HOUSE OF REPRESENTATIVES—*Monday, April 10, 1972*

The House met at 12 o'clock noon.

Rev. Jack P. Lowndes, president, Home Mission Board, Southern Baptist Convention, and pastor, Memorial Baptist Church, Arlington, Va., offered the following prayer:

The earth is the Lord's and the fullness thereof, the world and those who dwell therein.—Psalms 24: 1.

Thank you, Father, for "America the Beautiful." We are grateful for our great land and our wonderful people. Forgive us that we have sinned against both and against Thee by our misuse of our resources, both human and natural. Help us to use both for the common welfare of our world.

We pray for those who serve in this body and in other places of service and responsibility in our Nation. Give to them, we pray, the wisdom, courage, and strength they need. Help them to come to the end of this day having made no mistakes and with no regrets.

Give us something of the wisdom that is in Thy Word, something of the love that is in Thy heart, and something of the help that is in Thy hands. In Thy name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 12749. An act to authorize appropriations for the saline water conversion program for fiscal year 1973.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8140. An act to promote the safety of ports, harbors, waterfront areas, and navigable waters of the United States.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1681) entitled "An act to liberalize eligibility for cost-of-living increases in civil service retirement annuities," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McGEE, Mr. RANDOLPH, Mr. BURDICK, Mr. FONG, and Mr. BOGGS to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a joint and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 50. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Brantley project, Pecos River Basin, N. Mex., and for other purposes;

S. 2684. An act to amend section 509 of the Merchant Marine Act, 1936, as amended;

S. 3284. An act to increase the authorization for appropriation for completing work in the Missouri River Basin by the Secretary of the Interior;

S. 3323. An act to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes;

S. 3457. An act for the relief of Katherine Kasaftes Schneider;

S.J. Res. 218. Joint resolution to extend the authority conferred by the Export Administration Act of 1969; and

S. Con. Res. 74. Concurrent resolution authorizing the printing of additional copies of Senate Report 92–634, entitled "Interim Report of Activities of the Private Welfare and Pension Plan Study, 1971."

The message also announced that the Vice President, pursuant to Senate Concurrent Resolution 63, 92d Congress, appointed Mr. JORDAN of North Carolina, Mr. MANSFIELD, and Mr. COOK as members, on the part of the Senate, of the Joint Committee on Inaugural Ceremonies of 1973.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Wednesday, March 29, 1972, he did on March 30, 1972, sign an enrolled bill of the Senate as follows:

S. 2601—An act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes.

THE HONORABLE MRS. GEORGE ANDREWS

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
April 10, 1972.

Hon. CARL ALBERT,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Please be advised that the Clerk of the House has received the official certification of election issued by the Secretary of State of the State of Alabama, showing that Mrs. George Andrews was elected Member of Congress from the Old Third Congressional District at the Special Election held in the State of Alabama on Tuesday the 4th day of April, 1972 for the unexpired term, ending on the 3d day of January 1973.

The above certification of election is on file in the Clerk's Office.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

The SPEAKER. Will the Member-elect present herself in the well of the House to take the oath of office.

Mrs. GEORGE ANDREWS appeared at the bar of the House and took the oath of office.

THE LATE HONORABLE JAMES F. BYRNES

The SPEAKER. The Chair recognizes the gentleman from South Carolina (Mr. MCMILLAN).

Mr. MCMILLAN. Mr. Speaker, I regretfully announce the passing of our former colleague, the Honorable James F. Byrnes. The late Congressman, Senator, Secretary of State, U.S. Supreme Court Justice, assistant to the President of the United States during World War II, and Governor of South Carolina, passed away yesterday in his South Carolina home. We have always considered the late Justice Byrnes one of South Carolina's greatest statemen, next in fact, to John C. Calhoun, due to his service and leadership, our Nation and the world are better places to live.

Mrs. McMillan joins me in expressing our heartfelt sympathy to his wonderful wife who has been the late Justice's right arm during the years he was so active in our Government, and during the years of his illness in his South Carolina home.

Mr. DORN. Mr. Speaker, James Francis Byrnes served in this House for 14 years, coming to the Congress in 1911 at the age of 32. During this time he lived in the beautiful city of Aiken. My people are proud of the fact that both Jimmy Byrnes and John C. Calhoun represented in Congress a large portion of the present South Carolina Third Congressional District, which it is now my privilege to represent. In the history of this Republic we have had only 55 Secretaries of State. Two of these, Jimmy Byrnes and John C. Calhoun, were from the Third Congressional District and a third, Hugh S. Legare, like Calhoun attended Reverend Waddell's famous academy at Abbeville.

Without question, James F. Byrnes is South Carolina's greatest statesman since Calhoun. He served with distinction at every level of government. His father died shortly before Byrnes was born, and at an early age it was his responsibility to help support his widowed mother. At age 14 he left school to work as a clerk in Judge Benjamin Rutledge's law office. Like his great friend of later years, Barney Baruch, Byrnes early in life recognized the value of shorthand.

He studied shorthand while working at the law firm and then won a competitive exam for a position as court stenographer. It was then that he moved to Aiken, where he studied law in his spare time and passed the South Carolina bar exam. This skill at shorthand was to serve him well years later, as he took shorthand notes of the Yalta Big Three meetings that were of great value to President Truman after the death of President Roosevelt. After practicing law and editing the Aiken Journal and Review for several years, Byrnes was elected solicitor of the Second Judicial Circuit. In 1910 he was elected to the House of Representatives, where he was one of the creators of the Federal aid highway program. Later he was appointed to the Appropriations Committee. While serv-

ing in the House, Byrnes won the friendship and respect of then Assistant Secretary of the Navy Franklin D. Roosevelt.

After Roosevelt became President and Byrnes had been elected to the Senate, Byrnes became Roosevelt's chief legislative spokesmen. He was a master of the legislative process and knew exactly when to stand firm and when to compromise. He was largely responsible for passage of the Lend-Lease Act that was so crucial to final victory in World War II. Byrnes was a loyal, stanch Democrat and was really the Senate floor leader responsible for passage of the New Deal domestic legislation. He was extremely active in National Democratic Party politics and played an important role in the national conventions. Because of his loyalty to the Democratic Party and to President Roosevelt it was widely felt that he had been assured the Vice Presidential nomination in 1944. He went to the convention expecting the nomination, but encountered unforeseen obstacles. It should be noted, Mr. Speaker, that the man who was then nominated for Vice President and who later became President, Harry S. Truman, thought so highly of Byrnes that he appointed him Secretary of State. And as Truman's Secretary of State, Byrnes was next in line for the Presidency. In 1941 Byrnes became the fourth South Carolinian to be appointed to the U.S. Supreme Court. We had the privilege of calling on Mr. Justice Byrnes and having a long conversation with him during his service at the Court, and realized then how he enjoyed his service there. However he answered the President's call and stepped down to become Director of the Office of Economic Stabilization. Later he also was assigned the position of Director of War Mobilization. He operated from the White House and was referred to by President Roosevelt as the "Assistant President." He was in fact in charge of the entire domestic war mobilization. The fact our free and democratic Nation could reach a higher state of war production and efficiency than any of our totalitarian enemies is itself a magnificent tribute to the leadership ability of James Byrnes.

James Byrnes was also a world figure who moved with the giants of that period. He attended the Yalta meetings between Roosevelt, Churchill, and Stalin. And after becoming President Truman's Secretary of State, he accompanied the President to the Potsdam Conference, and later was the senior American delegate to the first meeting of the United Nations General Assembly in London. Byrnes understood the realities of world power. He was the one to initiate a "get tough" policy with the Soviets, for through his dealings with them he realized their aggressive policies. He had not been deceived by Potsdam and Yalta. His strong stand then prevented further aggression. It was Byrnes who played a crucial role in the decisions leading up to the first use of the atomic bomb. Along with Roosevelt, Truman, Churchill, Marshall, and MacArthur he was one of the giants of the World War II era.

As a newly elected Congressman I visited with Prime Minister Churchill after the war and upon learning that I was a South Carolinian he asked that I convey his best wishes to his good friend Jimmy Byrnes. Yes, Mr. Speaker, Byrnes was one of the architects of the destruction of fascism, nazism, and imperialism, and history will rank him with the all time great leaders of Western civilization.

As Governor of our State, Jimmy Byrnes was greatly interested in improving educational facilities for all students. Although he had no children, he personally established a fund that has enabled hundreds of young people to attain higher education.

He earned the high honor of being named a life trustee of Clemson University, located on the site of the Calhoun Plantation in our congressional district. He was devoted to Clemson, and that university now has the official collection of the Byrnes papers that are indispensable to serious students of world history.

Mr. Speaker, during his illustrious career James F. Byrnes presented a magnificent image for the South and for all Americans. During an era of demagogs he stayed in the mainstream of moderation. In any definitive history of the era of the great depression, the dynamic first 100 days of the FDR administration, the New Deal, and final victory in World War II, James F. Byrnes must be given a superior place.

Byrnes and his wife, the former Maude Perkins Busche of Aiken, were married for 66 years. Throughout his career she has been at his side. Mrs. Byrnes has a keen appreciation of the world of public service and politics and has been of tremendous help to Mr. Byrnes throughout his career. She is today in the hearts of all South Carolinians.

Mrs. Dorn, my family, and my constituents join me in conveying to Mrs. Byrnes and to his loved ones our deepest sympathy and respect.

GENERAL LEAVE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks in the RECORD on the life, character, and service of the late Honorable James F. Byrnes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

THE LATE HONORABLE ADAM CLAYTON POWELL

(Mr. CAREY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAREY of New York. Mr. Speaker, on behalf of the members of the New York delegation, it is my responsibility to report the sad news to the House of the death of our former colleague and past chairman of the Education and Labor Committee, the Honorable Adam Clayton Powell, of New York.

I am certain when history makes its judgment on Dr. Powell, he will fare most favorably. Nearly 50 programs of major degree in education, better labor standards, and aid to the poor and elderly became law as a result of his efforts and leadership.

As one who worked with Adam Powell, I learned in the committee and on the floor of his gifts as well as his problems, but particularly of his overriding love and devotion to the work of Congress.

He valued his friendship in this body and respected his colleagues to a high degree. It was because of that that he labored with such determination to regain his seat and was eventually upheld in that determination and perseverance by the highest court in this land.

Now he has gone before the Creator of us all in the highest tribunal which he faces, and that judgment, of course, is the one which will override all others. I trust and I hope that the God he loved and served will remember his zeal for the poor, for children, for equality, and against injustice. Whether you were one who agreed with Adam and admired him, as I did, or one who opposed him on matters when you felt he had to be opposed, I think we can all agree on this: For the life he led and the work he did and the way he served Harlem and New York I think he deserves the respect of our colleagues all over the land at this time. But over all I think he said it best himself when he evaluated his own contribution to his work in public service by saying, "No matter how you look at what I did, I paid my dues."

Mr. Speaker, the members of the New York delegation invite all Members who wish to do so to join in a special order which will be requested by our colleague from New York, Representative RANGEL, on Wednesday of this week, in order that we may pay our dues as Members of this body in terms of the respect we owe him for the service in which he participated for so many years.

Mr. KOCH. Mr. Speaker, will the gentleman yield?

Mr. CAREY of New York. Mr. Speaker, I am delighted to yield to my colleague from New York.

Mr. KOCH. I thank the gentleman for yielding.

Mr. Speaker, I attended the funeral of Adam Clayton Powell yesterday. I know that on Wednesday we of New York will be holding a special order to talk more on Adam Clayton Powell's contribution to our country. But I want to say at this time that when I was first elected and took my seat in January of 1969, one of the first votes I cast was that to seat Adam Clayton Powell in this Congress. I am proud of that vote.

PRAISE AND THANKS TO OUR NAVY, AIR FORCE, MARINE AND ARMY UNITS

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I take this opportunity to give praise and thanks to our Navy, Air Force, Marine, and Army air units for the outstanding job they have done to blunt the North Vietnamese invasion of South Vietnam.

I think this is the time for everyone in the Congress and Nation to give the Commander in Chief our support and prayers to make the right decisions to protect the some 90,000 Americans remaining in South Vietnam.

We must be honest about the situation and admit that it is very serious. If the South Vietnamese do not stand and fight and/or if the weather turns bad to restrict air strikes, then all Americans in South Vietnam will be in extreme danger. In these critical days, we need to eliminate criticism and do all we can to support our forces in South Vietnam.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, I would like to commend the gentleman for bringing up this timely subject.

There can be no doubt in anyone's mind that the North Vietnamese and Vietcong have invaded South Vietnam. This places our South Vietnamese allies and our brave fighting men still left in Vietnam in grave danger. Indeed, their very lives are threatened.

While I do not advocate resuming American ground action, it is our duty to protect our American fighting men with an all-out air attack. Only in this way can we assure their safety, and at the same time force the North Vietnamese to negotiate a just and lasting peace in Southeast Asia on our terms.

We must unite behind our services and protect them from this Communist menace in South Vietnam. These brave Americans have too long carried the cause of freedom alone. There have been too many casualties in this war for us to relent at this late date and allow the North Vietnamese and Vietcong to invade South Vietnam and destroy everything these heroic Americans have fought and died for.

Mr. Speaker, we are getting out of Vietnam, but we cannot allow the North Vietnamese and Vietcong to slaughter our remaining forces and our South Vietnamese allies simply because we took no action to protect them. We must hit the enemy daily with all the air power we can muster and bring this war in Southeast Asia to an honorable end.

AMERICAN LEGION PREAMBLE

(Mr. MADDEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MADDEN. Mr. Speaker, the American Legion Post No. 17, Gary, Ind., last Saturday evening held its annual initiation ceremony and also a banquet honoring veterans of World War I who were the original organizers of post No. 17. Past Commander Donald W. Hynes, of Whiting Post No. 70, Department of Indiana, was the speaker of the evening. Commander Hynes delivered a remarkable summary of the great accomplishments, not only of the local legion posts of the Calumet region of Indiana, but also the great cooperation the American Legion has extended to our country's great civic and economic progress during the last half century.

Commander Hynes also eulogized the principles and declarations set out in the original preamble which has been the foundation for all Legion activities in furthering the cause of patriotism and Americanism in this great land of ours.

Mr. Speaker, I incorporate with my remarks excerpts from the speech of Commander Hynes on this patriotic occasion sponsored by post No. 17, Gary, Ind.

OUR PREAMBLE

Like the Ten Commandments, the ten principles of the Preamble to the Constitution of The American Legion are as good today as when they were first enunciated. Time can never erode them. They are ageless.

The American Legion Preamble has taken its place with other great and lofty expressions of human thought which have been the guides and the compasses by which we steer our aims and aspirations.

The Preamble is a literary and ideological classic. It sparkles with the purest of gems of patriotic thought. It reflects all the spiritual glory of Divine precepts. It is remarkable for the simple brevity into which has been compacted an inspiring pattern for all the future of a free and decent way of life. It has impact as a tenet of faith in God.

The finest gems come in small sizes. The Ten Commandments contain 297 words; the Declaration of Independence has 300 words; Lincoln's Gettysburg speech numbers 266 words. The American Legion's Preamble embracing all the noble concepts of the Ten Commandments, the Declaration of Independence and Lincoln's Gettysburg address, distilled to their simplest essence, is only 117 words long!

Compare that to the government order regulating the price of cabbage under the late and lamented OPS which mustered 26,911 words!

"For God and country, we associate ourselves together for the following purposes:

"To uphold and defend the Constitution of the United States of America; To maintain law and order; to foster and perpetuate a 100-percent Americanism; to preserve the memories and incidents of our associations in the great wars; to inculcate a sense of individual obligation to the community, State and Nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness."

LABOR LOSES A LEADER

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, I know I speak for the entire Massachusetts delegation and the working people of Massachusetts in expressing my deep feelings of regret and keen sense of personal loss over the passing last week of Salvatore Camelio, president of the Massachusetts AFL–CIO. The loss was also the keener because it was so totally unexpected, at least for those of us who were working closely with Salvatore up until just a few weeks ago. Because of my position on the Ways and Means Committee I probably had opportunity to work more closely with Salvatore than would be the case with most Members of the serious economic problems facing this Nation and the State of Massachusetts in particular. It was always a comfort to have the unswerving support of such a longtime crusader for industrial and economic justice as Salvatore Camelio in your corner. If the effectiveness of the head of the most important organization representing a key sector of the economy such as labor is measured at least in part, by the degree of rapport such a leader has with leaders in other segments of society, such as the political field, then Salvatore Camelio has to be ranked as one of the most effective spokesmen and leaders of organized labor we have had in Massachusetts. In a real sense, both the body politic and the economic life in Massachusetts will be that much poorer without the active participation of this great man. Mrs. Burke joins me in extending every sympathy and prayer to Salvatore's bereaved family. I can only hope that the knowledge that others share deeply in their great personal loss make that loss just a little bit easier to bear. I am also including at this point in the RECORD three articles, one from the AFL–CIO News from Washington, D.C., one from the Post-Gazette of Boston, and the other from the Boston Herald Traveler:

[From the AFL–CIO News, Washington, D.C., Apr. 8, 1972]

MASSACHUSETTS UNIONS MOURN SAL CAMELIO

BOSTON.—Salvatore Camelio, president of the Massachusetts AFL–CIO since 1964, died unexpectedly at his home in Belmont, Mass., Mar. 30. He was 66.

Camelio, who also was president of the Middlesex Labor Council since 1959, was a veteran member of the Rubber Workers. He was elected the first president of URW Local 25 in Boston in 1933 and had served as New England director for the URW for a number of years until his retirement in 1970.

He was the secretary-treasurer of the Massachusetts CIO Council from 1946 until merger with the AFL state federation in 1958. Camelio was executive vice president of the State AFL–CIO before he was elected to the top office in 1964.

During World War II, Camelio served on the War Labor Board and the Manpower Advisory Board. He also has served on the boards of Massachusetts Bay United Fund, Governor's Economic Advisory Task Force, Histadrut Council, and was active in a number of community and service organizations.

Camelio was born in Geata, Italy, and came to the United States as a child. He is survived by his wife Angela, five children and three grandchildren.

The executive council of the State AFL–CIO is expected to select a successor to his office shortly. Camelio had one and one-half years remaining in his term.

[From the Boston Herald Traveler, Apr. 1, 1972]

SALVATORE CAMELIO, CHIEF OF STATE LABOR COUNCIL

Salvatore Camelio, 66, of 227 Brighton St., Belmont, president of the Massachusetts State Labor Council, AFL–CIO, since 1964, died suddenly at his home late Thursday.

Camelio, whose career in the labor movement spanned 40 years, devoted a good part of the day he died at the State House arguing against a legislative proposal that he

believed would be detrimental to unemployed workers in Massachusetts.

Messages of condolence were issued by Gov. Sargent and other state officials to his family. His career also included serving in many capacities in civic and governmental activities.

