situation prevailing in Guinea-Bissau since 1968 as a result of the national liberation struggle . . . is comparable to that of an independent state part of whose national territory is occupied by foreign military forces. . . ."

Now, despite the loss of Cabral the PAIGC has carried out the planned proclamation. The struggle to establish this state has been long and hard. Formed in 1956 the PAIGC worked in the few towns of Guinea-Bissau until it was driven underground after the brutal Portuguese killing of fifty striking workers on the docks at Pidjiguiti in the capital of Bissau in 1959. The movement then embarked on a careful campaign to win the adherence of the mass of Guinea people who are peasants. A training center was established and about 1,000 people, under the tutelage of Cabral, were prepared for an active struggle for freedom over a two year period. In 1962, mass sabotage of Portuguese installations began. In 1963 the armed struggle was initiated. By 1968 virtually ⅔ of the country was under the control of the PAIGC. Now only the few larger towns and heavily militarized bases in scattered parts of the country are still controlled by the Portuguese. In 1972 the PAIGC organized the first election in which the people of Guinea-Bissau had ever had a chance to participate and a National Assembly of 120 members was chosen. This is the legislative body which just met to proclaim independence.

I was deeply impressed by what I saw of the nation-building activities of the PAIGC in the midst of conflict. I visited two of the five boarding schools of the PAIGC. Altogether there are about 15,000 students in PAIGC schools. Only a fraction of this number were in school under the Portuguese. The discipline and organization were almost entirely in the hands of the students themselves. There was a staff of well-trained teachers to supervise. There are no discipline problems because the children are bound together by the common effort and they know how fortunate they are to be able to attend school.

I saw some of the "People's Shops", which are scattered in the forest throughout the liberated areas. Here the people are able to trade what they themselves have such as rice and the skins of animals for shoes, clothing, soap, sugar and other items.

There is a sophisticated system for estimating exchange values. One square meter of crocodile skin, for example, is worth two kilos of rice. The consumers items for exchange come from friendly countries such as Holland, Scandinavian, and Eastern European nations. Everywhere I went I saw impressive evidence of Cabral's contention, "Indisputably, Portugal no longer exercises any effective administrative control over most areas of Guinea-Bissau . . . It is evident that the people of these liberated areas unreservedly support the policies and activities of the PAIGC which after nine years of armed struggle exercises free and de facto administrative control and effectively protects the interests of the inhabitants despite Portuguese activities." The PAIGC have a song which says, "We control the land . . . the Portuguese have only the sky." The main risk to the people in Guinea is from bombs dropped from the air.

The Portuguese are fighting colonial wars in two other territories of Africa—Mozambique and Angola. With their effective loss of control of Guinea-Bissau, the most apparent explanation of their attempt to still hold on there is the fear that to leave would have an effect on their ability to maintain morale for their ongoing struggle in the other two territories.

Now that the PAIGC has proclaimed the existence of their state some seventy to eighty African, Asian, Latin American and some European counties will almost certainly recognize it with little delay. There is no question in my mind that the new independent Republic of Guinea-Bissau ought to be granted international recognition. It has de facto control over most of the country and the strong support of the majority of the population. Is it too much to expect that the U.S. will be prepared to anger its NATO ally, Portugal by granting recognition to the new State? The U.S. will not be able to side-step this issue very long. The new Republic will undoubtedly apply for membership to the United Nations before too long. The response to this application will be a closely watched public test for those who claim to oppose continued colonial domination in any area of the world.

A TRIBUTE TO FORMER CONGRESSMAN J. VAUGHAN GARY OF RICHMOND

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 4, 1973

Mr. VANIK. Mr. Speaker, it is with great sadness that I have learned of the death of my dear friend and former colleague, J. Vaughan Gary of Richmond.

For some years I had the privilege of spending valued time with Vaughan on legislative matters and socially. His counsel, his wisdom, his calm, and his legislative skills as well as his kindness made him one of the outstanding Members of this body. He was a Congressman's Congressman.

Since his office was very near mine in the Cannon Building, we had many cherished hours of informal discussion and debate as we walked to vote or as we visited each other. Vaughan was sorely missed when he left his beloved House of Representatives.

We too, will miss him. He served nobly. He was a noble man.

HOUSE OF REPRESENTATIVES—*Monday, October 15, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let not mercy and truth forsake thee; bind them about thy neck; write them upon the table of thine heart.—Proverbs 3: 3.

"At Thy feet, our God and Father,
Who hast blessed us all our days,
We with grateful hearts would gather
To begin this day with praise."

Help us to make good use of the coming hours by living cleanly, laboring industriously, and loving wisely. May we have the confidence to carry our responsibilities with honor, the courage to overcome our difficulties with steadfastness, and the creative faith to live with truth and love in our hearts.

Sustain us in every effort to make our Nation a better nation and to make our world a better world.

In the spirit of Christ 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. Sparrow, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 748. Joint resolution making an appropriation for special payments to international financial institutions for the fiscal year 1974, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8825) entitled "An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes."

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate numbered 45, to the foregoing bill.

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

S. 2178. An act to name the U.S. courthouse and Federal office building under construction in New Orleans, La., as the "Hale Boggs Federal Building," and for other purposes;

S. 2503. An act to name a Federal office building in Dallas, Tex., the "Earle Cabell Federal Building"; and

S.J. Res. 164. Joint resolution to permit the Secretary of the Senate to use his franked mail privilege for a limited period to send certain matters on behalf of former Vice President Spiro T. Agnew.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

CHANGING NAME OF PATENT OFFICE

The Clerk called the bill (H.R. 7599) to amend the Trademark Act of 1946 and title 35 of the United States Code to change the name of the Patent Office to the Patent and Trademark Office.

There being no objection, the Clerk read the bill, as follows:

H.R. 7599

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

SECTION 1. The Trademark Act of 1946, 60 Stat. 427, as amended (15 U.S.C. sec. 1051 et seq. (1970)), and title 35 of the United States Code, entitled "Patents", are amended by

striking out each time they appear "Patent Office" and "Commissioner of Patents" and inserting in lieu thereof "Patent and Trademark Office" and "Commissioner of Patents and Trademarks", respectively.

SEC. 2. Section 29 of the Trademark Act of 1946 is further amended by striking out "Reg. U.S. Pat. Off." and inserting in lieu thereof "Reg. U.S. Pat. & Tm. Off."

SEC. 3. The terms "Patent Office" and "Commissioner of Patents" in all laws of the United States shall mean "Patent and Trademark Office" and "Commissioner of Patents and Trademarks", respectively.

SEC. 4. This Act shall become effective upon enactment. However, any registrant may continue to give notice of his registration in accordance with section 29 of the Trademark Act of 1946 (60 Stat. 427), as amended Oct. 9, 1962 (76 Stat. 769), as an alternative to notice in accordance with section 29 of the Trademark Act as amended by section 2 of this Act, regardless of whether his mark was registered before or after the effective date of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TRADEMARK ACT

The Clerk called the bill (H.R. 8981) to amend the Trademark Act to extend the time for filing oppositions, to eliminate the requirement for filing reasons of appeal in the Patent Office, and to provide for awarding attorney fees.

There being no objection, the Clerk read the bill as follows:

H.R. 8981

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

SECTION 1. Section 13 of the Trademark Act of 1946 (60 Stat. 427), as amended, is amended by deleting the second sentence and substituting therefor: "Upon written request prior to the expiration of the thirty-day period, the time for filing opposition shall be extended for an additional thirty days, and further extensions of time for filing opposition may be granted by the Commissioner for good cause. The Commissioner shall notify the applicant of each extension of the time for filing opposition.".

SEC. 2. Section 21 of the Trademark Act of 1946 (60 Stat. 427), as amended, is amended by deleting subsections (2), (3), and (4) from paragraph (a) and substituting therefor:

"(2) Such an appeal to the United States Court of Customs and Patent Appeals shall be taken by filing a notice of appeal with the Commissioner, within sixty days after the date of the decision appealed from or such longer time after said date as the Commissioner appoints. The notice of such appeal shall specify the party or parties taking the appeal, shall designate the decision or part thereof appealed from, and shall state that the appeal is taken to said court.

"(3) The court shall, before hearing such appeal, give notice of the time and place of the hearing to the Commissioner and the parties thereto. The Commissioner shall transmit the court certified copies of all the necessary original papers and evidence in the case specified by the appellant and any additional papers and evidence specified by the appellee, and in an ex parte case the Commissioner shall furnish the court with a brief explaining the grounds of the decision of the Patent Office, touching all the points involved in the appeal.

"(4) The court shall decide such appeal on the evidence produced before the Patent Office. The court shall return to the Commissioner a certificate of its proceedings and decision, which shall be entered on record in the Patent Office and govern further proceedings in the case.".

SEC. 3. Section 35 of the Trademark Act of 1946 (60 Stat. 427), as amended, is amended by adding the following sentence at the end thereof: "The court in exceptional cases may award reasonable attorney fees to the prevailing party.".

SEC. 4. This Act shall become effective upon enactment, but shall not affect any suit, proceeding, or appeal then pending.

With the following committee amendment:

On page 2, line 18, before "the court" insert "to".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING DELEGATES IN CONGRESS FROM GUAM AND VIRGIN ISLANDS TO MAKE NOMINATIONS TO SERVICE ACADEMIES

The Clerk called the bill (H.R. 7582) to amend title 10, United States Code, to entitle the Delegates in Congress from Guam and the Virgin Islands to make appointments to the service academies.

There being no objection, the Clerk read the bill as follows:

H.R. 7582

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4342(a) of title 10, United States Code, is amended by inserting after paragraph (9) the following new paragraphs:

"(10) Three cadets from Guam, nominated by the Delegate in Congress from Guam.

"(11) Three cadets from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands."

(b) Section 6954(a) of such title 10 is amended by inserting after paragraph (9) the following new paragraphs:

"(10) Three from Guam, nominated by the Delegate in Congress from Guam.

"(11) Three from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands."

(c) Section 9342(a) of such title 10 is amended by inserting after paragraph (9) the following new paragraphs:

"(10) Three cadets from Guam, nominated by the Delegate in Congress from Guam.

"(11) Three cadets from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands."

SEC. 2. (a) Sections 4342(f), 6958(b), and 9342(f) of such title 10 are each amended by striking out "(9)" and inserting in lieu thereof "(9)–(11)".

(b) Sections 4343 and 9343 of such title 10 are each amended by striking out "(2)–(8)" and inserting in lieu thereof "(2)–(8), (10), and (11)".

SEC. 3. (a) Section 4342(a)(9) of title 10, United States Code, is amended to read as follows:

"(9) One cadet from American Samoa nominated by the Secretary of the Army upon recommendation of the Governor of Samoa."

(b) Section 6954(a)(9) of such title 10 is amended to read as follows:

"(9) One from American Samoa nominated by the Secretary of the Navy upon recommendation of the Governor of Samoa."

