sureties, entertain motions, alter bail conditions, issue release and commitment orders, and communicate with law enforcement personnel, defense attorneys, and court officials; as well as prepare the documents required in their duties such as docket sheets, orders appointing defense attorneys, status reports to U.S. attorneys and marshals, notices to probation officers, and receipts and accounts for fine and surety money.

Their full-time service, in the literal sense, is virtually without parallel in the past or present civil service. Yet, their salaried remuneration for this truly full-time service was statutorily set at \$10,500 annually.

Based on a January 15, 1974, ruling by the U.S. Civil Service Commission, interpreting section 8332(i) of title 5, United States Code, those former U.S. commissioners now serving as U.S. magistrates can receive only one two-hundred-and-sixtieth of a year in civil service retirement credit for each day in which service performed by the then Commissioner is either shown on fee vouchers submitted or verifiable through the docket sheets retained in the court clerk's records.

Unfortunately, however, for the 28 former U.S. Commissioners who are now magistrates, the nature of their office

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product of the most time-honored rules and rituals?

This is precisely the problem that confronts us in the unfolding story of CIA and other intelligence agency misdeeds. To be sure presidential decisions and actions are involved here too, but now we have a situation where members of Congress, in their capacity as overseers of intelligence agency operations, had knowledge of the most blatant crimes and improprieties and nevertheless did nothing. The instance I am most familiar with concerns the CIA's accomplishments on our behalf in Chile in the early 1970s. The reactions to that record by those who came to hear of it are a sobering illustration of the great congressional weakness—the habitual reflex of avoidance and acquiescence, masked by the illusion of activity.

In April of last year, CIA Director William Colby appeared at a closed session of Rep. Lucien Nedzi's Armed Services subcommittee on intelligence and described his agency's long-term involvement in the political process in Chile, where a bloody coup against Salvador Allende Gossens in September 1973 had led to the installation of a military dictatorship. Mr. Nedzi had called Colby in at my urging, so naturally I wanted to know what the director had to say. Not being a member of Armed Services, I had to make special arrangements to view the classified transcript in the committee offices—the privilege of any House member—and after some initial difficulties with the staff there, I got my first look at the material on June 4. What it said left me appalled.

The authorization of bribery, the funding of political factions and propaganda campaigns, the fomenting of strikes and demonstrations, a myriad of destabilizing actions—all directed against the duly elected leader of Latin America's most sophisticated democracy—are now matters of public record. Not only does that record indicate violations of standing treaties and other affronts to Chilean sovereignty; it also shows that President Nixon and Secretary Kissinger had lied repeatedly to the American people about our involvement there and that some administration figures had apparently perjured themselves on the matter before certain committees of Congress.

Determined to get some congressional action that would bring these things to light, I approached Mr. Nedzi and asked him what he planned to do with this information. He replied with a philosophical shrug. He had taken the testimony as I asked—what more could one do? This information, after all, was secret.

Knowing full well from my short-term experience as a member of Armed Services (ending in 1973) that Chairman F. Edward Hébert would be even less inclined to pursue the matter than Mr. Nedzi, I spoke with several subcommittee chairmen of House Foreign Affairs, of which I am now a member, and then with some of my staff. I also sought the advice of Larry Stern of *The Washington Post*, a personal friend who clearly understood that the story was not to be released. But the reactions of the subcommittee chairmen and other Foreign Affairs colleagues, though generally sympathetic in tone, were equally lacking in commitment. Yes the Chile story sounded pretty bad, but that was the province of another committee and besides, the information was secret.

I finally wrote to "Doc" Morgan, chairman of the full committee, and to Senator Fulbright. In those two long letters of July 18, I reviewed Colby's April testimony and argued that "the Congress and the American people have a right to know what was done in our name in Chile . . . I urge you to turn this matter to the attention of the Foreign Relations [Affairs] Committee for a complete, public investigation. . . ." I

pointed out that the Forty Committee, the interdepartmental body chaired by the President's national security adviser, had authorized the expenditure of about \$11 million between 1962 and 1973 to help block Allendés election and then to "destabilize" his government after he won.

"The agency's activities in Chile were viewed as a prototype, or laboratory experiment," I noted, "to test the techniques of heavy financial involvement in efforts to discredit and bring down a government." I gave a general breakdown of the amounts authorized from 1962 through 1973, and explained to the respective chairmen that since acquiring this information I had tried to persuade well-positioned colleagues to pursue the facts but that nothing seemed to be happening. I said I was writing to them as a last resort. Rep. Morgan did not answer my letter. Sen. Fulbright replied, but not very substantively, suggesting that the real solution to the problem was the establishment of a joint committee on oversight.

I felt ambivalent at this point as to how I ought to proceed—I did want to stick with the congressional process but could see no obvious lines to follow. At any rate the matter was set aside in my preoccupation with the summer's major event: the impeachment proceedings of the House Judiciary Committee. Then on September 6, Seymour Hersh of *The New York Times* called me up to inquire about the context in which those letters had been written, saying that he had a copy of one of them. I told him I didn't want the issue raised in this manner and, suspecting he may only have heard a rumor, I said I wouldn't comment on the substance of the letter until I saw his story in print. He assured me I could read it in the *Times* on Sunday, two days later, which I did.

Shortly thereafter Mr. Nedzi asked me to appear before his Armed Services subcommittee to account for the egregious leak. I explained to the group, meeting against my objection in closed session, that the *Times* had not gotten the story from me or my office. But this was not satisfactory, for the point was raised that House Rule XI, Section 27(o) says that no evidence or testimony taken in secret session may be released or used in a "public session" without the consent of the committee. A further issue was the pledge I had to sign in order to read the Chile material, which said that classified information would not be divulged to any unauthorized person. Unauthorized persons, the ensuing exchange made clear, included other members of Congress.

This meeting did not maintain the highest level of discourse—one member compared me to Benedict Arnold—but I tried to make to the subcommittee a distinction between genuine concern for the national security and the facile use of that label to cover official acts of duplicity and illegality. Suggesting this distinction was one of the principal lessons of Vietnam and Watergate, I maintained that the cover-up of U.S. actions in Chile was yet another case of national security's fraudulent application. My remarks did not set well with the subcommittee.

Nevertheless the storm seemed to pass. The next day I wrote to Mr. Nedzi asking that a transcript of the session we had just completed be made available to me when it was prepared. The letter was never answered, and I concluded that Armed Services had decided to drop the matter. I went off to campaign for reelection.

Meanwhile Mr. Hersh had turned over another rock, and in December and January wrote a series of stories alleging that the CIA had conducted a program of massive surveillance of American citizens in direct violation of its charter. Although cynics might have suggested that this only amounted to bureaucratic overlap with the FBI, the revelation jolted Congress in a way that harassment and assassination of foreigners never

seemed to—possibly because some reports charged that the agency had snooped on senators and representatives. In any case hard on the heels of the President's establishment of the Rockefeller commission, the Senate voted to set up a select committee to investigate the full range of U.S. intelligence activities. I proposed formation of a similar committee in the House, and after a month-long minuet of maneuver and delay, we had a select committee, too. I felt pretty good about it until the Speaker announced his choice for chairman—Lucien Nedzi.

Lucien Nedzi, the man who had sat on his hands as chairman of that permanent subcommittee on intelligence since 1971, who had listened to the agency horror stories about the bludgeoning of a democracy in Latin America without so much as a murmur to his colleagues—this was the man assigned to conduct the special investigation that would logically include his own lack of action as a subject of inquiry. I went to the floor of the House on the day his chairmanship became official and said I thought it was an outrage. This indiscretion, I was told later by horrified staff and colleagues, was not likely to advance my career—I had been given a seat on the committee myself and would therefore have to work with him—but I felt it had to be said.

Other members of the select committee later came to agree with me. The press really had the scent by now, and it soon came out that Nedzi, as chairman of that Armed Services subcommittee, had been briefed on CIA assassination plots more than a year before and, once again, had done nothing. With this news in hand, the select committee Democrats rebelled, demanding a different chairman. But Speaker Albert Bales balked at dealing with the controversy, advising patience, and the full House later gave Nedzi a resounding vote of confidence by refusing to accept his resignation. This left Nedzi in charge of a committee with which he refused to work, and the investigation came to a standstill.

A major reason for that vote and the subsequent select committee stalemate is what was happening back at Armed Services. Curiously that committee's leadership decided to take up the question of my access to its classified files—stemming from the Chile controversy nine months before—at the very moment when Mr. Nedzi's failure as an overseer of intelligence operations had come to national attention. On June 10, five days after *The New York Times* broke the story of Nedzi's inaction on assassination schemes and at the height of the controversy over his remaining as Select Committee chairman, House Armed Services met in an improperly announced closed session and, without a quorum present, voted unanimously to bar me from further access to its files. No notice had been given me that this action was being considered—in fact I didn't find out about it until two days later.

I won't dwell on the several ways in which this action, reaffirmed at a later date by a narrow majority of the total committee, was itself a violation of House rules, except to say that a committee cannot take away the privileges a congressman holds under the rules of the House as a whole—one such privilege being access to all committee records, regardless of committee membership. A more telling point is the action's glaring hypocrisy.

Columnist Jack Anderson, for example, was quick to say that he has received leaks of classified information from many members of House Armed Services on many occasions—"I have no difficulty getting secrets out of that committee when I want them," he said. There are tolerable leaks and intolerable leaks, apparently, and the characterization depends not on the strict dictates of the rules but on the current interests of the committee leadership or the Executive branch.

The Armed Services action was perfectly timed to shift the focus of debate on the han-

ding of classified material from Lucien Nedzi to Michael Harrington. And at least over the short term, the tactic seems to have worked. Certainly it contributed to the outpouring of affection for the harried select committee chairman who just happened to have his resignation considered by the House on the day of the second Armed Services vote against me. From the swirl of publicity over another member's endangering of the nation's defenses, Mr. Nedzi was borne up on wings of angels. The vote was 290 to 64.

If one takes a step back from all of this, what emerges is not a narrow controversy over a chairmanship and a member's prerogatives, but a pattern of congressional acquiescence in the seductive game of shared secrets. It starts with the pleasant feeling of being privy to things unknown to the ordinary citizen, but it works very much like blackmail. The more you know about dubious secret operations, the more you are responsible for hiding, and the more you hide, the tighter the grip of the State Department or the CIA or the Pentagon. A large part of Lucien Nedzi's problem is that he got to know so many and such distasteful secrets that he was effectively bound and gagged by them.

There are only two ways to avoid that position. You can stick your head in the sand and let the administration handle such things, or you can challenge the terms of the game itself, for the game is basically a fraud. Certainly the United States needs a first-rate intelligence gathering system, and maintaining that system will require that we keep some secrets. But the acceptance of a classification system gone wild—the mindless rubber-stamping of every conceivable piece of information with the national security label—has obscured the distinction between legitimate intelligence gathering and manipulation of people and institutions. It has provided the cover for almost every kind of crime and impropriety at home, and it has sanctioned covert adventures overseas that have done tremendous damage to our international standing.

After 10 years of Vietnam and the Watergate affair, the American people understand this. They know that their leaders have lied routinely, cloaking arrogance and bullying and greed in terms of the national interest. They know that a secret agency that can overthrow a foreign government is a threat to democracy here. They know that a Congress that will turn away or masquerade to hide those kinds of actions can also dissemble in its handling of just about anything else. The Congress knows this, too, but refuses to admit it. And that is why the House investigation of US intelligence operations will remain a touchy undertaking no matter who is doing the investigating. In the back of every member's mind is the uncomfortable sense that the biggest scandal in the sordid story of CIA wrongdoing is the failure of effective oversight—the cover-up by the Congress.

HANDS OFF POLICY

Henry Kissinger, June 1970: "I don't see why we need to stand by and watch a country go Communist due to the irresponsibility of its own people."

President Nixon, February 1971: "... we are prepared to have the kind of relationship with the Chilean government that it is prepared to have with us."

Charles Meyer, Assistant Secretary of State for Inter-American Affairs, March 1973: "(The US government) financed no candidates, no political parties before or after the September 8 or September 4 (elections in 1970)."

Edward Korry, US Ambassador to Chile (1967-1971), March 1973: "The United States did not seek to pressure, subvert, influence a single member of the Chilean Congress

(which confirmed Allende) at any time in my entire four years."

Harry Schlaudeman, Deputy Chief of Mission, US Embassy in Chile (1969-1973), June 1974: "... we had nothing to do with the political destabilization in Chile, the US government had nothing to do with it."

James Schlesinger, Secretary of Defense, June 1974: "... the United States government, the Central Intelligence Agency, had no role in the overthrow of the regime in Chile."

Henry Kissinger, September 1973: "The CIA had nothing to do with the coup, to the best of my knowledge and belief."

President Ford, September 1974: "There is no doubt in my mind, our government had no involvement in any way whatsoever in the coup itself."

MACOS AND MORAL VALUES

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1975

Mr. SYMMS. Mr. Speaker, by now everyone is fairly familiar with the controversy surrounding the MACOS program. The Monday, July 21, 1975, issue of the Wall Street Journal contains an editorial entitled "MACOS and Moral Values." The editorial discusses the efforts of our colleague, Congressman JOHN CONLAN of Arizona, in bringing to the attention of the Congress the abuses of the National Science Foundation in promoting MACOS. I would at this time like to extend my personal thanks and appreciation to Congressman CONLAN for his perseverance in this matter, and I would now like to read into the RECORD for the benefit of my colleagues, the Wall Street Journal editorial:

MACOS AND MORAL VALUES

When the House of Representatives recently approved the appropriation for the National Science Foundation, it prohibited NSF from using funds to promote or market school materials. How the Senate will vote is anybody's guess, but the House action helps call attention to a simmering educational dispute that has received far less notice than it deserves.