A spokesman for the 500,000-member State Labor Council said, "Organized labor in Massachusetts is stunned by the sudden death of Salvatore Camelio."

Camelio was born in Geata, Italy, April 29, 1906. He came to this country as a child and attended elementary scools and Rindge High in Cambridge.

His first job was at the Boston Woven Hose and Rubber Co., where he was elected the first president of Local 25 of the United Rubber, Cork, Linoleum and Plastic Workers of America in 1933. He held that post to 1936.

He was active in the historical events that paved the way for the birth of the Congress of Industrial Organizations (CIO).

In other official capacities in labor he was New England director of the United Rubber Workers, CIO, and secretary treasurer of the former Massachusetts CIO Council, a post he held from 1946 to 1958 when the AFL and CIO merged.

In 1959, he was elected executive vice president of the Massachusetts State Labor Council AFL–CIO. About the same time he also was elected president of the Middlesex Labor Council in Cambridge, an office he held at his death.

In other activities, he served on the Wage Labor Board during World War II and on the Manpower Advisory Board. He was labor's member on the Board of Education Assistance and he served on the Advisory Board on Transportation, the Mass. Bay United Fund, the Histadrut Council and the state Rate Setting Commission.

He fought for legislative proposals to solve urban problems including air and water pollution, to combat rising hospital costs and to implement rehabilitation programs for juvenile delinquents.

Gov. Sargent said, "The people of the Commonwealth have lost a vigorous leader who devoted his entire life to the development of the labor movement."

Lt. Gov. Donald R. Dwight said Camelio's death "is a grievous loss" to the state. He called him "a great advocate" of the working man and woman and 'gave unstintingly of his time and leadership abilities to public service causes, as well."

Atty. Gen. Robert H. Quinn said, "I was very saddened to hear of the death of Salvatore Camelio, a man whose vigor and commitment to public service was an inspiration to all of us in government."

He leaves his wife, Angela (Fabrigio); two sons, Augustus of Weymouth, a labor attorney, and Dennis of the home address, and three daughters, Mrs. Anne-Marie Dell'Anno of Arlington; Mrs. Carolyn DeMarco of Belmont and Mrs. Corrinne Shanahan of Lowell.

Visiting hours at the DeVito Funeral Home, Mt. Auburn St., Watertown, will be today and tomorrow from 2–4 p.m. and 7–9 p.m.

A funeral Mass will be celebrated in St. Camillus Church, Arlington, Monday, at 10 a.m. Burial will be in Belmont Cemetery, Belmont.

[From the Boston Post-Gazette, Apr. 7, 1972]

SALVATORE CAMELIO, A LABOR LEADER

Salvatore Camelio, 66, of Belmont, died suddenly on Thursday, March 30, 1972, at his home. He was President of the Massachusetts State Labor Council, AFL–CIO, since 1964.

He was born in Gaeta, Italy, and came to this country as a child. He attended the elementary schools and Rindge High in Cambridge.

He was elected first president of Local 25 of the United Rubber Cork, Linoleum and Plastic Workers of America while on his first job, at the Boston Woven Hose, following graduation. This was the start of his career in the labor movement.

He was a highly respected and well loved individual because of his unselfish and generous nature.

Besides a host of friends and relatives, he leaves mourning his loss, his wife Angela (nee Fabrigio), two sons, Augustus of Weymouth and Dennis of Belmont; three daughters, Mrs. Anne-Marie Dell'Anno of Arlington, Mrs. Carolyn DeMarco of Belmont, and Mrs. Corrinne Shanahan of Lowell.

A funeral Mass was celebrated at 10 o'clock on Monday, April 3, at St. Camillus Church in Arlington and interment followed in the Belmont Cemetery in Belmont.

GOVERNMENT INSURANCE, ITT, AND THE AVERAGE TAXPAYER

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, when the Congress considered the increase in the public debt ceiling this winter, I warned about the staggering size of the Federal Government's "contingent debt"—the wide range of insurance and guarantee programs which could be included in the debt if "something went wrong." At the present time, that contingent debt is approaching $1 trillion.

This morning's newspapers reported that part of that contingent debt is coming due.

In particular, ITT is in the process of claiming $108.5 million from a Government insurance agency, the Overseas Private Investment Corp., because of the possible nationalization of ITT's investment in Chile. ITT has paid only about $5 million in premiums in the last 7 years to obtain this insurance.

It appears that the taxpayers of America will soon be called upon to pay for this investment loss.

There is another issue at stake here, however. How is ITT treating its possible losses in Chile with respect to its Federal tax liability? An examination of ITT's 1971 Corporate Annual Report raises some serious questions in this area.

ITT states that its investment in the Chile Telephone Co., is worth $153 million. While this corporation has filed for OPIC insurance worth $108.5 million, its corporate report lists $89,568,000 receivable from OPIC as an asset. Further, ITT's corporate report lists as a one-time writeoff $70 million for uninsured losses in Chilean companies.

These figures do not add up. Since the question of ITT's loss in Chile has a major impact on the corporation's Federal tax situation, and the value of its investments in Chile has been seriously questioned, I am today asking the Internal Revenue Service to take necessary steps to insure an accurate and truthful accounting of ITT's overseas operations.

Following is the entire statement of ITT on income taxes as stated on page 26 of its 1971 annual report:

INCOME TAXES

The effective income tax rates differ from statutory rates principally as a result of (1) inclusion of equity in earnings of Hartford, the finance subsidiaries, and Chilean operations on an after-tax basis, (2) lower tax rates applicable to certain foreign income and capital gains, and (3) "flow-through" of investment credits allowed by United States and foreign governments amounting to $9,200,000 and $3,100,000 in 1971 and 1970, respectively.

Deferred income taxes arise principally from the use of accelerated depreciation for income tax purposes and straight-line depreciation for financial reporting purposes, and from the reflection of other expenditures in differing periods for financial reporting and income tax purposes. Provisions for deferred income taxes of $64,400,000 and $60,400,000 have been charged against 1971 and 1970 consolidated income, respectively, although such taxes will not be payable until future years.

This gives an interesting picture of conglomerate corporate taxation. As far as corporate taxation is concerned, the Treasury is a sieve—very little tax is retained; a great part of the taxpayers' obligation is deferred.

As far as the U.S. Treasury is concerned, income taxes deferred are taxes interred.

THE TORCH WE PASS

(Mr. SYMINGTON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SYMINGTON. Mr. Speaker, America's position in the world as an invulnerable, stable, and justifiably confident power can be enhanced by a number of provisions, but guaranteed by only one, the superior education of our people. Appropriate diplomatic and military precautions will always be vital to our safety and welfare in a world riven by ancient feuds, and still threatened and shaken by aggressive expressions of territorial demand, and ideological fervor. But the serene society in the nuclear age is the one which works its purposes in the main with secondary and not primary reliance on diplomatic sleight-of-hand and gunboat capability. Primary reliance must be placed on the explosive and compelling force of its citizen imagination projected across the spectrum of healthy national development, human fulfillment, world trade, and cultural and artistic expression, the main concerns of a peaceful world, and the principal business of man at his best. The inner strength and outward credibility of such an effort will depend in large measure upon the degree to which its spirit is shared, and its form fashioned by all Americans—which would include the hitherto untapped resources of women, the elderly, the young, and the racial minorities.

A nation at peace with itself is a credible nation. The reverse, as we have seen, to our dismay, is also true.

National security, then, in its larger sense presupposes the realities that make for inner peace as well as the appearances of external readiness. Foremost among such realities would be a clear commitment to educational excellence capable of producing vibrant, self-confident and energetic citizens from every

walk of life and every part of the Nation, not as the exception, but as the rule.

The cornerstone of such a structure of excellence will be the investment we make, not in money alone, but in the vitality and intuitive approaches of our elementary and secondary school systems. All too many twigs have been bent beyond hope of becoming the tall trees we would like to think America grows. Does this mean "improving neighborhood schools?" Of course it does. The neighborhood school has been the school of first and best resort since we had to walk to it. Even today with the spread of our people across the land, it is generally agreed that if we must ride at all, the shorter the ride the better. The school close to home, if a good school, is still the preference of most Americans. Many work and plan to live in certain communities because of the schools that serve them.

Naturally they will reject the notion that a just law could require attendance at more distant schools. This is particularly so when the distant schools are easily recognized as inferior schools. School busing has long been acceptable to the American family where it demonstrably enhances the educational opportunities of its children. It will never be acceptable where it is not convinced that it does so. Experience, as Justice Holmes said, is the life of the law. Much of the experience of court-ordered busing has been unsatisfactory. Some school districts, supported by the parents concerned, have concluded that the children have benefited from such plans. Where successful, they should not be disrupted.

But for the most part the busing experience in question, plus the threat of further requirements of this kind, have brought the country to the realization that a new course must be charted which will preserve the integrity of the neighborhood school concept without renewing or ratifying ancient segregation policies and patterns. Certainly the courts have been saddled with more than their rightful share of the responsibility for solving socioeconomic problems that vastly transcend school attendance arrangements. And they have been allowed by default, one inadequate and inappropriate tool for the purpose, schoolbusing. That is a distortion, both of the problem and of the solution. It came about due to a vacuum of leadership from the executive and legislative branches of the Federal Government, from their counterparts at the State and local level, and from the preeminent forces in the private sector. All these must be marshaled now in a new coalition of enterprise, not alone for the schools, but for the preservation of neighborhoods capable of sustaining first rate schools, for the maintenance of housing standards appropriate to such neighborhoods, and for the job training and work opportunities essential to the creation of life styles and expectations that make for upward mobility in every community.

We were once a dynamic society. We have become somewhat static. That is not our nature. We must make the new starts, the judgments and the sacrifices necessary to get on the move again. It is perhaps a paradox, but domestic tranquility is the produce not of repose in collective indifference, but of activity in shared purposes. We in the St. Louis area have just been reminded of that by HUD Secretary George Romney. Secretary Romney chose St. Louis as one of five cities to be "saved," as it were, not alone by the intervening Federal hand, but by a handclasp between Federal resources and local commitments without which the Federal hand is more clumsy than healing.

What about the Federal commitment to better schools? Today the Federal Government is far deeper into school policy than school support. Less than 8 percent of the Nation's educational costs are borne by the Federal Government. Its money, it can be said, is not yet where its mouth is. In the meantime, property taxes have had to carry a burden made heavier in many instances by Federal requirements. I intend to support the proposal now before Congress that the level of Federal investment in education be raised to 25 percent. Is this prohibitively high? Remember, it is the security of the Nation we are addressing. If we do not want to be a nation on dole, we must be a nation at work. A nation to be at work, must consist of a people capable of understanding and managing the challenges and requirements of modern technology as well as those of an increasingly service-oriented economy. That understanding and confidence must come early. And the schools must provide it. Nor may they be expected to provide it with inadequate materials, crumbling facilities, and underpaid teachers and counselors in slum environments. Education neither begins nor ends at the school gate.

If the matter were to be examined in the light of priorities for the Federal tax dollar, we could reflect on the estimate that some 4,000 such dollars have been spent on ammunition alone to account for each enemy soldier killed in the Indochina war, while some 40 of such dollars are annually invested in the education of each American child.

We have never been a nation paralyzed by alternatives. We have shown frequently in the past that we can rise to the challenge of the times. Today we have a balance-of-payments problem, a trade deficit, an environmental problem, and an energy crisis, to name a few. We must surmount these problems of peace if we would avoid the problem of war. And we have a people eager to solve them. But they will be solved by refined intellect, not raw passion. The conditioning of the intellect and attitudes of young Americans in a decent and moral environment is our first order of national business.

We would have the family of nations believe that the new generation to which we pass the torch, can "truly light the world." It is more likely to believe that, and so are we, when we have fully illuminated the American spirit here at home. And this we will, by the light that comes to us in an unbroken beam of two centuries, the light of reason and commonsense.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C., *April 4, 1972.*

The Honorable the SPEAKER,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's office at 12:07 p.m. on Tuesday, April 4, 1972, and said to contain a message from the President wherein he transmits the 1971 report on the International Coffee Agreement.

With kind regards, I am.

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.
By W. RAYMOND COLLEY.

THE 1971 REPORT ON INTERNATIONAL COFFEE AGREEMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

I transmit herewith my report on the operations of the International Coffee Agreement during 1971.

Last year the International Coffee Agreement proved its continuing value as an instrument of international economic cooperation. The 62 members of the International Coffee Organization worked together effectively to stabilize world coffee trade.

This stability serves the interests of the United States in two important respects.

First, it benefits the American consumer by helping to prevent the recurrence of the extremely high coffee prices recorded in the years prior to the Agreement. In 1971, for example, the International Coffee Organization successfully dealt with the supply crisis of the previous years and served to bring down the price of our imported green coffee by eight cents per pound between January and December.

Secondly, the International Coffee Organization reduces the fluctuation in the foreign exchange earnings of coffee producers. It thereby supports the development efforts of over 40 nations in Latin America, Africa, and Asia and supports our own aid objectives.

The recent passage by the Congress of enabling legislation permits us to fulfill certain of our obligations under the Agreement. Approval of this important legislation constitutes an important reaffirmation of our determination to cooperate with the developing countries.

RICHARD NIXON.

THE WHITE HOUSE, *April 4, 1972.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
April 5, 1972.

The Honorable the SPEAKER,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 11:40 a.m. on Wednesday, April 5, 1972, and said to contain a message from the President wherein he transmits the 1971 report on activities and accomplishments during 1971 under the Communications Satellite Act of 1962.

With kind regards, I am,
Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.
By W. RAYMOND COLLEY.

REPORT ON ACTIVITIES AND ACCOMPLISHMENTS DURING 1971 UNDER THE COMMUNICATIONS SATELLITE ACT OF 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-279)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

In the relatively short span of seven years, communications by satellite has changed the world forever. We now live in one very real sense, much closer to other peoples and to faraway events.

The fast-developing science of satellite communications must rate as one of the true marvels of the 20th century—a technological triumph that is bringing greater understanding to a world badly in need of closer ties and deeper insights.

As one might expect, the seven years since the launching of the first communications satellite, Early Bird, have been filled with important developments in this new field. The year 1971 was one of particular accomplishment, since it marked the completion of two years of multilateral negotiations which produced the governing instruments for the International Telecommunications Satellite Consortium. When the resulting Definitive Agreements come into force, possibly in 1972, that will signal the start of a new era for this highly successful organization.

It is my pleasure to report to the Congress on our activities and accomplishments in 1971 under the Communications Satellite Act of 1962. I am certain the Congress will share my fascination and satisfaction with the speed in which participation in satellite communications is spreading across the world as a new and constructive force among nations and peoples.

RICHARD NIXON.

THE WHITE HOUSE, *April 5, 1972.*

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 30, 1972:

H.R. 10390. An act to extend the life of the Indian Claims Commission, and for other purposes.

On April 6, 1972:

H.R. 9526. An act to authorize certain naval vessel loans, and for other purposes.

ANNUAL REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING, FISCAL YEAR 1971—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

In accordance with section 396(i) of the Public Broadcasting Act of 1967, as amended, I hereby transmit the Annual Report of the Corporation for Public Broadcasting covering the fiscal year July 1, 1970 to June 30, 1971.

RICHARD NIXON.

THE WHITE HOUSE, *April 10, 1972.*

ROBERT E. WOOD, GREAT MERCHANT: PROPOSAL FOR MEMORIALIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, in a statement in the Appendix of the CONGRESSIONAL RECORD of February 16, 1972 on "Gen. Robert E. Wood: Soldier, Panama Canal Builder, and Great Merchant Prince, 1879–1969," I quoted a splendid biographical sketch of him by Gen. William H. Wilbur and a fine tribute in verse by former Congressman Maurice H. Thatcher, both of whom were longtime friends of General Wood.

In response, I received an especially fine letter from George J. Burger, vice president of the National Federation of Independent Business, also a friend of General Wood, who, in addition to supplying additional information, made the suggestion that the Sears, Roebuck Co., so long headed by the general, should erect a memorial to him in that company's headquarters.

Mr. Burger's suggestion was so appropriate that I wrote him concurring with it and recommending that he follow through on the idea.

The exchange of letters follows:

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
February 23, 1972.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

Subject: General Robert E. Wood: Soldier, Panama Canal Builder, and great Merchant Prince, 1879–1969

MY DEAR CONGRESSMAN FLOOD: I refer to your Extension of Remarks in the Appendix of the Congressional Record, February 16, 1972, page 4268 and I fully concur with your splendid tribute to the above, a great man and I don't mean maybe. He called a spade a spade and I am not unmindful, if my memory serves me right, of the position he took prior to our official entry into World War II when I believe he headed the organization, "America First."

In the business world, he established a record second to none as an outstanding retailer. Sears Roebuck and Company should erect a memorial to him in their headquarters as it was due to his leadership and action that took Sears out of the catalog business and made them one of the leading retailers in the nation. This was brought about through his leadership when he effected that contract relationship for their own tire (Allstate) between Goodyear Tire and Rubber Company and Sears. It existed between 1925 and 1936. It had been stated by a competent authority in the tire industry that from that contract relationship, Sears became the largest retailer of tires in the United States (either first or second in that category).

I had the pleasure (which I shall never forget) of meeting with the General in his Sears office in Chicago shortly after the cancellation of that contract (found in violation of the Clayton Act by the Federal Trade Commission). I was then Secretary-General Manager of the National Association of Independent Tire Dealers. I will never forget, in my visits with the General, he minced no words that they would hold their position in the retailing of tires (in spite of the cancellation of the contract by Goodyear). He was very definite on that. It goes without saying that that contract (their own tires) brought about a vote of confidence in their product by the buying public which is still maintained today.

I will never forget that during that conference, the General remarked to me: "Burger, I had the damndest time with Mrs. Woods. She will not buy in any chain store."

Congressman, through no fault of the General, that contract between 1925 and 1936 created cancers in the rubber tire industry which eventually led to the destruction of many small producers and, more serious, thousands upon thousands of independent tire dealers nationwide. Due to that contract, manufacturers' retail stores for the first time were established nationwide (still continues and are increasing) and the pattern is being utilized by many industries throughout the nation. One often wonders what's happening to the enforcement of the Robinson-Patman Act.

Finally, Congressman, in the summer of 1936, or thereabouts, when Goodyear announced the cancellation of the contract (they could not justify the price under the Robinson-Patman Act, the Federal Trade Commission did not accept their action and still held them to the violation of the Clayton Act. Court procedure took place between the government and Goodyear, ending in the U.S. Circuit Court in Cincinnati, in around 1938. In a 2-to-1 decision, the Court sustained Goodyear's action on the contract re the Robinson-Patman Act. The big question in the minds of many of us in the rubber tire industry: What happened within the Federal Trade Commission when an appeal

was not made by them to the U.S. Supreme Court?