(c) Section 9342(a)(9) of such title 10 is amended to read as follows:

"(9) One cadet from American Samoa nominated by the Secretary of the Air Force upon recommendation of the Governor of Samoa."

SEC. 4. This Act shall be effective beginning with the nominations for appointments to the Service Academies in the calendar year 1974.

With the following committee amendment:

Strike out all after the enacting clause and insert:

That chapter 403 of title 10, United States Code, is amended as follows:

(1) Section 4342(a)(6) is amended to read as follows:

(6) One cadet from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands.

(2) Section 4342(a)(9) is amended to read as follows:

(9) One cadet from Guam, nominated by the Delegate in Congress from Guam.

(3) Section 4342(a) is amended by inserting the following new clause after clause (9):

(10) One cadet from American Samoa nominated by the Secretary of the Army upon recommendation of the Governor of American Samoa.

(4) Section 4342(f) is amended by striking out "or Territory" and "and (9)" and inserting ", (9) and (10)" in place of "and (9)".

(5) Section 4343 is amended by striking out "(2)–(8)" and inserting in place thereof "(2)–(9)".

SEC. 2. Chapter 603 title 10, United States Code, is amended as follows:

(1) Section 6954(a)(6) is amended to read as follows:

(6) One from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands.

(2) Section 6954(a)(9) is amended to read as follows:

(9) One from Guam, nominated by the Delegate in Congress from Guam.

(3) Section 6954(a) is amended by inserting the following new clause after clause (9):

(10) One from American Samoa nominated by the Secretary of the Navy upon recommendation of the Governor of American Samoa.

(4) Section 6956(e) is amended by striking out "(2)–(8)" and inserting in place thereof "(2)–(9)".

(5) Section 6958(b) is amended by striking out "or Territory" and "and (9)" and inserting ", (9) and (10)" in place of "and (9)".

SEC. 3. Chapter 903 of title 10, United States Code, is amended as follows:

(1) Section 9342(a)(6) is amended to read as follows:

(6) One cadet from the Virgin Islands, nominated by the Delegate in Congress from the Virgin Islands.

(2) Section 9342(a)(9) is amended to read as follows:

(9) One cadet from Guam, nominated by the Delegate in Congress from Guam.

(3) Section 9342 is amended by inserting the following new clause after clause (9):

(10) One cadet from American Samoa nominated by the Secretary of the Air Force upon recommendation of the Governor of American Samoa.

(4) Section 9342(f) is amended by striking out "or Territory" and "and (9)" and inserting ", (9) and (10)" in place of "and (9)".

(5) Section 9343 is amended by striking out "(2)–(8)" and inserting in place thereof "(2)–(9)".

SEC. 4. The amendments made by this Act shall be effective beginning with the nominations for appointments to the service academies in the calendar year 1974.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

PERMITTING TWO IRANIAN CITIZENS TO ATTEND THE U.S. NAVAL ACADEMY

The Clerk called the joint resolution (H.J. Res. 735) authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy two citizens and subjects of the Empire of Iran.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. STARK. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

ENHANCING FEMALE PARTICIPATION IN THE JUNIOR RESERVE OFFICER TRAINING CORPS PROGRAM

The Clerk called the bill (H.R. 8187) to amend section 2031(b)(1) of title 10, United States Code, to remove the requirement that a Junior Reserve Officer Training Corps unit at any institution must have a minimum number of physically fit male students.

There being no objection, the Clerk read the bill as follows:

H.R. 8187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2031(b)(1) of title 10, United States Code, is amended by striking out the word "male" immediately before "students".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING UNITED STATES CODE TO INCREASE MAXIMUM AMOUNT OF A CLAIM AGAINST THE UNITED STATES

The Clerk called the bill (H.R. 9800) to amend sections 2733 and 2734 of title 10, United States Code, and section 715 of title 32, United States Code, to increase the maximum amount of a claim against the United States that may be paid administratively under those sections and to allow increased delegation of authority to settle and pay certain of those claims.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, this is another example of what too much spending, unbalanced budgets, and inflation is costing the people of this country. I have no particular quarrel with the intent of the bill, but I do point out to the House that it is made necessary, because of inflation in this country and devaluation of the dollar abroad, both a result of poor management of this Government.

These are the kinds of bills Congress is going to be confronted with increasingly in the days to come. I say again, Mr. Speaker, that they are the result of improvident spending, of a failure to comprehend that we simply cannot go on forever in this country borrowing and spending money.

I say again, Mr. Speaker, that I am not going to oppose the bill, but here is another in a long list of examples of what inflation and devaluation of the dollar is costing the taxpayers of this country, who are being caught both ways. It is taxpayers who will have to produce the funds to take care of the added expenditures for the devaluation of the dollar abroad as well as the inflation in this country.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 9800

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2733 of title 10, United States Code, is amended as follows:

(1) Subsection (a) is amended by striking out ", subject to appeal to him," and "$15,000" and inserting "$25,000" in place of "$15,000".

(2) Subsection (d) is amended by striking out "$15,000" both places it appears and inserting "$25,000" in place thereof.

(3) Subsection (g) is amended by striking out "In any case where the amount to be paid is not more than $2,500, the" and inserting "The" in place thereof.

SEC. 2. Section 2734 of title 10, United States Code, is amended by striking out "$15,000" wherever it appears and inserting "$25,000" in place thereof.

SEC. 3. Section 715 of title 32, United States Code, is amended as follows:

(1) Subsection (a) is amended by striking out ", subject to appeal to him," and "$15,000" and inserting "$25,000" in place of "$15,000".

(2) Subsection (d) is amended by striking out "$15,000" both places it appears and inserting "$25,000" in place thereof.

(3) Subsection (f) is amended by striking out "In any case where the amount to be paid is not more than $2,500, the" and inserting "The" in place thereof.

With the following committee amendments:

Page 1, lines 5 and 6: Strike "', subject to appeal to him,' and".

Page 2, lines 3, 4, and 5: Strike "'In any case where the amount to be paid is not more than $2,500, the' and inserting 'The' " and insert: "'$2,500' and inserting '$5,000' ".

Page 2, lines 11 and 12: Strike: "', subject to appeal to him,' and".

Page 2, lines 17, 18, and 19: Strike: "'In any case where the amount to be paid is not more than $2,500, the' and inserting 'The' " and insert: "'$2,500' and inserting '$5,000' ".

The committee amendments were agreed to.

Mr. DONOHUE. Mr. Speaker, this bill would amend sections 2733 and 2734 of title 10, and section 715 of title 32, all sections of the United States Code providing for the administrative settlement of claims arising from noncombat activity of the Armed Forces, by increasing the limits for administrative settlements in each of those sections from $15,000 to $25,000.

A further amendment is made in sections 2733 of title 10, and section 715 of title 32, to amend subsections regarding the delegation of authority to settle claims and to consider appeals by increasing the limit for such delegation from $2,500 to $5,000.

H.R. 9800 is a revised bill which was introduced after initial consideration of the bill, H.R. 5843. A report on the earlier bill in behalf of the Department of Defense supported the increase in administrative settlement authority from $15,000 to $25,000 in sections 2733 and 2734 of title 10, and 715 of title 32.

The bill, H.R. 9800, as amended, would increase from $15,000 to $25,000 limit for amounts that may be paid administratively on claims covered by sections 2733 and 2734 of title 10, United States Code, and section 715 of title 32, United States Code, within the Department of Defense—or the Coast Guard. All of these provisions relate to claims for personal injury or death, or damage to or loss of real or personal property of third parties. However, section 2734 is limited to claims of inhabitants of foreign countries, and relates only to claims that arise outside the United States, its territories, Commonwealths or possessions. The other two statutes are worldwide in application.

The bill, H.R. 5843, was the subject of a subcommittee hearing on May 3, 1973. The witness representing the Department of Defense supported the increase in administrative settlement and payment authority to $25,000 in the three sections. The committee is satisfied that military claims personnel have the expertise and ability to properly administer the three sections named in this bill. The increased authority provided in this bill allow more claims to be settled in full and permit an increased payment to claimants in those claims when full payment must now await action by the Congress.

In each of these three sections, when claims are settled for amounts which exceed the limit for administrative settlement, the balance is certified to the Congress. The payment of the balance must await an appropriation by Congress. The approval of the amendments increasing the administrative limit to $25,000 would relieve the Congress of the burden of handling claims settled for $25,000 or less. It would also expedite the full payment of many claims. This would result in monetary savings in administrative costs. Also, the earlier payment of claims can result in increased good will from the claimant, the observing public and news media concerned in accident and incident cases of a catastrophic nature.

The increased payment authority should result in no increased expenditure by the United States because payments for the balance of amounts due claimants which exceed the $15,000 limit are now paid out of supplemental appropriations.

The amendments proposed in the bill H.R. 9800, as amended by the committee, by providing for an increase in authority for administrative payment of claims are intended to provide for a more consistent level of authority under the various statutes. The increases in H.R. 9800 brings them a little closer to the payment authority of other related claims laws, and settlements under international agreements for the payment of claims. There is a relationship between claims settlements under the three sections referred to in this bill and claims settlements under other claims statutes administered by military claims personnel. One obvious relationship is to ad-

ministrative settlements under section 2672 of title 28 which grants authority to the heads of each Federal agency to settle tort claims up to $25,000 without the prior approval of the Attorney General or his designee.

The new limits of $25,000 fixed by the amended bill would in that respect be consistent with the present Tort Claims Act provisions of title 28. It should also be noted that the tort claims provisions of title 28 provide the principal statutory basis for settlement of tort claims arising within the United States. Both the Air Force report and the Defense Department witness at the hearing pointed out that the present settlement and appeals procedure have the effect of increasing the administrative cost of processing these claims and creates built-in referral delays that are confusing and upsetting to claimants.

The committee has concluded that present language at the two sections concerning delegation of authority for settlement, payment and appeals should remain the same, but that the limit on delegation of authority over such matters in subsection (g) in section 2733 and subsection (f) in section 715 should be increased from $2,500 to $5,000. This provision for the delegation of authority as to claims where the amount to be paid is not more than $5,000 will provide for expeditious handling of the claims now being filed under these sections which are for amounts under $5,000.

The amendments to the three sections provided for in the amended bill will provide for more efficient and practical claims settlements under those sections. It is recommended that the bill H.R. 9800, as amended by the committee, be considered favorably.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks immediately prior to the passage of the bill, H.R. 9800, which was called on the consent calendar.

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

There was no objection.

JAMES G. FULTON FLOOD PROTECTION PROJECT

The Clerk called the bill (H.R. 1920) to designate the portion of the project for flood control protection on Chartiers Creek that is within Allegheny County, Pa., as the "James G. Fulton flood protection project."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ALEXANDER. Mr. Speaker, reserving the right to object, the committee has received no report on the bill.

Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

RICHARD B. RUSSELL DAM AND LAKE

The Clerk called the bill (H.R. 10252) to change the name of the Trotters Shoals Dam and Lake, Georgia and South Carolina, to the Richard B. Russell Dam and Lake.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ALEXANDER. Mr. Speaker, reserving the right to object, the report has not been received by the committee. We just reserve the right to object; we have not received the report.