NSF is involved because the federal agency spent nearly \$7 million to develop a controversial fifth-grade social studies course that has been adopted by some 1,700 schools in 470 school districts nationwide. The course is called "Man: A Course in Study," a harmless enough title, but one that sounds like fighting words to a growing number of congressional and parental critics. MACOS, as it is known, has aroused passions much like the recent West Virginia textbook dispute, but the issue here is national rather than regional.

The purpose of MACOS is to foster an appreciation of alien customs among fifth graders. Students examine several species of animals plus the Netsilik Eskimos, a society of hunters who live in the Canadian Arctic. But critics say the course promotes cultural relativism by adopting a morally neutral attitude in its many references to cannibalism, adultery, bestiality, infanticide, incest, wife-swapping and geronticide.

It's easy to brush aside that concern as ethnocentric or ignorant, but it should not be dismissed so lightly. Youngsters should be taught that other civilizations have much to admire, even so-called primitive peoples whose very survival is a miracle of adapta-

tion and resourcefulness. But the process of education is a process of drawing distinctions; what is civilization, after all. If it is not drawing moral judgments about cannibalism of infanticide?

Moreover, although the educational process necessarily must confront students with new experiences and break down existing barriers to understanding, there is no apparent excuse for subjecting pre-teenagers to vivid films of Netsilik killing caribou and seals, then drinking their blood and eating their eyeballs. Perhaps these scenes are no worse than the scenes of violence youngsters routinely see on television in their own homes, but there is no reason for schools to compound that error.

However, some serious questions about MACOS go beyond course content. Paramount among them is to what lengths federal agencies should go to develop and promote curriculums and textbooks. As Robert Merry outlined it in The National Observer, the original MACOS grant was awarded in 1963 to the Education Development Center, a nonprofit organization dedicated to innovation in education. In 1967, after receiving \$4.8 million in NSF grants, EDC's curriculum was ready to market. But more than 50 textbooks publishers turned the course down because it was too controversial, too expensive or inadequate.

So EDC sought more NSF funds to establish a "dissemination network" to publicize MACOS. It established a five-week workshop to familiarize academics, teachers, and school administrators with the curriculum. Many participants, some of whom received college credits for attending, later applied for their own NSF grants to conduct similar lobbying activities. Other curriculums are reportedly being funded in part by NSF, and a multi-million dollar sequel to MACOS for high schools was recently developed at taxpayer expense.

MACOS officials say that no school district is forced to adopt the curriculum. But this argument ignores the potential corrupting influence of federal money. The course clearly would never have gotten off the ground without what Congressman John Conlan describes as "a sophisticated and aggressive promotion and marketing network being organized at taxpayers' expense. . . ."

No wonder a growing number of Congressmen are concerned about possible tax and financial irregularities within the MACOS program. They insist that the NSF peer review system, used as the basis for the curriculum grant awards, is rampant with cronyism and federal grantsmanship. Still, the more important question is why Washington is dabbling in curriculum matters at all. And since it is, why is it reluctant to affirm a preference for Western values, products not of ethnocentrism but of a proud and honorable moral tradition?

EDUCATION FOR HANDICAPPED CHILDREN

HON. EDWARD P. BEARD

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1975

Mr. BEARD of Rhode Island. Mr. Speaker, the Education for All Handicapped Children Act of 1975 is the kind of legislation that makes me proud to be here in the Congress. The Education and Labor Committee, its staff, and those who helped to develop this bill are to be complimented.

It is a tremendous advance for our

Chile
July 25, 1975

housing, health care, education and income redistribution.

But the more we and other nations have trusted government to improve the quality of life, the more we have of crime, laziness and urban decay.

Government poverty programs end up creating a "demand for poor people," and the bureaucrats will seek a supply if only by raising the so-called "poverty level" by another thousand dollars a year.

The press and information facilities have promoted this preoccupation with social problems.

Somebody said, "If you are not worried about social problems in America, you ought to have your television set examined."

It has always been possible to make a career out of righteous indignation—for politicians, journalists and preachers.

Now we are joined by the academics, and the most active growth industries these days are staffed by social workers, researchers, sociologists—and student-agers expressing their general discontents through demands for social reform.

There are armies of such student-agers accepting unemployment pay this summer who should be accepting some of the hundreds of menial jobs that are going begging.

Or they'd ought to be out there in farmer Ernst's berry field making taxpayers out of themselves instead of leaving that work to the nuns of St. Anthony's.

Britain is a horrible example of the direction in which the United States is headed. In socialist Britain, government provisions for health, education and welfare have caused these services to deteriorate while the nation itself, after years of hemorrhaging red ink, is dying!

GETTING OUT THE TRUTH

HON. ANDREW MAGUIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1975

Mr. MAGUIRE. Mr. Speaker, in view of the unfortunate recent history of House efforts at oversight and investigation of U.S. intelligence activities, I wish to call to the attention of my colleagues an important article in the current issue of the *New Republic* by Representative MICHAEL HARRINGTON.

The article follows:

CONGRESS CIA COVERUP—GETTING OUT THE TRUTH

(By MICHAEL J. HARRINGTON)

If a President engages in a cover-up of government wrongdoing, as happened in the Nixon White House, he can be challenged through the process of impeachment, which amounts to indictment and trial by the Congress. But what do we do if the Congress engages in a cover-up? Individual members can be censured or expelled, of course, but what if the cover-up is institutional, a product of the most time-honored rules and rituals?

This is precisely the problem that confronts us in the unfolding story of CIA and other intelligence agency misdeeds. To be sure presidential decisions and actions are involved here too, but now we have a situation where members of Congress, in their capacity as overseers of intelligence agency operations, had knowledge of the most blatant crimes and improprieties and nevertheless did nothing. The instance I am most familiar with concerns the CIA's accomplishments on our behalf in Chile in the early 1970s. The reactions to that record by those who came to hear of it are a sobering illus-

tration of the great congressional weakness—the habitual reflex of avoidance and acquiescence, masked by the illusion of activity.

In April of last year, CIA Director William Colby appeared at a closed session of Rep. Lucien Nedzi's Armed Services subcommittee on intelligence and described his agency's long-term involvement in the political process in Chile, where a bloody coup against Salvador Allende Gossens in September 1973 had led to the installation of a military dictatorship. Mr. Nedzi had called Colby at my urging, so naturally I wanted to know what the director had to say. Not being a member of Armed Services, I had to make special arrangements to view the classified transcript in the committee offices—the privilege of any House member—and after some initial difficulties with the staff there, I got my first look at the material on June 4, what it said left me appalled.

The authorization of bribery, the funding of political factions and propaganda campaigns, the fomenting of strikes and demonstrations, a myriad of destabilizing actions—all directed against the duly elected leader of Latin America's most sophisticated democracy—are now matters of public record. Not only does that record indicate violations of standing treaties, and other affronts to Chilean sovereignty; it also shows that President Nixon and Secretary Kissinger had lied repeatedly to the American people about our involvement there and that some administration figures had apparently perjured themselves on the matter before certain committees of Congress.

Determined to get some congressional action that would bring these things to light, I approached Mr. Nedzi and asked him what he planned to do with this information. He replied with a philosophical shrug. He had taken the testimony as I asked—what more could one do? This information, after all, was secret.

Knowing full well from my short-term experience as a member of Armed Services (ending in 1973) that Chairman F. Edward Hébert would be even less inclined to pursue the matter than Mr. Nedzi, I spoke with several subcommittee chairmen of House Foreign Affairs, of which I am now a member, and then with some of my staff. I also sought the advice of Larry Stern of *The Washington Post*, a personal friend who clearly understood that the story was not to be released. But the reactions of the subcommittee chairmen and other Foreign Affairs colleagues, though generally sympathetic in tone, were equally lacking in commitment. Yes the Chile story sounded pretty bad, but that was the province of another committee and besides, the information was secret.

I finally wrote to "Doc" Morgan, chairman of the full committee, and to Senator Fulbright. In those two long letters of July 18, I reviewed Colby's April testimony and argued that "the Congress and the American people have a right to know what was done in our name in Chile . . . I urge you to turn this matter to the attention of the Foreign Relations [Affairs] Committee for a complete, public investigation. . . ." I pointed out that the Forty Committee, the interdepartmental body chaired by the President's national security adviser, had authorized the expenditure of about \$11 million between 1962 and 1973 to help block Allende's election and then to "destabilize" his government after he won.

"The agency's activities in Chile were viewed as a prototype or laboratory experiment," I noted "to test the techniques of heavy financial involvement in efforts to discredit and bring down a government." I gave a general breakdown of the amounts authorized from 1962 through 1973, and explained to the respective chairmen that since acquiring this information I had tried to

persuade well-positioned colleagues to pursue the facts but that nothing seemed to be happening. I said I was writing to them as a last resort. Rep. Morgan did not answer my letter. Sen. Fulbright replied, but not very substantively, suggesting that the real solution to the problem was the establishment of a joint committee on oversight.

I felt ambivalent at this point as to how I begin to proceed. I did want to stick with the congressional process but could see no obvious lines to follow. At any rate the matter was set aside in my preoccupation with the summer's major event: the impeachment proceedings of the House Judiciary Committee. Then on September 6, Seymour Hersh of *The New York Times* called me up to inquire about the context in which those letters had been written, saying that he had a copy of one of them. I told him I didn't want the issue raised in this manner and, suspecting he may only have heard a rumor, I said I wouldn't comment on the substance of the letter until I saw his story in print. He assured me I could read it in the *Times* on Sunday, two days later, which I did.

Shortly thereafter Mr. Nedzi asked me to appear before his Armed Services subcommittee to account for the egregarious leak. I explained to the group, meeting against my objection in closed session, that the *Times* had not gotten the story from me or my office. But this was not satisfactory, for the point was raised that House Rule XI, Section 27(o) says that no evidence or testimony taken in secret session may be released or used in a "public session" without the consent of the committee. A further issue was the pledge I had to sign in order to read the Chile material, which said that classified information would not be divulged to any unauthorized person. Unauthorized persons, the ensuing exchange made clear, included other members of Congress.

This meeting did not maintain the highest level of discourse—one member compared me to Benedict Arnold—but I tried to make to the subcommittee a distinction between genuine concern for the national security and the facile use of that label to cover official acts of duplicity and illegality. Suggesting this distinction was one of the principal lessons of Vietnam and Watergate, I maintained that the cover-up of US actions in Chile was yet another case of national security's fraudulent application. My remarks did not set well with the subcommittee.

Nevertheless the storm seemed to pass. The next day I wrote to Mr. Nedzi asking that a transcript of the session we had just completed be made available to me when it was prepared. The letter was never answered, and I concluded that Armed Services had decided to drop the matter. I went off to campaign for reelection.

Meanwhile Mr. Hersh had turned over another rock, and in December and January wrote a series of stories alleging that the CIA had conducted a program of massive surveillance of American citizens in direct violation of its charter. Although cynics might have suggested that this only amounted to bureaucratic overlap with the FBI, the revelation jolted Congress in a way that harassment and assassination of foreigners never seemed to—possibly because some reports charged that the agency had snooped on senators and representatives. In any case hard on the heels of the President's establishment of the Rockefeller commission, the Senate voted to set up a select committee to investigate the full range of US intelligence activities. I proposed formation of a similar committee in the House, and after a month-long minuet of maneuver and delay, we had a select committee, too. I felt pretty good about it until the Speaker announced his choice for chairman—Lucien Nedzi.

Lucien Nedzi, the man who had sat on his

Promising songs were doled out according to Motown Chief Berry Gordy's private caste system; the Supremes, the Temptations, Marvin Gaye, and Smokey Robinson and the Miracles had first choice. Such low-priority groups as the Spinners, the Four Tops and the Pips received the leftovers. "We wanted to do a gospel album long before Aretha," says Gladys, "and Berry saved the soft songs for Diana Ross." But in 1967 a catchy soul rocker, *I Head It Through the Grapevine*, sailed onto the charts for the Pips. Two other singles had scored for them by the time their Motown contract expired in 1973, and they quickly made a deal with Buddah Records.

Since then, Gladys and the Pips have sold \$19 million worth of records. They have extended their repertory from soul and blues to Marvin Hamlisch and Burt Bacharach songs. Needless to say, Motown has unearthed several dozen old recordings—and the Pips have sued their former employer for \$1.7 million in disputed royalties.

BUTTER CUTTER

Meanwhile, they gross between \$30,000 and \$50,000 a concert, have an eight-week contract with the Las Vegas Hilton and spend lucrative summer weeks playing theaters and supper clubs. Last fall Gladys, now 31, married her second husband, Barry Hankerson, an executive assistant to Detroit Mayor Coleman Young. He calls her by her middle name, Maria—Gladys, after all, is a show business celebrity. In the industry there is some gossip that success has already created a wedge in the Pips' solidarity. "When vocal groups are hungry, you can't split 'em with an ax," Cousin William once remarked. "As soon as success comes, all it takes is a butter cutter." Gladys scoffs, maintaining that she is content to remain one of the boys. "I'm not afraid to stand alone professionally," she says. "I simply don't want to."

The music of our country is something we are all proud of and the achievements of black Americans through the blues and jazz, among other musical forms, have been a singular part of our musical tradition. The contribution to our contemporary music of Gladys Knight and the Pips is matched by few other musical groups, and I venture to predict that they will continue to excite us with their unique sounds and sights.