In conclusion, again a well-deserved tribute to the late General Woods—and I don't mean maybe.

Sincerely yours,

GEORGE J. BURGER,
Vice President.

MARCH 3, 1972.

Mr. GEORGE J. BURGER,
Vice President, National Federation of Independent Business, San Mateo, Calif.

DEAR MR. BURGER: Many thanks for your letter of February 23 telling the story of your connection with General Wood.

I like particularly your idea for a memorial to him and suggest that it be a statue.

I trust that you will follow through on the idea because we ought to keep alive the memory of the leaders who have made our country great.

Sincerely yours,

DANIEL J. FLOOD,
Member of Congress.

SIXTY-TWO DAYS, AND STILL NO WORD FROM PRESIDENT NIXON ON TAX REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, it has now been 62 days since House Ways and Means Committee Chairman WILBUR MILLS wrote President Nixon asking for the tax reform proposals the President promised last September. In his February 7 letter, Chairman MILLS pointed out that such proposals should be submitted by March 15 in order for Congress to have time to act on them in this session. That deadline has long since passed, and there has been no response from the President.

In the meantime, a $7.25 billion quick-yield tax reform package, limited enough to be acted on in this session, has been introduced by 59 House Democrats—H.R. 13877. A comprehensive $16 billion tax reform bill has been introduced in the Senate by Senator GAYLORD NELSON and 11 other Democratic Senators—S. 3378. There is thus no dearth of proposals. What is lacking is a commitment from the President, without which it will be difficult, if not impossible, to get meaningful tax reform legislation through the Congress.

An article last week in the Wall Street Journal reported some ferment within the administration, noting that—

> The whole field of estate and gift taxes is one in which the Treasury has been abrim with ideas during Mr. Nixon's time, and officials indicate they're prepared to trot out almost anything the President might order on the income tax front.

It is time for the President to unleash his Treasury Department. If he does so, I am sure he can count on the support of those of us who have been urging tax reform upon him so long and thus far so fruitlessly.

I have been gratified by the great support building up for tax reform around the country, and I hope the President will take note of it. I received an especially good letter today from Jerry Wurf, international president of the American Federation of State, County, and Municipal Employees, and I include it in the RECORD at this point:

AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL–CIO,
Washington, D.C., April 5, 1972.

Hon. HENRY S. REUSS,
U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN REUSS: The American Federation of State, County and Municipal Employees fully supports your efforts at achieving meaningful tax reform through H.R. 13877. The Federal income tax as presently structured has a severe negative impact on our economy. Your legislative proposals go a long way in correcting this. This legislation would not only close several blatant tax loopholes and make the tax structure more equitable, but also address itself to the critical problem of achieving a full employment economy—a highly desirable and necessary goal which the Nixon Administration seems to have lost sight of.

Your proposal is particularly appropriate as it adds a measure of progressivity to the overall tax structure. Currently, much needed public services must rely too heavily on property and sales tax revenues. Your plan stands in stark contrast to President Nixon's value-added proposal which further exacerbates the regressivity of the entire tax structure.

Tax reform is the most reasonable and economically feasible method of dealing with a series of economic problems that confront us. With regard to some of the particulars of your plan, we support the thrust of your major revenue-generating provisions; namely, your treatment of capital gains, the repeal of the Asset Depreciation Range System of accelerated depreciation allowances, and the tightening of the Minimum Tax on "tax preference" income.

You have shown a recognition that attempts at correcting any inequities that may exist in the tax exempt status of state and local bonds must be handled delicately. We agree that any tampering with the tax exempt status of these securities must not impair state and local governments' ability to float debt.

Most importantly, your proposal to tax the income of foreign subsidiaries of American corporations is a vital step in arresting the deterioration in the value of the dollar abroad and in halting the senseless subsidization of a practice which exports American jobs at a time of high unemployment.

We are currently giving the matter of tax reform a rather detailed, in-depth review. In addition to the elements in your bill, we are also studying certain other items which concern us. For example, we are strongly opposed to the current inordinately high levels of depletion allowances for an entire range of minerals.

We actively support the broad thrust of your proposal. If we can be of any assistance in this area of tax reform, please do not hesitate to contact us.

Sincerely,

JERRY WURF,
International President.

COMPENSATION FOR VICTIMS OF VIOLENT CRIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 5 minutes.

Mr. RYAN. Mr. Speaker, 4,000 years ago a great lawgiver, the Babylonian Emperor Hammurabi, promulgated an eminently enlightened regulation:

> If the brigand be not captured, the man who has been robbed shall, in the presence of God, make an itemized statement of his loss, and the city and the Governor shall compensate him.

Four thousand years later, the victim of violent crime remains not only at the physical mercy of his attacker, but at the mercy of his own economic situation as well.

I am introducing legislation—the Violent Crime Victims Compensation Act of 1972—to compensate the victims of violent crime. If we have the persistence to enact this bill into law, we can begin to meet the simple, yet so reasonable, standard set by that long-dead Babylonian ruler.

The need to do so is clear. If an elderly widow attacked on a dark street is lucky enough to recover from a vicious assault, she then must face staggering hospital and medical bills.

The working man or woman hospitalized by a sudden criminal attack not only must scrape together funds to pay the bills, but must do so while recuperating and therefore unable to work.

The tragic victim of crime who is permanently crippled may never work again, becoming dependent upon the meager government payments which are now available.

There is a horrible irony in all this. We help drive people to crime by depriving them of the education, housing, job training, and employment they need. We starve the criminal justice system of funds, so that our prisons do not correct, but mainly serve to confirm the criminality of the men and women we confine in them. Meanwhile, we stand aside and let the victim of crime struggle alone to absorb the tremendous financial burden his victimization places upon him. Even if his attacker is caught, rarely will the offender have the resources to provide monetary restitution to his victim.

The Violent Crime Victims Compensation Act of 1972 is a direct response to one aspect of this dreadful situation. My introduction of it certainly is not meant in any way to imply that the other aspects must not equally be attacked. As a member of the Judiciary Committee's Subcommittee on Prison Reform—Subcommittee No. 3—I can well attest to the enormous reforms needed in our entire criminal justice system. But my bill is an assertion that that Government, which has a duty to assist all citizens, owes an obligation to those whom it has failed.

The British Criminal Injuries Compensation Board has stated the point well:

> No one who is called to deal with those cases in which a blameless victim has been seriously disabled, sometimes for life, or with those cases in which the elderly and infirm have suffered injury and shock, can fail to feel deeply what a worthwhile part is played in the full administration of justice by the power to award compensation.

The issue is one of moral obligation.

Briefly, what does the Violent Crime Victim Compensation Act of 1972 do?

First, it establishes a Federal program to meet the financial needs of the innocent victims of violent crime. A Federal Compensation Board is established with-

in the Department of Justice, authorized to make awards to or on behalf of innocent victims of violent crime. This Board's jurisdiction would be limited to areas chiefly under the jurisdiction of the Federal Government, such as the District of Columbia.

Second, the bill establishes a Federal grant program, to be administered by the Law Enforcement Assistance Administration, a branch of the Justice Department. To receive such a grant, the State would have to establish an agency having the authority to compensate victims of violent crime. The Federal Government would provide up to 75 percent of the costs of the State program.

As to what the State agency shall pay, it must establish a program of compensation equal to that set by the Federal Board. This would mean that 100 percent of all hospital and medical bills would be compensated, as well as 100 percent of any other pecuniary loss or expense—such as funeral expenses—directly related to the criminal's attack on the victim.

In addition, loss of earning power would be compensated; the limit on this would simply be that the compensation could not exceed twice the average weekly salary in the field in which the victim had worked. Compensation for lost earnings would continue until the injured man or woman resumed gainful employment at a rate no less than what he or she earned prior to his injury. Thus, if by some awful tragedy, a person were permanently crippled and could never work again, he or she would always be assured of receiving no less than the income earned before the tragedy. Similarly, dependents of the victim would receive compensation, if the victim were killed. Finally, the victim could also be compensated for pain and suffering for as much as $10,000.

By necessity, I have only very sketchily outlined the Violent Crime Victims Compensation Act of 1972. Thus, I have not detailed the protections against abuse which it contains, or such elements as the ability to require the offender to provide restitution to his victim in certain circumstances. However, I do believe the bill a reasoned, enlightened approach to a devastating problem.

I also want to briefly highlight some of the elements which distinguish my bill from other legislation which has been introduced in this area. My bill, for example, takes account of the possible recalcitrant State which refuses to establish a State compensation agency. Certainly, there is some reason to believe this may happen in light of the failings of numerous State governments to care for the poor and the disadvantaged, who, in inordinate numbers, are the victims of crime. The Violent Crime Victims Compensation Act of 1972 gives the States 3 years to implement State compensation programs. If a State fails to do so, the Federal program will be extended to its citizens. Since this will reduce the amounts of law enforcement assistance funds the State receives for other purposes—such as private State trooper cadres for the Governor—there will be no incentive for the State to stand aside and ignore its responsibility.

Second, my bill authorizes compensation for those injured as a result of the flight or pursuit of a criminal or suspect. All of us have heard of the tragic case of an innocent bystander shot or hurt in the course of attempted arrest. This innocent bystander should not be ignored, and my bill assures that he or she is not, just as it also covers the good Samaritan who intervenes to assist and is hurt.

Third, my bill provides compensation for pain and suffering. While recoveries for these 'intangible' injuries are sometimes abused, it is clear that the victim who rightfully deserves compensation should receive it.

Fourth, my bill imposes no "needs" test. Whether a person earns $5,000 annually or $50,000, his being victimized constitutes a failure of society, and society owes that person the obligation to restore him to his financial position before the crime.

I want to stress several points in closing. Crime is going to persist for a long time in this country. It is going to persist because we as a nation support, either directly or indirectly, violence. Certainly, a country engaged in an immoral conflict in Southeast Asia for so many years cannot be shocked when violence spreads across our own land, in a sense reflecting the violence we perpetrate in Asia. Nor should we be surprised that crime persists and grows so long as powerful lobbies succeed in preventing the passage of potent gun control legislation. Recollection of how Lee Harvey Oswald came to have the gun which he used to assassinate John Kennedy should suffice to tragically make that point. Finally, so long as we deprive the poor, so long as we starve our cities of funds, so long as we continue to perpetrate educational and racial and employment and housing discrimination upon millions of Americans, we must expect that those with whom we as a society deal immorally are going to bridle at the arrogant "law and order" vituperation which spews out of so many public figures' mouths. Law for the rich, and order for the poor, is a prescription for disaster.

I am introducing the Violent Crime Victims Compensation Act of 1972 not as an answer to these vices of our society. I offer it because, so long as this Nation and this Congress allow these vices to persist and to fester, we will have crime. I, for one, would not have society visit upon the victims of crime the deprivation which in such large measure lies at the source of crime. This bill begins the task of change. But, I want to make clear, there are many other tasks yet to be done.

TAX EQUITY FOR SINGLE TAXPAYERS AND WORKING COUPLES

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, this week millions of Americans will be preparing their tax returns for 1971. Appropriately, today the House Ways and Means Committee is holding hearings on the tax inequities that have long existed for unmarried taxpayers and those that have recently evolved for married persons where both the husband and wife work. I have introduced the principal legislation, H.R. 850 as amended, to remove these inequities by establishing a uniform rate structure for married and unmarried taxpayers.

The Tax Reform Act of 1969 brought some equity—effective taxable year 1971—to the country's 29 million unmarried taxpayers, but concurrently made the tax burden for a working couple comparatively higher. My own position is that these inequities will never be resolved until we establish a uniform rate structure for all taxpayers, whether they be married, widowed, divorced, or single. This means that after the allowable deductions and exemptions are taken, the same graduated tax rate would be applied to an individual's taxable income, regardless of one's marital status.

My bill, H.R. 850, introduced on the first day of this Congress has received wide House support. It is now cosponsored by 135 of our colleagues and it has been introduced in the Senate by Senator ABRAHAM RIBICOFF. On March 29 I made some technical changes in this bill to take care of the problem of higher taxes that working husbands and wives are now confronting in paying their 1971 tax bill. These changes are found in H.R. 14193.

With the new tax schedules established by the 1969 Tax Reform Act becoming effective in taxable year 1971, the tax penalty for unmarried taxpayers was reduced; even so, the single taxpayer still pays up to 20 percent more in taxes than a taxpayer filing a joint return; and a head of household pays up to 10 percent more. The actual cost to a taxpayer can best be illustrated by a few examples. A single taxpayer whose taxable income is $12,000 pays $2,630 in taxes; if he were married and filing a joint return, he would pay $2,260—a difference of $370. And of course the rate on any income in excess of $12,000, and before the $14,000 level is higher: 29 percent for the single return and 25 percent for the joint return. The tax penalty for being single at $16,000 is $570; at $20,000, $850; at $50,000, $3,130.

I believe that taxes should reflect differences in a taxpayer's responsibilities for dependent support, but the way to do this is through exemptions for dependents, not through different tax schedules. Requiring as we do today that single persons pay at a higher rate is simply arbitrary. The joint tax return rate for married taxpayers does not reflect the different financial responsibilities in supporting six dependents as opposed to say, one dependent. Furthermore, under the present rate structure a divorcee or widow with three dependents, using the head of household schedule, pays taxes at a higher rate than a married couple with no children. Family responsibilities can most effectively be reflected through an adequate dependent exemption. I have introduced legislation to increase the personal exemption and the exemptions for dependents to $1,200.

Unfortunately, the pinch of having a proliferation of tax schedules for dif-

ferent categories of taxpayers is now being felt not only by unmarried persons, but also by married couples, both of whom work and are presently preparing their tax returns for 1971. Because of the lower rates given to single taxpayers by the 1969 act, some 18 million working couples are finding they would be paying less money in taxes if they were single. This too is an inequity. Acceptance of this inequity is perhaps a result of the belief that salaried work by a wife is a luxury. While it may be true that a wife's income may put some families in the higher income brackets, in most cases, working women come from lower and middle income families, and they are working, often at personal sacrifices to their families, to meet today's high cost of living. The Labor Department has reported that almost half—46 percent—of the women married to men with incomes between $5,000 and $6,999 work. Furthermore, women's median earnings are only about three-fifths of those of men. Women are already victimized by a labor market that underpays them; they should not be further penalized by a tax structure that extracts higher taxes from them.

Let us look for a minute at what the penalty is for the woman who goes to work to supplement her husband's $6,000 income. If her income is also $6,000, the couple will pay $156 more in taxes—using the standard deduction—than if they were two single people filing their individual returns. Effectively, this is a 10-percent surtax on the amount they would be paying if single. Ironically, the surtax is even greater if each earns $4,000 annually: 26.6 percent. Take another example: Should the husband earn $20,000 and the wife $10,000, the couple will pay $467 extra in tax, or a 12-percent surtax. Or in the case of each earning $30,000, the difference is $3,970 or a surtax of 28 percent.

The following is a table prepared by Anita Murray of New York City providing a computation of the penalties for working couples:

1971 FEDERAL INCOME TAX PENALTIES FOR MARRIAGE

	Wife's income										
	$2,000	$4,000	$6,000	$8,000	$10,000	$12,000	$14,000	$16,000	$18,000	$20,000	$30,000
Husband's income:											
$2,000	−$154	−$149	−$136	−$68	−$3	+$21	+$74	+$153	+$233	+$350	+$901
$4,000	−149	−195	−170	−113	−87	−127	−98	−55	+2	+69	+448
$6,000	−136	−170	−156	−138	−176	−240	−247	−227	−220	−178	+21
$8,000	−68	−113	−138	−184	−246	−346	−376	−406	−424	−442	−391
$10,000	−3	−87	−176	−246	−344	−467	−547	−602	−680	−725	−828
$12,000	+21	−127	−240	−346	−467	−640	−745	−860	−965	−1,045	−1,296
$14,000	+74	−98	−247	−376	−547	−745	−910	−1,052	−1,192	−1,297	−1,700
$16,000	+153	−55	−227	−406	−602	−860	−1,052	−1,229	−1,394	−1,532	−2,080
$18,000	+233	+2	−220	−424	−680	−965	−1,192	−1,394	−1,592	−1,758	−2,445
$20,000	+350	+69	−178	−442	−725	−1,045	−1,297	−1,532	−1,758	−1,957	−2,775
$30,000	+901	+448	+21	−391	−828	−1,296	−1,700	−2,080	−2,445	−2,775	−3,970

Note: The standard deduction is assumed in all cases. A negative amount in the chart indicates that the tax as a married couple is higher than for 2 single persons. A positive amount indicates that he tax is lower if the couple is married. The chart was compiled by figuring the Federal income tax for the incomes shown both ways, as a married couple and as two single persons, and subtracting to find the difference.

Our tax code contains a number of tax preferences. What we are asking for here, is not another preference, but simple equity for the unmarried taxpayer and the working couple.

Wherever taxpayer is described as he, replace he with she. Taxes know no sex.

Mr. Speaker, at this time I would like to insert in the CONGRESSIONAL RECORD some of the remarks presented by the witnesses appearing before the Ways and Means Committee. Unfortunately, the lead witness, Miss Vivien Kellums of Connecticut who has worked so long and effectively in pursuit of tax equity for single taxpayers, did not have a prepared statement and so I am not able to include her remarks here.

The list of witnesses and some of the prepared statements available to me follows:

LIST OF WITNESSES SCHEDULED TO APPEAR BEFORE THE COMMITTEE ON WAYS AND MEANS ON THE TAX TREATMENT OF SINGLE PERSONS AND MARRIED PERSONS WHERE BOTH HUSBAND AND WIFE ARE EMPLOYED

MONDAY, APRIL 10, 1972

1. Coordinated testimony presented on behalf of a number of different organizations:
Vivien Kellems, East Haddam, Conn.
Gloria Swanson, New York, N.Y.
Henry Couture, President, Single People United.
Paul Keane, Kent State University graduate student.
Mary E. Frisina, president, Taxpayers' Crusade.
Polly K. Ruhtenberg, Colorado Springs, Colo.
Adrienne N. Neuman, Denver Supporters of Vivien Kellems.

2. Shirley M. Corrigan, Single Persons for Tax Equality Assn.

3. Committee of Single Taxpayers: Patty Cavin, Hon. George L. Murphy, Hon. Robert K. Gray.

4. Hon. Eugene J. McCarthy.

5. Osta Underwood, President, National Federation of Business and Professional Women's Clubs.

6. Christine Beshar, on behalf of the Association of the Bar of the City of New York.

7. Kelly Rueck, Vice President, Air Line Pilots Association.

8. Florence B. Donohue, Chairman, Committee on Taxation and the Working Woman, New York Women's Bar Association.

9. Albert H. Turkus, on behalf of the Tax Reform Research Group.

10. Hon. Robert Cline, State Assemblyman, California.

11. James T. Kelly, Ridgewood, New York.

STATEMENT OF GLORIA SWANSON

Mr. Chairman and Members of the Committee, I am here to speak for Representative Koch's bill H.R. 850 as amended.