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

Mr. ALEXANDER. I yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Speaker, the reports have been available and we had assumed that they were submitted. There has been no controversy and the report is unanimous to both H.R. 1920 and H.R. 10252.

Mr. ALEXANDER. Mr. Speaker, apparently this is a procedural error. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection the clerk read the bill as follows:

H.R. 10252

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Trotters Shoals Dam and Lake on the Savannah River (Georgia and South Carolina, authorized by the Act approved November 7, 1966 (Public Law 89–789), shall hereafter be known as the Richard B. Russell Dam and Lake, and any law, regulation, document, or record of the United States in which such Trotters Shoals Dam and Lake are designated or referred to shall be held to refer to such dam and lake under and by the name of "Richard B. Russell Dam and Lake."

Mr. BLATNIK. Mr. Speaker, I rise in support of H.R. 10252, a bill to change the name of the Trotters Shoals Dam and Lake, Georgia and South Carolina, to the Richard B. Russell Dam and Lake.

The Trotters Shoals Dam and Lake on the Savannah River, is an integral part of the plan for the entire Savannah River Basin. The project includes flood control and hydroelectric power, but will also provide extensive boating, fishing, and other water-based recreational opportunities.

Mr. Speaker, it is a proud moment for me to be standing here today recommending this dam and lake be named in honor of Senator Richard B. Russell. During his 38 years in the Senate he was a staunch supporter of water resources projects that improve the lives of citizens throughout the country. I can personally remember his interest in securing the authorization for this project which was so important to the State he loved.

Senator Russell ranks among the giants for his contributions in the other body. Although he is remembered for the great pride he took in representing Georgia in the Senate and for his work on its behalf, I have always regarded Richard B. Russell as an outstanding national statesman. As chairman of the Senate Armed Services Committee, Richard B. Russell's contributions to America, and its defense, are a legacy that we can all be proud of. He was as constant and unswerving in his responsibility to America as he was in his responsibility to his native Georgia.

I believe it is fitting to honor the memory of this great statesman by renaming the Trotters Shoals Dam and Lake, the Senator Richard B. Russell Dam and Lake.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed and a motion to reconsider was laid on the table.

JAMES G. FULTON FLOOD PROTECTION PROJECT

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to return to the consideration of the bill (H.R. 1920) to designate the portion of the project for flood control protection on Chartiers Creek that is within Allegheny County, Pa., as the "James G. Fulton Flood Protection Project."

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

There was no objection.

The Clerk called the bill (H.R. 1920) to designate the portion of the project for flood control protection on Chartiers Creek that is within Allegheny County, Pa., as the "James G. Fulton Flood Protection Project."

There being no objection, the Clerk read the bill as follows:

H.R. 1920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the project for flood protection on Chartiers Creek that is within Allegheny County, Pennsylvania, authorized by section 204 of the Flood Control Act of 1965 (Public Law 89–298), shall be designated as the "James G. Fulton Flood Protection Project". Any reference to such project in any law, regulation, map, document, record, or other paper of the United States shall be held to be a reference to the "James G. Fulton Flood Protection Project".

Mr. BLATNIK. Mr. Speaker, I rise in support of H.R. 1920, a bill to name that portion of the Flood Control Project on the Chartiers Creek within Allegheny County, Pa., as the "James G. Fulton Flood Protection Project."

This project is located within Washington and Allegheny Counties, in southwestern Pennsylvania on a tributary of the Ohio River. The project was authorized by the Flood Control Act of 1965 and consists of channel widening, deepening and realignment of major channel cutoff, and relocation.

Many of us here today knew Jim Fulton personally. We knew him as a conscientious and diligent Member of the House. I served side-by-side with Jim Fulton for more than 20 years. I will always cherish the friendship and comradeship I enjoyed with him. During his 27 year career in the House of Representatives, Jim Fulton was an outstanding member of the Foreign Affairs Committee. On that committee he served as chairman of the important Subcommit-

tee for Europe, during the postwar years. His expertise in foreign affairs was recognized by President Truman when the President appointed him as the U.S. Delegate to the United Nations Conference on Trade and Employment in 1947. Later President Eisenhower appointed Jim Fulton as U.S. Delegate to the 14th General Assembly to the United Nations.

The advent of the space age saw Jim Fulton playing a leading role in the establishment of the space program. From his position on the House Science and Astronautics Committee, he was consistently in the forefront of those calling for the exploration of outer space. Recognizing his expertise in this field, President Johnson and President Kennedy appointed Jim Fulton adviser on space to the U.S. Mission at United Nations.

Jim Fulton worked hard to provide protection for the citizens of flood prone southwestern Pennsylvania. I can remember his diligent efforts on behalf of this project when it was considered for authorization by the Public Works Committee. He certainly played a major role in its authorization.

I am proud to recommend passage of this bill to name the Chartiers Creek project in honor of Representative James G. Fulton.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, an a motion to reconsider was laid on the table.

RICHARD B. RUSSELL DAM AND LAKE

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2486) to provide that the project referred to as the Trotters Shoals Dam and Lake on the Savannah River, Ga. and S.C., shall hereafter be known and designated as the "Richard B. Russell Dam and Lake," a bill similar to H.R. 10252.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill as follows:

S. 2486

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in honor of the late Richard B. Russell, and in recognition of his long and outstanding service as a Member of the United States Senate, the Trotters Shoals Dam and Lake, Savannah River, Georgia and South Carolina, shall hereafter be known and designated as the "Richard B. Russell Dam and Lake", and shall be dedicated as a monument to his distinguished public service. Any law, regulation, map, document, or record of the United States in which such project is referred to shall be held and considered to refer to such project by the name of the "Richard B. Russell Dam and Lake".

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 10252) was laid on the table.

H. V. EASTMAN LAKE

The Clerk called the bill (H.R. 655) to provide for the naming of the lake to be created by the Buchanan Dam, Chowchilla River, Calif.

There being no objection, the Clerk read the bill as follows:

H.R. 655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be created by the Buchanan Dam on the Chowchilla River, California, authorized by section 203 of the Flood Control Act of 1962, shall be known and designated as the "H. V. Eastman Lake". Any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake as the "H. V. Eastman Lake".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

CONSENT CALENDAR PROCEDURES

Mr. ALEXANDER. Mr. Speaker, the chairman of the Consent Calendar Committee wishes to state to the Speaker of the House that we are having some difficulty with the Document Room as to receiving reports timely enough and accurately enough in order to prepare for the call of the Consent Calendar.

It is a long-standing practice that the Document Room deliver those bills which appear on the Consent Calendar to my committee. As of this morning, three of the Consent Calendar bills (H.R. 1920, H.R. 10252, and H.R. 655) were not made available to me.

It is the policy of the objectors that a report be available to this committee for 3 legislative days in advance of the call of the Consent Calendar. In the future I will ask that bills which are not available to the Committee in accordance with this policy be passed over without prejudice.

Also, in the future, I hope that the Document Room will make it a point of providing these bills and reports to my committee as soon as they are in print.

THE CASE OF EVGENY LEVICH

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

Mr. BRINKLEY. Mr. Speaker, in 1966 the Soviet Union signed the Universal Declaration of the Rights of Man which set forth the principle of free emigration for all people.

The Soviet Government has not complied with the principle affirmed in this declaration.

Early in 1972 Evgeny Levich, a 25-year-old astrophysicist from Moscow, his wife, and his father, and mother all applied for an exit visa to emigrate to Israel. All were refused.

In late April proceedings were started by the Soviet Government to force Evgeny into the Army. Previously he had received a medical exemption from military service based on an intestinal tumor and ulcerative colitis with complications. Because of his condition Evgeny could not report for induction and on May 16 he was arrested and sent to an Army transit camp in Siberia.

He is currently in Tiksi in the Arctic region of the Soviet Union, ill, has been forced to dig ditches under extremely severe weather conditions. His medical condition, worsened by extreme physical hardship and the denial of medical treatment, endangers Evgeny's life. He is presently hospitalized and it is feared he will not survive if his situation is not changed immediately.

Mr. Speaker, the case of Soviet Jewry cries out for our attention. I appeal to our colleagues in Congress to help by passing the Mills-Vanik amendment.

SERIES CHALLENGE ACCEPTED

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

Mr. STARK. Mr. Speaker, so many events of great interest took place over the weekend that I want to be certain that my colleagues did not miss one of particular significance. I refer to the World Series, and the two games which were played.

Some might conclude that Oakland and the Mets are evenly matched, with each winning one game in the last two days. Nothing could be farther from the truth. Instead, it is Oakland's superb sense of fairness which permitted the two game split. Oakland figured that letting the Mets win both would be downright suspicious, but letting them win one was essential to being good hosts.

Now the teams are off to New York, and there can be little doubt about the outcome. On New York soil we will show them how the game is played. My California colleagues and I are pledged to down the New York champagne offered by our Empire State colleagues when all is done. This, I might add, will prove that we, like our Oakland A's, are rugged and tough.

I predict, Mr. WOLFF, that before the week is out we will join you in celebrating the triumph of our hirsute A's.

THE MILITARY ALL-VOLUNTEER CONCEPT—SEVENTH SEGMENT

(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, to continue my 1-minute speeches, if you ever had any doubts about the citizen soldier, well, forget it.

Israel has proved once again that the Reserves and National Guard make the difference in winning or losing.

It took Israel only 3 days to call up the Reserves and put the citizen soldier into action.

But, Mr. Speaker, back here in the States, the Pentagon is ordering further studies on cutting the Guard and Reserves strengths. Instead of more studies being made, what the Pentagon should do is load up an airplane with experts

and fly them to Tel Aviv and observe the reservists in action.

Mr. Speaker, I will say again, one of the best buys for the taxpayer is the Reserve program. If you do not believe me, ask the Israelis.

PERMITTING SECRETARY OF SENATE TO USE FRANKED MAIL ON BEHALF OF FORMER VICE PRESIDENT SPIRO T. AGNEW

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S.J. Res. 164) to permit the Secretary of the Senate to use his franked mail privilege for a limited period to send certain matters on behalf of former Vice President Spiro T. Agnew, and ask for immediate consideration of the Senate joint resolution.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 164

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, through November 10, 1973, the Secretary of the Senate may, on behalf of former Vice President Spiro T. Agnew, send as franked mail, matter to a Government official (not to exceed 4 pounds in weight) and correspondence to any person (not exceeding 4 ounces in weight), and send and receive as franked mail, public documents printed by order of Congress, with respect to official business occurring as the result of his having held the office of Vice President. Postage on mail sent and received under this joint resolution is postage sent and received under the franking privilege for purposes of section 3216 of title 39, United States Code.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SECRETARY OF THE ARMY ASKS SUPPORT OF MILITARY ALL-VOLUNTEER CONCEPT

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

Mr. DICKINSON. Mr. Speaker, I was very interested in the remarks made by the gentleman from Mississippi (Mr. MONTGOMERY) and I would like to subscribe to what he said. I would also like to make another observation.