MISS BLACK JOLIET WINS STATE PAGEANT

HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1975

Mr. O'BRIEN. Mr. Speaker, I would like to call my colleagues attention to the outstanding achievement of Ms. Alice Banks of my hometown, Joliet. Ms. Banks, who holds the Miss Black Joliet title, was recently awarded the State title of Miss Black Illinois in Chicago. Mary Alice, 19, is the daughter of Mr. and Mrs. Ecmoa Banks. She will go on to the national competition on Aug. 30 and I genuinely wish her the best of luck in her endeavors. The people of Joliet, and of Illinois, can be truly proud of this lovely young lady.

[From the Joliet Herald News]

MISS BLACK JOLIET WINS STATE PAGEANT

Miss Black Joliet, Mary Alice Banks, 19, won the state title of Miss Black Illinois at a pageant Thursday in Chicago.

Miss Banks is the daughter of Mr. and Mrs. Ecmoa Banks of Joliet.

The new Miss Black Illinois won the Joliet title May 17. She will compete in the national pageant Aug. 30.

Twelve contestants competed for the title. First runnerup was Miss Black Evanston, Lynda Wilkinson, 20. Pamela Cooper, 21, Miss Black Aurora, was the second runnerup.

Miss Banks was sponsored by the Egwa Pomaja Club and the Freedom Club of Joliet. The state pageant was sponsored by Pretty Girl, Inc. The national competition will be sponsored by Fashionable Production.

CULINARY OLYMPICS

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1975

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues that Christian Inden, executive chef of the Conrad Hilton Hotel in Chicago, has been nominated as U.S. team captain for the Culinary Olympics which will be held in Frankfurt, Germany in 1976.

Mr. Inden is certainly deserving of this recognition for he has compiled a distinguished record in his chosen field. For the last several years he has been responsible for planning and preparing a special dinner for over 7,500 people who have attended the annual Democratic dinner honoring our distinguished Mayor—Richard J. Daley. Mr. Inden has also been selected to plan and to prepare dinners honoring Japanese Emperor Hirohito and the President of West Germany, and he is the recipient of numerous gold medals and other awards.

It is a pleasure for me to join many of his friends in Chicago in extending my congratulations on all of the culinary honors that have been awarded to him. A listing of these honors follows:

AWARDS RECEIVED—1973

National Grand Prize of the Culinary Salon.

One Special Judge Award—Culinary Salon. City of Chicago Award—signed by Mayor Richard J. Daley.

Escoffier Gold Medal—Escoffier Society.

SPECIAL DINNERS DESIGNED AND PREPARED

City of Chicago Dinner—honoring Mayor Daley—7,000 persons in attendance.

Gold Plate Award Dinner—International Food Manufacturers Association.

Annual Escoffier Dinner—Escoffier Society. Dinner for Former President Nixon.

Various dinners for international, foreign officials.

AWARDS RECEIVED—1974

National Grand Prize of Culinary Salon (second consecutive year). Sponsored by Kraft Food Corporation. Defeated the Canadian National Team.

Two Special Judge Awards.

President's Award—American Culinary Federation.

Award of Distinction—International Food Manufacturer's Association—on their Annual Gold Plate Award Dinner.

Chef of the Year Award—Chef de Cuisine of Chicago (Candidate of National Chef of the Year—1975).

SPECIAL DINNERS DESIGNED AND PREPARED

Annual Gold Plate Award Dinner—International Food Manufacturer's Association.

City of Chicago Dinner—honoring Mayor Richard J. Daley—7,500 persons in attendance.

International Heads of State dinners.

AWARDS RECEIVED—1975

National Grand Prize of Culinary Salon (third consecutive year). Sponsored by National Restaurant Association.

Gold Medal—Gold Certificate—Philanthropy of New York.

Escoffier Medal—State of New York.

Gold Medal—Chef de Cuisine Association of Chicago.

Became fourth Chef of the United States who was selected as an Honorable Member of the Chef de Cuisine of Canada.

SPECIAL DINNERS DESIGNED AND PREPARED

City of Chicago Dinner—honoring Mayor Richard J. Daley—7,500 persons in attendance.

Annual Gold Plate Award Dinner—International Food Manufacturer's Association.

FUTURE PLANNED DINNERS

Dinner for Japanese Emperor Hirohito.

Dinner for President of West Germany.

MEMBERSHIPS

American Culinary Federation.

Escoffier Society.

Chaine de Rottisseurs Association.

Chef de Cuisine Association.

Chef de Academy Association.

CULINARY DIPLOMAS HELD

German Certified Master Chef.

Institute Diploma of the American Hotel and Motel Association.

SPECIAL NOMINATION

Nominated as United States Team Captain for the Culinary.

Olympics, which will be held in Frankfurt, Germany—1976.

STRAWBERRIES PICKED BY KNEELING NUNS

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1975

Mr. EDWARDS of Alabama. Mr. Speaker, a constituent of mine, Mr. Jex R. Luce, has contacted me with an article by Paul Harvey entitled "Strawberries Picked by Kneeling Nuns." I believe that my colleagues will benefit from this article and I, therefore, include the text of it in the CONGRESSIONAL RECORD at this point:

STRAWBERRIES PICKED BY KNEELING NUNS

(By Paul Harvey)

It just makes me sick—to see those nuns on their knees out there picking strawberries.

Not because they are nuns but because they are doing more than their share while 10% of the local yokels are on welfare!

Near Farina, Ill., farmer Glen Ernst disabled with an injured arm, had nobody to pick his strawberry crop.

And though there are 10% so-called "unemployed" in the area, nobody else wanted to pick strawberries either.

So he called St. Anthony's Hospital and the sisters from there went out into his fields on their knees, harvesting his crop for their hospital.

Usually, a nun on her knees would inspire us; these should shame us!

You and I have been the victims of grievance-mongers.

These are the people who believe that government can and must engineer a socially just society; that government must provide

hands as chairman of that permanent subcommittee on intelligence since 1971, who had listened to the agency horror stories about the bludgeoning of a democracy in Latin America without so much as a murmur to his colleagues—this was the man assigned to conduct the special investigation that would logically include his own lack of action as a subject of inquiry. I went to the floor of the House on the day his chairmanship became official and said I thought it was an outrage. This indiscretion, I was told later by horrified staff and colleagues, was not likely to advance my career—I had been given a seat on the committee myself and would therefore have to work with him—but I felt it had to be said.

Other members of the select committee later came to agree with me. The press really had the scent by now, and it soon came out that Nedzi, as chairman of that Armed Services subcommittee, had been briefed on CIA assassination plots more than a year before and, once again, had done nothing. With this news in hand, the select committee Democrats rebelled, demanding a different chairman. But Speaker Albert balked at dealing with the controversy, advising patience, and the full House later gave Nedzi a resounding vote of confidence by refusing to accept his resignation. This left Nedzi in charge of a committee with which he refused to work, and the investigation came to a standstill.

A major reason for that vote and the subsequent select committee stalemate is what was happening back at Armed Services. Curiously that committee's leadership decided to take up the question of my access to its classified files—stemming from the Chile controversy nine months before—at the very moment when Mr. Nedzi's failure as an overseer of intelligence operations had come to national attention. On June 10, five days after *The New York Times* broke the story of Nedzi's inaction on assassination schemes and at the height of the controversy over his remaining as Select Committee chairman, House Armed Services met in an improperly announced closed session and, without a quorum present, voted unanimously to bar me from further access to its files. No notice had been given me that this action was being considered—in fact I didn't find out about it until two days later.

I won't dwell on the several ways in which this action, reaffirmed at a later date by a narrow majority of the total committee, was itself a violation of House rules, except to say that a committee cannot take away the privileges a congressman holds under the rules of the House as a whole—one such privilege being access to all committee records, regardless of committee membership. A more telling point is the action's glaring hypocrisy.

Columnist Jack Anderson, for example, was quick to say that he has received leaks of classified information from many members of House Armed Services on many occasions—"I have no difficulty getting secrets out of that committee when I want them," he said. There are tolerable leaks and intolerable leaks, apparently, and the characterization depends not on the strict dictates of the rules but on the current interests of the committee leadership or the Executive branch.

The Armed Services action was perfectly timed to shift the focus of debate on the handling of classified material from Lucien Nedzi to Michael Harrington. And at least over the short term, the tactic seems to have worked. Certainly it contributed to the outpouring of affection for the harried select committee chairman who just happened to have his resignation considered by the House on the day of the second Armed Services vote

against me. From the swirl of publicity over another member's endangering of the nation's defenses, Mr. Nedzi was borne up on wings of angels. The vote was 290 to 64.

If one takes a step back from all of this, what emerges is not a narrow controversy over a chairmanship and a member's prerogatives, but a pattern of congressional acquiescence in the seductive game of shared secrets. It starts with the pleasant feeling of being privy to things unknown to the ordinary citizen, but it works very much like blackmail. The more you know about dubious secret operations, the more you are responsible for hiding, and the more you hide, the tighter the grip of the State Department or the CIA or the Pentagon. A large part of Lucien Nedzi's problem is that he got to know so many and such distasteful secrets that he was effectively bound and gagged by them.

There are only two ways to avoid that position. You can stick your head in the sand and let the administration handle such things, or you can challenge the terms of the game itself, for the game is basically a fraud. Certainly the United States needs a first-rate intelligence gathering system, and maintaining that system will require that we keep some secrets. But the acceptance of a classification system gone wild—the mindless rubber-stamping of every conceivable piece of information with the national security label—has obscured the distinction between legitimate intelligence gathering and manipulation of people and institutions. It has provided the cover for almost every kind of crime and impropriety at home, and it has sanctioned covert adventures overseas that have done tremendous damage to our international standing.

After 10 years of Vietnam and the Watergate affair, the American people understand this. They know that their leaders have lied routinely, cloaking arrogance and bullying and greed in terms of the national interest. They know that a secret agency that can overthrow a foreign government is a threat to democracy here. They know that a Congress that will turn away or masquerade to hide those kinds of actions can also dissemble in its handling of just about anything else. The Congress knows this, too, but refuses to admit it. And that is why the House investigation of US intelligence operations will remain a touchy undertaking no matter who is doing the investigating. In the back of every member's mind is the uncomfortable sense that the biggest scandal in the sordid story of CIA wrongdoing is the failure of effective oversight—the cover-up by the Congress.

HOME HEALTH CARE—PART XX

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1975

Mr. KOCH. Mr. Speaker, together with 111 House cosponsors, I have introduced H.R. 4772 and H.R. 4774, the National Home Health Care Act of 1975. The bill has been given equally strong support in the Senate where it has been introduced as S. 1163 by Senators FRANK MOSS and FRANK CHURCH, respective chairmen of the Senate Subcommittee on Long Term Care and Committee on Aging, HUGH SCOTT, Senate minority leader, and Senators WILLIAMS, DOMENICI, and TUNNEY.

To discuss the need for home health care and the public support this pro-

posal is receiving, it is my intention to place statements in the Record several times a week by experts and lay persons commenting on the legislation.

Today I am submitting as the 20th statement in this series excerpts from two Blue Cross pamphlets as well as a letter from the county executive of Erie County, N.Y., noting the county's experiences:

MANUAL—BLUE CROSS OF GREATER NEW YORK COORDINATED HOME CARE

SECTION I—COORDINATED HOME CARE: OBJECTIVES, PURPOSE AND SCOPE OF PROGRAM

A coordinated home care program is a specific, organized application of multiple health care resources which achieve patient care in the home by assuring continuity from one setting to another, one visit to another and one service to another. With professional nurse/physician management of patient care and a centralized control mechanism, responsibility is fixed for prompt and appropriate:

Therapeutic intervention based on goal oriented evaluation;

Delivery of services based on the current status of the patient;

Termination of services based on the individualized plan of care.

We believe that the effective delivery of a Coordinated Home Care Program presupposes that those receiving the service can progress more uneventfully if they are treated within the confines of their own familiar surroundings; surroundings into which family and friends may enter more naturally and surroundings over which the patient himself can exercise some control.

Coordinated Home Care as a method of health care delivery challenges staff members who must maintain a constant awareness of all the components of any one patient's plan of care. This professional awareness carries with it the responsibility for anticipating, evaluating and planning to meet the needs of the patient in his home. When this is accomplished, the Coordinated Home Care Program becomes a modality to provide each patient regardless of payment mechanisms with an integrated delivery system responding to his individualized needs.

The program, then, is designed to improve patient care by planning for a therapeutic transition from the hospital to the home environment, and providing coordinated health services to the patient in that home environment. This planned systematic continuity of services can serve to:

Activate appropriate treatment and action through a relay system centrally managed;

Minimize fragmentation of the delivery of health services;

Expedite recovery from illness;

Shorten hospital stays;

Improve the use of hospital and community nursing facilities;

Decrease the need for new hospital beds;

Reduce the costs of health care; and

Provide for centralization of patient records with interdisciplinary input available at one source.

BLUE CROSS PLAN INNOVATIONS AIM AT KEEPING PEOPLE OUT OF HOSPITALS

Traditionally, Blue Cross benefits have been thought of as covering only the cost of a hospital stay, and they still do to a large extent. However, in recent years, the nation's 73 Blue Cross Plans have adopted a series of innovative programs that pay many of the health care bills of their 80 million subscribers even though they do not occupy a costly hospital bed when ill.