I am Gloria Swanson of New York City—mother of three—grandmother of seven—and hopefully a "great grandmother" somewhere just around the corner—and for the curious—yes, my age is 73, which allows me to remember well the cries of indignation during the first World War, when in 1916 the tax was raised from 1% to 2%!! However, the cries very quickly abated when the citizenry were led to believe it was only for the duration of the war.

Nobody likes to be lied to, least of all the government (re taxes). If, however a citizen should lie, even inadvertently, it is called perjury and punishable by law. It must be wonderful to have privileged advantages.

We talk of the importance of parents setting a good example for their children. What about our government's obligation to its citizen's, from whom the employees of the government derive their salaries, to set an example of honesty and justice. Is it any wonder that the young generation is against "the establishments"—? (plural).

My reason for being here today is to add my name to the list of "Georges" who are trying to do something about the outrageous inequities in our tax laws rather than merely complaining.

My prime concern is for the widows because they, I feel sure, have few spokesmen against their cruel taxes.

Just imagine, if you can, what it must mean to lose your spouse after 20—30—40—maybe even 50 years of building a life together. The tragedy of the death is followed by an inheritance tax. Isn't that triple tax? It usually means one thing for the bewildered widow—she must be uprooted from the nest she and her husband built—move to smaller quarters, reorient herself, discard so many memories because there is no longer room for them. Her whole mode of living must be downgraded. Why? How can any government with any sense of justice dole out this kind of treatment? I know of many such cases. She has been robbed of the few comforts and dignity left for her few remaining years. I resent this. Perhaps, because most men do depart first—(yes—even the ones making these outrageous tax laws) they have failed to give this problem enough thought. Remember, I do not fall into this category, but I do have a heart for the defenseless, who in most cases have paid a lion's share of taxes over many, many years.

I feel sure there are many here who will speak on behalf of the married couples who both work—not because they want to but because of sheer necessity—and who messed up their economy? Did they? So I shall confine my remarks to the singles tax. Most of my life I have been in the single bracket. I started working when 14½ years of age. So these United States have received a goodly share of my earnings. During most of these 60 years of taxes there was no consideration given to the plight of the artist in the performing arts. I fell under two categories—married—but mostly single. During the last thirty years I have made but three pictures so I suffered unfair taxes because taxation did not take into consideration the lean years of an artist's career. Now, at least, the artist has a five year period in which to average his income for tax purposes. But only the experts can figure out this one. And what of

the estimated tax? No one in the performing arts can possibly know what his earnings will be next year any more than next month—or tomorrow—yet they are penalized 6% if they are off by a large margin. In place of a five year average why not a tax deferrable certificate?

I do not believe the salaried middle bracket working American minds paying *fair* taxes—but what I do believe he minds and resents paying more taxes than some oil men—some millionaires—some large corporations and crooks. This is an evil!

As Edmund Burke said, "All that is necessary for the triumph of evil is that good men do nothing". May I look forward to you good men and good women to do something to correct these evils. Thank you.

STATEMENT OF TAXPAYERS' CRUSADE OF LOS ANGELES COUNTY

Mr. Chairman, and members of this Committee, I am Mrs. Mary Frisina, 4581 Ambrose Avenue, Los Angeles, California, 90027. I'm here in support of H.R. 850 as amended. As President of the Taxpayer's Crusade of Los Angeles County I want to speak for thousands of single men and women and thousands more married couples both of whom work, who are wage earners, small home owners, and pensioners trying not to lose their homes, as taxes and prices continue to rise. Also single men and women and married couples in small businesses who are battling inflation, higher taxes, precarious and unexpected situations, while there seems to be no end to government demands, and no end to government spending.

I shall confine myself today to the plight of the unskilled, the uneducated and the uninformed.

Take the working mother, victim of a husband not paying child support. She has two choices—keep working, or go on welfare. The day she goes to work, her income tax deductions under Head of Household gives her a little break, not much. To begin with, her salary is in the lower income bracket. She must turn to welfare for supplemental aid—remember the husband is not paying child support. After working awhile, she finds it is not profitable for her to work. She quits her job, is no longer receiving supplemental aid but is now a full fledged recipient of the Aid to Families with Needy Children. As a full fledged receipient she receives more fringe benefits—Medical, dental care, you name it she gets it.

Now, let's take single people men or women, with no children. They are not heads of household as far as the Internal Revenue Service is concerned. They are ones who cannot apply for supplemental aid from the welfare, they cannot receive Medical. The day they become unmarried individuals either by divorce or death their withholding deductions sky rocket, other expenses are higher, food costs go up. And in almost all instances, it is the single person of the family who is looked upon to take care of the elderly parents, for which deductions are not allowed.

It's almost always the single member who has to dole out assistance—money or otherwise—to needy relatives. Because we are crusaders many taxpayers come to our organization for assistance. I want to cite two of numerous cases called to our attention (Proof Attached). Here is an unmarried man with responsibilities who was not being allowed, by the Internal Revenue Service, to fulfill his obligations to his family. At the time of the divorce, the wife was awarded the furniture and the custody of the children; he was awarded the Community Bills and her Attorney Fees. The world falls apart around him—no home, no family, but he still must pay the bills. ($90 month on the furniture bill; $60 month on a loan; $27.00 on the TV, $110 month child support and $120.00 rent). His take home pay is $580 monthly. After expenses (rent, transportation, utilities, union dues) he has approx $102 a month to live on.

Then he was served a Notice of Levy by the Internal Revenue Service. They were garnishing his wages for $593.30.

He was not aware that he could not take the regular exemptions inasmuch as he had all the community obligations, and his exspouse became a full fledge welfare recipient. He was uninformed and uneducated. However, he still worked to pay his bills. Since his ex-wife was on welfare, receiving all the benefits, the child support payment was dropped temporarily in order to pay the Internal Revenue Service.

Another case—similar circumstances—received a Notice of Levy from the IRS for $517.53. He was making payments to the IRS, and once sent in a payment $5 short. The next week the IRS advised him they would take his complete check on 6/21/71. The amount of his check for two weeks' work totaled $138.32. IRS kept its word—they took his complete check for $138.32. This garnishment produced a chain of reaction. He had absolutely no funds to take care of his obligations or to live on.

Members of this Committee, we ask you to approve H.R. 850 as amended to give tax equity to single unmarried taxpayers and working married couples.

If you recommend passage of HR 850 as amended I can promise you all of our California Congressmen will support it.

Thank you.

Respectfully submitted,

MRS. MARY E. FRISINA.

STATEMENT OF SINGLE PERSONS FOR TAX EQUALITY ASSOCIATION

Mr. Chairman, members of the committee, my name is Dr. Shirley Corrigan, and I represent the Single Persons for Tax Equality Association, a nonprofit organization incorporated under the laws of the state of Minnesota which favors passage of H.R. 850 as amended.

This association came into being more than three years ago in the Minneapolis-St. Paul metropolitan area and now has members throughout the state of Minnesota, throughout the country and in three overseas areas.

SPTEA adheres to the traditional method of redressing grievances within our democratic society—the organization of an interest group, the awakening of other members of the minority to their plight and the education of the electorate—culminating in the passage of remedial legislation.

I am pleased to report that SPTEA, of which I am a past president, has met with continued success in advancing toward its initial goal—the inclusion of single taxpayers within the split-income provision of the Internal Revenue Code.

Through talks to groups of single people, through information booths in public places, through radio and TV appearances and newspaper articles, and through our April 15th protest marches we have taken our message to the taxpayers.

The results have been both startling and reassuring. Startling because of the large number of people, married and single, who were found to be unaware of the existence or the magnitude of the financial discrimination against single people wrought by the split-income provision as it now stands, and reassuring because of the quick acknowledgment by the great majority of the married of the inequity of the situation once they were made aware of it.

Encouraged by our initial experiences and by our growing strength, we moved into the political arena at the state and national levels. This activity has been conducted on a strictly nonpartisan basis, for this is not a partisan issue. Our governor and all of our state constitutional officers have expressed approval of our goal. During the last session, the Minnesota legislature passed, with only one dissenting vote, a Memorial to Congress urging enactment of the remedial Bills you have before you, which are cosponsored by the entire Minnesota congressional delegation.

The speed with which this political support was obtained confirmd our earlier judgment that the principal obstacle we face in achieving our goal is the lack of general awareness of the problem.

We have had messages of support from all Minnesota congressmen after we had presented our case to them:

With the active support of such able and influential advocates as these, can passage of this legislation be long delayed?

Single people are a minority in comparison with the total population. Yet, in absolute numbers, they represent a sizeable group—approximately 37.5 million people, age 18 and over, including 11.5 million widows and widowers and 4.25 million divorced.

Despite the fact that we generally demand fewer services from our government than our married friends, the government does not reciprocate this lower demand.

These single people are required to pay considerable higher Federal income taxes on the same taxable income, and that same government prefers them for such dangerous tasks as fighting wars, taking them rather than marrieds when it can.

Together with some other minorities, single taxpayers are the victims of segregation. Single taxpayers must use a tax table "separate and unequal" to the one used by the married folk.

There they find rates which, even after enactment of the Tax Reform Act of 1969, impose a tax obligation as much as 20 percent higher than that of married people with the same taxable income.

Single taxpayers who are aware of the story behind this separate table find their annual task especially galling, for they know—

(1) that it is the result of an historical accident,

(2) that contrived justifications for it are extremely weak and

(3) that its constitutionality is being challenged.

All attempted evaluations of the various schemes to match taxes with ability to pay become mired in controversy, but one thing is clear. We have not arrived at the present apportionment by a careful balancing of means, needs and obligations!

The disparity didn't happen because the electorate and the Congress decided that single people should pay more, but because of the working of our Federal system in a way surely not envisioned by our founding fathers.

We all know how it came about, but in their haste, the Congressmen overlooked the unmarried. The unhappy consequences were set forth by Mr. Philip Stern in his book, "The Great Treasury Raid":

"And so, Congress proceeded to act, but with great illogic. It ended one discrimination, but created another. The very distinction that had been considered so unfair to the married persons of forty states was picked up bodily and imposed on the single people of all states."

Family tax expert Harold M. Groves, in his study, "Federal Tax Treatment of the Family," stated:

"It is probably fair to say that the income tax, estate and gift-tax amendments of 1948 were a political compromise dictated by a high-pressure historical situation and that they were hardly a deliberate choice, made after all equities and other consequences were weighed."

It is as simple as this: If all states had been common-law states, the problem would not have arisen and a single tax table would be used by all taxpayers.

Two factors act to increase the impact of

the split-income provision on single taxpayers—the steep progression of the income tax rates in the early part of the rate table and the impact of inflation.

In the basic table from which the split-income table is derived and which was applicable to the incomes of single people before 1971, half of the rise in tax-rate progression is imposed on the first 1/6 of the income subject to it. Splitting provides the greatest percentage of savings to those with incomes in the $20,000 to $50,000 range. Members of the Committee, you will recognize these as your own income brackets.

Added to this has been the impact of inflation. This has propelled more and more people into even higher brackets in terms of money income (which does not represent a real income). Inflationary government policies have, therefore, produced an effective tax increase on real income, which has to some extent been mitigated for married people by the income-splitting provision, but not for single people.

The Tax Reform Act of 1969 has reduced the gap to some extent, but it has provided no relief at all for taxable incomes of $4,000.00 or less and at $24,000 single taxpayers still pay 20 percent more than marrieds.

After the 1948 law, when it was pointed out that single individuals were the only ones still at a disadvantage, recourse was made to the arguments used to justify the advantages already given to married taxpayers by means of personal exemptions and itemized deductions.

In essence, these arguments are based on the proposition that the financial burdens of marriage reduce the ability of married people to pay and, therefore, people who are single, whether by choice or by chance, should pay part of the share of the marrieds. This position gives no recognition to the lesser demand for government services attributable to singles. If *all* taxpayers were married, the revenues would be lowered and the demands for government services would be increased.

Whatever the merits of these arguments, the split-income provision would appear to be a poor vehicle to balance taxes with ability to pay. The major burdens of family life are associated with the raising of children. Yet the benefits of this provision accrue to all couples, childless or otherwise, and whether or not they maintain a household.

Furthermore, the need for extra funds is felt most heavily in the lower income brackets, but the law bestowed its greatest advantage on the middle and upper income groups. It must also be noted that the advantage is given principally to one-income families and not to those in which the wife's income is a significant supplement.

Even if the income-splitting provision were better suited to the aims professed for it, it would not be just in the eyes of single taxpayers. A generalization that single people have greater ability to pay does not stand examination. Singles are not a homogeneous group of carefree swingers. Rather, they exhibit a great diversity, with millions of divorced, widows and widowers in their ranks. Some have family responsibilities and expenses far greater than those of many marrieds—especially those marrieds without children in the home.

Persons living alone pay disproportionately for food, lodging and transportation. Those that never marry must look to their own resources in time of need and at retirement. Here there is further discrimination, for singles get fewer social security benefits than marrieds, but pay the same taxes. Indeed, the discriminations continue even after death in the form of higher taxes on the estates of single people.

One of the results of the Tax Reform Act of 1969, which will be exacerbated by extension of the full income-splitting privilege to single taxpayers, has produced some opposition. This is the apparent "marriage penalty" which affects two-income couples.

SPETA favors tax equality for everyone. We insist, however, that our tax relief should not be delayed or denied because of any difficulties in arriving at this settlement.

A final point I wish to cover is the relationship of this legislation to the overall fiscal policy. While these Bills need not be considered as a tax-cutting measure or evaluated on the basis of their effect on the economy and the revenue needs of the government, passage would provide additional stimulus to our lagging economy.

During the last session, you considered legislation proposed by the President to provide such a stimulus. We asked that our Bills be taken up at the same time, but you did not heed us. Now, tax reform measures have been proposed to eliminate some of the loopholes in the tax laws. We all know these deficiencies exist, but we must also recognize that there are excesses as well, one of which is the "singles' surcharge." Any equitable tax reform must include tax reductions where they are proper, as well as provisions which will produce revenue.

Of the roughly 30 million returns filed by single persons and heads of household in 1969, almost 22 million reported adjusted gross incomes of under $5,000 and more than 28.5 million reported adjusted gross incomes of under $10,000. Monies restored to this underprivileged caste will obviously not end up in socks or under mattresses, but will be quickly spent in day-to-day living, providing a fiscal stimulus for the economy.

Principally, this legislation *must be looked upon as a long-delayed rectification of an injustice. The demands of justice must not be postponed to a time when they can be met conveniently.*

By the bloated standards of today's budget, the cost will not be large—perhaps a billion or two. Such amounts cannot be crucial to a nation which spends 230 billion annually, or to fiscal planners who miscalculate the balance of income and expenditures by more than 20 billion in a single year.

References to higher priorities and claims of revenue shortages are not valid excuses for continued inaction. The tax laws, supposedly reformed in 1969, still shower benefits on favored groups. The taxes collected are squandered in ways which draw groans from taxpayers with each revelation. The Treasury writes off as "uncollectible" several hundreds of millions of tax dollars each year. The Justice Department fails to collect additional millions in fines imposed by the courts.

The money can be found. Our government can afford to be just! I ask you to establish justice by approving H.R. 850 in this committee and by securing its enactment.

Thank you!

STATEMENT BY PATTY CAVIN, OF THE COMMITTEE OF SINGLE TAXPAYERS

Mr. Chairman, I am Patty Cavin, a past president of the Women's National Press Club, widow of F. Edward Cavin, and mother of two young sons. I am here as the Executive Director of CO$T, the Committee of Single Taxpayers, which is a nonprofit, nonpartisan national citizens action group. CO$T was formed last June in the District of Columbia as the full time voice in Washington of the nation's over 30 million individual taxpayers. Our Committee is headed by the Honorable Robert Keith Gray, former Secretary of the Cabinet during the Eisenhower Administration. Our Advisory Co-Chairmen are the Honorable Eugene McCarthy and the Honorable George Murphy, former United States Senators.

In addition to myself, our professional staff consists of one secretary and several hundred volunteers who work in Washington, and with our volunteer CO$T Chairman in major cities and key congressional districts from coast to coast. In addition to mobilizing the individual taxpayer for group action, our goal is effective legislation to establish an equal tax base for all individuals.

I assisted Mr. Gray and Senators Murphy and McCarthy in organizing the Committee last spring, and have directed our Washington headquarters since last September. Out of deference for time, and since our three main principals are present, and prepared to testify, I should like to leave the details of the CO$T Crusade to Bob, Gene and the proverbial George.

Attached are some editorial and newspaper articles about CO$T to illustrate the broad base of interest generated by our Committee in all parts of the country.

Following are a series of quotes from a random sampling of the more than 50,000 letters received by CO$T to date. They illustrate the strong feelings of a representative cross-section of America's 30 million individual taxpayers who cannot understand why they should be singled out for more than their fair share of our country's national tax burden.

Frome Mrs. M. A., Sedro Wooley, Washington:

"My husband passed away in December of 1971. I stood shocked and stunned when I realized there had been $20.13 more taken from my pay check for withholding. Yet I am faced with the very same bills as when my husband was living. My take home pay is $292, thus the $20 is considerable."

From a single in San Mateo, California:

"At the present time, the alternatives facing a single person are grim . . . support another "Boston Tea Party," have four illegitimate children and go on the welfare rolls, or highjack a plane to Outer Mongolia." Does your organization have a more cogent plan of attack so that single people may eventually expect an equitable tax?"

From a recent widow in Lexington, Kentucky:

"I am glad to have the opportunity to join CO$T to fight the unfairness of the tax discrimination of widows and single people. I am a widow as my husband died two years ago. We bought a home on a GI Loan. I have almost 8 years more to pay before it will be mine. I am trying to keep it, but my bills are the same as when he was here, except for the medicine. But he did get social security disability, and a little veteran's bonus, which helped. I am 56 and all I can get now is what I have earned. So I sure could benefit by lower taxes."

From a spinster in Berkeley, California:

"I am single and highly indignant of our government's punitive treatment because I have chosen my way of life. Nowhere in the United States Constitution can I find any words or phrases saying single people must pay higher taxes than other groups of citizens. Why are we being punished? This is also true of California's new withholding tax."

From a bachelor in Lewiston, Idaho:

"It has always been unfair to us who live alone, mainly because we also have to pay for a place to live, pay for a car, and most of the other things that married or "head of household" persons have to do. I consider myself head of my household and all its expenses, and would like to be heard on this issue. It has a very strong smell of discrimination."