I was talking very recently with the Secretary of the Army, Secretary Calloway, and he surprised me by saying that when we come to the concept of the all-volunteer Army and our support of the Reserves, those who have traditionally been the friends of the armed services and who have stood for a strong defense have inadvertently and unintentionally become one of the biggest problems he has had to live with. They have done a great deal to hurt the all-volunteer concept by continued criticism. Whereas in the past we have been very skeptical and doubtful and open in our criticism of the all-volunteer concept, because we did not think it would work, those of us who have taken that position in the past have continued to voice our reservations and, in fact, criticize their efforts now.

So the Secretary has asked us—and I am certainly willing to accede to his request—to stop criticizing the failure of the all-volunteer Army, and let us get behind it and see if we can make it work.

Mr. Speaker, I believe this is a good idea, and I request all of our colleagues here to get behind our Secretary of the Army and see if we can make the all-volunteer concept work.

APPOINTMENT OF CONFEREES ON H.R. 7446, ESTABLISHING THE AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7446) to establish the American Revolution Bicentennial Administration, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

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

The Chair hears none, and appoints the following conferees: Messrs. DONOHUE, MANN, and BUTLER.

CALL OF THE HOUSE

Mr. WYLIE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 523]

Abdnor	Fulton	Murphy, N.Y.
Addabbo	Gaydos	Nix
Aspin	Giaimo	O'Brien
Badillo	Gibbons	Passman
Bell	Grasso	Patman
Biaggi	Gubser	Pettis
Bolling	Hanley	Peyser
Brasco	Harrington	Powell, Ohio
Brown, Mich.	Hébert	Rarick
Brown, Ohio	Holifield	Reid
Burke, Calif.	Holtzman	Robison, N.Y.
Cederberg	Hosmer	Roncalio, Wyo.
Chisholm	Jordan	Rooney, N.Y.
Clark	Kluczynski	Rosenthal
Clay	Long, Md.	Sandman
Conyers	McFall	Sikes
Culver	McKinney	Smith, Iowa
Dellums	Madden	Stratton
Denholm	Maraziti	Thomson, Wis.
Diggs	Metcalfe	Towell, Nev.
Dingell	Mills, Ark.	Udall
Dorn	Minshall, Ohio	Van Deerlin
Ford, Gerald R.	Mitchell, N.Y.	Walsh
	Moakley	Wiggins
Ford, William D.	Moorhead, Calif.	Winn
		Young, Fla.
Frelinghuysen	Mosher	Young, S.C.
Froehlich	Moss	Zion

The SPEAKER. On this rollcall 353 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDMENT TO FEDERAL-AID HIGHWAY ACT OF 1973

Mr. WRIGHT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10511) to amend section 164 of the Federal-Aid Highway Act of 1973 relating to financial assistance agreements, as amended.

The Clerk read as follows:

H.R. 10511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 164 of the Federal-Aid Highway Act of 1973 (Public Law 93-87) is amended by inserting "(1)" immediately after "Sec. 164(a)", by striking out "(1) subsection (a) or (c) of section 142, title 23, United States Code, (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code, or (3) the Urban Mass Transportation Act of 1964," and inserting in lieu thereof "(A) subsection (a) or (c) of section 142, title 23, United States Code, or (B) paragraph (4) of subsection (e) of section 103, title 23, United States Code," and by striking out in the last sentence of such subsection "clauses (1), (2), and (3)" and inserting in lieu thereof "clauses (A) and (B)", and by adding at the end thereof the following new paragraph:

"(2) On and after July 1, 1974, no Federal financial assistance shall be provided under the Urban Mass Transportation Act of 1964, as amended, for the purchase of buses to any applicant for such assistance unless such applicant and the Secretary of Transportation shall have entered into an agreement that such applicant or the publicly owned operator of mass transportation service for the applicant will not engage in charter bus operations in unfair or destructive competition with private bus operators outside of the urban area or areas within which such applicant provides regularly scheduled mass transportation service. Such agreement shall provide for fair and equitable arrangements, as determined by the Secretary of Transportation, for the protection of private bus operators against unfair or destructive competition outside the urban area or areas served by the applicant, but no such agreement shall limit an applicant's charter bus operations or the charter bus operation of the publicly owned operator for such applicant if private bus operators are unwilling or unable to provide charter bus service, nor shall any such agreement impose on any private operator of mass transportation service for the applicant any limitation on the charter bus operations of such private operator. In addition to any other remedies specified in the terms and conditions of the grant of assistance, the Secretary is authorized to bar an applicant from receiving any other Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, for a continuing pattern of violations of the agreement between the applicant and the Secretary. Upon notification of a violation the Secretary shall investigate the allegation, and if he determines that a violation has occurred he shall take appropriate action to correct the violation under the terms and conditions specified in the grant of assistance."

The SPEAKER. Is a second demanded?

Mr. GROVER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WRIGHT. Mr. Speaker, I yield myself such time as I may consume.

This is a relatively simple but quite important bill, corrective in nature. When we enacted the Federal Aid High-

way Act of 1973, we included some language in the conference committee which was intended to do one very clear and limited thing. We felt that we had perfected the language adequately to perform our intended objective.

Now, however, it appears that the language of that act is being interpreted to do something that the Congress did not intend.

What the Congress clearly and manifestly intended in the enactment of the section under question in the Highway Act was to prohibit the use of Federal funds by a public body to begin new services in competition with an existing private transit company. That is a very clear and simple purpose. I think it is a proposition that almost everybody would accept. We do not want Federal funds to be used to go into unfair competition with existing businesses and perhaps drive those private companies out of the markets they have been serving.

However, it has been interpreted that the section we wrote into the bill might be so construed and, indeed, is being so construed as to prohibit any grant of any type under the Urban Mass Transportation Act to a community with an existing public transit authority which all along has been operating charter services of one type or another if at some future time some private company should decide to enter into competition with the city. Obviously, that was not intended.

Just as we do not desire to give cities a new and unfair competitive advantage against private companies, we similarly did not intend to give private companies any new and unfair competitive advantage against publicly owned transit systems. We expressly did not intend to require the cities to discontinue service they are presently providing to their citizens.

So, Mr. Speaker, your Committee on Public Works has drafted language contained in the present bill which does more clearly stipulate that purpose which Congress intended, which the conferees intended and which, quite manifestly, the members of the Committee on Public Works intended.

The bill presently before us does make it impossible for Federal funds to be used by a public body to enter into new competition in an unfair or destructive manner against any existing private bus or transit company; but it does not foreclose the receipt of any funds to that public body where that public body all along has been providing certain charter services for its citizens nor does it require the public body to discontinue its present schedule of services as a requisite to receiving future Federal funds.

This is what we intended initially. This is what we do under the present bill. It is a perfecting bill. Its language has been worked out in very close, harmonious cooperation with all the authorities and all the agencies involved—with representatives of the Urban Mass Transportation Agency and with representatives, indeed, of the private and public bus companies. So far as we know, they all are in agreement with the committee on the proposition that is submitted in the bill presently before us.

The discrepancy which we here correct was called to the committee's attention by a number of members: Mr. JAMES V. STANTON and Mr. WYLIE, and the able gentlemen from New Jersey, Mr. MINISH and Mr. WIDNALL. Mr. JOHNSON of California was interested, as were a number of others. Mr. MINISH, the principal author of the Urban Mass Transportation Act, is a cosponsor of this bill.

Mr. Speaker, I would think that the Members would surely want to enact this bill by an overwhelming vote.

Mr. GROSS. Will the gentleman yield?

Mr. WRIGHT. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Let me ask the gentleman the question of who is going to determine whether the chartering of publicly subsidized buses would be in the nature of unfair or destructive competition? Who is going to make that determination?

Mr. WRIGHT. The Secretary of Transportation would be required ultimately to pass on any such allegation.

Mr. GROSS. And that would come all the way up to Washington?

Mr. WRIGHT. It could come all the way to Washington. As the gentleman is aware, the Secretary of Transportation has his agents and designees in various parts of the country, regional offices, and local offices, but if it came to the desk of the Secretary of Transportation on a contested case, he ultimately would have to make that determination.

Mr. GROSS. So the gentleman does feel, and the committee evidently does feel, that buslines operated with Federal funds, where perhaps funds have also been provided for the purchase of buses, are entitled to compete with private owners if it is not unfair or destructive competition. The gentleman feels this should be permitted, is that correct?

Mr. WRIGHT. Mr. Speaker, I would say this to the gentleman from Iowa; the members of the committee felt that in those situations, which exist in a number of cases throughout the country, where local public mass transit authorities have all along been operating certain charter services, they should be permitted to continue to operate those services. We should not require them to discontinue services that are presently provided for their citizens, nor should we retract from them the commitments of Federal matching funds necessary to serve their citizens if some private organization with perhaps one or two buses or limousines might decide to go into competition with them.

However, what we do seek to prevent and feel should be prevented is the use of Federal moneys to go into new services on the part of the municipal or other public body in unfair competition with the existing private service. This we seek to prevent and this we do prevent by the new language presently before us.

Mr. GROSS. But, is not the inverse of the gentleman's argument the fact that with the use of Federal funds, the use of federally purchased buses, the use of Federal funds to operate those buses, where they have been providing this service, that they knock out for the future the private enterprise system of someone going into the bus business to provide a charter service; that the publicly subsidized bus operators have been providing and will continue to provide under the terms of this bill? Is it not then an estopment of development of private enterprise?

Mr. WRIGHT. Mr. Speaker, I would say to the gentleman that it is the reverse—an estopment against the use of Federal moneys by a public body to go into unfair and destructive competition with existing private facilities. I would simply——

Mr. GROSS. But if the private service does not exist and cannot exist because of federally subsidized bus operators already performing the service, it seems to me that we have a prima facie case of unfair and destructive competition even in the absence of an existing bus company. A bus company can never be organized to compete with them. There is no charter company and none can be organized if they must compete with Federal subsidies.

Mr. WRIGHT. Mr. Speaker, there is nothing in the bill which prevent the organization of any private company. I would say to the gentleman that the National Association of Motor Bus Owners, which is the principal association in the private enterprise sector, has endorsed this approach and most of its members apparently support this approach.

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

Mr. WRIGHT. I yield to the gentleman from Ohio.

Mr. WYLIE. Mr. Speaker, I support this bill wholeheartedly. The present language in the law is too restrictive. This bill provides for a delay of 1 year, as I understand it, in the application of section 164 of the Federal Aid to Highway Act of 1973. Additionally, it clarifies the committee's intent that mass transit funds should only be denied for unfair or destructive competition.