The programs, aimed at shortening hospital stays or keeping people out of hospitals in the first place, include:

HOME CARE

With estimates that 75,000 (Blue Cross) patients across the country—or at least six per cent of those in hospitals on a given day—could benefit from care at home with a savings of up to 25 per cent, or even more, home care is also spreading. Today, home care coverage is available to 42 million subscribers at 56 Blue Cross Plans, compared with 25 million subscribers at 32 Plans five years ago.

Interest in home care is also growing because many convalescing or chronically-ill patients not only feel more comfortable at home but find that the quality of medical care at home can be as high as that available in the hospital.

Services and facilities available through home care include hospital beds, overbed and tilt tables, wheel chairs, walkerettes, medications, x-ray and lab tests, visiting nurses, doctor visits, homemakers (to help with children and family chores as well as to care for the patient), physical, speech or occupational therapy, even the attention of a psychiatrist or social worker. If necessary, ambulances are also used to take the patient to the hospital for detailed checkups, new casts or for other services that cannot be performed easily, if at all, in the home.

What sort of savings are possible under home care? In Rochester, N.Y., for example, the average daily bill for the 220 patients a day being handled under the area's home care program, is only \$18, as opposed to the \$116 a day it would cost to take care of them in the hospital—a savings of 83 per cent!

In New York City, where some 51 hospitals are now operating home care programs, a Blue Cross Plan study found that the hospital stays of 10,000 patients were shortened by about 226,000 days, reducing cost of illness by \$7.2 million.

Another estimate indicated that hospital construction costs of \$1 billion could be saved over a twelve-year period with the aid of effective home care programs, with a resultant tremendous saving in hospital bills as well.

COUNTY OF ERIE,
July 15, 1975.

HON. EDWARD I. KOCH,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE KOCH: I am writing with respect to the National Home Health Care Act of 1975 which you are sponsoring in the House of Representatives.

Erie County has long been concerned about inappropriate utilization of facilities for the elderly and inappropriate placement of aged citizens in higher levels of care than is indicated by medical or health needs. We have seen that placing a person in a hospital or a nursing home who might more appropriately be placed in a domiciliary or semi-independent setting, can be demoralizing to the individual as well as costly to the taxpayer.

I, therefore, support the effort in your legislation to allow medicaid and medicare payments to hospitals and nursing homes for providing home health care.

I feel that Erie County's experience in this area may be of interest at such a time as hearings are conducted on this legislation and I would be happy to provide testimony in this regard at such time as hearings may be held.

Very truly yours,
EDWARD V. REGAN,
County Executive.

REMEMBER JULY 25, 1975

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 1975

Mr. HOWARD. Mr. Speaker, ordinarily when we get a piece of legislation back from conference committee we pass it pretty much as a matter of routine; at this stage of the game the House has already expressed its will and presumably the compromise version worked out with conferees from the other body does not differ materially from the original House measure.

I rise today to put Members on notice that this emphatically will not be the case when we take up the conference report on H.R. 3130. On the contrary, as a result of an amendment by the Senate Committee on Interior and Insular Affairs, substantially incorporated by the conference committee, the thrust of this legislation has been turned around 180 degrees.

Rather than counter a Federal court decision jeopardizing projects in three States, it would now perpetuate the problem and extend it nationwide. It also would leave several Federal programs—housing and community development, urban mass transportation, and airport development—subject to court challenge on purely procedural grounds never intended by the Congress.

Moreover, the conference version is being brought before this body in the guise of a measure equivalent to the original House-passed version.

This is a grave assertion, Mr. Speaker, but one I am prepared to document. In the process, let me review briefly the incredible sequence of circumstances which placed us in the position we are in today, where a vote for the conference report is a vote against the bill.

Members will recall that this legislation was initiated in response to a Federal court of appeals ruling in the second circuit, covering Vermont, Connecticut, and New York, overturning traditional doctrine with respect to delegation of preparation of environmental impact statements on highway projects to State agencies responsible for their planning, design, and construction.

It was intended to clarify or restate prevailing practice, reflected in guidelines of the Council on Environmental Quality and the Federal Highway Administration, and upheld in Federal courts of appeals in five circuits, permitting delegation of this function to State agencies subject to guidance, participation, review, analysis, and final adoption by the responsible Federal agency.

This was precisely the purpose of H.R. 3130 as reported by the Committee on Merchant Marine and Fisheries—Report No. 94-144—and passed by vote of 370-5 on April 21. I earnestly urge Members to review the debate on this measure, and

particularly the legislative history developed by the floor manager, Mr. LEGGETT, on pages H3001-H3008 of that date. And I urge you to compare this with the version currently before the House.

Mr. LEGGETT, chairman of the Subcommittee on Fisheries and Wildlife Conservation and Energy, with NEPA oversight responsibilities, agreed that the second circuit had overturned NEPA by requiring "that the report itself must be prepared by the Federal Highway Administrator."

Accordingly, he spoke of the need for "statutory clarification" of NEPA, "re-statement" of its intent, without "substantive changes in this act."

Stated Mr. LEGGETT at the time:

The mere participation of a State agency or official in the preparation of an environmental impact statement where the responsible Federal official has retained supervisory responsibility and performs his own evaluation is not violative of the intent of NEPA. *This is the law, and we intend that it shall remain the law.* (Emphasis added.)

It is important to recall that my friends on the Committee on Merchant Marine and Fisheries, and its NEPA subcommittee, were not disposed to move until the Committee on Public Works and Transportation had initiated the first legislative remedy. This bill, H.R. 3787, followed the quick and clean route of enacting a congressional determination that the requirements of NEPA had been met in the three States of the second circuit, without running the risk of opening up NEPA to amendment.

The sponsors of H.R. 3130 argued, however, that there was need for a bill nationwide in application, and covering programs other than highways. For example, the distinguished Chairman of the full Committee on Merchant Marine and Fisheries, the gentlewoman from Missouri, Mrs. SULLIVAN, said of our bill, H.R. 3787:

Enactment of their bill would not provide an answer if this same issue were to arise in a context other than Federal-aid highway projects. H.R. 3130 would.

We on the Committee on Public Works and Transportation took the position that both bills were consistent and compatible, and saw merit in uniform application of EIS delegation nationwide and to programs other than highways.

Mr. Speaker, we were both right in certain respects: First. About the time H.R. 3130 passed the House—and H.R. 3787 also did by a vote of 275-58—the Seventh Circuit Court rendered a decision going even beyond that of the Second Circuit in distorting the intent of NEPA.

Second. The abomination to result from the opening up of NEPA to amendment will be before us shortly.

The doctrine of remote State impact was introduced by amendment in the other body, establishing a new requirement for independent Federal analysis of interstate impacts. Consider the fol-

Solution is achievable, mostly through revision of the tax laws: Provide inducement for people to save, say a lower tax on interest payments; liberalize depreciation allowances on machines and equipment; give preferential tax treatment to corporate earnings retained for investment and include the service industries; bring the capital gains tax provisions at least to a par with other countries; determine one fiscal and monetary policy and stick with it; do away with controls that restrict or impede the free market economy.

And, lastly, the Readers Digest of June 1975, in an article entitled, "What Ever Happened to the Nickel Candy Bar?", gave several examples of the ways in which capital relate to jobs:

Let's first consider two basic ways to lower the price of a product. One way is to cheapen the product, lower its quality. But this is a fatal device in a free market—consumers catch on quickly. The other way is to maintain the quality but cut the cost of manufacture. If the product is soup cans, for instance, it means producing more and better soup cans for the time and labor spent. That's what's called improved productivity.

Just ponder, for example, what happens when a mix of technology, planning and worker motivation spells high productivity.

Major manufacturers of hand-held power tools in Germany, Japan and England have not been able to penetrate the American market because high-quality American-made hand tools are competitively lower in price. One of the major forces behind this situation is the Black & Decker Manufacturing Co., of Towson, Md.

The company secret? Better productivity. In part, this comes from the wise investment of funds in new machines and advanced research.

While such improved productivity has paid off in increased sales and profits, it has also paid off for employees. The company payroll in 1958 was \$14.5 million for 3,800 employees. Last year's payroll was \$165.2 million for 20,700 employees.

And look at the payoff for the consumer: In 1958, Black & Decker's basic electric drill for do-it-yourselfers cost \$18.95. Now it costs \$10.99. A standard jigsaw that sold for \$44.50 in 1958 now costs \$11.99. And remember, these prices changes occurred during a 16-year period which saw the U.S. Consumer Price Index rise 75.2 percent.

But the productivity payoff can also mean a lot more than new jobs and higher pay. Sometimes it spells survival.

And, the Indianapolis Star of July 11, made this specific endorsement capital formation measures, including the Jobs Creation Act:

As Congress takes up the problem of tax reform this week, there is reason to hope that an inequitable and impractical feature of our Federal tax system—the corporate income tax—will get a thorough review.

An income tax is paid on money earned by the corporation. That money is taxed again when it is distributed to the corporation's owners in the form of dividends, which are regarded as personal income. It is comparable to a worker's wages being taxed when he earns them, at the end of each working day, and again when he collects them on payday.

Much of the public has been led to believe that the corporate income tax reduces burdens of the individual taxpayer. Treasury Secretary William Simon put it bluntly to the House Ways and Means Committee: "It is naive to think that corporations pay taxes."

The fact is that corporate taxes make tax collectors, not taxpayers, out of corporations. The corporation's tax bill is converted into

higher prices for its customers, lower pay for its employees, fewer jobs for the community and lower dividends for its stockholders.

The impracticality of the corporate income tax is especially salient at the present time when government is supposedly doing all it can to reduce unemployment. Billions are being appropriated to create makework jobs which merely shift work from the private to the public sector.

It would be preferable to remove the obstacles to expansion and investment so that Americans can return to real jobs that produce goods and services. A drastic reduction in the corporation income tax would help achieve this. Its abolition would be even better.

While a politician may find it useful to cultivate the myth that "the little guy" is helped by socking it to "big business," it just isn't so and we are pleased to find a politician with the wit and courage to say so.

Rep. Jack Kemp, R-N.Y., has sponsored a bill which eliminates the double taxation of corporate income and achieves other reforms to encourage capital formation. The bill is needed and deserves the support of all parties interested in economic recovery.

Mr. Speaker, the people are remembering that private capital at work means people at work; that private capital not at work means people not at work.

CONGRESSIONAL COVERUP

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1975

Mr. BADILLO. Mr. Speaker, it is a privilege to insert in the RECORD an article authored by our colleague the Honorable MICHAEL HARRINGTON. The article appeared in the July 26, 1975, issue of the New Republic magazine. I would like to express my continued support for Mr. HARRINGTON, and I hope that this article helps clarify his position.

CONGRESS CIA COVERUP: GETTING OUT THE TRUTH

(By MICHAEL J. HARRINGTON)

(NOTE.—Mr. Harrington is the Democratic congressman from Massachusetts' sixth district.)

If a President engages in a cover-up of government wrongdoing, as happened in the Nixon White House, he can be challenged through the process of impeachment, which amounts to indictment and trial by the Congress. But what do we do if the Congress engages in a cover-up? Individual members can be censured or expelled, of course, but what if the cover-up is institutional, a product of the most time-honored rules and rituals?

This is precisely the problem that confronts us in the unfolding story of CIA and other intelligence agency misdeeds. To be sure presidential decisions and actions are involved here too, but now we have a situation where members of Congress, in their capacity as overseers of intelligence agency operations, had knowledge of the most blatant crimes and improprieties and nevertheless did nothing. The instance I am most familiar with concerns the CIA's accomplishments on our behalf in Chile in the early 1970s. The reactions to that record by those who came to hear of it are a sobering illustration of the great congressional weakness—the habitual reflex of avoidance and acquiescence, masked by the illusion of activity.

In April of last year, CIA Director William Colby appeared at a closed session of Rep. Lucien Nedzi's Armed Services subcommittee on intelligence and described his agency's long-term involvement in the political process in Chile, where a bloody coup against Salvador Allende Gossens in September 1973 had led to the installation of a military dictatorship. Mr. Nedzi had called Colby in at my urging, so naturally I wanted to know what the director had to say. Not being a member of Armed Services, I had to make special arrangements to view the classified transcript in the committee offices—the privilege of any House member—and after some initial difficulties with the staff there, I got my first look at the material on June 4. What it said left me appalled.

The authorization of bribery, the funding of political factions and propaganda campaigns, the fomenting of strikes and demonstrations, a myriad of destabilizing actions—all directed against the duly elected leader of Latin America's most sophisticated democracy—are now matters of public record. Not only does that record indicate violations of standing treaties and other affronts to Chilean sovereignty; it also shows that President Nixon and Secretary Kissinger had lied repeatedly to the American people about our involvement there and that some administration figures had apparently perjured themselves on the matter before certain committees of Congress.

Determined to get some congressional action that would bring these things to light, I approached Mr. Nedzi and asked him what he planned to do with this information. He replied with a philosophical shrug. He has taken the testimony as I asked—what more could one do? This information, after all, was secret.

Knowing full well from my short-term experience as a member of Armed Services (ending in 1973) that Chairman F. Edward Hébert would be even less inclined to pursue the matter than Mr. Nedzi, I spoke with several subcommittee chairmen of House Foreign Affairs, of which I am now a member, and then with some of my staff. I also sought the advice of Larry Stern of *The Washington Post*, a personal friend who clearly understood that the story was not to be released. But the reactions of the subcommittee chairmen and other Foreign Affairs colleagues, though generally sympathetic in tone, were equally lacking in commitment. Yes the Chile story sounded pretty bad, but that was the province of another committee and besides, the information was secret.