From another spinster in Long Beach, California:

"You bet the taxes for single people are unfair! Out of the raise for federal employees in '72, my first check shows a grand total of $1.01 increase, balance paid to taxes. Heads of household and marrieds are averaging $10 to $12 clear. I hate being punished for being single, or not getting pregnant just for another exemption. There must be an easier way . . ."

From a lady in Lakewood, Ohio:

"Thank goodness someone has decided to move in the direction of the over-taxed single taxpayers. Matter of fact, the time is long overdue for taxing the head of a household EXTRA for every child over two. We are

no longer an agricultural economy in which the old man planned to put every child to work the minute he could stumble to the hen house."

From Annabel W. in Fremont, California:

"I am 71, widowed, living alone and am not given the privilege of Head of Household, although I maintain my own home. Property tax this year—$1,702.00; Federal Income Tax last year $924.00; California State Income Tax—$127.00. Living on a pension leaves little for myself."

From Pam D. in Clarkston, Washington:

"I am 21, living alone and I have to watch my funds closely. I would like to go to college but because of bills and the high rate of taxes, I am unable to. Any help I receive will be much appreciated."

STATEMENT BY THE HONORABLE GEORGE MURPHY, FORMER SENATOR FROM CALIFORNIA

Mr. Chairman, the Internal Revenue Commission estimates that there are approximately 30 million bachelors, spinsters, widows, widowers, divorced and married taxpayers who file individual tax returns in the United States today. I am happy to appear before the Ways and Means Committee today as a spokesman for a sizeable portion of these individuals, plus a growing number of married couples with double incomes, who are members of CO$T. Our Committee is obviously nonpartisan!

CO$T was formed in the District of Columbia last June as a national citizens action group to speak and act from Washington for America's previously unorganized minority—the individual taxpayer. Our immediate goal is to end the current tax discrimination and to work for equal and fair tax treatment of ALL individuals.

Gene McCarthy and I may disagree on many things, but we agree on this goal—an equal tax base for all individuals.

CO$T recognizes that laws are changed by organized support. Our Committee is active in all 50 States and Puerto Rico, and has volunteer CO$T Chairmen in Oakland, Los Angeles, San Francisco, Portland, Tacoma, Seattle, Denver, Dallas, Huntsville, St. Louis, Chicago, Boston, Rochester, New York, Pittsburgh, Newark, Tulsa, Chattanooga and Lexington.

Our Committee members come from all categories including single secretaries, tax-accountants, newspaper reporters, lawyers, doctors, nurses, college professors, airline stewardesses, publishers, many senior citizens, retired servicemen, a state commissioner of internal revenue, an American Ambassador, and even a dozer operator from Peck, Idaho!

CO$T also has sizeable membership support from "Parents Without Partners," the national organization of those widowed and divorced; the American Newspaper Women's Club; the National Secretaries Association; the National Association of Retired Federal Employees; and NAST, the National Association of Single Taxpayers which merged with CO$T last August.

One thing has been clear from the start of our Committee, and reflected in the thousands of letters which continue to pour into our P.O. Box 1789 here in Washington, D.C.: the individual taxpayer who has been footing up to 40% more tax burden than his married counterpart, may have suffered in silence since 1948 when Congress legislated the split income provision for marrieds . . . but no longer.

With the cost of living index rising, our members are critically hurt on the national tax front. They consider the 1969 Tax Reorganization Act which lowered their burden to a maximum 20% a mere token—and at best, *conscience legislation.*

The fact that Congress has finally granted to individual taxpayers the right to file as unmarried heads of households, is viewed by CO$T as recognition that Congress has finally realized in part the heavy inequity which exists.

Even *with* head of household status, horrible inequities persist. Take the ridiculous situation whereby a divorced or widowed taxpayer with say three children, using the head of household schedule, pays taxes at a higher rate than a married couple with no children.

The 1969 Tax Act was a step in the right direction, but certainly not the solution.

Out of 74 million 286 thousand tax returns filed in 1970, nearly half were filed by single taxpayers. Why should over 30 million bachelors, widows, divorced and spinsters be *singled out by IRS,* and forced to pay a 20% heavier burden than their married friends?

The Scripps-Howard Daily News headline of last Saturday, "40% of U.S. firms escape all income taxes," reads like a battle cry if you are single and socked with the same expenses as that married coupled next door.

The Committee of Single Taxpayers is not against married, however, and has many married members like the former Director of USIA who joined because he and his wife feel that "taxation must be fair if it is to be borne, if not willingly, at least without resentment."

CO$T sympathizes with the large group of double income married persons. They too were discriminated against by the 1969 Tax Reform. They must now pay up to 40% more than the one income family who files jointly.

While the actual number affected by this '69 "Mistake" is yet to be determined by the Census, a good yardstick is provided by the Bureau of Labor Statistics which reports, as of March, 1971, that there are 17 million couples in the American work force today. This figure is bound to grow as equal rights for women are exercised on the U.S. labor front.

Further proof that the time is right for an equal tax for all individuals is found in simple mathematics. Seventeen million American couples amount to 34 million double income taxpayers. Add this number to the over 30 million individual taxpayers who have, since 1948, been forced to pay an unfair burden for their single status. 64 plus million out of the 74.3 million American taxpayers cannot be wronged indefinitely!

The Committee of Single Taxpayers supports the original Koch Bill H.R. 850 and its amended version, H.R. 14193, that would provide tax equity for single taxpayers and married persons filing separately. As a group, we are in favor of any legislation that would bring about immediate tax equality for all our citizens.

In a period when our government is working wholeheartedly to end discrimination in all its ugly forms, no one can deny we are discriminating unfairly against those, who through circumstances beyond their control or choice, are taxed at a rate that imposes an unfair burden on them.

TESTIMONY PRESENTED ON THE PART OF THE NATIONAL FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS, INC. BY OSTA UNDERWOOD, NATIONAL PRESIDENT, BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS

Mr. Chairman, I am Osta Underwood. It is my honor and privilege to address this Committee concerning H.R. 850 and H.R. 14193, legislation which will extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns, and which will remove rate inequities for married persons where both are employed.

As President of The National Federation of Business and Profesional Women's Clubs, Inc., I represent working women in all of the fifty states, the District of Columbia, Puerto Rico and the Virgin Islands, who are vitally interested in the future of these bills. Our members are lawyers, clerks, saleswomen, secretaries, teachers, managers, and Ph. D.'s. They sufffer the inequities of current tax laws in all income brackets. Among our members are women who are married, single, divorced, and widowed; women who are mothers and grandmothers; women who have in the past and are now, even after their unswerving efforts at tax reform, paying inequitable amounts of income tax vis-a-vis each other and vis-a-vis the rest of the taxpaying public.

We approach you now to urge your prompt approval of the legislation before you which will deal with us uniformly and fairly and will eliminate the inequities I will describe.

Across the nation our membership has come into contact with individuals uniting to defeat the continuation of the unreasonable tax classifications reflected in the rate schedules. From Minnesota, where the State Legislature adopted a Resolution urging the Congress to pass legislation comparable to that presently before you,[1] to Connecticut, where Vivian Kellems' long-suffering efforts against the "penalty" tax for unmarried individuals began,[2] to here in the metropolitan Washington area where the Committee of Single Taxpayers (CO$T), sponsored by former Senators McCarthy and Murphy among others, is flourishing,[3] our membership has seen the attention of the nation turn to the cause we have long supported.

Consider the history upon which we base our position here today.

As you know, the income splitting procedure may be thought of as a product of historical accident. Before World War II, eight states had community property laws which treated income as divided equally between husband and wife. The U.S. Supreme Court ruled that married couples in these states could divide their income and file separate U.S. tax returns.[4] With this in mind, several other states soon passed laws giving their citizens similar tax advantages. In an effort to restore tax equality and to prevent wholesale disruption of local tax and property laws, Congress in 1948 made income splitting a national procedure. While solving the problem for married couples, this legislation increased the relative tax burden on single citizens. Attention was given to this inequity when, in 1951, the heads-of-households provision was enacted giving one-half of the income splitting benefits of married couples to widows, widowers, and certain other single persons with dependents in their households. In 1954 surviving spouses with dependent children were permitted to use the joint return tax rates with full income splitting for two years following the death of the husband or wife.

Prior to the 1969 Tax Reform Act, a single person's tax bill could have been as much as 40.9 percent higher than the tax bill due on a joint return with the same amount of income. The 1969 Act provided a new rate schedule for single taxpayers which reduced this gap to a still staggering 20 percent. The schedule is designed to provide tax liability for single persons which is 17 to 20 percent above that of married couples for taxable incomes between $14,000 and $100,000, with the maximum differential of 20 percent being reached at $20,000. Below $14,000, where income splitting is less beneficial, the excess of the single person's rates over those of married couples gradually decreases. This is also true above $100,000, again where the benefits of income splitting become less significant.[5]

The Tax Reform Act of 1969 also set up a new head-of-household tax rate schedule

---

[1] CONGRESSIONAL RECORD, vol. 117, pt. 32, p. 42193.

[2] CONGRESSIONAL RECORD, vol. 117, pt. 3, pp. 3037–3038 and pt. 6, pp. 6884–6887; Grider, "Miss Kellems Bugs IRS Again," The *Washington Post,* October 19, 1971, at A6, col. 1.

[3] The *Washington Daily News,* August 7, 1971, "Potomac Patter," col. 1.

[4] Poe v. Seaborn, 282 U.S. 101 (1930).

[5] Senate Committee on Finance, Tax Reform Act of 1969, S. Rep. No. 91–552, 91st Congress, 1st Sess., 260–261 (1969).

conveying tax benefits half way between the schedule applicable to joint returns and the new schedule applicable to single persons, and extended the head-of-household tax rates to certain married individuals living apart from their spouses.[6]

That is the history which has given birth to the two inequities which we seek to rectify today:

1. A single person making $8,000 a year pays $210 more in Federal income taxes than a married person making the same salary. A single person making $12,000 annually pays $370 more than a married person making the same salary. The penalties for being unmarried range from a difference of $10 yearly (with an income of $1,500) to $12,110 (with an income of $200,000).[7]

2. A married person making $14,000 a year, whose spouse also earns $14,000 a year, pays $680 more in Federal income taxes, if both spouses file jointly, than two singles who each earn $14,000 a year and file separate returns using the unmarried individual's tax schedule.[8]

To deal with the inequity perpetrated upon the single individual by the current law, H.R. 850 and H.R. 14193 would establish a uniform rate structure for *all* taxpayers and end the tax penalty imposed on the unmarried taxpayer.

As to the inequity perpetrated upon married individuals filing jointly, the establishment, under H.R. 850 and H.R. 14193, of a uniform rate structure for *all* taxpayers would end the tax penalties imposed on married persons where both are employed.

Because of its effectiveness in remedying two problems we set forth earlier, and in establishing an equitable system of income taxation for *all* citizens, we strongly urge your support of this legislation.

We feel it our duty to deal with those criticisms of the legislation of which we are aware.

In support of leaving a 20 percent gap between the tax paid by singles and that paid by marrieds filing jointly, the Report of the Senate Finance Committee on the 1969 Tax Reform Act says:

". . . some difference between the rate of tax paid by single persons and joint returns is appropriate to reflect the additional living expenses of married taxpayers . . ."[9]

and, in support of leaving a 10 percent gap between singles and heads-of-households, the Report says:

". . . there is good reason for maintaining a tax differential between single persons and heads-of-household who in fact maintain a household for a dependent."[10]

To these statements we offer, first, the words of Senator Ribicoff:

"The income tax should reflect differences in condition and responsibilities by allowing reasonable deductions. However, once the taxable income is determined the same rate should apply to all who have the same income, regardless of whether they are married or single.

"Many people attempt to explain the present system by saying that single persons do not bear the costs and responsibilities of raising children. But income splitting under present law does not differentiate among (married) taxpayers in this respect, since the benefit is the same whether or not they have children."[11]

It cannot be stressed too strongly that differences in the responsibilities of individuals should not, and cannot continue to be reflected in the *rate* of tax they pay on their base income after deductions and exemptions. These responsibilities, which surely must be recognized from an income tax standpoint, should be brought home to those who have them in the form of beneficial deductions and exemptions. (To the end that this may be a meaningful benefit, we support legislation to increase the exemption for dependents.)

If this policy change does not take place, the misplaced good intentions of prior Congresses will cause the anomalous situation to persist in which widows and divorcees supporting one or more children will pay a higher tax based on their adjusted income than that of a married couple which is childless.

Although the Senate Report does not explain why it chose the rate adjustment route instead of the deduction and exemption method of reflecting the peculiar responsibilities of taxpayers, *if* that choice is based on *any* statistical data intended to be reflected in the rate differentials set, surely *that* data can be converted into a system of deduction and exemptions, just as fairly reflecting the differing costs of the responsibilities involved, and allowing adjusted incomes to be taxed at a uniform rate.

If the rate differentials set are *not* based on such data, they represent an arbitrary method of taxation, inherently inequitable, and surely deserving of re-examination.

In support of allowing marrieds filing jointly to pay a greater tax than two singles filing separately, the Staff of the Joint Committee on Internal Revenue Taxation explains:

"This is a necessary result of changing the income splitting relationship between single and joint returns. Moreover, it is justified on the grounds that although a married couple has greater living expenses than a single person and hence should pay less tax, the couple's living expenses are likely to be less than those of two single persons, and therefore the couple's tax should be higher than that of two single persons."[12]

This, of course, would be the case only if the two single persons were not living together. Without seriously believing that the legislation was intended to encourage the promiscuity, contrary to our public policy, which it seems to reward, we think it too is susceptible to the argument that any provable relationship between costs of living as a married couple and tax benefits conferred to offset these expenses can be more equitably translated into deductions and exemptions than they can into rate differentials on adjusted income.

Therefore, based on the sincerely held belief that incomes should be taxed at an equal rate, allowing each citizen tax benefit for the responsibilities he or she assumes in our society before adjusted income is determined, The National Federation of Business and Professional Women's Clubs, Inc. strongly urges you to report favorably on H.R. 850 and H.R. 14193.

Thank you.

STATEMENT BY CHRISTINE BESHAR ON BEHALF OF THE COMMITTEE ON SEX AND LAW, ORVILLE SCHELL, CHAIRMAN, THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK

The 1969 Tax Reform Act reduced the tax rates for Unmarried Individuals and Heads of Households [Internal Revenue Code Section 1 (b) and (c)]. A probably unintended result is that the tax liability of two income-earning taxpayers is now higher if they are married than if they are not. This result is inequitable and socially undesirable. It appears to induce tax conscious young people to live together without marriage or in some cases even to get a divorce. The increased tax comes about because, while married taxpayers may elect to file either a joint return or two separate returns, they must, if they file separate returns, use the table for "Married Individuals Filling Separate Returns" [Section 1(d)] which was not amended when those for Unmarried Individuals were amended in 1969.

The attached table illustrates the "penalty for marriage" on the basis of 1971 tax rates.

Congress should cure the obvious inequity which crept into the tables with the 1969 Tax Reform Act and results in discrimination against a *married couple* with two incomes by imposing a greater tax on a married couple than on two unmarried individuals with the same income.

The change can be accomplished by allowing each taxpayer, whether he be married or not, to file a separate return in respect of his income and to use the rates in Section 1(b) which are now applicable only to unmarried individuals.

If such an amendment is made, it becomes necessary (1) to make sure that the income earned by one spouse in a community property state is taxed to him alone and (2) to amend the child care provisions which presently require a married individual to file a joint return in order to claim the child care deduction.

---

[6] *Id.*

[7] Int. Rev. Code of 1954, (a) and (c).

[8] *Id.*

[9] *Supra*, note 5, at 260.

[10] *Supra*, note 5, at 262.

[11] CONGRESSIONAL RECORD, vol. 117, pt. 3, pp. 3037–3038.

[12] Staff of The Joint Committee on Internal Revenue Taxation, 91st Congress, 1st Sess., General Explanation of the Tax Reform Act of 1969 (December 3, 1970).

1971 FEDERAL INCOME TAX PENALTIES FOR MARRIAGE

	Wife's income									
	$2,000	$4,000	$6,000	$8,000	$10,000	$12,000	$14,000	$16,000	$18,000	$20,000	$30,000
Husband's income:											
$2,000	−$154	−$149	−$136	−$68	−$3	+$21	+$74	+$153	+$233	+$350	+$901
$4,000	−149	−195	−170	−113	−87	−127	−98	−55	+2	+69	+448
$6,000	−136	−170	−156	−138	−176	−240	−247	−227	−220	−178	+21
$8,000	−68	−113	−138	−184	−246	−346	−376	−403	−424	−442	−391
$10,000	−3	−87	−176	−246	−344	−467	−547	−602	−680	−725	−828
$12,000	+21	−127	−240	−346	−467	−640	−745	−860	−965	−1,045	−1,296
$14,000	+74	−98	−247	−376	−547	−745	−910	−1,052	−1,192	−1,297	−1,700
$16,000	+153	−55	−227	−406	−602	−860	−1,052	−1,229	−1,394	−1,532	−2,080
$18,000	+233	+2	−220	−424	−680	−965	−1,192	−1,394	−1,592	−1,758	−2,445
$20,000	+350	+69	−178	−442	−725	−1,045	−1,297	−1,532	−1,758	−1,957	−2,775
$30,000	+901	+448	+21	−391	−828	−1,296	−1,700	−2,080	−2,445	−2,775	−3,970

Note: The standard deduction is assumed in all cases. A negative amount in the chart indicates that the tax for a married couple is higher than for 2 single persons. A positive amount indicates that the tax is lower if the couple is married.

STATEMENT PREPARED FOR HEARINGS ON TAX TREATMENT OF SINGLE PERSONS AND MARRIED PERSONS BOTH WORKING, BEFORE THE HOUSE WAYS AND MEANS COMMITTEE

My name is Florence Donohue. I am an attorney admitted in New York. I am the Chairman of the Committee on Taxation and the Working Woman of the New York Women's Bar Association. I speak for the organization in urging a law change that would permit married couples both working to file returns as though they were unmarried individuals.

I am employed as an Executive Editor with Prentice-Hall, Inc., the publishing firm.

Married taxpayers have discovered with some shock in 1972, as they file their 1971 returns, that many of them are paying more tax just because they are married. The result flows from two factors: lower rates now applicable to unmarried individuals and heads-of-household, and the increase in the standard deduction.

There is no question that Congress meant only to ease the situation for single taxpayers when it changed the rates for them in 1969. Nevertheless, the end result has been to place a "tax on marriage" when both spouses are earning income. The examples that follow show just how much tax penalty may be involved:

Example 1. Bill and Mary are married and have two children. They are unskilled workers and each makes $4,000 a year. If they file a joint return, they will pay a tax of $672. On separate returns, they would each pay a tax of $339, for a total of $678, if each claims one child. If they were not married, each would pay a tax of $246, for a total of $492, This low income family would pay a marriage penalty of $180. If one qualified as head of household, there would be an additional $6 saving if they were not married.