To give an example, if I may, of the extreme to which the present law is applied. The Central Ohio Transit Authority succeeded in having a tax levy passed in May. Occasionally, the public transit company will provide a charter service for taking schoolchildren to the Columbus Municipal Zoo. The zoo is located outside the city of Columbus. The Urban Mass Transit Administration in Washington has said that COTA must sign an agreement which will commit it to not engage in any charter service ad infinitum, if COTA is to receive a Federal grant, that is. Because, there might be a bus from a private company using the route past the zoo entrance.

There is at present no private company which wants the bus service which the Columbus Transit Co. has been performing for years. Yet, if COTA does not agree to perform any charter service outside the city of Columbus, Federal matching funds will be withheld, I am told.

I believe under the present law any competition has been adjudged to be unfair or destructive competition. All this bill will do is to delay for 1 year a determination of a definition of what is unfair or destructive competition, is that correct?

Mr. WRIGHT. The gentleman is exactly correct. The illustration which he

recites can be duplicated in many cities throughout the United States.

Mr. WIDNALL. Mr. Speaker, I rise to support H.R. 10511 and to thank my colleague from Texas, JAMES WRIGHT, for his kind words concerning my efforts in this matter. The problems that would result if section 164 of the Federal-Aid Highway Act of 1973 was left unchanged would have been drastic for mass transit in the heavily urbanized areas of New Jersey. His work on this important bill deserves the greatest commendation.

I support the concept of reducing federally subsidized competition in private enterprise; however, it appears that the original language of section 164, as interpreted by the Urban Mass Transit Administration, went beyond what its sponsors intended. It is my understanding that both private and public transit companies are now in agreement on H.R. 10511 as a means of reducing charter bus competition by subsidized operations which is unfair or destructive to private bus operators.

I urge my colleagues to support this measure and provide a rational method of assuring that Federal dollars are not used to destroy private enterprise.

Mr. EDWARDS of California. Mr. Speaker, I rise in support of H.R. 10511, to clarify the intent of Congress with regard to the operation of charter services by publicly owned transit districts which receive Federal funds. For many transit districts, limited-service chartering offers a valuable source of revenue which makes it possible to provide low-cost mass transportation to the general public.

In my own district this option is being exercised by the Santa Clara County Transit District, which successfully negotiated with private charter bus operators in order to provide charter services to events in neighboring counties without creating unfair competition for the private sector.

The continuation of this service is extremely important to the budget plans for Santa Clara County and many other publicly owned transit districts as well. I hope my colleagues will join me in support of H.R. 10511.

Mr. GROVER. Mr. Speaker, I have no requests for time.

Mr. WRIGHT. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. WRIGHT) that the House suspend the rules and pass the bill H.R. 10511, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

B. EVERETT JORDAN DAM AND LAKE

Mr. ROBERTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9611) to change the name of the New Hope Dam and Lake, N.C., to the B. Everett Jordan Dam and Lake.

The Clerk read as follows:

H.R. 9611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the New Hope Dam and Lake on the Haw River, North Carolina, a part of the project for the Cape Fear River Basin, North Carolina, authorized by the Act approved December 30, 1963 (Public Law 88-253), shall hereafter be known as the B. Everett Jordan Dam and Lake, and any law, regulation, document, or record of the United States in which such New Hope Dam and Lake are designated or referred to shall be held to refer to such dam and lake under and by name of "B. Everett Jordan Dam and Lake".

The SPEAKER. Is a second demanded?

Mr. GROVER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ROBERTS. Mr. Speaker, I yield such time as he may consume to the chairman of the committee, the gentleman from Minnesota (Mr. BLATNIK).

Mr. BLATNIK. Mr. Speaker, I rise in support of H.R. 9611, which designates the New Hope Dam and Lake, N.C., as the B. Everett Jordan Dam and Lake. This project was authorized by the Flood Control Act of 1963. Construction was started in 1967 and the expected completion date is 1975. The project will be operated for flood control, water supply, recreation, and water quality.

Senator Jordan was appointed to the United States Senate on April 19, 1958, to fill the vacancy caused by the death of Senator W. Kerr Scott. He was elected in 1958, in 1960, and in 1966, and served until January 3, 1973. His 15-year career in the Senate was marked with many distinguished accomplishments, including his great contributions to this Nation in the area of water resources development.

As chairman of the Subcommittee on Water Resources of the Senate Public Works Committee, he was a leading force in securing authorization for many worthwhile projects throughout this country. I think it only fitting to name the New Hope Dam and Lake after Senator B. Everett Jordan in honor of his long years of outstanding service to this country and to his State of North Carolina.

Mr. Speaker, I urge passage of H.R. 9611.

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

Mr. BLATNIK. I am pleased to yield to the gentleman from New York.

Mr. GROVER. Just for the record, I should like to have the chairman state whether the ex-Senator has indicated his willingness to accept this honor. I believe in the past we have required that in our committee.

Mr. BLATNIK. Primarily this responds to the overwhelming support in his area and in his district for this renaming. We are informed that the gentleman will be pleased to accept this honor.

Mr. ROBERTS. Mr. Speaker, this bill designates the New Hope Dam and Lake in North Carolina as the B. Everett Jordan Dam and Lake.

The New Hope Dam and Lake was authorized by the Flood Control Act of 1963. Construction was commenced in 1967 and is scheduled for completion in 1975. The project will serve the purposes of flood control, water quality, water supply, and recreation.

Benjamin Everett Jordan was born in Ramseur, Randolph County, N.C., on September 8, 1896. After a long and successful career in business and as civic leader in his native State, he was appointed to the U.S. Senate on April 19, 1958, and elected November 4, 1958, to fill the vacancy caused by the death of Senator W. Kerr Scott. Senator Jordan was reelected in 1960 and again in 1966 and served until January 3, 1973.

Senator Jordan served with great distinction during his 15 years in the Senate. His career has been marked by his great contributions to this Nation particularly in the area of water resource development. He has long been known as a staunch and consistent supporter of such projects throughout the country, and as chairman of the Subcommittee on Water Resources of the Committee on Public Works, helped secure authorization for many worthwhile projects throughout the Nation.

The committee believes it fitting and proper to name the New Hope Dam and Lake after Senator B. Everett Jordan in honor of his many years of distinguished service to North Carolina and the Nation.

Mr. TAYLOR of North Carolina. Mr. Speaker, it was with a high degree of personal pride and satisfaction that I joined today with my House colleagues in unanimous support of a bill which I cosponsored to change the name of the New Hope Dam and Lake in North Carolina to the B. Everett Jordan Dam and Lake as a tribute to a beloved North Carolina statesman.

As a Member of the Senate for 15 years, Senator Jordan was a knowledgeable and respected leader in the field of water resources. As chairman of the Water Resources Subcommittee of the Senate Public Works Committee, he effectively and painstakingly guided numerous water resource projects through the lengthy and frequently difficult authorization process.

I cannot think of a more fitting and proper tribute to B. Everett Jordan than naming for him one of the important projects for which he fought so long and hard. He is truly deserving of the honor.

I feel confident that his fellow Senators will be anxious to act upon the bill expeditiously as a means of further recognizing the far-reaching contributions by their former colleague to the people of the United States.

Mr. ANDREWS of North Carolina. Mr.

Speaker, I am proud and privileged to be a sponsor of H.R. 9611, a resolution to change the name of the New Hope Dam and Lake, N.C., to the B. Everett Jordan Dam and Lake.

The New Hope Dam and Lake, located in the district which I represent, is part of the comprehensive plan for the Cape Fear River Basin. The project authorized in the Flood Control Act of 1963 will be located in Chatham, Durham, Orange, and Wake Counties. The dam site is on the Haw River, N.C., 4.3 miles above its mouth and 2.5 miles north of Moncure, N.C. The total drainage area above the dam is 1,690 square miles. The earth dam will be 1,330 feet long, with a maximum height of 112 feet above streambed, an uncontrolled chute spillway, and a controlled outlet structure. The reservoir has a total capacity of 778,000 acre-feet at elevation 240 feet mean sea level. The capacity reserved for flood control is 543,000 acre-feet, which is equivalent to 6 inches of runoff from the drainage area above the dam site.

I believe it is entirely fitting and proper to rename this project after our beloved former Senator, B. Everett Jordan, because it is so unmistakably a product of his personal efforts.

Senator Jordan was a member of the Senate Public Works Committee during most of his 15 years in the Senate, and became chairman of the Rivers and Harbors and Flood Control Subcommittee during the latter stage of his distinguished career in public service.

He guided the New Hope project through the Senate Appropriations Committee to get initial funding for a planning start in advance of authorization by having a provision included that the appropriation should be contingent upon subsequent authorization action.

After this initial success, Senator Jordan followed the project step by step to insure against undue delay and fought successsfully for funding at the various stages becase of his conviction that the development was essential to serve the needs of cities and industries in the Cape Fear Basin.

From the day he came to the Senate, Senator Jordan's overriding desire and purpose was to insure that North Carolina's natural wealth, and particularly the State's water resources, were guarded against waste and developed to their fullest potential.

His unfaltering devotion to the New Hope project attests manifestly to his objective and to his success in its pursuit.

The enactment of this legislation to change the name of the New Hope Dam and Lake to the B. Everett Jordan Dam and Lake will not result in any cost to the United States, but it will pay rich dividends of reward and honor to the man who so singly deserves them.

I urge my colleagues to support the passage of H.R. 9611.

Mr. PREYER. Mr. Speaker, I am proud to have been a cosponsor of the legislation changing the name of the New Hope Dam and Lake to the B. Everett Jordan Dam and Lake. Proud because it does honor to a friend and colleague, but prouder yet because it pays tribute to public service at it best.

The New Hope project bears the imprint of a number of the citizens of my State but most particularly it is the result of the efforts of Senators Kerr Scott and Everett Jordan. When Senator Jordan came to the Senate upon the death of former Governor Scott he carried on the fight for the dam that his predecessor had begun.

In the beginning, it was a lonely effort and throughout its legislative history it has been an often difficult one but Everett Jordan believed in this project and he worked to achieve it. As a businessman he had early learned the importance of water power and as a man who loves the land—especially that within the borders of North Carolina—he knows the rich promise of such a project in conservation and recreation values.

Senator Jordan was a Senator's Senator. He knew the legislative process as an expert and he made it work for the people of North Carolina and of the Nation. He made it work in the best way—sensitive to the problems and needs of people and responsive to their expectations.

My only regret is that this dam cannot bear the name of another Jordan—Katherine—for Mrs. B. Everett Jordan has been a generous and gracious helpmate through the years of her husband's service to our State and Nation. Her leadership in the Congressional Wives Prayer Group and other good works have endeared her to all who know her.

The honor you pay to Senator B. Everett Jordan today will be warmly received by the people of North Carolina.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. ROBERTS) that the House suspend the rules and pass the bill H.R. 9611.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 2282) to change the name of the New Hope Dam and Lake, N.C., to the B. Everett Jordan Dam and Lake.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas.

There was no objection.