I finally wrote to "Doc" Morgan, chairman of the full committee, and to Senator Fulbright. In those two long letters of July 18, I reviewed Colby's April testimony and argued that "the Congress and the American people have a right to know what was done in our name in Chile . . . I urge you to turn this matter to the attention of the Foreign Relations [Affairs] Committee for a complete, public investigation. . . ." I pointed out that the Forty Committee, the interdepartmental body chaired by the President's national security adviser, had authorized the expenditure of about \$11 million between 1962 and 1973 to help block Allende's election and then to "destabilize" his government after he won.

"The agency's activities in Chile were viewed as a prototype, or laboratory experiment," I noted, "to test the techniques of heavy financial involvement in efforts to discredit and bring down a government." I gave a general breakdown of the amounts authorized from 1962 through 1973, and explained to the respective chairmen that since acquiring this information I had tried to persuade well-positioned colleagues to pursue the facts but that nothing seemed to be happening. I said I was writing to them as a

SELDOM USED

As a practical matter, however, the Fleetwood jury was told, the appeal process is seldom used by grain owners or ship companies because the government appeal inspectors are known to be tougher than the agency inspectors.

Gilbert Vorhoff, president of the New Orleans Board of Trade, defended the board's inspection procedures and said a new man has been employed to supervise the inspectors as a result of the cases. Two of the indicted men worked for the Board of Trade, while others in New Orleans worked for other inspection agencies.

Vorhoff acknowledged that the Board of Trade's main function is to promote trade and commerce, and that its members and directors include officials of grain and shipping firms. But he insisted that there is "absolutely and unequivocally not a conflict of interest" in such an organization's also being a regulatory agency for the inspection of ships and grain.

BANK OFFICIAL

Vorhoff is a vice president of Hibernia National Bank and specializes in international finance.

U.S. Attorney Gallinghouse said that since the indictments were issued both the Board of Trade and the Agriculture Department have taken steps to improve supervision of the inspectors and to make spot checks on their activities.

In Houston, the Houston Merchants Exchange conducts grain and ship inspections for four export elevators.

Roy T. James, secretary and general manager of the exchange, said the organization is owned by 23 stockholders from the major grain firms, shipping companies, banks and other businesses.

He said he expects his inspectors to be exonerated and to be "back at work before too long."

Harlan L. Ryan, Agriculture Department supervisor for the grain division office in New Orleans, said his staff will be increased from 27 to about 50 in order to provide better control over the approximately 125 inspectors employed by the five inspection agencies in the area.

Agriculture Department supervision teams are doing more checks on ship-hold inspections, and new guidelines are being issued to the inspection agencies, Ryan said.

**PUBLIC OPINION IN SUPPORT OF
TAX REFORMS DESIGNED TO
FOSTER ACCELERATED CAPITAL
FORMATION IN THE INTEREST
OF JOBS**

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1975

Mr. KEMP. Mr. Speaker, public opinion is growing increasingly in support of tax reforms designed to foster accelerated capital formation.

The people know the relationship between capital and jobs. They know that assuring adequate capital for investment in new plant and equipment is the key to guaranteeing the existence of current jobs and to encouraging the formation of new ones.

The House Committee on Ways and Means now has before it major legislation on tax reform, much of it designed to remove existing impediments

to savings and investment now found in our Federal tax laws.

One of those measures is the Jobs Creation Act of 1975, a bill which I introduced in March and a bill which, after several reintroductions and perfecting amendments, now has over 80 cosponsors in the House. That bill, H.R. 8053, is designed to accelerate the formation of capital needed to assure higher productivity and more jobs. An extensive discussion of capital formation in general and this bill in particular is found in the RECORD of today during the special orders, and I call it to the attention of all those concerned with the economic situation in our country today.

Support is indeed growing for enactment of capital formation measures. That support is being reflected more every day in the editorials and press comments of the Nation's major publications.

I think it is important we perceive accurately the public posture on this issue. It is one in support of greater capital formation, and the items which follow support this conclusion.

On July 1, the Buffalo Evening News, culminated a 3-day series of lead editorials on capital formation in these words:

The federal government cannot by itself create the capital investment required to keep our American economy robust and growing. But by mounting a determined effort against inflation and by carefully modifying tax and other laws that influence the investment climate, it can and assuredly should help stimulate the formation of private capital so essential to our standard of living.

No society can live indefinitely beyond its means, consume more than it produces, or prosper without thoughtful planning alert to promising new directions.

Congress must reexamine the tax laws, as in fact the House Ways & Means Committee has begun to do, looking toward strengthening several principles for stimulating future investment.

First, the tax laws should seek both to enlarge the investment pool and guide it in high-priority directions. Not only does this mean devising fresh incentives for investments in essential areas but it means closing loopholes which merely shelter wasteful or less useful investment.

Second, the tax laws should do less, over the long run, to encourage borrowing and more to encourage savings and investment.

A third principle that ought to govern tax-law revisions is the desirability of involving more individual Americans in the ownership of equity shares.

So there is no shortage of ideas in setting a fresh course to promote America's real growth in living standards. The toughest chore will be to sort out those ideas in a balanced, coherent program that is effective as well as fair to all elements in our society. This can flow only from a recognition of the problem, an updating of public attitudes and, above all, a change in the political climate that has for too long treated profits as a rip-off, savings as slightly antisocial, and the spending of every cent of income as the highest form of economic patriotism.

On June 22, one of the Nation's largest newspapers, the Los Angeles Times, had editorialized on this issue in these words:

The need to assure adequate capital formation in the decade ahead must be a paramount consideration in the tax revision legislation which Congress is expected to enact late this year or early in 1976.

The United States reinvests a far smaller share of its national income in new plant and equipment than any other industrialized country in the world. Administration economists, backed by most of their brethren outside government, say it is no coincidence that this country's advantage in worker productivity has been slowly but surely eroding.

Efforts also should be made to broaden the base from which investment-feeding savings are drawn.

There may be a temptation for Congress to concentrate on soak-the-rich closing of tax loopholes and new tax cuts for low- and middle-income citizens without doing anything real about the need to encourage capital formation. That would be a distinct disservice to Americans of all income brackets.

That Los Angeles Times editorial followed the nationwide syndication of Nick Thimmesh's column through the Los Angeles Times Syndicate on June 12, entitled, "A Reappraisal of Big Business":

Profits, as not enough people know, are necessary for investment—expansion and modernization of productive capacity. In recent years, despite headlines about high (gross) profits, the basic manufacturing industries suffered a great decline in net profits, and the earnings slide further in the current recession.

The unhappy result is that the United States is slipping way behind the rest of the industrialized world in real economic growth.

Even with population size leveling off, 10 million new jobs must be created in the next five years in the United States. It takes up to \$40,000 in capital to create even one job. The best estimate is that in the next 10 years there will be \$2.6 trillion available for such investment but that \$4.1 trillion is needed.

Curiously enough, an increasing number of labor leaders, the men who learn economics by studying the industries they are trying to extract raises and benefits from, are sharing the concern of executives about industry's ability to expand.

If there is not improvement in the profit-investment situation soon, many of those critics who helped damage the once-marvelous engine will be standing there screaming at it for not providing all the goodies it did in yesteryear.

The Boston Herald Advertiser of April 13, in an article entitled "Low U.S. Capital May Affect Jobs," commented on this subject and how it relates to jobs:

The U.S. is running low on capital. At stake is your job.

As percentage of its economy, America has less growth capital available than almost all other industrialized countries. Chase Manhattan Bank, the nation's third largest, estimates that we are under-investing in our economy by \$400 million each day, and will continue to do so for the next 10 years unless profound changes are made.

If those changes aren't made—in attitudes and in laws—the U.S. will be a second-rate country, or lower, within a decade, as its capital formation declines.

What is this "capital information" that in America has slowed to a trickle? It is the savings of individuals. It is also that portion of corporate earnings which becomes available for re-investment after paying all costs. Those are the only sources of capital and if either the ability or incentive to save is inhibited, there is less capital formation.

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last resort. Rep. Morgan did not answer my letter. Sen. Fulbright replied, but not very substantively, suggesting that the real solution to the problem was the establishment of a joint committee on oversight.

I felt ambivalent at this point as to how I ought to proceed—I did want to stick with the congressional process but could see no obvious lines to follow. At any rate the matter was set aside in my preoccupation with the summer's major event: the impeachment proceedings of the House Judiciary Committee. Then on September 6, Seymour Hersh of *The New York Times* called me up to inquire about the context in which those letters had been written, saying that he had a copy of one of them. I told him I didn't want the issue raised in this manner and, suspecting he may only have heard a rumor, I said I wouldn't comment on the substance of the letter until I saw his story in print. He assured me I could read it in the *Times* on Sunday, two days later, which I did.

Shortly thereafter Mr. Nedzi asked me to appear before his Armed Services subcommittee to account for the egregious leak. I explained to the group, meeting against my objection in closed session, that the *Times* had not gotten the story from me or my office. But this was not satisfactory, for the point was raised that House Rule XI, Section 27(o) says that no evidence or testimony taken in secret session may be released or used in a "public session" without the consent of the committee. A further issue was the pledge I had to sign in order to read the Chile material, which said that classified information would not be divulged to any unauthorized person. Unauthorized persons, the ensuing exchange made clear, included other members of Congress.

This meeting did not maintain the highest level of discourse—one member compared me to Benedict Arnold—but I tried to make to the subcommittee a distinction between genuine concern for the national security and the facile use of that label to cover official acts of duplicity and illegality. Suggesting this distinction was one of the principal lessons of Vietnam and Watergate, I maintained that the cover-up of US actions in Chile was yet another case of national security's fraudulent application. My remarks did not set well with the subcommittee.

Nevertheless the storm seemed to pass. The next day I wrote to Mr. Nedzi asking that a transcript of the session we had just completed be made available to me when it was prepared. The letter was never answered, and I concluded that Armed Services had decided to drop the matter. I went off to campaign for reelection.

Meanwhile Mr. Hersh had turned over another rock, and in December and January wrote a series of stories alleging that the CIA had conducted a program of massive surveillance of American citizens in direct violation of its charter.

Although cynics might have suggested that this only amounted to bureaucratic overlap with the FBI, the revelation jolted Congress in a way that harassment and assassination of foreigners never seemed to—possibly because some reports charged that the agency had snooped on senators and representatives. In any case hard on the heels of the President's establishment of the Rockefeller commission, the Senate voted to set up a select committee to investigate the full range of US intelligence activities. I proposed formation of a similar committee in the House, and after a month-long minuet of maneuver and delay, we had a select committee, too. I felt pretty good about it until the Speaker announced his choice for chairman—Lucien Nedzi.

Lucien Nedzi, the man who had sat on his hands as chairman of that permanent subcommittee on intelligence since 1971, who had listened to the agency horror stories

about the bludgeoning of a democracy in Latin America without so much as a murmur to his colleagues—this was the man assigned to conduct the special investigation that would logically include his own lack of action as a subject of inquiry. I went to the floor of the House on the day his chairmanship became official and said I thought it was an outrage. This indiscretion, I was told later by horrified staff and colleagues, was not likely to advance my career—I had been given a seat on the committee myself and would therefore have to work with him—but I felt it had to be said.

Other members of the select committee later came to agree with me. The press really had the scent by now, and it soon came out that Nedzi, as chairman of that Armed Services subcommittee, had been briefed on CIA assassination plots more than a year before and, once again, had done nothing. With this news in hand, the select committee Democrats rebelled, demanding a different chairman. But Speaker Albert balked at dealing with the controversy, advising patience, and the full House later gave Nedzi a resounding vote of confidence by refusing to accept his resignation. This left Nedzi in charge of a committee with which he refused to work, and the investigation came to a standstill.

A major reason for that vote and the subsequent selection committee stalemate is what was happening back at Armed Services. Curiously that committee's leadership decided to take up the question of my access to its classified files—stemming from the Chile controversy nine months before—at the very moment when Mr. Nedzi's failure as an overseer of intelligence operations had come to national attention. On June 10, five days after the *New York Times* broke the story of Nedzi's inaction on assassination schemes and at the height of the controversy over his remaining as Select Committee chairman, House Armed Services met in an improperly announced closed session and, without a quorum present, voted unanimously to bar me from further access to its files. No notice had been given me that this action was being considered—in fact I didn't find out about it until two days later.

I won't dwell on the several ways in which this action, reaffirmed at a later date by a narrow majority of the total committee, was itself a violation of House rules, except to say that a committee cannot take away the privileges a congressman holds under the rules of the House as a whole—one such privilege being access to all committee records, regardless of committee membership. A more telling point is the action's glaring hypocrisy.

Columnist Jack Anderson, for example, was quick to say that he has received leaks of classified information from many members of House Armed Services on many occasions—"I have no difficulty getting secrets out of that committee when I want them," he said. There are tolerable leaks and intolerable leaks, apparently, and the characterization depends not on the strict dictates of the rules but on the current interests of the committee leadership or the Executive branch.

The Armed Services action was perfectly timed to shift the focus of debate on the handling of classified material from Lucien Nedzi to Michael Harrington. And at least over the short term, the tactic seems to have worked. Certainly it contributed to the outpouring of affection for the harried select committee chairman who just happened to have his resignation considered by the House on the day of the second Armed Services vote against me. From the swirl of publicity over another member's endangering of the nation's defenses, Mr. Nedzi was borne up on wings of angels. The vote was 290 to 64.