Example 2. Bert is a young accountant and makes $12,000 a year. His wife Susan teaches school; her salary is $10,000. Assuming they have no children and use the standard deduction for 1971, their tax on a joint return is $4,142. If they file separate returns, because they are married, their tax would be $4,165. But if they weren't married at all, the combined tax Bert and Susan would pay would be $3,642.50. So they are paying between $499.50 and $522.50 more taxes because they are married.

Example 3. John and Julia are both attorneys. They are in partnership together, and each partner's share of the partnership income is $20,000. If they are single, they will each pay a tax of $4,450.50, for a total tax of $8,901. If they got married in 1971, their total tax bill went up to $10,857.50. Their tax loss for getting married: $1,956.

Example 3 above assumes the standard deduction of $1,500 available for 1971. The 1972 maximum standard deduction of $2,000 will increase the tax penalty even more.

Example 4. Jim is a young widower with two children aged 8 and 10 who live with him in his household and are his dependents. He makes $20,000 a year and itemizes deductions of $4,000. He contemplates marrying a young woman who is an accountant and makes $13,000 a year. She presently takes the standard deduction and intends to go on working. If they do not marry in 1972, Jim's tax bill will be $2,912.50, and the girl's will be $2,171, for a total of $5,083.50. If they do marry, their tax on a joint return, assuming the total itemized deductions remain $4,000 will be $6,380. The difference—the penalty for getting married—is $1,296.50.

The New York Women's Bar Association recommends that this unconscionable result be avoided by permitting married persons an election to be taxed as though they were not married. To avoid providing an additional loop-hole for the well-to-do, the election should be limited to spouses who both have substantial amounts of earned income. The attached proposed bill sets the rule at 80%. So that spouses on pensions could have the same benefits as working spouses, pensions flowing out of an employment would also qualify the spouses to make the election.

The proposal would also provide that only one of two electing spouses could claim head-of-household status, and that only the spouse electing head-of-household status could deduct child and household care expenses of up to $4,800 a year under the newly liberalized Sec. 214.

Withholding. Withholding tables now in effect take into account that married persons both working owe more taxes than if they were single. The proposal would permit married persons who make the election in one year to qualify for reduced withholding in the following year.

It is intended that the election should be effective for all purposes of the income tax subtitle of the Internal Revenue Code. Thus electing spouses would both be eligible for the $1,300 low income allowance, and for a maximum standard deduction of up to $2,000 each. They would also each be entitled to deduct up to $1,000 under Sec. 1211(b) (limitation on capital losses). There are several other situations under the income tax law where husband and wife are treated as one taxpayer. The general reason for these provisions was the tax benefit that flowed to married persons through the use of the joint return rates. Once it is recognized that working spouses do not enjoy any such benefit, and they elect to be treated as unmarried, then the provisions of present law related to married persons filing separate returns should not apply to them. For instance, it would be quite proper for one spouse to itemize deductions, and the other to claim the standard deduction. Only one personal exemption would be available for each child, of course, and parents would have to decide which of them would take each child's exemption, in the light of such factors as eligibility for head of household status and the child care expense deduction. Neither spouse of an electing childless couple would qualify for head of household status unless a disabled dependent lived in the household.

Effective date. It would be highly desirable to have this change effective retroactively for the 1971 taxable year, the first year in which rate differentials applied to unmarried individuals.

Proposed legislation approved by the New York Women's Bar Association to meet the objectives outlined in the above statement follows. The legislative proposal was approved at the meeting of the Association on February 24, 1972.

H.R. —

A bill to permit married individuals to elect to pay tax as though they were unmarried individuals

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6103 of the Internal Revenue Code of 1954 (relating to joint returns of income tax by husband and wife) be amended by adding at the end thereof the following new subsection:

"(f) Election to File as an Unmarried Individual or Head of Household.—

(1) If both spouses so elect, married persons eligible to file a joint return may each file separate returns as though they were unmarried individuals, if they satisfy the conditions set forth in paragraph (3).

(2) Only one of such electing spouses may claim head of household status under section 1(b) (as defined in section 2(b)).

(3) The election permitted under paragraph (1) shall only be available to spouses if at least 80% of their combined adjusted gross income is composed of:

(A) wages as defined in section 3401(a); or

(B) earned income as defined in section 911(b). For purposes of this election only, any pension or annuity received by reason of an employment relation shall be considered earned income.

(4) The election shall apply for all purposes of this subtitle."

SEC. 2. Section 2 (relating to definitions and special rules) is amended by renumbering subsection (e) as subsection (f), and by adding after subsection (d) the following new subsection:

"(e) Married Persons Electing to File as Unmarried Individuals.—Married persons who elect under section 6013(f) to file as unmarried individuals shall be treated as unmarried at the close of the taxable year, for purposes of subsection (b)(1). Only one such electing spouse may qualify as head of household under section 1(b)."

SEC. 3. Paragraph (1) of section 214(e) is amended to read as follows:

"(1) Married couples eligible to file joint returns. If the taxpayer is married at the close of the taxable year, the deduction provided by subsection (a) shall be allowed only if the taxpayer and his spouse file a single return jointly for the taxable year, unless both spouses elect to file as unmarried individuals under section 6013(f). If the latter election is in effect, only the spouse eligible to claim head of household status under section 1(b) may claim the deduction allowed by subsection (a)."

SEC. 4. Subparagraph (A) of section 3402 (1)(3) is amended to read as follows:

"(A) as not married, if (i) he is legally separated from his spouse under a decree of divorce or separate maintenance, or (ii) either he or his spouse is, or on any preceding day within the calendar year was, a nonresident alien, or (iii) the spouses elect for the preceding taxable year to file returns as unmarried individuals under section 6013(f)."

SEC. 5. The amendments made by this Act shall apply to taxable years ending after December 31, 1970.

STATEMENT BY ALBERT H. TURKUS BEFORE THE COMMITTEE ON WAYS AND MEANS

Mr. Chairman and distinguished members of the Committee on Ways and Means, I am Albert H. Turkus, an attorney-at-law and an associate of the Tax Reform Research Group. With me is Thomas H. Stanton, Director of the group. The Tax Reform Research Group is an organization concentrating on matters of legislation, regulation, and enforcement in the fields of federal, state, and local taxation. It is funded by Ralph Nader's Public Citizen, Inc., a broad-based group of citizens throughout the country who are concerned about consumer and tax issues.

At the outset I must commend this Committee for its responsiveness to the public in holding these hearings. In the last six months many people have begun to express concern about the relative tax burdens of single people versus married people, especially in families where both husband and wife are working.

The great bulk of public outcry concerning this issue has focused on the argument that it is cheaper in terms of tax liability for two wage earners to "live together in sin" than it is if they get married.[1] While this kind of discussion has real emotional appeal, it tends to obscure the complicated questions of economics and the difficult value judgments which must be faced by the Congress in setting the relative tax burdens of our various taxpaying units.

HISTORICAL PERSPECTIVE

In 1948, the Congress adopted the income splitting provisions of the Internal Revenue Code in order to achieve geographical tax equity between those states which had common law rules of property and the community property states. The Supreme Court had determined in 1930 that under existing law

---

Footnotes at end of article.

a family in a community property state was entitled to split its income in two for purposes of filing federal tax returns.[3] In part to achieve tax equity between a couple living in a community property state and a couple living in a common law state, and also to avoid a "mad rush" by states to adopt community property laws, Congress enacted a provision in the Revenue Act of 1948 which allowed all couples to split their income for federal tax purposes.[3]

The income splitting provisions in effect since 1948 essentially allow a family to divide its income in half and pay twice the tax on one half its income. Under a progressive rate structure this represents a substantial tax savings for the family. Economists Joseph A. Pechman and Benjamin A. Okner of the Brookings Institution recently estimated that income splitting reduces federal tax revenues by over $21 billion per year.[4]

But the Congress decided that the family was the proper unit for purposes of taxation and that a single taxpayer should be taxed more heavily than a married couple earning the same total amount. And income splitting was one way to achieve these goals.

In 1951, however, in order to mitigate the resulting heavy tax burden on some of the single people, the Congress established a third rate structure for the category it called "Head of a Household." Under the '51 provisions a single person supporting a "qualifying" dependent was taxed according to a rate schedule with half the advantages of income splitting. The economic justification for this halfway treatment has never been convincingly articulated.

In any case, the tax incentives favoring marriage continued virtually intact until the Tax Reform Act of 1969. The '69 Act substantially changed the relative tax treatment of single and married people, especially with respect to single people living together versus married couples with two wage earners. By lowering the tax rates for single people and by raising the low income allowance and the upper limits of the percentage standard deduction, the Congress created what some have called a "marriage penalty" for two wage-earner families.

THE ECONOMICS OF THE TAX TREATMENT OF THE FAMILY—IN BRIEF

Before examining the economic justifications for differing tax treatment of various economic units, there are two points which deserve special emphasis. First, it is difficult to design a system which will equitably distribute the tax burden among all the various economic units in our society and which will, at the same time, be reasonably easy to administer and enforce. And, second, the ultimate decisions which must be made in resolving this problem are based primarily on value judgments rather than on obvious principles of equity.

Let us concentrate for a moment on the relative tax treatment of four different economic units: (1) a single person living alone and earning "X" dollars, (2) a married couple with one wage earner earning "X" dollars, (3) a married couple with two wage earners earning a total of "X" dollars, and (4) two single working people living together and earning a total of "X" dollars (the "single couple").[5]

Economically the following relative tax burdens would appear to be the most equitable. The single taxpayer should pay the heaviest tax because he (or she) has less expenses and, therefore, more "clear income."[6] The married couple with one wage earner should be next in line; although married couples with one wage earner and those with two wage earners may appear to be in similar circumstances, the couple with only one wage earner has more "real" income because of the imputed value of the services performed by the member of the family who is not working. The married couple with two wage earners and the single couple should pay essentially the same tax; there may be some cost savings to the married couple which are not available to (or are not generally engaged in by) two single wage earners living together—to this extent the single couple might pay a slightly lower tax.

How does this economic analysis compare to the situation which exists under present tax law? Today the married couple with one wage earner pays substantially less than the single taxpayer due to an additional exemption (or exemptions) as well as to the advantages of income splitting. The married couple with two wage earners pays the same tax as the married couple with one wage earner; and, the single couple—depending on the split of income between the two wage earners—will pay the least.

It is the disparity between married couples with two wage earners and single couples which seems to have generated the most public interest. In my opinion this problem has been greatly exaggerated. Only those families with two more-or-less-equal wage earners suffer today vis-a-vis the single couple.[7]

TAX EQUITY FOR THE MARRIED COUPLE WITH TWO WAGE EARNERS

There is, however, a more general problem for all families with two wage earners which does deserve serious consideration. A married couple with both members of the family working suffers a real economic loss by virtue of the loss of services normally performed by a family member in the home. They are forced to purchase these services on the general market, much as the single person does.

For this reason, we suggest that the Committee consider the possibility of establishing a special credit or exemption for the family with two wage earners. Such an exemption could be equal to a percentage of the lower income in the family, with a maximum upper limit or a phase-out at higher family income levels. (A credit could be devised to achieve similar results.)

An exemption of this kind has a number of features to commend it. First, it would lighten the tax burden of the married couple with two wage earners vis-a-vis the married couple with only one income producer. This would recognize the difference in economic circumstances between the two families set out above. At the same time, it would act to decrease the "marriage penalty" or the incentive to "live in sin" which currently exists between married couples with two wage earners and two single wage earners living together, as the latter couple would not be eligible for the special exemption (or credit).

While we recommend this proposal for Committee consideration, we would note that it will not solve all of the problems which might concern the Committee. For example, it does not recognize the economic savings of the single taxpayer who lives with his parents or those of two single taxpayers who live together as roommates (whether they are of the same or opposite sexes). We would suggest, however, that there are just too many economic factors for all to be recognized in the Revenue Code without developing a tax system which is virtually impossible to administer or enforce.

This proposal would seem desirable both to cure a serious inequity and also to assuage the present public outcry. However, we urge this Committee to carefully consider the possible revenue effects of this or any similar measure before enactment. At the present time, with budget deficits totaling nearly $87 billion for three years, new revenue-losing measures—even those which are desirable because of the equities involved—should be carefully weighed before passage.

GENERAL REFORM OF THE TAX TREATMENT OF THE FAMILY

Instead of merely grafting the proposal set out above onto the currently inequitable tax structure, we urge this Committee to consider more comprehensive reform of the tax treatment of the family.

The Committee should consider the advisability of eliminating income splitting. This provision alone costs the federal government over $21 billion each year. I would suggest the Committee consider the alternative of a single rate structure with mandatory joint returns. Such a structure could include a system of exemptions (preferably vanishing at higher income levels) or credits related to the size of the taxpaying unit. It would be possible to tailor the exemptions or credits[8] to both the size of the taxpaying unit, its income level, and, at the same time, the relative economic status of the taxpaying unit to other units at the same income level.[9]

Such a system could eliminate entirely the need for a multiple rate structure; not only could the second rate schedule for married couples be eliminated, but also the separate schedule for "Heads of Households" could be done away with. There seems to be no legitimate reason for denying those who presently qualify for this schedule the full benefits available to married taxpayers with similar dependency circumstances.

Economists Pechman and Okner propose a somewhat different system which would achieve similar results.[10] They suggest a dual rate structure with brackets half as wide for married couples as those for single taxpayers. We respectfully urge this Committee to consider such comprehensive reform of the tax treatment of the family. We have only proposed the exemption or credit for two-wage-earner families described above in case the Committee should be unwilling to act now on comprehensive reform.

THOROUGH TAX REFORM OF THE ENTIRE REVENUE CODE

The kind of comprehensive reform we are urging should not be limited to the tax treatment of the family. The need for thorough reform of our entire tax code is becoming a major issue of public concern in this election year. Recent news articles suggest that many taxpayers may favor revolt against the tax system if reform is not forthcoming.[11] Even the *Wall Street Journal* suggested in a recent editorial that it might be time to replace exemptions with tax credits.[12] And one popular magazine recently published an article telling taxpayers how they could cheat on their returns,[13] describing this as a "penny ante strategy"[14] compared to the loopholes available to the rich.

The Committee should recognize the urgency of this situation and begin now with hearings on comprehensive reform of the kind embodied in three important reform bills presently pending before this Committee: HR 11058, introduced by Congressman Corman; HR 13877, introduced by Congressman Reuss; and HR 13601, introduced by Congressman Aspin. The first two contain proposals to close various loopholes and tax preferences. Some of the most notable reform proposals include the following: (1) changing exemptions to credits, (2) repealing the $100 dividend exclusion, (3) taxing capital gains at death or upon transfer by gift, (4) repealing the ADR accelerated depreciation system, (5) eliminating the tax exemption on income from state and local bond issues, (6) eliminating or lowering the percentage depletion allowance, (7) repealing the DISC tax exemption, (8) requiring capitalization of intangible drilling and development costs, (9) expanding the list of items covered by the minimum tax on tax preferences, and (10) removing or reducing the $30,000 exemption in the minimum tax provisions. All of these and other proposals—such as those for a more simplified tax code—should be carefully studied by the Committee now before the average citizen, and not just the fringe, begins to turn towards tax evasion or revolt.

Footnotes at end of article.

The Corman bill would bring in approximately $11 billion in additional revenues; the Reuss bill would increase revenues by approximately $7¼ billion each year. Either of these measures would go a long way toward reducing current budget deficits and providing the funds for needed government programs.

The Nixon Administration is presently considering a proposal to impose a regressive national sales tax—the value-added tax—on the nation's consumers. Prompt action by this Committee on reform proposals could forestall this regressive measure—which, by the way, will hit large families the hardest—and, at the same time, restore equity to our tax system.

The bill sponsored by Congressman Aspin is a different kind of reform measure. It calls for the termination of all presently existing tax subsidies [15] on January 1, 1974, with the provision that all subsidies enacted in the future would be of only a two-year duration. Such a proposal would return tax subsidies to the public spotlight periodically for review and reconsideration much as appropriations measures are now treated.

These bills and other proposals for tax reform [16] deserve hearings now. The public's concern with tax inequity has surfaced in these hearings today. We urge this Committee to immediately undertake hearings and thorough study of comprehensive tax reform.

THE NEED FOR POLITICAL PROCEDURAL REFORMS

The kind of serious tax reform we are suggesting and, in fact, even a minor reform relating to the tax treatment of the family, will require important value judgments by members of Congress as to the proper relative tax burdens of various kinds of taxpayers.

The Committee should not only focus on the substantive tax reforms this nation needs; we urge it also to consider the following possible reforms of the process by which tax bills are enacted:

(1) This Committee should offer its bills to the House under an "open" or "modified open" rule rather than under a "closed" rule. Under the present procedure less than 12 million of the nation's 200 million citizens have a meaningful voice in the tax laws that are passed.

(2) The present members' bill procedure should be scrapped. The reaction of Representatives Patman and Aspin and others on February 29th of this year shows what at least some of our Representatives think of the present procedure. Bills of that nature should be considered only after public hearings have been held by the Committee. In order to make such public participation meaningful, the Committee should have its staff prepare reports for public distribution at least six weeks before Committee consideration. These reports should fully explain in lay language the purpose, revenue effect, and historical perspective of the proposed legislation along with a full discussion of possible alternative measures.

(3) The Committee should adopt a procedure which allows 25% of its members to call for public hearings on proposed legislation. As of March 1, there were 1140 bills pending before the Committee; present procedures have held too many of these bills from proper public consideration. The proposed tax reform bills discussed above are obvious examples. Alternatively, the Committee could establish permanent subcommittees which would be able to hear testimony on many more bills than the full Committee can now schedule.

(4) The Committee should allow its members to bring staff assistants with them to Executive Session. Currently members must rely on the Committee staff, the staff of the Joint Committee, members of the Executive Branch, and their own expertise. There seems little reason to deny them the additional support of their personal staff with whom they work on a day-to-day basis.

(5) And, finally, the Democratic members of this Committee should consider divesting themselves of the power they hold as the Democratic Committee on Committees. This power may cause undue deference to Committee decisions by a large portion of the House—such deference, even if only a potential problem, would seem an undesirable warping of the legislative process.

Mr. Chairman, members of the Committee. I am sure that to some of you some of these remarks appear at first glance to be far afield. But it must be recognized that the inequities in our tax law today cannot be fully separated from the process by which they were enacted. Nor can the inequities suffered by one taxpaying group be fully understood without a look at our entire tax structure.

It is certainly possible to do something for married couples with two wage earners which will ease their tax burden. But such minor relief will not long assuage the growing dissatisfaction with our tax laws which is sweeping the country.