The Clerk read the Senate bill as follows:

S. 2282

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the New Hope Dam and Lake on the Haw River, North Carolina, a part of the project of the Cape Fear River Basin, North Carolina, authorized by the Act approved December 30, 1963 (Public Law 88-253), shall hereafter be known as the B. Everett Jordan Dam and Lake, and any law, regulation, document, or record of the United States in which such New Hope Dam and Lake are designated or referred to shall be held to refer to such dam and lake under and by the name of "B. Everett Jordan Dam and Lake."

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 9611) was laid on the table.

GENERAL LEAVE

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

WRIGHT PATMAN DAM AND LAKE

Mr. BLATNIK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 974) designating the Texarkana Dam and Reservoir on the Sulphur River as the "Wright Patman Dam and Lake."

The Clerk read as follows:

H.R. 974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Texarkana Dam and Lake, Sulphur River, Texas, authorized by the Flood Control Act approved July 24, 1946, shall hereafter be known as the Wright Patman Dam and Lake, and any law, regulation, document, or record of the United States in which such project is designated or referred to shall be held to refer to such project under and by the name of "Wright Patman Dam and Lake".

The SPEAKER. Is a second demanded?

Mr. GROVER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BLATNIK. Mr. Speaker, I rise in support of H.R. 974 designating the Texarkana Dam and Reservoir in Texas as the Wright Patman Dam and Lake. This project, authorized by the Flood Control Act of 1946 and completed in 1958, is operated for the purposes of flood control, water supply, and recreation. It has a very large recreational use. The annual number of visitors is well over 2½ million.

As we all know, WRIGHT PATMAN has been chairman of the Banking and Currency Committee of the House of Representatives since the beginning of the 88th Congress in 1963. In that position he has served with great distinction.

During his 45 years of service in the Congress, he has earned the respect of his constituents and his colleagues. I am proud to call him friend, and to have had the honor of serving with him in this body during his long and illustrious career.

Chairman PATMAN's contributions to this Nation have been manifold. He is a man who has devoted his energies and his time in developing legislation that will improve the welfare and the good of all Americans. He has been particularly interested for many years in the field of water resources development, and it is

only fitting that the Texarkana Dam and Reservoir, the project which will be named for WRIGHT PATMAN, should be so named for him, as it epitomizes his contribution to the field of water resource development and honors him for his long years of distinguished service to his district, to his State and to his Nation.

As a member, and now as chairman of the Committee on Public Works, I and my colleagues on that committee have worked closely with the distinguished chairman of the Committee on Banking and Currency in many fields of mutual interest—encompassing major legislation. Our Committee's relationship with the Banking and Currency Committee, and my personal relationship with WRIGHT PATMAN, have been without question the finest.

On those rare occasions when there have been questions of jurisdiction overlap, we have worked them out harmoniously to produce what I believe—and I feel WRIGHT PATMAN believes—to be worthwhile legislation. This includes the communities facilities program, the financing of the Area Development Act, the Appalachian program, and the Economic Development Act, and major legislation in the field of water pollution, and particularly—because of the interest of Chairman PATMAN and his committee—the development of a meaningful sewer collection systems program for all our communities.

Within his own committee, Mr. PATMAN has led the fight to contribute to the country such programs as housing and urban renewal, mass transit, and many, many other programs that are too numerous to mention.

I personally, and the members of the Public Works Committee, have appreciated Mr. PATMAN's cooperation in working with us. His efforts, I would reemphasize, in water resources have helped to develop not only greater assistance to our urban areas, but to our rural and semi-rural areas.

May I close on a personal note to say that I am proud to call WRIGHT PATMAN my friend. It was a tribute to him that in our committee it was determined by an overwhelming majority to name this project after the gentleman from Texas for his long years of dedicated service.

WRIGHT PATMAN is a great Texan, a great statesman and, above all, a great American. We do ourselves honor when we support the passage of H.R. 974 to name this project in his native State of Texas for him.

I urge overwhelming support for the passage of this legislation.

Mr. GROVER. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I rise to ask the gentleman from Minnesota (Mr. BLATNIK) a question or two concerning this bill.

As with the preceding bill, is there any cost to the Federal Government involved?

Mr. BLATNIK. There will be no cost to the Federal Government.

Mr. GROSS. There are, I note, no departmental reports of any kind in connection with either of these bills.

Mr. Speaker, may I ask the gentleman this question: Has the beneficiary of this legislation indicated his permission to use his name?

Mr. BLATNIK. Yes. Mr. Speaker, I have checked with the gentleman, and he is most appreciative. Of course, the main support came from the overwhelming number of supporters in his own district. The project, which is located in Texas, is a very popular facility, with more than 2½ million visitors visiting the project each year.

Mr. GROSS. Mr. Speaker, does the gentleman say that the beneficiary of this legislation was modest in his acceptance?

Mr. BLATNIK. Well, I do not want to repeat. I will say that he was most proper in his acceptance.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. ROBERTS. Mr. Speaker, this bill designates the Texarkana Dam and Lake in Texas as the Wright Patman Dam and Lake.

The Texarkana project was authorized by the Flood Control Act of 1946 and completed in 1958. The project includes an earthfill dam 18,500 feet long and 100 feet high, including a spillway 200 feet wide and outlet works with a capacity of 27,600 cubic feet per second. The reservoir controls runoff from 3,400 square miles of drainage area, and has a storage capacity of 2,654,300 acre-feet of which 145,300 acre-feet are for conservation and the remainder for flood control. The lake supports an extremely large amount of recreational activity. The annual number of visitors is well over 2½ million.

WRIGHT PATMAN has served continuously in the U.S. House of Representatives since March 4, 1929. Previously he had been a member of the Texas State House of Representatives from 1921 to 1924, and also served as district attorney of the fifth judicial district of Texas from 1928 until his election to the Congress. Representative PATMAN is the chairman of the House Banking and Currency Committee. He has served with great distinction during his 45 years in Congress and has earned the respect and affection of his colleagues and constituents.

Representative PATMAN'S career has been marked by his great contributions to this Nation particularly in the area of water resources development. Accordingly, the committee believes it fitting and proper to name the Texarkana Dam and Reservoir after Representative WRIGHT PATMAN in honor of his many years of outstanding service to Texas and to the Nation.

Mr. GROVER. Mr. Speaker, I recognize the sentiment that exists in support of this bill to honor our colleague, WRIGHT PATMAN, of Texas, for his long and distinguished service in Congress. But I think it important to point out that renaming a project such as this after a sitting Member constitutes a departure from traditional policy. The committee recommends such a departure from normal practice in this case because of our Texas colleague's unique record of service and dedication.

It should be stressed, however, that despite this decision, there is a general consensus on the committee to the effect that what has been done in this instance not be considered a precedent. Rather, it should be viewed as an exception to the traditional rule and practice, because of his 44 years of continuous service in the House of Representatives.

With this in mind, I want to indicate my support for H.R. 974.

The SPEAKER. The question is on the motion offered by the gentleman from Minnesota (Mr. BLATNIK) that the House suspend the rules and pass the bill, H.R. 974.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

CALL OF THE HOUSE

Mr. KASTENMEIER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. PEPPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 524]

Abdnor	Froehlich	Moss
Addabbo	Fulton	Murphy, N.Y.
Aspin	Gaydos	Nix
Badillo	Giaimo	O'Brien
Baker	Gibbons	Passman
Bell	Goldwater	Patman
Biaggi	Grasso	Pettis
Bolling	Gray	Peyser
Brasco	Gubser	Pike
Brown, Mich.	Hanley	Rees
Brown, Ohio	Harrington	Reid
Buchanan	Hébert	Robison, N.Y.
Burke, Calif.	Holifield	Roncalio, Wyo.
Cederberg	Hosmer	Rooney, N.Y.
Chisholm	Kluczynski	Rosenthal
Clark	McFall	Ryan
Clay	McKinney	Sandman
Conyers	Madden	Sikes
Culver	Maraziti	Sisk
Denholm	Metcalfe	Smith, Iowa
Dent	Michel	Steed
Diggs	Mills, Ark.	Stratton
Dingell	Minshall, Ohio	Stuckey
Dorn	Mitchell, N.Y.	Towell, Nev.
Erlenborn	Moakley	Udall
Ford, Gerald R.	Moorhead, Calif.	Van Deerlin
Frelinghuysen	Mosher	Wiggins
		Winn

The SPEAKER. On this rollcall 352 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ARCTIC WINTER GAMES AUTHORIZATION

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 907) to authorize the appro-

priation of $150,000 to assist in financing the Artic winter games to be held in the State of Alaska in 1974.

The Clerk read as follows:

S. 907

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to the Secretary of Commerce the sum of $150,000 for the purpose of assisting the financing of the arctic winter games to be held in Alaska in 1974. The Secretary shall provide for the disbursement of such funds (including the making of grants to appropriate persons or organizations) on such terms and under such conditions as he deems appropriate, including the submission to him of such reports from persons or organizations to which such funds are disbursed as the Secretary considers necessary to protect the interests of the United States and assure that such funds have been used for the purpose for which they were disbursed.

The SPEAKER. Is a second demanded?

Mr. BROYHILL of North Carolina. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from West Virginia will be recognized for 20 minutes and the gentleman from North Carolina will be recognized for 20 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, this bill will authorize the appropriation of $150,000 to the Secretary of Commerce to assist in financing the Artic winter games to be held in Alaska in March 1974.

The Subcommittee on Commerce and Finance held hearings on July 16, 1973, on three identical bills—H.R. 4681, introduced by me as chairman, H.R. 6540, introduced by Mr. DON YOUNG of Alaska, and S. 907 which had passed the Senate on June 18, 1973. Following executive session, the subcommittee reported S. 907 to the full committee without amendment and by voice vote this bill was reported by the full committee on October 4, 1973.

The Senate-passed bill was reported due to the urgent need for funds in order to prepare for the games next March. Most expenditures will have to be incurred in 1973.

The bill authorizes the Secretary to set terms and conditions for the disbursement of the funds and to require reports to assure the funds have been correctly used. An additional $150,000 is being provided from Alaskan sources. The House report contains a detailed budget prepared by the director of the Arctic Winter games showing how the funds will be spent.

Mr. GROSS. Will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Iowa.

Mr. GROSS. Are those participating in these games amateurs or professionals?

Mr. STAGGERS. They are amateurs.

I think this explains the bill and I urge passage of the bill.

Mr. BROYHILL of North Carolina. Mr. Speaker, the chairman of the committee has explained the purpose of his bill. Full hearings were held in the committee on this. The administration supports it.

Mr. Speaker, at this point I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of the bill.

Mr. Speaker, today a bill to authorize the appropriation of $150,000 to assist in financing the Arctic winter games which will be held in the State of Alaska in 1974 is before us for consideration.

As you may know, a similar measure which sought a $250,000 appropriation, passed the Senate last May 10 without objection. However, the press of business prevented it from being considered by the House last spring. A lesser appropriation is in order at this time, I believe, because the Armed Forces in Alaska have since agreed to provide food for the contestants at a nominal fee, and private donations have surpassed the original expectations of the organizing committee.