If one takes a step back from all of this, what emerges is not a narrow controversy

over a chairmanship and a member's prerogatives, but a pattern of congressional acquiescence in the seductive game of shared secrets. It starts with the pleasant feeling of being privy to things unknown to the ordinary citizen, but it works very much like blackmail. The more you know about dubious secret operations, the more you are responsible for hiding, and the more you hide, the tighter the grip of the State Department or the CIA or the Pentagon. A large part of Lucien Nedzi's problem is that he got to know so many and such distasteful secrets that he was effectively bound and gagged by them.

There are only two ways to avoid that position. You can stick your head in the sand and let the administration handle such things, or you can challenge the terms of the game itself, for the game is basically a fraud. Certainly the United States needs a first-rate intelligence gathering system, and maintaining that system will require that we keep some secrets. But the acceptance of a classification system gone wild—the mindless rubber-stamping of every conceivable piece of information with the national security label—has obscured the distinction between legitimate intelligence gathering and manipulation of people and institutions. It has provided the cover for almost every kind of crime and impropriety at home, and it has sanctioned covert adventures overseas that have done tremendous damage to our international standing.

After 10 years of Vietnam and the Watergate affair, the American people understand this. They know that their leaders have lied routinely, cloaking arrogance and bullying and greed in terms of the national interest. They know that a secret agency that can overthrow a foreign government is a threat to democracy here. They know that a Congress that will turn away or masquerade to hide those kinds of actions can also dissemble in its handling of just about anything else. The Congress knows this, too, but refuses to admit it. And that is why the House investigation of US intelligence operations will remain a touchy undertaking no matter who is doing the investigating. In the back of every member's mind is the uncomfortable sense that the biggest scandal in the sordid story of CIA wrongdoing is the failure of effective oversight—the cover-up by the Congress.

POPULATION STABILIZATION BY VOLUNTARY MEANS: A WORLD NECESSITY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1975

Mr. MATSUNAGA. Mr. Speaker, only 7 years ago, a book was published which caused many Americans to become deeply concerned about the future of this country—indeed, of the world. Professor Paul Ehrlich's "The Population Bomb," described the dire effects of population growth on the world's resources, and his predictions were very sobering.

Because Mr. Ehrlich's predictions still remain valid, I was pleased to reintroduce last week, together with the gentleman from New York (Mr. Horton), a joint resolution calling for the development and implementation of a national policy to stabilize U.S. population by voluntary means.

At the present rate of growth, world

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population is expected to double in 30 years. Yet, under the hypnosis of the phrase "baby bust," coined to describe recent drops in birth rate, many Americans have tended to attribute the population problem to the underdeveloped countries. It is true that America's current fertility rate is the lowest our statistics have recorded, and while this isolated fact is encouraging, other considerations indicate that celebration is premature. For America constitutes only 5 percent of the world's population, while consuming a third of the world's resources. Mr. Speaker, how long can we continue this high rate of consumption, even if our population increases at a lower rate?

Other demographic considerations are grim. At present, the fertility rate is 14.9 per thousand, yet this figure still greatly exceeds the death rate of 9.1 per thousand; consequently, U.S. population is still increasing by 1.2 million annually by natural means. An additional 400,000 legally immigrate to our country annually, and estimates of illegal immigrants run as high as 1 million a year. Even if this latter figure is exaggerated, I am sure that my colleagues will understand that the current low fertility rate has hardly stemmed the population increase. If we are to retain our quality of life, a sound national population policy, such as our joint resolution calls for, is imperative.

One aspect of American life for which we are all grateful, is the advanced medical technology which our doctors practice. Partly as a result of preventive medicine techniques, and partly as a result of improved economic factors, the post-war years of 1946-63 witnessed an unprecedented "baby boom." Many born during that period have reached their reproductive years and, consequently, could trigger a second "baby boom" simply because the number of childbearers increased. Current estimates project the number of fertile women to be 50 million in 1980.

Unless measures such as this resolution are enacted—and acted upon—the results could be literally tragic. Will we have the resources to sustain these new lives?

Surely it is not difficult to understand that an inverse relationship exists between the quality of life and population growth. Indeed, it has been remarked that none of the world's problems can be solved unless population is controlled. Scientific research has repeatedly demonstrated that animals placed in a crowded environment become violent and show signs of psychological strain. The implications for our teeming urban areas are readily apparent: schools become less efficient institutions; the scarcity of jobs causes frustration; and privacy becomes a luxury. More subtle, perhaps, is another effect of unchecked population growth: If our finite resources have to be divided among more and more people, cultural variety will inevitably decrease; mass production mentality will prevail over individual considerations.

Mr. Speaker, it is indeed a bleak picture I have described; but I am confident that legislation such as this voluntary

population stabilization resolution can help to check a potential disaster.

Although the measure is not an end in itself, it is a sound and much-needed beginning. While it calls for a national policy on population planning, it clearly emphasized that such planning will be purely voluntary. It is not our intent to prescribe any method to coerce couples into bearing fewer children. Rather, we believe it imperative to explore such vital areas as more sophisticated contraception and family planning to present couples with the alternatives available to them, and to encourage them to consider the widespread repercussions of their decisions on the ecosystem.

Having recognized that a stabilized population is necessary for a healthy environment, the resolution also insists upon Government's respect for human choice and individual conscience. These last two considerations must be preserved if American democracy is to survive.

Mr. Speaker, the population bomb has not yet been detonated. I appreciate this opportunity to present this resolution to my colleagues, and I urge them to act decisively for the well-being of our Nation and the survival of our planet. At this point, Mr. Speaker, I include the text of the joint resolution:

H.J. Res. 125

Joint resolution to declare a United States policy of achieving population stabilization by voluntary means

Whereas continued population growth beyond that already inevitable brings no social or economic benefits to our society, and

Whereas continued population growth magnifies social, economic, and political problems and, in conjunction with uncontrolled technology and high levels of per capita consumption, causes pollution and degradation of the environment, and

Whereas all citizens of the United States seek a world with healthy environment, clean air and water, uncluttered land, copious open spaces, natural beauty, and wilderness and wildlife in variety and abundance, in which the dignity of human life is enhanced, and

Whereas stabilizing population, concurrent with other measures to solve the problems of poverty, discrimination, urban decay, and environmental deterioration, would enhance the well-being of the people of our Nation, and

Whereas adoption of a national policy of population stabilization would lend credibility to the United States efforts to encourage solutions to the explosive population growth which, throughout the less developed world, obstructs economic progress, creates massive unemployment, and perpetuates widespread malnutrition and poverty, and

Whereas the demographic profile of the United States requires that population stabilization can only take place over a period of decades, and

Whereas delaying development of public policies to stabilize population magnifies the problems and the cost of their eventual solution, and

Whereas the provision of accurate and objective knowledge about the implication of demographic phenomena for our society will enhance the ability of individuals to make rational choices and decisions, and

Whereas more effective coordination of Federal programs related to population is necessary to insure their effective implementation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is

the policy of the United States to encourage, develop, and implement, at the earliest possible time, policies which will, by voluntary means consistent with human rights and individual conscience, move to stabilize the population of the United States and thereby promote the future well-being of the citizens of this Nation and the entire world.

NATIONAL BATON TWIRLING WEEK

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES -
Monday, July 28, 1975

Mr. RUSSO. Mr. Speaker, I would like to bring to the attention of all my colleagues that this is National Baton Twirling Week. Combining the excitement of competition and the fun of traveling, youngsters from all over the country have gathered in South Bend, Ind., this week for the national finals. The winners will receive many coveted prizes and awards, but perhaps most importantly, the esteem of their fellow twirlers. While the losers will not receive any trophies, they possess the knowledge of having given their best in a spirited effort.

All of us have viewed these dedicated young people, resplendent in their colorful uniforms, marching down the main streets of every American city and town. Few of us realize how much hard work, energy and coordination this graceful exercise requires. Hours of individual practice on a single maneuver, which must then be incorporated into an entire routine take place before the twirlers meet and coordinate their styles in a group effort.

In addition to providing entertainment for millions of people, baton twirling also promotes rehabilitation of the physically handicapped. The dexterity a handicapped person gains from twirling a baton advances him or her that much closer to the goal of complete recapture of his/her physical movement.

We should also pay tribute to the organization that has coordinated this week's activities in South Bend, America's Youth on Parade. Organizing this year's program is Mr. Don Sartell, national director of the National Baton Twirling Association. He has served as the national director since he founded the association in 1945. Planning this major event requires an extraordinary amount of work and time on the part of many outstanding people. Without these hard-working individuals, dedicated to helping America's youth, these youngsters might have turned to less desirable pursuits. But thanks to these concerned adults, the program has flourished from its inception.

I am including a copy of the proclamation of National Baton Twirling Week as part of my remarks so that everyone can appreciate the achievements of this fine organization:

PROCLAMATION—NATIONAL BATON TWIRLING WEEK, JULY 27 TO AUGUST 2, 1975

Whereas, the baton twirling movement has affected the lives of American girls and boys.

appointment of only an observer at the U.N., unlike many other nongovernmental organizations, which have accredited representatives at the U.N. who can express the views of their respective organizations to the secretariat and certain specialized agencies.

The Section of International Law has a continuing Committee on United Nations Activities, which has initiated resolutions for Association action in U.N. matters and has written an intermittent department in this *Journal* summarizing current events at the U.N.

The Association has considered a number of U.N.-related resolutions. In 1973 a resolution was adopted relating to the resources of the seabed, and the Association in Montreal in August of this year adopted a resolution disapproving the attempt to suspend or expel a U.N. member state or deprive it of the right to participate in U.N. activities.

In 1947 and 1960 the Association urged repeal of the Connally reservation to the United States' acceptance of the compulsory jurisdiction of the World Court.

In 1973, after Congress refused to authorize the funds required for the United States annual contribution to the International Labor Organization because of dissatisfaction with some of its policies, the Association passed a resolution calling the attention of Congress to the fact that this action was a violation of our treaty obligations under the U.N. Charter.

In 1974 the Association adopted a resolution opposing the Charter of Economic Rights and Duties of States in the absence of any provision that the obligations of nations include compliance with principles of international law. That resolution was among the factors which caused the United States to vote against the charter at the 1974 meeting of the General Assembly.

MIXED RECORD ON HUMAN RIGHTS

The record on U.N. human rights conventions has been mixed. In 1967 the Association voted in favor of ratification of the Supplemental Convention on Slavery; took no position on the Convention on Abolition of Forced Labor; and opposed the Convention on Political Rights of Women. In 1970 by a close vote (130-126), it opposed ratification by the United States of the Genocide Convention. This opposition has been one of the factors that so far has caused the Senate not to ratify the Genocide Convention.

In 1974 the Association affirmed its support of an independent judiciary and bar in all nations and expressed disapproval of the conduct of some nations in detaining and harassing attorneys for representing individual defendants.

ASSOCIATION HAS GREAT INFLUENCE

As the spokesman for the organized bar in the United States, the Association can have considerable influence on our nation's policies with respect to United Nations activities. This suggests that the Association should continue to observe those activities and to take positions on important matters, particularly those with legal implications, that affect our nation's foreign policy. Among the steps the Association should consider are: (1) approval of the Genocide Convention; (2) approval of the racial discrimination convention; (3) approval of the forced labor convention; (4) urging again the repeal of the Connally reservation to our adherence to the statute of the International Court of Justice; and (5) the appointment of a representative accredited to the U.N. instead of an observer.

RIDING ON "SPACESHIP EARTH"

The United Nations was created thirty years ago to fill a desperate need—to devise ways to structure a more peaceful and orderly world. In the intervening years the orga-

nization has proved to be imperfect in many respects but effective in others. It is clear that abolition or abandonment of the U.N. would be foolish. The American people recognize this; in a Gallup poll this year, 75 per cent of those asked said that the United States should not give up its membership in the United Nations. A recent Louis Harris poll reported that 60 per cent of the American public supported conducting "more and more" of our foreign affairs through international organizations.

Like all other participating nations, we hope that we can persuade others to concur in our policies and proposals for U.N. action. But we must be prepared to live with occasional defeats and to compromise from time to time, as we do in domestic politics, to make the organization more effective in solving the monumental worldwide problems that confront all of us who are obliged to travel—strapped in together—on this "Spaceship Earth."

THE UNITED NATIONS RESOLUTION ON ZIONISM

Mr. TAFT. Mr. President this week the Senate passed, on a voice vote, a resolution condemning the action taken by the social, humanitarian, and cultural committee of the United Nations labeling Zionism as a form of racism. I supported this resolution.

Such an action would deny the concept of a State of Israel accepted by the United States since the Balfour declaration and reaffirmed by us frequently ever since. Moreover, it is a concept that was recognized by the United Nations when the State of Israel was created out of the wreckage of World War II.

This action is only the most recent of several moves by the Third World nations to politicize the U.N. There has been an increased concern in the Congress over continued usefulness of the U.N. It would be certain to affect the amount of funding for the United Nations from the United States in light of this type of action by member states. Passage by the full General Assembly of the antisemitic resolution on Zionism will only force the Congress to seriously consider further American reductions in United Nations participation.

GROWING AID TO CHILE

Mr. CHURCH. Mr. President, the Senate will soon take up the foreign aid authorization again, and one of the questions we should consider carefully is who gets our foreign assistance and for what purpose. While the House International Affairs and the Senate Foreign Relations Committees have worked hard to see that in the future foreign aid goes to the most needy countries and for purposes which will help the poor of the world, it is still for the executive to dispense that aid and the Nixon-Ford administrations have made clear how frequently considerations, other than humanitarian concerns, dictate the choice. While this is not unusual in the 30 years of foreign aid, the difference is that these administrations have tended to favor repressive governments.