You distinguished gentlemen and women have an opportunity to accomplish truly meaningful tax reform and, through reforms in the legislative process, you can involve the entire House of Representatives in such an effort. We respectfully urge you to take the first step in this direction by holding hearings on those tax reform bills presently pending before this Committee.

FOOTNOTES

[1] See, for example, Milton Friedman, "A Family Matter," *Newsweek*, April 10, 1972, at 74.

[2] *Poe* v. *Seaborn*, 282 U.S. 101 (1930).

[3] At least one scholar has suggested that this provision was motivated in part by Congressional desire to pass a tax cut which would not be vetoed by the President. Boris I. Bittker, *Federal Income Estate and Gift Taxation*, at 335 (3 ed 1964).

[4] Joseph A. Pechman and Benjamin A. Okner, "Individual Income Tax Erosion by Income Classes," at 40, prepared for the U.S. Joint Economic Committee Compendium of Papers on the Economics of Federal Subsidy Programs (January 14, 1972).

[5] The following discussion focuses on all units earning "X" dollars for purposes of simplicity. The equity of relative tax burdens must, of course, be considered at various levels of income for each of the units. This can best be done with the aid of modern computer equipment which was unavailable during the preparation of this testimony.

[6] Clear income "consists of net income (adjusted gross income on the tax forms) minus an uncertain allowance to the taxpayer of personal expense money deemed sufficient to maintain himself and his dependents according to some biological or conventional standard." Harold M. Groves, *Federal Tax Treatment of the Family*, at 10 (1963).

[7] Ideally the tax code should be as neutral as possible with regard to incentives or disincentives towards marriage. For many years the tax incentives towards marriage were ignored—they still exist as some income levels today—even though some would argue that the societal costs of tax-induced marriages are greater than those from tax-foregone marriages. It is our view that this problem could be best solved as part of a comprehensive reform of the tax treatment of the family, as discussed below.

[8] These would replace the current system of personal exemptions plus standard deductions.

[9] Professor Groves discusses various budget studies on the relative cost of living by families of different sizes pointing out, for example, that it costs a married couple approximately 1.4 times as much to live as it costs a single person. Groves, *supra* note 6, at 28.

[10] Pechman and Okner, *supra* note 4, at 17.

[11] Gould Lincoln, "The 1972 Taxpayers Revolt," The Evening Star (Washington), April 1, 1972, at A–4, col. 3.

Richard L. Stout, "Taxtime struggle, populists vs. loopholes," The Christian Science Monitor, April 1, 1972, at 1, col. 4.

[12] The Wall Street Journal, April 7, 1972, at 8, col. 1.

[13] Bob Cratchit (pseudonym), "How to Cheat on Your Income Tax: A Guide," *Ramparts*, April, 1972, at 32.

[14] *Id.*, at 38.

[15] The list of presently existing tax subsidies is taken from "The Economics of Federal Subsidy Programs," A Staff Study prepared for the use of the Joint Economic Committee of the Congress of the United Sttaes (January 11, 1972).

[16] See especially Pechman and Okner, *supra* note 4. That study proposes a more comprehensive tax base and revisions of the rate structure that could generate an additional $77 billion in federal revenues. The authors also set out in detail alternative rate schedules which could be used after their reforms in lieu of increasing the federal revenues. Under their proposals tax rates could be cut by an average of 43% without a decrease in federal revenues. Pechman and Okner, *supra* note 4, at 29.

TESTIMONY BY CALIFORNIA ASSEMBLYMAN ROBERT C. CLINE BEFORE THE WAYS AND MEANS COMMITTEE

Chairman Mills and Members of the Committee, it is a distinct pleasure for me to join with the many members of your distinguished House who have called for revision of the personal income tax law to remove the outright discrimination against single taxpayers. I wish to publicly commend Miss Vivien Kellems for her fight at the national level and thank her again for testifying for my California legislation to accomplish equitable taxation for single persons and unmarried heads of household.

There is a wide misconception held in many quarters of government and the public in general that income taxes are based on "ability to pay".

I would suggest, on the other hand, that alternative phrasing is more appropriate and that income taxation is based on a person's "ability to earn". If we are to adopt the philosophy of a person's "ability to pay" as a criterion for taxation, that "ability to pay" would be translated into taxation at the sales and use tax level and not at the income level, for the "ability to pay" is based not just on an individual's ability to earn income, but also his ability to borrow in a society which is increasingly running on credit.

The personal income tax revenue collected by the federal government has grown from $45.6 billion in 1962 to $93.7 billion in 1972.

Table #4 (attached) outlines this growth, and when social insurance taxes paid by *individuals* (the other half is paid by employers) are added to the personal income tax, these figures would show 1962 income related tax revenues of $54.1 billion and in 1972 of $122.5 billion.

I have prepared for your committee Table #1 to which you may refer in comparing personal income taxation imposed by the federal law at varying levels of income from the lowest level to $20,000 for classes of taxpayers. If deductions are itemized, taxable income is computed after itemized deductions and personal exemptions. The discrimination against the single person and the unmarried person who qualified as head of household becomes apparent after the $500 level of taxable income.

For example, at the $6,000 level, the head of household pays $40 more taxes than the

married couple, and the single pays $110 more than the married couple.

I need not dwell on the amount of publicity which has been circulated widely about the discrimination against the single person, but I feel, too, that the widow or divorcee with dependent children has received less than her share of attention.

If you will refer to Tables #2 and #3, you will note that using the tax table (for those individuals not itemizing deductions and meeting the minimum qualifications to file in their respective category) that the unmarried head of household is paying higher taxes than a married couple.

If you will now refer to Table #3, you will note that the head of household with two children pays significantly more in federal income tax than a married couple with two children even though the married couple may have only one wage earner.

The single taxpayer, by comparison, pays exorbitantly high taxes.

I would like to re-state my opening remarks that the income taxation of individuals should be based on their ability to earn—and I emphasize *their ability to earn,* and not necessarily their marital status.

There has been a great deal of concern voiced at all levels of government for the individual at the poverty level, but I feel the time is here that the middle income taxpayers and the single taxpayer who is supporting the majority of the cost of government be given a higher degree of consideration and that we should trend away from taxation of income towards a higher reliance on sales and use taxes.

I would urge this committee to act favorably on this series of bills which would eliminate the discrimination against single individuals in the federal income tax structure.

TABLE 1.—WHEN DEDUCTIONS ARE ITEMIZED

Taxable income[1]	Joint Married	Head of household	Single
$500	$70	$70	$70
$1,000	140	140	145
$2,000	290	300	310
$4,000	620	660	690
$6,000	1,000	1,040	1,110
$8,000	1,380	1,480	1,590
$10,000	1,820	1,940	2,090
$12,000	2,260	2,440	2,630
$16,000	3,260	3,540	3,830
$20,000	4,380	4,800	5,230

[1] After deductions and exemptions.

TABLE 2.—MEETING MINIMUM QUALIFICATIONS TO FILE AS:

Adjusted gross income	Joint married	Head of household	Single
$500	$0	$0	$0
$1,000	0	0	0
$2,000	0	0	40
$4,000	234	240	367
$6,000	556	593	753
$8,000	929	969	1,182
$10,000	1,252	1,332	1,591

TABLE 3.—USING TAX TABLES

	2 children		
Adjusted gross income	Joint married	Head of household	Single
$500	$0	$0	$0
$1,000	0	0	0
$2,000	0	0	0
$4,000	39	133	367
$6,000	334	471	753
$8,000	672	841	1,182
$10,000	996	1,184	1,591

TABLE 4

[Dollar amounts in billions]

Revenue sources	1962	Percent	1972	Percent
PIT	$45.6	45.8	$93.7	43.2
Corporation	20.5	20.6	36.7	16.4
Social insurance	17.1	17.1	57.6	26.5
Excise	12.5	12.5	17.5	8.1
Estimate and gift	2.1	2.1	5.3	2.5
Customs	1.1	1.1	2.7	1.6
Miscellaneous	.8	.8	4.1	1.9
Total	99.7	100.0	217.6	100.0

INDIANA CALUMET REGION WINS VICTORY ON AMENDMENT TO DAYLIGHT SAVING TIME ACT

(Mr. MADDEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MADDEN. Mr. Speaker, when I was home during the Easter recess I was amazed at the gratitude expressed by so many citizens in the Calumet region of Indiana that our area will be on the identical daylight time schedule with Illinois and the Chicagoland area this summer.

We were unable last year to have the House Interstate and Foreign Commerce Committee report favorably on this legislation. Unfortunately the bill was tabled by the committee, but through the aid of Chairman STAGGERS and the chairman of the subcommittee, Congressman Moss, it was reinstated 2 months ago and came to the floor of the House under the suspension of rules procedure which required a two-thirds vote for passage and without the privilege of amendments on the legislation. Last year we were in violation of the Federal law, but through the good graces of Secretary of Transportation Volpe we were allowed exemptions pending the consideration of this legislation.

Six counties in the Evansville area of Congressman ROGER ZION were affected similar to six counties in northwest Indiana, including my district and parts of Congressman LANDGREBE's district. Both Congressman ZION and Congressman LANDGREBE, along with Congressman ROUSH and the other members of the Indiana delegation collaborated in winning this great victory for our affected areas caused by the split time zone in the State of Indiana.

I incorporate with my remarks a Chicago Tribune news item of Tuesday, March 21, 1972, pertaining to the passage of the first major amendment to the Federal Uniform Time Act of 1966:

HOUSE OK'S UNIFORM TIME FOR SPLIT STATES

WASHINGTON.—Rep. RAY MADDEN [D., Ind.] today won his fight to put Gary, Lake County, and Northwest Indiana on Chicago time this summer.

By a vote of 332 to 7 [MADDEN had to get the affirmative support of two-thirds of those present and voting], the House approved an amendment to the Uniform Time Act of 1966. The legislation now goes back to the Senate to correct a technical error.

GOVERNOR VETOED 1971 BILL

The amendment provides specifically that the 12 Western Indiana counties nearest Chicago and Louisville may turn their clocks to central daylight time this year.

Last year, Gov. Edgar D. Whitcomb vetoed a bill which would have made central daylight saving time in Western Indiana legal. Gary, Lake County, and Evansville risked federal action to use the time of their own choosing, MADDEN said.

MICHIGAN ALSO AFFECTED

The Uniform Time Act, enacted to take some of the confusion out of airline, bus and railroad timetables, attempted to get states to decide on one time zone for the entire state. Prior to the enactment of the 1966 act, Indiana counties were on Eastern Standard time and Central Daylight Saving time, depending on the choice of authorities in each county.

Michigan also has time confusion. So have Arizona and Hawaii.

The amendment, pushed by Madden and Rep. Roger Zion [R., Ind.], permits any state divided by a time zone boundary to exempt all of the state lying within one time zone fromt he observance of advanced, or daylight saving time.

PREVENTING DRUG ABUSE

(Mr. SYMINGTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SYMINGTON. Mr. Speaker, as one of the conferees on the drug abuse legislation which is now Public Law 92-255, I am well aware of Federal efforts in this area. Manufacturers, doctors, and the public must do their part to prevent drug abuse. I would call to the attention of my colleagues three articles on amphetamines. The first appeared in the St. Louis Globe-Democrat of March 9, 1972; the second item appeared in FDC Reports of February 7, 1972. The last appeared in the Washington Post of December 3, 1971. At this point I insert the articles in the RECORD:

[From the St. Louis (Mo.) Globe-Democrat, Mar. 9, 1972]

PHYSICIANS ARE URGED TO SHARPLY REDUCE USE OF AMPHETAMINES

The presidents of seven doctors' organizations in the St. Louis area called Wednesday for physicians to stop prescribing amphetamines except in cases in which it is absolutely necessary.

Dr. Robert Dietchman, a Clayton psychiatrist, said the group's statement is an attack on the abuse of amphetamines—commonly known as "speed" or "uppers."

Speaking at a news conference at the Mental Health Association of St. Louis, Dietchman said studies have shown that legally produced amphetamines are the source of much of the drug used illegally.

The statement, part of a growing national effort by physicians to curb amphetamine prescription, said amphetamines should be prescribed only for persons with narcolepsy (an uncontrolled desire to sleep,) hyperactive children, and in "those specific areas where the physician feels it is imperative for the welfare of the patient."

Deitchman questioned the use of amphetamines for weight control, a common practice he termed "of questionable value."

The pills are often obtained through forged prescriptions, written on pads stolen from doctors' offices, or through prescriptions sought from more than one physician.

Deitchman, chairman of the Drug and Substance Abuse Council's amphetamine abuse subcommittee, criticized the pharmaceutical firms of providing physicians with complimentary, pre-printed prescriptions for dangerous drugs, which often fall into the hands of abusers.

Humans also occasionally use "animal amphetamines" from veterinarians, he said.

The statement on controlling amphetamine use was signed by Dr. F. Eugene Pennington

of the St. Louis Medical Society; Dr. Louis Hetlage of the Lincoln-St. Charles County Medical Society; Dr. James Mayfield of the Jefferson County Medical Society.

Dr. Jack Eidleman of the St. Louis County Medical Society; Dr. John Burroughs of the St. Louis Osteopathic Association; Dr. Parker Word of the Mound City Medical Forum; and Dr. Julian Buser of the St. Clair County, Illinois, Medical Society.

[From FDC Reports, Feb. 7, 1972]

PENNWALT ASSAILED BY HOUSE HEALTH SUBCOMMITTEE MEMBERS FOR FAILURE TO CONTROL AMPHETAMINE DISTRIBUTION; SYMINGTON RAISES QUESTIONS ABOUT MANUFACTURER'S PRICES

House Health Subcommittee members assailed Pennwalt Feb. 2 for inadequate control over distribution of amphetamine-containing products by its Strasenburgh of Mexico subsidiary, and questioned the company's markup on the products.

Pennwalt was invited to testify before Rep. Rogers' (D-Fla.) subcommittee after BNDD announced Jan. 18 that large quantities of Bifetamina (Spanish labeling) caps produced by the mfr.'s Mexican subsidiary had found their way into illicit U.S. markets. William Head, VP-technical operations, testified that Pennwalt had no hint of diversion of the drug until informed of the BNDD's charges by reporters ("The Pink Sheet" Jan. 24. p. 23).

Head said that while domestic Bifetamine sales slipped from $7.7 mil. in 1969 to $6.7 mil. in 1971, Strasenburgh's Mexican sales jumped from $354,000 to $1.2 mil. in the same period. Shipments of raw material to the subsidiary were sufficient to make 6 mil. caps in 1969, 10 mil. in 1970 and 14 mil. in 1971, he added, but Pennwalt saw nothing alarming in these growth statistics.

Rep. Carter (R-Ky.) asked if Pennwalt had noticed it "had a booming business going there in amphetamines," with sales "quadrupling in only three years." Head responded that company officials did not realize the magnitude of the sales growth until 1971 figures became available in Jan. 1972. "Do you mean to say," queried Rep. Symington (D-Mo.), "that the fellow responsible for the fast-growing div. never wrote home about how well he was doing?"

In his prepared statement, Head said "as we review this history in our current internal analysis, it seems evident to us that the rate of growth was sufficiently fraught with risk so that it might well have raised questions of qualitative analysis for our personnel to consider."

Symington grilled Head for nearly 30 minutes on Strasenburgh's prices for encapsulated Bifetamina, asking repeatedly how a $12,700 shipment of bulk material to Mexico became $350,000 in finished caps in 1969, while $14,700 worth of the bulk was turned into $1.2 mil. of caps in 1971.

Head said he could not explain the pricing formula, indicating it had something to do with "labor costs." Symington asked whether "$12,000 to $350,000 is a normal markup in the industry," and Head responded that he did not know.

Symington continued his line of questioning, asking why raw materials whose unit costs were declining still produced sharply rising unit revenues from the finished goods. Head agreed to give the subcommittee an analysis of the Mexican company's production costs, asking that portions of it be kept confidential. The congressman agreed to the confidentiality request and asked for a breakdown of Bifetamina promotional expenditures, which Head promised to supply.

Head attributed part of the growth of bulk biphetamine shipments to Mexico to stockpiling of materials for the start of export operations by the Strasenburgh subsidiary there in 1971. He said 2.1 mil. Bifetamina caps were exported from Mexico to Uruguay and Colombia during that year.

In response to questions from Rogers, Head could not recall whether Pennwalt had exported any amphetamine products directly to Uruguay or Colombia from the U.S.; what Mexican Strasenburgh's total sales were in 1969, 1970 or 1971; what other products it sold; or which division was Pennwalt's fastest-growing.

Head did respond that Pennwalt's amphetamine exports, excluding those to Mexico, were $236,000 in 1969, equivalent to 20 mil. caps; $191,000 in 1970, yielding 30.1 mil. caps; and $219,000 in 1971, equivalent to 27.4 mil. caps.

Rogers pressed the matter of total amphetamine sales by Pennwalt and its subsidiaries, pointing out that while they were 2% of the company's total 1971 volume, they represented 40% of its drug sales. Under questioning by Rogers, Head stated that Pennwalt had applied for an amphetamine quota of 650 kilos for 1972—enough to make 230 mil. caps.

Referring to the Bifetamina that BNDD asserted had reached black markets in the U.S., Symington said "this proportion of the overall business of Pennwalt is very small, and yet it's clear that the consequences of the thing are quite serious for the international community. You closed your statement by saying 'we hope and trust we've learned that this entire experience has to teach us.' What does it have to teach?" Head responded: "Well, despite the small size (of the company's business involved), we still are deeply concerned." He added that he thought "more care has to be taken."

Symington fired back: "I see that your products include many chemicals such as ammonium chloride, caustic soda, all kinds of fungicides, herbicides, insecticides, things like that, any one of which could do serious harm if improperly marketed." He added that, in his opinion, the lesson to be learned by Pennwalt was to more carefully monitor even the smallest components of its business.

[From the Washington (D.C.) Post, Dec. 3, 1971]

QUOTAS SET ON MAKERS OF TWO DRUGS

The Justice Department, acting to prevent massive diversion of two classes of stimulant drugs into the illict market, yesterday ordered a 40 per cent slash in production.

Imposing quotas for the first time, the department's Bureau of Narcotics and Dangerous Drugs said it will allow 5,870 kilograms of amphetamines to be produced in 1972, compared with 9,356 kgs. manufactured this year.

For amphetamines the 1972 quota will be 2,782 kgs., as against 4,926 produced in 1971.

The quotas in both cases are 70 per cent below the requests made—without back-up explanations—by manufacturers.

The order, signed by acting bureau director John Finlator, was issued under the Comprehensive Drug Abuse Prevention and Control Act, which became effective May 1. Manufacturers and others have 30 days in which to file comments and request a hearing.

The bureau said the quotas are designed to permit production of the stimulants in amounts sufficient to meet needs deemed by authorities to be legitimate; for the treatment of hyperactive children, of narcolepsy (a deep sleep incited by epilepsy or a brain inflammation) and as a temporary adjunct to a weight-reduction regimen.