Still an appropriation in the amount of $150,000 is needed if the games are to be held next March in Anchorage, Alaska.

The first Arctic winter games were held in Yellowknife, Northwest Territories, Canada, in 1970 under the joint sponsorship of the State of Alaska and Canada's Yukon and Northwest Territories. The games were organized to strengthen the common bond that exists between nations and territories whose lands lie above the 60th parallel.

In the past, approximately two-thirds of the funding for the games has come from the Canadian Government. In support of the 1970 Yellowknife games and the 1972 contests which were held in Whitehorse, Yukon Territory, the Canadian Government contributed almost $500,000. The State of Alaska appropriated $30,000 toward the first pair of games.

During this time, the U.S. Government has made no contribution toward the games. It is estimated that $150,000 is the minimum amount needed from the Federal Government in order to bring the games to Alaska next year.

Since their inception, the Arctic winter games have grown substantially. Thousands of American and Canadian spectators have watched young people from both nations compete. Greenland, Iceland, Denmark, Norway, Sweden, and Finland are counted as possible future competitors.

Greenland even now is exploring the possibilities of sending a team of competitors to Alaska for the 1974 games.

I urge my colleagues to assist in funding this worthy event. For as these games progress and grow, they will expand to provide a forum for international peace and understanding between the young people of all northern nations and territories.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the Senate bill S. 907.

The question was taken.

Mr. CHARLES H. WILSON of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 306, nays 54, not voting 74, as follows:

[Roll No. 525]

YEAS—306

Adams	Devine	Lent
Alexander	Donohue	Long, La.
Anderson, Calif.	Downing	Lott
	Dulski	Lujan
Anderson, Ill.	Duncan	McClory
Andrews, N.C.	du Pont	McCloskey
Andrews, N. Dak.	Eckhardt	McCollister
	Edwards, Ala.	McCormack
Annunzio	Eilberg	McDade
Arends	Erlenborn	McEwen
Armstrong	Esch	McKay
Ashbrook	Eshleman	McSpadden
Ashley	Evins, Tenn.	Macdonald
Bafalis	Fascell	Madigan
Baker	Findley	Mahon
Barrett	Fish	Mallary
Bauman	Fisher	Mann
Bell	Flood	Martin, Nebr.
Bennett	Flowers	Martin, N.C.
Bergland	Foley	Mathias, Calif.
Bevill	Ford, William D.	Matsunaga
Biester		Mayne
Bingham	Forsythe	Mazzoli
Blackburn	Fountain	Meeds
Blatnik	Frenzel	Melcher
Boggs	Frey	Mezvinsky
Boland	Gettys	Milford
Bowen	Gilman	Minish
Brademas	Ginn	Mink
Bray	Goldwater	Mizell
Breaux	Gonzalez	Mollohan
Breckinridge	Goodling	Montgomery
Brinkley	Gray	Moorhead, Pa.
Brooks	Green, Oreg.	Morgan
Broomfield	Green, Pa.	Myers
Brotzman	Griffiths	Natcher
Brown, Calif.	Grover	Nelsen
Broyhill, N.C.	Gude	Nichols
Broyhill, Va.	Guyer	Obey
Buchanan	Haley	O'Hara
Burgener	Hammer-schmidt	O'Neill
Burke, Calif.		Parris
Burke, Fla.	Hanna	Patten
Burke, Mass.	Hanrahan	Pepper
Burleson, Tex.	Hansen, Idaho	Perkins
Burlison, Mo.	Hansen, Wash.	Pickle
Burton	Harsha	Pike
Butler	Harvey	Poage
Byron	Hastings	Podell
Camp	Hawkins	Powell, Ohio
Carey, N.Y.	Heckler, Mass.	Preyer
Carney, Ohio	Heinz	Price, Ill.
Carter	Helstoski	Price, Tex.
Casey, Tex.	Henderson	Pritchard
Chamberlain	Hicks	Quie
Chappell	Hillis	Quillen
Clancy	Holt	Railsback
Clark	Holtzman	Randall
Clausen, Don H.	Horton	Rees
	Howard	Regula
Clawson, Del	Hudnut	Rhodes
Cleveland	Hungate	Riegle
Cochran	Hunt	Rinaldo
Collier	Ichord	Roberts
Collins, Ill.	Jarman	Robinson, Va.
Conable	Johnson, Calif.	Rodino
Conte	Johnson, Colo.	Roe
Corman	Johnson, Pa.	Rogers
Cotter	Jones, Ala.	Roncallo, N.Y.
Coughlin	Jones, N.C.	Rooney, Pa.
Cronin	Jones, Okla.	Rose
Daniel, Dan	Jones, Tenn.	Rousselot
Daniel, Robert W., Jr.	Jordan	Roy
	Karth	Roybal
Daniels, Dominick V.	Kastenmeier	Ruppe
	Kazen	Ruth
Danielson	Keating	St Germain
Davis, Ga.	Kemp	Sarasin
Davis, S.C.	Ketchum	Satterfield
Davis, Wis.	King	Saylor
de la Garza	Kuykendall	Scherle
Delaney	Kyros	Schneebeli
Dellenback	Landrum	Schroeder
Dennis	Latta	Sebelius
Dent	Leggett	Shipley
Derwinski	Lehman	Shoup

Shriver	Symington	Whitehurst
Sisk	Symms	Whitten
Skubitz	Talcott	Widnall
Slack	Teague, Tex.	Williams
Smith, N.Y.	Thomson, Wis.	Wilson, Bob
Staggers	Thone	Wilson, Charles, Tex.
Stanton, J. William	Thornton	Wolff
Stanton, James V.	Tiernan	Wright
Steed	Treen	Wyman
Steele	Ullman	Young, Alaska
Steelman	Vander Jagt	Young, Fla.
Steiger, Ariz.	Vanik	Young, Ga.
Steiger, Wis.	Veysey	Young, Ill.
Stephens	Vigorito	Young, S.C.
Stokes	Waggonner	Young, Tex.
Stubblefield	Walsh	Zion
Stuckey	Wampler	Zwach
Sullivan	Ware	
	Whalen	
	White	

NAYS—54

Abzug	Hogan	Sarbanes
Archer	Huber	Seiberling
Beard	Hutchinson	Shuster
Cohen	Koch	Snyder
Collins, Tex.	Landgrebe	Spence
Conlan	Long, Md.	Stark
Crane	Mathis, Ga.	Studds
Dellums	Michel	Taylor, Mo.
Dickinson	Miller	Teague, Calif.
Drinan	Mitchell, Md.	Thompson, N.J.
Edwards, Calif.	Murphy, Ill.	Waldie
Flynt	Nedzi	Wilson, Charles H., Calif.
Fuqua	Owens	
Gross	Rangel	Wyatt
Gunter	Rarick	Wylie
Hamilton	Reuss	Yates
Hays	Rostenkowski	Yatron
Hechler, W. Va.	Roush	
Hinshaw	Runnels	

NOT VOTING—74

Abdnor	Giaimo	Murphy, N.Y.
Addabbo	Gibbons	Nix
Aspin	Grasso	O'Brien
Badillo	Gubser	Passman
Biaggi	Hanley	Patman
Bolling	Harrington	Pettis
Brasco	Hébert	Peyser
Brown, Mich.	Holifield	Reid
Brown, Ohio	Hosmer	Robison, N.Y.
Cederberg	Kluczynski	Roncalio, Wyo.
Chisholm	Litton	Rooney, N.Y.
Clay	McFall	Rosenthal
Conyers	McKinney	Ryan
Culver	Madden	Sandman
Denholm	Mailliard	Sikes
Diggs	Maraziti	Smith, Iowa
Dingell	Metcalfe	Stratton
Dorn	Mills, Ark.	Taylor, N.C.
Evans, Colo.	Minshall, Ohio	Towell, Nev.
Ford, Gerald R.	Mitchell, N.Y.	Udall
Fraser	Moakley	Van Deerlin
Frelinghuysen	Moorhead, Calif.	Wiggins
Froehlich	Mosher	Winn
Fulton	Moss	Wydler
Gaydos		Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The Clerk announced the following pairs:

Mr. McFall with Mr. Gerald R. Ford.
Mr. Rooney of New York with Mr. Dorn.
Mr. Sikes with Mr. Badillo.
Mr. Hébert with Mr. Harrington.
Mr. Holifield with Mr. Wydler.
Mr. Addabbo with Mr. Winn.
Mr. Zablocki with Mr. Wiggins.
Mr. Fulton with Mr. O'Brien.
Mr. Brasco with Mr. Conyers.
Mr. Dingell with Mr. Diggs.
Mr. Madden with Mrs. Chisholm.
Mr. Rosenthal with Mr. Clay.
Mr. Culver with Mr. Maraziti.
Mr. Hanley with Mr. Abdnor.
Mr. Murphy of New York with Mr. McKinney.
Mrs. Grasso with Mr. Brown of Michigan.
Mr. Giaimo with Mr. Pettis.
Mr. Biaggi with Mr. Minshall of Ohio.
Mr. Nix with Mr. Reid.
Mr. Stratton with Mr. Sandman.
Mr. Evans of Colorado with Mr. Brown of Ohio.
Mr. Mills of Arkansas with Mr. Cederberg.
Mr. Moakley with Mr. Mailliard.
Mr. Moss with Mr. Mitchell of New York.
Mr. Kluczynski with Mr. Moorhead of California.
Mr. Passman with Mr. Froehlich.
Mr. Taylor of North Carolina with Mr. Robison of New York.
Mr. Van Deerlin with Mr. Mosher.
Mr. Udall with Mr. Gubser.
Mr. Aspin with Mr. Peyser.
Mr. Denholm with Mr. Hosmer.
Mr. Fraser with Mr. Litton.
Mr. Gaydos with Mr. Towell of Nevada.
Mr. Gibbons with Mr. Metcalfe.
Mr. Ryan with Mr. Roncalio of Wyoming.
Mr. Frelinghuysen with Mr. Smith of Iowa.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON HOUSE ADMINISTRATION TO FILE A PRIVILEGED REPORT

Mr. THOMPSON of New Jersey, from the Committee on House Administration filed a privileged report (Rept. No. 95–581) on the resolution, House Resolution 510 which was referred to the House Calendar and ordered printed.

NATIONAL BUILDING STANDARDS ACT

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8346) to amend the Housing and Urban Development Act of 1970 to provide a more effective approach to the problem of developing and maintaining a rational relationship between building codes and related regulatory requirements and building technology in the United States, and to facilitate urgently needed cost-saving innovations in the building industry, through the establishment of an appropriate nongovernmental instrument which can make definitive technical findings, insure that the findings are made available to all sectors of the economy, public and private, and provide an effective method for encouraging and facilitating Federal, State, and local acceptance and use of such findings.

The Clerk read as follows:

H.R. 8346

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Housing and Urban Development Act of 1970 is amended by adding at the end thereof the following new title:

"TITLE X—NATIONAL INSTITUTE OF BUILDING STANDARDS

"SHORT TITLE

"SEC. 1001. This title may be cited as the 'National Building Standards Act'.