One such choice is Chile. In the 2 years since a military junta, with help from the CIA, overthrew the elected govern-

ment and began a widespread campaign of imprisonment and torture, U.S. aid has grown to the point where this one country now gets 85 percent of the food aid going to all of Latin America, Economic aid stands above \$20 million and had it not been for congressional action cutting it off, military aid would be even higher.

Columnists Jack Anderson and Les Whitten have written about this aspect of foreign aid, as well as the U.S. counterinsurgency school also eliminated by Congress. I ask unanimous consent that portions of their October 11 column be printed in the RECORD.

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

[From the Washington Post, Oct. 11, 1975;

U.S. AID TO CHILE GROWING LARGER

(By Jack Anderson and Les Whitten)

The closer we examine the relationship between the U.S. government and the Chilean dictatorship, the more curious it becomes.

The military regime in Chile holds the dubious distinction of being one of the most repressive in the world. Thousands of Chileans have been arrested, beaten and tortured for their political beliefs. Hundreds more have simply disappeared without a trace.

Yet U.S. support for the dictatorship has never waned. Indeed, it's getting stronger.

The year after Chilean strongman Augusto Pinoche took over, for example, U.S. economic assistance to Chile doubled from \$9.8 million to \$20.5 million. According to current plans, Chile will get \$77 million in 1976.

Of this, \$55 million in "Food for Peace" funds alone will be earmarked for Santiago, Chile, in short, will get 85 per cent of the food aid that will be pumped into all of Latin America.

On Dec. 30, 1974, Congress cut off all military assistance to Chile. Until Congress intervened, however, military aid to Santiago was steadily climbing. It stood at \$16 million in fiscal 1974.

These are merely the obvious ways Washington has helped keep the junta afloat. Occasionally we also get a glimpse of the covert assistance given to Chile.

Take, for example, the Army's "School of the Americas," located in the Panama Canal Zone. The school, stuck back in the jungle near the Caribbean coast, has been around in one form or another for three decades. It is specifically designed to train Latin American soldiers; all classes are taught in Spanish.

To no one's great surprise, we discovered about a third of the school's students in 1975 came from Chile—575 out of a total enrollment of 1,765.

One popular course, entitled "Officer Combat Arms Orientation," was attended by 993 students. Over half of them—504—were Chilean officers.

They were given standard military training in such subjects as map reading, first aid and signal communications. The emphasis, however, was on anti-guerrilla warfare.

A full 16 hours of instruction, for example, were devoted to "basic concepts of counterinsurgency in urban areas." Nine hours of "psychological operations" were taught. But the most intensive instruction was given in 125 hours in "counterinsurgency operations; anti-guerrilla warfare in the field."

Until Congress put an end to military assistance to Chile nine months ago, in short, the U.S. government was teaching the junta's foot soldiers how to repel the "dissidents" who oppose them.

Footnote: Ten of the 11 countries that sent

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powers—especially the United States and the U.S.S.R. Under the new structure, called the United Nations, every nation, large or small, would have the right to participate and vote in the General Assembly, but action could only be taken by a vote of the Security Council, including the affirmative votes of the permanent members—the United States, the U.S.S.R., the United Kingdom, France, and China. This provided the great powers with the veto, which was favored by the United States as well as the U.S.S.R., but was repeatedly used by the U.S.S.R. during the cold war days of the 1950s to block U.N. actions favored by the United States and other non-Communist nations.

In addition to the General Assembly and the Security Council, the organization established a number of less-known but important specialized organs and agencies, such as the International Court of Justice, the International Atomic Energy Agency, the Food and Agricultural Organization, the World Health Organization, the World Meteorological Organization, the International Labor Organization, and many others. These now have most of the U.N.'s staff and consume nine tenths of its annual budget.

CHANGING TIMES

In the years since 1945 dramatic changes have occurred in the world, many of which could not have been fully anticipated and which have posed challenges to the U.N.'s capabilities.

The cold war has given way to the new spirit of *détente*, born of the realization that resort to nuclear war to attain political objectives is no longer a realistic option for rational world leaders and that compromises and mutual accommodations when possible offer hope for an era of relative peace.

The 51 original member states of the U.N. have grown to 141, large and small, rich and poor, industrialized and underdeveloped, and colonialism has all but disappeared.

The world's population has increased from 2.3 billion in 1954 to about 4 billion in 1975, with the expectation that unless the population explosion is controlled, the world population will reach 6.5 billion in the next twenty-five years. Of the present population, more than half are suffering from poverty, malnutrition, and disease.

Tremendous technological advances have occurred, including the capability to explore and locate colonies in outer space, to mine and harvest the resources of the deep seas, to have direct radio and television communication by satellite to any part of the world instantly, and even to bring about changes in the weather for political or economic purposes.

Under the guidance of U.N. agencies, great strides have been made in producing new harder strains of food grains, in establishing world-wide weather monitoring systems, in stamping out malaria, smallpox, and other diseases, and in developing controls over dangerous activities involving nuclear energy.

It is in the field of peacekeeping and in peacemaking that the U.N. has had its most mixed record of successes and failures. One need only to recall the U.N. participation in the Korean War, the Chinese invasion of India, the India-Pakistan War, the Greco-Turkish confrontation in Cyprus, the Vietnam War, and the Middle East wars of 1948, 1967, and 1973 to realize that the U.N. has only been successful in bringing about a cessation of hostilities and the installation of a peacekeeping force when all the affected nations wanted that to happen. Without this willingness, the U.N. has been powerless, but when that willingness was present, the U.N. peacekeeping activities have been valuable as, for example, in the Gaza Strip, the Congo, and Cyprus.

The United Nations Conference on International Organizations was convened in San

Francisco on April 25, 1945, and concluded the drafting of the United Nations Charter and the Statute of the International Court of Justice by June 26. The charter provided that it would come into force when it was ratified by the "Big Five"—China, France, the United Kingdom, the United States, and the U.S.S.R.—and a majority of the other signatory states "in accordance with their respective constitutional processes." The United States government was designated as the depository of ratifications.

The United States Senate ratified the charter on July 28, 1945, by a vote of eighty-nine to two. The United Nations came into existence on October 24 when the ratifications of the Byelorussian S.S.R. and the Ukrainian S.S.R. and the required ratification of the U.S.S.R. were deposited. On October 26 the American secretary of state issued a protocol proclaiming that the charter had become "a part of the law of nations."

The first part of the first session of the General Assembly was held in London in January and February of 1946, and the second part of the first session was held at Flushing Meadows on Long Island from October to December of 1948.

TODAY'S PROBLEMS AND CHALLENGES

In today's interdependent but far-from-orderly world, the U.N. on a global scale faces all the problems of the individual nations. We should never forget that the U.N. is not a separate supragovernmental organization; it is a vehicle for expressing the wishes and needs of individual member states that are jealous of their sovereignty, and it can act only when those member states, including the great powers, arrive at a workable consensus as to the nature of the problem and the desired method of meeting it.

In the last half of the decade of the 1970s, some of the major problems confronting the nations of the world and, therefore, the United Nations are:

1. The need to narrow the growing gap in living standards between the developed and developing nations by finding ways to feed, clothe, house, and find employment for the two thirds of the world's population now located in the less developed countries, most of which lie in the southern hemisphere.

2. The need to develop, utilize, and protect the natural resources of the land and the seas in ways that will benefit all countries more fairly than heretofore.

3. The need to protect the world environment from ever-increasing pollution, without unduly restricting industrial development.

4. The need to establish better means of peaceful settlement of disputes between nations, including such varied techniques as creation of permanent peacekeeping forces under United Nations control, greater use of the International Court of Justice and other courts, arbitration, and mediation.

5. The need to strengthen the respect of nations for individual rights and freedoms by eliminating discrimination on account of race, religion, sex, color, or national origin; guaranteeing rights of emigration and return eliminating slavery, torture, and child marriage (which still exist in some countries); and providing a forum within the U.N. for the presentation and handling of individuals' grievances against nations.

6. The need to find ways of regulating the international activities of multinational business enterprises so as to produce greater benefits for host countries, without unreasonably hampering those enterprises and driving away needed investment.

7. The need to achieve a permanent state of peace in the Middle East.

8. The need to develop effective means of controlling the production, sale, and use of both strategic and conventional armaments.

SOME ROCKS AND SHOALS

That list of problems points up the obvious fact that there shall have to be considerable exertion of collective efforts, self-restraint, and compromise by the member nations if these problems are to be solved before they become insoluble. And yet there are some areas in which the actions of some nations now are creating increased tensions and the seeds of turmoil within the U.N., which could seriously hamper its effectiveness or even tear it apart. For example:

1. In 1974 the General Assembly, at the urging of the developing countries of the third world, adopted a Charter of Economic Rights and Duties of States. It declares the right of each nation to exploit its own natural resources and to nationalize or expropriate the property of foreign investors, with compensation paid according to its own law and without regard for international law principles, such as the right of the former owner to receive prompt, reasonable, and effective compensation for the seized property.

2. Many nations, led by the Arab states, have recently announced a concerted plan to attempt to expel or suspend a member nation—Israel—from the U.N. and its specialized agencies or to deprive it of participation in the activities of those agencies, in violation of Articles 5 and 6 of the United Nations Charter. Similar actions have been taken in the past against the Republic of South Africa. These actions have caused Secretary of State Kissinger to warn that "those who seek to manipulate U.N. membership by procedural abuse may well inherit an empty shell."

3. In earlier times the United States usually could muster an "automatic majority" of votes in the General Assembly but often encountered the veto of the U.S.S.R. in the Security Council. Now the shoe is on the other foot. The third world frequently produces in the General Assembly, by a bloc vote, unrealistic and unenforceable resolutions. This has caused President Ford to warn the General Assembly against the "tyranny of the majority."

4. In the struggle to gain control over ocean resources such as fish, offshore oil, and minerals from the seabed, some nations are claiming territorial dominion over the seas adjacent to their shores for a distance of as much as 200 miles. If some agreement is not reached soon in the pending conferences on the law of the sea, the conflicting economic interests of nations could lead to unrestrained unilateral acts of exploitation that could even produce armed conflicts between "have" and "have not" nations.

5. In some respects the U.N. Charter is inadequate to meet today's conditions. Yet there is fear, in the United States and elsewhere, that any attempt to revise the charter might produce, because of political bloc pressure, new provisions that would be more undesirable than the present provisions.

While some of these rocks and shoals might be enough to cause the U.N. ship to be damaged or even founder, it is hoped that enough collective good will and accommodation shall be found to permit a safe passage.

THE AMERICAN BAR ASSOCIATION AND THE U.N.

In the past thirty years the American Bar Association's attitude toward the U.N. and its activities has been somewhat ambivalent. The Association is on record as supporting the United Nations, yet in the 1950s the Committee on World Peace through Law and the Committee on Peace and Law through the United Nations (later to be combined into the Standing Committee on World Order under Law) frequently took diametrically opposed positions on specific U.N. issues. While the Association annually appoints a representative to the United States Mission to the United Nations, the Association's early mistrust of the U.N. itself has resulted in the

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soldiers to the basic officers course in 1975 are outright dictatorships. Bolivia, presided over by the repressive Col. Hugo Banzer, sent 1,203 students. The once-democratic Uruguay, which now has what experts believe is the highest per capita ratio of political prisoners in the world, sent 37 students.

SMALL BUSINESSMEN SUFFER

Mr. CURTIS. Mr. President, it was with considerable distress that I learned Tuesday that Senate and House conferees on the Labor-HEW appropriations bill had struck two blows against the small businessmen of America.

To refresh the memories of my colleagues, I would point out that in deliberations on the Labor-HEW appropriations this year, the Senate approved three amendments to the Occupational Safety and Health Act.

These amendments were designed to eliminate or reduce burdens that have proved very costly and unreasonable to small, independent businesses.

I sponsored one of those amendments, which passed by a vote of 48 to 45 on September 24. My amendment in effect exempted employers having three or fewer employees from requirements of the Occupational Safety and Health Act.

Another amendment, sponsored by the Senators from Louisiana and Florida (Mr. JOHNSTON and Mr. CHILES) was passed by a voice vote on September 17. It limited to \$50 the amount of a fine for first-time, nonserious violations of the Occupational Safety and Health Act. Such fines at present can be levied at up to \$1,000 and are most injurious to small businesses.

A third amendment sponsored by the Senators from South Dakota and Louisiana (Mr. ABOUREZK and Mr. JOHNSTON) was passed on September 17. It exempted small businesses with 15 or fewer employees from the costly, time-consuming, and burdensome tasks of the record-keeping and reporting requirements of the Occupational Safety and Health Act.

Mr. President, at the time we adopted these amendments, I felt we had at last begun to show some reason and understanding of the problems and plight of small businessmen in this country.

Now, however, I am shocked to know that the will of the majority of this body has been overruled by the conferees on the Labor-HEW appropriations bill which was passed with those three small business amendments on September 26.

I learned of the action of the conferees on Tuesday, when a short article in the Wall Street Journal reports that the conferees dropped the two Senate amendments which exempted small businesses with three or fewer employees from OSHA, and which established the \$50 maximum fine for a first time non-serious violation.

The small businessmen and farmers of the country are entitled to an explanation from the conferees.

Mr. President, I am aware that the bill that passed the House did not contain the two amendments as passed by the Senate. But, I would point out that the House last year—on June 27—passed an amendment to the same appropriations bill to exempt small businesses with

25 or fewer employees from the Occupational Safety and Health Act.

This is no small matter to the hundreds of thousands of small businessmen across the country whose very livelihoods are threatened by ever-increasing Government regulations, restrictions, and requirements.