IN MEMORIAM TO THE HONORABLE JAMES F. BYRNES

(Mr. MANN asked and was given permission to address the House for 1 minute, to revise and extend his remarks.)

Mr. MANN. Mr. Speaker, today, the flag flies over the White House at half-staff in tribute and in honor to the late Hon. James Francis Byrnes, of the State of South Carolina. The lowered flag of State will be flown at half-mast until interment of our native son who gave a long life of service to all America.

James F. Byrnes was of that genre of men who never forget the political and personal axiom that: "A quitter never wins—And a winner, never quits." And so it is that as we consider the career of this political statesman we recognize and appreciate that in service to his fellow man and to his Nation few, if any, careers parallel that of this American citizen. He was one of the most effective men of his time who projected his thoughts to the problems of these days in which we live.

And while today on this sad occasion we see such news headlines as "James Byrnes dies at 92, was 'Assistant President'," or "Jimmy Byrnes, Holder of High Offices," to mark his passing; to seek a more definitive measure of the man, or to fully understand his full value of service to this Nation and the world, one must research the RECORD for the legislation that bears his name. James Byrnes was one of the giants in the art of legislation, and in the area of executive decision.

It is meet that this land should lower its flag and mourn his passing; and while the people of his home State continued to pay tribute and honor to him on so many special occasions during his lifetime, his death prohibits his seeing the statue of his likeness which is to be unveiled in May on the capitol grounds in Columbia, S.C.

To say that James F. Byrnes was "Assistant President" is not enough, for indeed, he was more. He was Byrnes of South Carolina—he was Byrnes of the House—and of the Senate—he was Byrnes of the Supreme Court, and of the Department of State—he was the negotiator and master of the art of conciliation of the differences among men, and he was the voice of loyalty to his land and the causes he served.

James F. Byrnes was America's great champion at its moment of greatest need. During World War II, as Director of Defense Mobilization, he answered the call of his President to leave the Supreme Court for the purpose of dedicating the total resources of this Nation toward the will and purpose of winning the war in which we were engaged. And he did devote the total resources of his brilliant mind and body toward that purpose with a single minded devotion. In later years my dear friend said:

> I would not have left the Supreme Court if Mr. Roosevelt had not assured me he would never hear an appeal from my decisions as Director of Economic Stabilization and War Mobilizer. He kept faith with his promise to me.

As Economic Stabilizer, Mr. Byrnes regulated prices, wages, and rents and supervised, as well, rationing of food, fuel and some wearing apparel. He froze men in their jobs and moved others into work directly related to war production. It was second nature to James F. Byrnes to be a winner, and he wished no less for

his Nation in any effort in which it might be engaged.

And when the great battle was won, with his Nation as the foremost power, he set in motion the plans for an orderly reconversion of the American economy to peacetime levels; and there was again peace and dignity and respect for freedom in the land he loved. And the love in his heart for his fellow man was big enough to encompass a love for the peoples of all lands—including the defeated enemies.

He was a prime mover in the adoption by the Congress of the Marshall plan that was chiefly instrumental in the rehabilitation of fallen nations ravaged by war and pestilence and famine so that they might regain their status as nations in a world of order.

My time allotment is up Mr. Speaker, but I hope to again have the opportunity of speaking to my colleagues about the life of this illustrious citizen.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MACDONALD of Massachusetts (at the request of Mr. CASEY of Texas), for the next 2 weeks, on account of illness in family.

To Mr. ESHLEMAN (at the request of Mr. KEMP), for this week, on account of medical reasons.

To Mr. BLACKBURN (at the request of Mr. GERALD R. FORD), for April 18, 1972, through April 25, 1972, on account of official business.

To Mr. RAILSBACK (at the request of Mr. GERALD R. FORD), for the week of April 10, 1972, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCFALL) and to revise and extend their remarks and include extraneous matter:)

Mr. FLOOD, for 5 minutes, today.
Mr. REUSS, for 10 minutes, today.
Mr. HELSTOSKI, for 60 minutes, today.
Mr. GONZALEZ, for 10 minutes, today.
Mr. RYAN, for 15 minutes, today.
Mrs. ABZUG, for 5 minutes, on April 11.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN and to include extraneous matter.

Mr. BURKE of Massachusetts and to include extraneous matter.

(The following Members (at the request of Mr. KEMP) and to include extraneous material:)

Mr. GUBSER.
Mr. DUNCAN in three instances.
Mr. SCHMITZ.
Mr. SCHERLE in 10 instances.
Mr. FINDLEY.
Mr. CONABLE.
Mr. CHAMBERLAIN in two instances.
Mr. KEMP.
Mr. ZWACH.
Mr. HILLIS.
Mr. GERALD R. FORD.

(The following Members (at the request of Mr. MCFALL) and to include extraneous matter:)

Mrs. ABZUG in five instances.
Mr. FLOOD.
Mr. CONYERS in 10 instances.
Mr. EILBERG.
Mr. ROONEY of Pennsylvania in two instances.
Mr. HAGAN in three instances.
Mr. ROGERS in five instances.
Mr. GONZALEZ in three instances.
Mr. FOUNTAIN in three instances.
Mr. KLUCZYNSKI in two instances.
Mr. DONOHUE.
Mr. SARBANES in 10 instances.
Mr. MAHON.
Mr. RYAN in three instances.
Mr. JACOBS in three instances.
Mr. MANN in three instances.
Mr. METCALFE.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 50. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Brantley project, Pecos River Basin, N. Mex., and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2684. An act to amend section 509 of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

S. 3284. An act to increase the authorization for appropriation for completing work in the Missouri River Basin by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

S. 3323. An act to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3457. An act for the relief of Katherine Kasaftes Schneider; to the Committee on the Judiciary.

S. Con. Res. 74. Concurrent resolution authorizing the printing of additional copies of Senate Report 92-634, entitled "Interim Report of Activities of the Private Welfare and Pension Plan Study, 1971"; to the Committee on House Administration.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 12749. An act to authorize appropriations for the saline water conversion program for fiscal year 1973.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2601. An act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On March 29, 1972:

H.R. 9526. An act to authorize certain naval vessel loans, and for other purposes.

On March 30, 1972:

H.R. 8787. An act to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives.

ADJOURNMENT

Mr. MCFALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 11, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1807. A communication from the President of the United States transmitting supplemental requests for appropriations for fiscal year 1972 for the legislative branch and the judiciary (H. Doc. No. 92-274); to the Committee on Appropriations and order to be printed.

1808. A communication from the President of the United States, transmitting amendments to the request for appropriations for fiscal year 1973 for various departments and agencies (H. Doc. No. 92-275); to the Committee on Appropriations and order to be printed.

1809. A communication from the President of the United States, transmitting a proposed supplemental appropriation for fiscal year 1972 to enable the United States to maintain the value in terms of gold of the holdings of U.S. dollars of the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the Inter-American Development Bank, and the Asian Development Bank (H. Doc. No. 92-276); to the Committee on Appropriations and ordered to be printed.

1810. A communication from the President of the United States, transmitting an amendmen to the request for appropriations in the budget for fiscal year 1973 for the Department of Health, Education, and Welfare (H. Doc. No. 92-277); to the Committee on Appropriations and ordered to be printed.

1811. A communication from the President of the United States, transmitting amendments to the request for appropriations for fiscal year 1973 for the legislative branch (H. Doc. No. 92-278); to the Committee on Appropriations and ordered to be printed.

1812. A letter from the Secretary of Transportation, transmitting part II of the 1972 National Highway Needs Report, pursuant to section 3, Public Law 89–139, section 17, Public Law 90–495, and sections 105(b)(2) and 121, Public Law 91–605 (H. Doc. No. 92–266 (Pt. II)); to the Committee on Public Works and ordered to be printed with illustrations.

1813. A letter from the Acting Secretary of the Army, transmitting a report of Department of the Army contracts for military construction awarded without formal advertisement, covering the period July 1 through December 31, 1971, pursuant to section 704 of Public Law 92–145; to the Committee on Armed Services.

1814. A letter from the General Counsel of the Department of Defense, transmitting a draft to proposed legislation to amend section 269(d) of title 10, United States Code, to authorize the voluntary assignment of certain Reserve members who are entitled to retired or retainer pay to the Ready Reserve, and for other purposes; to the Committee on Armed Services.

1815. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Army National Guard, pursuant to 10 U.S.C. 2233(a)(1); to the Committee on Armed Services.

1816. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting reports of military construction projects placed under contract in fiscal year 1971 in which the current working estimate exceeded the amount authorized by Congress for that project by more than 25 percent, and reports of individual projects in which the project scope was reduced in order to permit contract award within the authorization amount, both reports pursuant to section 603(d) of Public Law 91–511; to the Committee on Armed Services.

1817. A letter from the Secretary of Labor, transmitting the 10th annual report on the administration of the Welfare and Pension Plans Disclosure Act, for the year 1971, pursuant to section 14(b) of the act; to the Committee on Education and Labor.

1818. A letter from the Commissioner of Education, Department of Health, Education, and Welfare, transmitting his second annual report on the condition of education in the United States and the activities of the Office of Education, covering fiscal year 1971, pursuant to section 412 of Public Law 90–247, as amended, including his report on advisory councils and a catalog of Federal education assistance programs, pursuant to sections 438 and 413 of the same act, respectively; to the Committee on Education and Labor.

1819. A letter from the Chairman, National Advisory Council on Education Professions Development, transmitting a report of the Council entitled "People for the People's College—Community-Junior College Staff Development Priorities for the '70's", pursuant to Public Law 90–35; to the Committee on Education and Labor.

1820. A letter from the Chairman, National Advisory Council on the Education of Disadvantaged Children, transmitting the eighth annual report of the Council, for the year 1972; to the Committee on Education and Labor.

1821. A letter from the Administrator, Agency for International Development, Department of State, transmitting a report of allocations by country and international organization for programs administered by AID during fiscal year 1972, pursuant to section 653 of the Foreign Assistance Act; to the Committee on Foreign Affairs.

1822. A letter from the Secretary, Export-Import Bank of the United States transmitting a report on the amount of Export-Import Bank loans, insurance, and guarantees issued in November 1971, through January 31, 1972, in connection with U.S. exports to Yugoslavia, pursuant to the Export-Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

1823. A letter from the Assistant Secretary of the Interior, transmitting a proposed grant agreement with the regents of the University of Wisconsin for a research project entitled "Effects of Alterations and Joint Fillings on the Mechanical Behavior of Rocks," pursuant to Public Law 89–672; to the Committee on Interior and Insular Affairs.

1824. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to increase the fiscal year 1973 authorizations for project grants for health services development and for project grants and contracts for family planning services; to the Committee on Interstate and Foreign Commerce.

1825. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to provide certain benefits for American civilian prisoners of war in Southeast Asia, for Federal employees in a missing status, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1826. A letter from the General Counsel, Department of Transportation, transmitting an environmental impact statement on the previously transmitted draft of proposed legislation to amend the Interstate Commerce Act, as amended, and acts amendatory and supplemental thereto to provide for increased reliance on competition in the establishment of carrier rates, charges, and practices, to liberalize entry and exit in the several modes of surface transportation, and for other purposes, pursuant to section 102(2)(C) of the National Environmental Policy Act; to the Committee on Interstate and Foreign Commerce.

1827. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled "The Gas Supplies of Interstate Natural Gas Pipeline Companies, 1970"; to the Committee on Interstate and Foreign Commerce.

1828. A letter from the Director, Administrative Office of the U.S. Courts, transmitting his annual report for fiscal year 1971, pursuant to 28 U.S.C. 604(a)(4), together with reports of the proceedings of the meetings of the Judicial Conference of the United States held during 1971; to the Committee on the Judiciary.

1829. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1830. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1831. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

1832. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1833. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1834. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 7 of the Fishermen's Protective Act of 1967; to the Committee on Merchant Marine and Fisheries.

1835. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to extend the provisions of the Commercial Fisheries Research and Development Act of 1964, as amended; to the Committee on Merchant Marine and Fisheries.

1836. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 26, 1972, submitting a report, together with accompanying papers and an illustration, on Manitowoc Harbor, Wis., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted January 7 and 19 June 1963. No authorization by Congress is recommended as the desired improvement has been approved for accomplishment by the Chief of Engineers under the provisions of section 107 of the River and Harbor Act of 1960; to the Committee on Public Works.

1837. A letter from the Chairman, U.S. Tariff Commission, transmitting the 21st report of the Commission on the operation of the trade agreements program, pursuant to section 402(b) of the Trade Expansion Act of 1962; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

1838. A letter from the Comptroller General of the United States, transmitting a report on an inquiry into conditions and need for improvements at the Arctic Test Center, Fort Greely, Alaska, Department of the Army; to the Committee on Government Operations.

1839. A letter from the Comptroller General of the United States, transmitting a report that the determination of nonprofit organizations' eligibility for reduced postage rates should be improved; to the Committee on Government Operations.

1840. A letter from the Comptroller General of the United States, transmitting a list of reports issued or released by the General Accounting Office during March 1972, pursuant to section 234 of the Legislative Reorganization Act of 1970; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee on the Judiciary. H.R. 7378. A bill to establish a Commission on Revision of the Judicial Circuits of the United States; with an amendment (Rept. No. 92–967). Referred to the Committee of the Whole House on the State of the Union.

Mr. ICHORD: Committee on Internal Security. Annual report of the Committee on Internal Security for the Year 1971 (Rept. No. 92–968). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CORMAN (for himself and Mr. CONABLE):

H.R. 14254. A bill to amend the Internal Revenue Code of 1954 to repeal the capital gain throwback rules applicable to trusts; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 14255. A bill to provide for the establishment of the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. GRIFFITHS:

H.R. 14256. A bill to amend the Social Security Act to provide that every citizen and resident of the United States shall have a social security number; to the Committee on Ways and Means.

By Mr. HARVEY:

H.R. 14257. A bill to provide price support for milk at not less than 85 percent of the parity price therefor; to the Committee on Agriculture.

By Mr. JACOBS:

H.R. 14258. A bill establishing a commission to develop a realistic plan leading to the conquest of multiple sclerosis at the earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 14259. A bill to designate the Emigrant Wilderness, Stanislaus National Forest, in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. SYMINGTON:

H.R. 14260. A bill to amend the Public Health Service Act to provide the public with an adequate quantity of safe water for drinking, recreation, and other human uses, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CONABLE (for himself and Mr. HORTON):

H.J. Res. 1148. Joint resolution to provide for the designation of the week which begins on September 24, 1972 as "National Microfilm Week"; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

349. By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, relative to the pay of retired members of the Armed Forces; to the Committee on Armed Services.

350. Also, memorial of the House of Representatives of the State of Georgia, relative to returning certain moneys to Donald W. Morrision of Homerville, Ga.; to the Committee on Armed Services.

351. Also, memorial of the Legislature of the State of Colorado, relative to farm labor housing; to the Committee on Education and Labor.

352. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to unemployment in Massachusetts; to the Committee on Education and Labor.

353. Also, memorial of the Legislature of the State of Idaho, relative to the treatment of Basques by the Spanish Government; to the Committee on Foreign Affairs.

354. Also, memorial of the Legislature of the State of South Carolina, relative the United Nations Convention on Genocide; to the Committee on Foreign Affairs.

355. Also, memorial of the Legislature of the Commonwealth of Virginia, relative to authorizing a tour of the Liberty Bell throughout the United States; to the Committee on Interior and Insular Affairs.

356. Also, memorial of the First Constitutional Convention of the Territory of Guam, transmitting its final report; to the Committee on Interior and Insular Affairs.

357. Also, memorial of the Legislature of the State of California, relative to the protection of children from the harmful effects of dangerous toys; to the Committee on Interstate and Foreign Commerce.

358. Also, memorial of the Legislature of the State of Nebraska, ratifying the proposed amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

359. Also, memorial of the Legislature of the State of New Hamphire, ratifying the proposed amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

360. Also, memorial of the Legislature of the State of Arizona, requesting the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States to permit offering voluntary prayer in public schools; to the Committee on the Judiciary.

361. Also, memorial of the Legislature of the State of Florida, requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to the choosing of a Presiding Officer of the U.S. Senate; to the Committee on the Judiciary.

362. Also, memorial of the Legislature of the State of Arizona, requesting the Congress to propose an amendment to the Constitution of the United States permitting each State to enact a residency law relating to public welfare assistance; to the Committee on the Judiciary.

363. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to the establishment of a "National Hunting and Fishing Day"; to the Committee on the Judiciary.

364. Also, memorial of the Legislature of the State of Oklahoma, relative to Federal judicial power in regard to transportation of students; to the Committee on the Judiciary.

365. Also, memorial of the Legislature of the State of Hawaii, relative to reform of public welfare financial assistance programs; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

206. By the SPEAKER: Petition of the Council of the City of New York, N.Y., relative to reimbursement to the city of New York for the cost of police protection at the United Nations; to the Committee on Foreign Affairs.

207. Also, petition of the County Legislature, Suffolk County, N.Y., relative to support of the President's efforts to achieve an honorable and satisfactory conclusion of hostilities in Southeast Asia; to the Committee on Foreign Affairs.

208. Also, petition of the annual adjourned meeting, North Andover, Mass., relative to the war in Southeast Asia; to the Committee on Foreign Affairs.

209. Also, petition of Rev. James Lloyd Smith, New York, N.Y., relative to the late Adam Clayton Powell, Jr.; to the Committee on House Administration.

210. Also, petition of the Board of Commissioners, Salt Lake City, Utah, relative to the acquisition of certain lands in the Wasatch National Forest; to the Committee on Interior and Insular Affairs.

211. Also, petition of the Common Council, Buffalo, N.Y., relative to support of a busing moratorium and of the Equal Educational Opportunities Act of 1972; to the Committee on the Judiciary.

212. Also, petition of the City Council, Bremerton, Wash., relative to Federal-State revenue sharing; to the Committee on Ways and Means.

SENATE—*Monday, April 10, 1972*

The Senate met at 11 a.m. and was called to order by Hon. DAVID H. GAMBRELL, a Senator from the State of Georgia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, who by Thy spirit dost lead men to desire a better world, to seek for truth, to rejoice in beauty, and to long for perfection, illuminate and inspire all thinkers, all statesmen, and all leaders, that in all their labors they may be guided by whatsoever is true and pure and lovely that Thy kingdom may come on earth.

Direct us, O Lord, in this Chamber in all our doings with Thy gracious favor, and further us with Thy continual help; that in all our work begun, continued, and ended in Thee, we may advance the welfare of all the people and glorify Thy holy name.

In the Redeemer's name, we pray. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The second assistant legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 10, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. DAVID H. GAMBRELL, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. GAMBRELL thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, April 7, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the