I think the action by the Senate and House conferees in reversing the majority decision of the Senate is a great error.

PLANNING A PLANT

Mr. HARRY F. BYRD, JR. Mr. President, the October 22 Wall Street Journal carried a front page article about a leading Virginia corporation, the A. H. Robins Co. of Richmond.

The plant was dedicated last week at a Petersburg, Va., site which was selected with the help of State development officials and will result in new jobs for Virginians.

The author of the article, Victor F. Zonana, points out that there are many new plants being built in the United States, but that this story illustrates well, "how real people make real decisions in the real world."

I ask unanimous consent that the article be printed in the Record.

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

PLANNING A PLANT: HOW A. H. ROBINS CO. MADE DECISION TO BUILD A CHEMICAL FACILITY

(By Victor F. Zonana)

PETERSBURG, VA.—At noon today, A. H. Robins Co. will hold a luncheon for Petersburg city officials at the local Ramada Inn to announce plans for a \$6 million chemical plant and service facility here.

As business news goes, the announcement wouldn't normally rate much attention. A. H. Robins, a big pharmaceutical concern headquartered in Richmond about 30 miles north of Petersburg, has made far larger investments. Other companies across the nation in the next few days doubtless will unveil bigger plans.

But the story of how A. H. Robins came to make its investment here is nonetheless worth telling. It's a tale of more than a year of intensive planning, of intracompany warfare and of unexpected economic and business developments—as well as of how real people make real decisions in the real world "that you'd never learn about at Harvard Business School," as one Robins insider puts it. Among other things, Robins started out planning to build or buy a plant of its own; it wound up, almost at the last minute, in a joint venture with a big West German pharmaceutical concern, Boehringer Ingelheim Associated Cos.

IMPORTANT DECISIONS

The story is also important for what it tells of the problems that businessmen face these days in trying to decide whether to commit funds to capital projects, whatever their size. The level of capital spending this year and next is likely to be a key factor in determining whether and how fast the American economy recovers from its worst recession in decades. Last month, the Commerce Department projected that 1975 capital spending would plummet 11.5% below last year's, and most economists are cautious about next year's outlook.

The story of the A. H. Robins project actually begins in 1958, when company chem-

ists first synthesized a white powdery chemical called methocarbomal. A muscle relaxant, methocarbomal was patented and sold in pill form under the name Robaxyn after receiving government clearance. Contracts were given to several chemical makers to supply Robins with raw methocarbomal, since the company only made finished pharmaceuticals.

Robaxyn was a big success. By 1967, Robins believed it was buying enough methocarbomal to consider making the chemical for itself. The company was also purchasing large volumes of glyceryl guaiacolate (GG) for its Robitussin cough medicine, and since methocarbomal was a derivative of GG, manufacture of the two petrochemicals seemed desirable, according to William L. Zimmer III, Robins' 63-year-old president.

DELAYED BY FDA STUDY

But the idea hit a snag and was shelved in 1970 when the Food and Drug Administration's Drug Efficacy Study, an industry-wide review of pharmaceuticals, gave methocarbomal a "questionable" rating. Although the FDA eventually cleared the chemical in 1974, the review kept methocarbomal, along with Mr. Zimmer's idea of manufacturing it and GG, under a cloud for four years.

The idea was revived by the 1973-74 oil crisis and the resulting shortages of petroleum-based chemicals. "Skyrocketing chemical prices were cutting into our profit margins," Mr. Zimmer says, noting that the price of methocarbomal shot up more than 40% in 1974 alone. Even worse, at times methocarbomal and GG were unavailable at any price; the costly production slowdowns that ensued "were cutting into the lifeblood of our business," Mr. Zimmer says. He says he decided in April 1974 that Robins "would no longer be a pawn of the market."

On May 16, 1974, Robert G. Watts, senior vice president, sent a memo to the heads of seven corporate divisions. "Mr. Zimmer has requested that immediate attention be given to the feasibility of the manufacture of selected chemicals," the memo stated. It announced creation of a secret, high-level task force to "be responsible for providing recommendations for compounds to be considered, acquisition possibilities, site selection and facilities, as well as financial justification for same."

TWO TEAMS SET UP

The task force met June 1, 1974, and was quickly broken down into two subgroups, one to study the acquisition of a chemical plant and the other to look into building one from scratch.

The "build" unit, headed by Mr. Watts, a tough 42-year-old ex-Navy officer, sought out six process engineering firms and was approached by dozens more. "These engineers have a grapevine that's incredible," Mr. Watts says. "You talk to one and they all come along." In early October the group settled on Lockwood-Greene Engineering Co., Atlanta.

In March 1975, Lockwood Greene delivered to Robins an inch-thick, \$18,000 volume that detailed design criteria, the chemical-making process, an equipment list, environmental impact statement, project schedule, drawings and most important, a preliminary cost estimate. The engineering firm calculated that a plant making 200,000 pounds of GG and 500,000 pounds of methocarbomal annually, Robins' projected 1978 needs, would cost \$6 million, plus 30% or minus 20%.

Robins' officers calculated that the same amounts of chemicals would cost \$6,050,000 if purchased on the open market, but that it could be manufactured for only \$3.5 million. Based on a \$6.2 million capital outlay (\$6 million for the plant and \$200,000 for the land), the pretax return on investment (compared with continued outside pur-

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chases) would exceed 40%, and the investment would pay for itself in less than three years.

Meanwhile, consultants for the "buy" team identified over 100 existing plants that seemed to meet Robins' needs. Of these, about 20 were actually contacted by the company and three strong candidates ultimately emerged. One was Hexagon Laboratories Inc., New York, which later was acquired by the West German concern that eventually became Robins' partner in the joint venture in Petersburg.

Hexagon was up for sale and it was already a big supplier of methocarbomal to Robins. Little plant modification would have been necessary. "But Hexagon was in the Bronx and there was no room for possible expansion," Ernest L. Bender Jr., senior vice president of Robins, says. Also, a Robins spokesman notes, "Hexagon's plant was unionized, and we've always tried to steer clear of unions." The buy group finally settled on a plant in Sheboygan, Wis.

The "build" and "buy" units developed a keen rivalry, with personal reputations and egos becoming involved in the outcome. "The acquisitions people were desperate for something big," Mr. Watts asserts. "They really wanted another feather in their cap." One member of the acquisition team retorts that Mr. Watts wanted to build a plant "so that he could have another picture hanging on his wall." (Mr. Watts' office wall bears architectural renderings of plants he has been responsible for in Puerto Rico and Richmond.)

Mr. Zimmer minimizes the effect of the rivalry; he says he had hoped for just such "creative tension." But in the meantime, more serious questions were being raised—including doubts about whether Robins should get into the chemical business at all.

A CASE OF COLD FEET

Carl Lumsford, vice president in charge of chemical research—and one of the discoverers of methocarbomal in 1958—had begun to develop cold feet about the project. He suggested that the proposed plant be scaled down by about half.

"You just don't go out and build a chemical plant," he recalls saying. "It takes expertise and technical know-how. Since this was our first move into a new area, I thought it would be well to leave room for a third party to supply us. There's always the possibility for a plant going down because of fire or some other catastrophe."

Mr. Lumsford's hesitation came on the heels of a study commissioned by Robins from Chase Manhattan Bank. The Chase analysis argued that Robins shouldn't go through with the project because of the cyclical nature of the chemical business. By prudent hedging operations—buying supplies when prices were low—Robins could assure itself of the necessary raw materials, they said.

Mr. Zimmer, still vividly remembering the 1973 oil embargo, rejected the Chase argument out of hand. "Any savings we'd obtain would quickly be lost if supplies were interrupted," he says. Of Mr. Lumsford's objections, Mr. Watts says dryly, "I think our suppliers convinced him."

Ironically, however, it was Mr. Lumsford's vision of the course Robins should take that came closest to what actually happened—although not necessarily for the reasons he cited.

ECONOMIC ILLS NOTED

Planning for the project was coming to a head in the midst of a precipitous decline in the economy. "Some of our meetings were pretty strained," one insider recalls. "Inflation was rushing along and the recession just kept getting worse. Some of us felt we were just spinning wheels, that the state of

the economy—the sheer uncertainty of it all—would preclude a big commitment of capital."

G. E. R. Stiles, vice president and treasurer, says those who were worried about the recession were overruled because a company can't look at short-term fluctuations in determining capital spending policies. "This is long-term planning," he says. A recession, he adds, "is a one-to-three year thing. When you're talking about a new plant, you're talking 10 to 20 years." Besides, Robins was able to minimize the recession's impact because a strong balance sheet allowed the company to finance the project internally rather than compete for funds on the capital markets.

By last March, the management team had studied its "build" and "buy" options for about 10 months, and a showdown was slated. The proponents of purchasing the Sheboygan plant made a persuasive presentation. The next day, the "build" forces counterattacked with an equally persuasive proposal, aided by an artist's sketch, for a custom-built facility in Virginia. The costs were about equal.

DECISION: TO BUILD

The decision, by Mr. Zimmer in consultation with Chairman E. Claiborne Robins Sr., went in favor of the "build" team. "We really wanted that damned plant in Virginia," Mr. Zimmer says. "That way we can run down and touch it just to make sure it's there every once in a while." Virginia industrial development officials were asked to help choose the site; they assigned the project the code name "Operation Dogwood" and soon narrowed the search to nine possible locations.

But no sooner had the decision seemingly been made between "buy" and "build" than a third possibility arose. Hexagon Laboratories, the Bronx concern considered as a potential purchase possibility, had been acquired in February for \$4 million by Boehringer Ingelheim, a big pharmaceutical and chemical concern based in Ingelheim, West Germany. Subsequently, Hexagon officials had gotten wind of Robins' plans for a captive source of methocarbomal and GG, and two Hexagon representatives were dispatched to Richmond in April in an effort to keep the Robins' business.

Hexagon offered to build a plant in Virginia and negotiate a long-term sales agreement with Robins. Robins, which had gone this far down the road, demurred. Hexagon offered Robins an equity interest in the plant as a sweetener. Mr. Zimmer struck: "I said 50% or nothing at all. Take it or leave it."

"I almost dropped my teeth," recalls Mr. Lumsford, who was at the meeting and saw a joint venture with an experienced chemical concern as the solution to his fears about building a chemical plant. Mr. Lumsford worried that Mr. Zimmer's insistence on a half interest might be unacceptable to Boehringer.

But Boehringer eventually agreed to the transaction. Most of the plant's output would be sold to Robins. profits would be divided equally and Robins would have an option to buy Hexagon's share after an unspecified period of time. The package neatly disposed of nearly all the objections that various Robins factions had about the build or buy options. Among other things, for example, it will allow Robins to hold capital spending next year to about \$7 million, the same as this year, because Robins' share of the project will result in an outlay of only about \$1.5 million to \$2 million next year, with the remainder in 1977. The plant is slated to open in early 1978.

"We'd have probably gone ahead alone and built a new plant," Mr. Zimmer says, "but the joint venture sure makes us feel more confident about this project."

REMOVING PUBLIC LANDS FROM ACCESS FOR MINERAL EXPLORATION AND DEVELOPMENT

Mr. STEVENS. Mr. President, in recent years we have seen an accelerating trend toward removing our public lands from access for mineral exploration and development. This is a dangerous course in my opinion.

As less lands are left available for sensible development, the inevitable results will be twofold: a serious shortage of domestic minerals and an increasing dependence upon foreign sources. As the oil embargo should have taught us, dependence upon foreign sources for critically needed resources is extremely ill-advisable. We cannot afford it with oil and we cannot afford it with minerals.

Recently, two employees of the Department of the Interior, Gary Bennethum and L. Courtland Lee, completed on their own time an extensive survey of recent public land withdrawals which eliminated land from the mining and mineral leasing laws. Their report entitled, "Is Our Account Overdrawn?" appeared in a recent special edition of the Mining Congress Journal. The complete report is excellent and I recommend it to the Senate. I ask unanimous consent that the portions of the article relating to Alaska and the summary be printed in the RECORD.

There being no objection, the pertinent portions of the article were ordered to be printed in the RECORD, as follows:

ALASKA NATIVE CLAIMS SETTLEMENT

The land use and ownership situation in Alaska is extremely complicated and requires some historical background to fully understand what has happened to our account in recent years and what will likely happen in the future.

By the time it entered the Union in 1959, only 600,000 acres of land in Alaska were in private ownership. The remainder was public domain which included significant withdrawals from the mineral laws, mostly in military reservation, national parks, wildlife refuges and petroleum reserves. As the state started to select lands granted to it in its statehood entitlement, native groups protested that the state was selecting lands to which they had rights. To protect the lands until the native rights could be determined, Secretary of the Interior Stewart Udall in 1966 imposed a freeze on all Alaskan public land auctions, including withdrawals. Pressures to resolve the native question were intensified after the discovery of oil in 1968 and culminated in passage of the Alaskan Native Claims Settlement Act (ANCSA) of 1971, which was supposed to end the freeze and finally settle the land issues.

The act effectively withdrew all unreserved public lands in Alaska from the Mining Laws (except for metalliferous minerals) and the mineral leasing laws for a period of 90 days and authorized the Secretary to make any necessary withdrawals under the existing law and authority to protect the land from state and private ownership and mineral entry.

Under the act, Congress awarded the natives nearly \$1 billion for regional development corporations and 40 million acres of land to be selected from a pool of 25 townships adjoining each native village. Withdrawals for villages and regional deficiencies for villages withdrawn by the act itself terminate Dec. 18, 1975; however, the subsequent withdrawals made by the executive pursuant