"FINDINGS AND DECLARATION OF POLICY

"SEC. 1002. (a) The Congress finds (1) that the lack of an authoritative national source to make findings and to advise both the public and private sectors of the economy with respect to the use of building science and technology in achieving nationally acceptable standards and other technical provisions for use in Federal, State, and local housing and building regulations is an obstacle to efforts by and imposes severe burdens upon all those who procure, design, construct, use, operate, maintain, and retire physical facilities, and frequently results in the failure to take full advantage of new and useful developments in technology which could improve our living environment; (2) that the establishment of model building codes or of a single national building code will not completely resolve the problem because of the difficulty at all levels of government in updating their housing and building regulations to reflect new developments in technology, as well as the irregularities and inconsistencies which arise in applying such requirements to particular localities or special local conditions; (3) that the lack of uniform housing and building regulatory provisions increases the costs of construction and thereby reduces the amount of housing and other community facilities which can be provided; and (4) that the existence of a single authoritative nationally recognized institution to provide leadership and coordination in the evaluation of new technology for the purpose of updating housing and building regulatory provisions could facilitate introduction of such innovations and their acceptance at the Federal, State, and local levels.

"(b) The Congress further finds, however, that while an authoritative source of technical findings is needed, various private organizations and institutions, private industry, labor, and Federal and other governmental agencies and entities are presently engaged in building research, technology development, testing, and evaluation, standards and model code development and promulgation, and information dissemination. These existing activities should be encouraged and these capabilities effectively utilized wherever possible and appropriate to the purposes of this section.

"(c) The Congress declares that an authoritative nongovernmental instrument needs to be created to address the problems and issues described in subsection (a), that the creation of such an instrument should be initiated by the Government, with the advice and assistance of the National Academy of Sciences-National Academy of Engineering-National Research Council (hereinafter referred to as the 'Academies-Research Council'), of the various sectors of the building community including both labor and management, of technical experts in building science and technology, of representatives of the various levels of government, and of representatives of consumer groups and consumer interests.

"ESTABLISHMENT OF INSTITUTION

"SEC. 1003. (a) There is authorized to be established, for the purposes described in section 1002(c), an appropriate nonprofit, nongovernmental instrument to be known as the 'National Institute of Building Standards' (hereinafter referred to as the 'Institute'), which shall not be an agency or establishment of the United States Government. The Institute shall be subject to the provisions of this title and, to the extent consistent with this title, to a charter of the Congress if such a charter is requested and issued or to the District of Columbia Nonprofit Corporation Act if that is deemed preferable.

"(b) The Academies-Research Council, along with other public, private, and governmental agencies and organizations which are knowledgeable in the field of building technology, and other interested groups and entities (including representatives of consumer interests) as described in section 1002(c), shall advise and assist in (1) the establishment of the Institute; (2) the development of an organizational framework to encourage and provide for the maximum feasible participation of public and private scientific, technical, and financial organizations, institutions, and agencies now engaged in activities pertinent to the development, promulgation, and maintenance of performance criteria, standards, and other technical provisions for building codes and other regulations, and for the maximum feasible participation of representatives of consumer interests; and (3) the promulgation and publication in the Federal Register of appropriate organizational rules and procedures including those for the selection and opera-

tion of a technical staff, such rules and procedures to be based upon the primary object of promoting the public interest and insuring that the widest possible variety of interests and experience essential to the functions of the Institute are represented in the Institute's operations.

"(c) Nothing in this title shall be construed as expressing the intent of the Congress that the Academies-Research Council or any other group or entity described in section 1002(c) be required to assume any function or operation vested in the Institute by or under this title.

"ADMINISTRATION OF THE INSTITUTE

"SEC. 1004. (a) The Institute shall have a Board of Directors (hereinafter referred to as the 'Board') consisting of not less than fifteen nor more than twenty-one members, appointed by the President of the United States by and with the advice and consent of the Senate. The Board shall be representative of the various segments of the building community, of the various regions of the country, and of the consumers who are or would be affected by actions taken in the exercise of the functions and responsibilities of the Institute, and shall include (1) representatives of the construction industry, including representatives of construction labor organizations, product manufacturers, and builders, housing management experts, and experts in building standards, codes, and fire safety, and (2) members representative of the public interest in such numbers as may be necessary to assure that a majority of the members of the Board represent the public interest and that there is adequate consideration by the Institute of consumer interests in the exercise of its functions and responsibilities, including representatives of consumer organizations, public agencies, the behavioral sciences, and the design professions (architects and engineers).

"(b) The members of the initial Board shall serve as incorporators and shall take whatever actions are necessary to establish the Institute as provided for under section 1003(a).

"(c) The term of office of each member of the initial and succeeding Boards shall be three years; except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (2) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment, one-third at the end of one year, one-third at the end of two years, and one-third at the end of three years. No member shall be eligible to serve in excess of three consecutive terms of three years each. Notwithstanding the preceding provisions of this section, a member whose term has expired may serve until his successor has qualified.

"(d) Any vacancy in the initial and succeeding Boards shall not affect its power, but shall be filled in the manner in which the original appointments were made.

"(e) The President shall designate one of the members appointed to the initial Board as Chairman; thereafter, the members of the initial and succeeding Boards shall annually elect one of their number as Chairman. The members of the Board shall also elect one or more of their number as Vice Chairman. Terms of the Chairman and Vice Chairman shall be for one year and no individual shall serve as Chairman or Vice Chairman for more than two consecutive terms.

"(f) The members of the initial or succeeding Boards shall not, by reason of such membership, be deemed to be employees of the United States Government. They shall, while attending meetings of the Board or while engaged as members of the Board in duties related to such meetings or in other activities of the Board pursuant to this title be entitled to receive compensation from the Institute at the rate of $100 per day including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized under section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(g) The Institute shall have a President and such other officers and employees as may be appointed by the Board at rates of compensation fixed by the Board. No such officer or employee may receive any salary or other compensation from any source other than the Institute during the period of his employment by the Institute.

"(h) The Institute shall establish, with the advice and assistance of the Academies-Research Council, consumer groups, and other public, private, and governmental agencies and organizations which are knowledgeable in the field of building technology, a Consultative Council, membership in which shall be available to representatives of all appropriate private trade, professional, and labor organizations, private and public standards code, and testing bodies, public and regulatory agencies at all levels of Federal, State, and local government, and consumer groups, so as to insure (1) a direct line of communication between such groups and the Institute and a vehicle for representative hearings on matters before the Institute, and (2) adequate consideration by the Institute of consumer interests in the exercise of its functions and responsibilities.

"NONPROFIT AND NONPOLITICAL NATURE OF THE INSTITUTE

"SEC. 1005. (a) The Institute shall have no power to issue any shares of stock, or to declare or pay any dividends.

"(b) No part of the income or assets of the Institute shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

"(c) The Institute shall not contribute to or otherwise support any political party or candidate for elective public office.

"FUNCTIONS OF THE INSTITUTE

"SEC. 1006. (a) It shall be the function and responsibility of the Institute to provide leadership and coordination in four general areas, as follows:

"(1) Development and maintenance of nationally recognized performance criteria, standards, and other technical provisions for maintenance of life, safety, health, and public welfare suitable for adoption by building regulating jurisdictions and agencies, including test methods and other evaluative techniques relating to building systems, subsystems, components, products, and materials and to consumer satisfaction.

"(2) Evaluation and prequalification of existing and new building technology in accordance with paragraph (1).

"(3) Conduct of needed investigations in direct support of paragraphs (1) and (2).

"(4) Assembly and dissemination of technical data and other information directly related to paragraphs (1), (2), and (3), and promulgation of performance criteria, standards, and related materials and provisions developed or discovered under such paragraphs.

"(b) The Institute in exercising its functions and responsibilities described in paragraphs (1), (2), and (3) of subsection (a) shall assign and delegate, to the maximum extent possible, responsibility for conducting each of the needed activities described in such subparagraphs to one or more of the private organizations, institutions, agencies, and Federal and other governmental entities with a capacity to exercise or contribute to the exercise of such responsibility, monitor the performance achieved through assignment and delegation, and, when deemed necessary, reassign and delegate such responsibility, making provision to the maximum extent feasible for effective preparation by consumer groups and representatives of the public in the exercise of such functions and responsibilities.

"(c) The Institute in exercising its functions and responsibilities under subsections (a) and (b) shall (1) give particular attention to the development of methods for encouraging all sectors of the economy to cooperate with the Institute and to accept and use its technical findings, and to accept and use the nationally recognized performance criteria, standards, and other technical provisions developed for use in Federal, State, and local building codes and other regulations which result from the program of the Institute; (2) seek to assure that its actions are coordinated with related requirements which are imposed in connection with community and environmental development generally; and (3) consult with the Department of Justice and other agencies of Government to the extent necessary to insure that the national interest is protected and promoted in the exercise of its functions and responsibilities.

"(d) The Institute shall maintain full and complete records of all of its proceedings and of its research and other activities, and of the related proceedings and activities of any other organization, institution, agency, or entity to which any of its functions and responsibilities are assigned and delegated, and shall make such records and all related documents and materials available upon request for public inspection, at reasonable times and places (subject to such restrictions as may be necessary to safeguard privileged and confidential trade secrets and commercial or financial information).

"FINANCING OF THE INSTITUTE'S ACTIVITIES

"SEC. 1007. (a) The Institute is authorized to accept contracts and grants from Federal, State, and local governmental agencies and other entities, and grants' and donations from private organizations, institutions, and individuals.

"(b) The Institute may, in accordance with rates and schedules established with guidance as provided under section 1003(b), establish fees and other charges for services provided by the Institute or under its authorization.

"(c) Amounts received by the Institute under this title shall be in addition to any amounts which may be appropriated to provide its initial operating capital under section 1009.

"COOPERATION BY FEDERAL GOVERNMENT AGENCIES AND STATE AND LOCAL AGENCIES

"SEC. 1008. (a) Every department, agency, and establishment of the Federal Government, in carrying out any building or construction, or any building- or construction-related program, which involves direct expenditures, and in developing technical requirements for any such building or construction, shall be encouraged to accept the technical findings of the Institute, or any nationally recognized performance criteria, standards, and other technical provisions for building regulations brought about by the Institute, which may be applicable.

"(b) All projects and programs involving Federal assistance in the forms of loans, grants, guarantees, insurance, or technical aid, or in any other form, shall be encouraged to accept, use, and comply with any of the technical findings of the Institute, or any nationally recognized performance criteria, standards, and other technical provisions for building codes and other regulations brought about by the Institute, which may be applicable to the purposes for which the assistance is to be used.

"(c) Every department, agency, and establishment of the Federal Government having

responsibility for building or construction, or for building- or construction-related programs, is authorized to contract with and accept contracts from the Institute for specific services where deemed appropriate by the responsible Federal official involved.

"(d) The Institute shall establish and carry on a specific and continuing program of cooperation with the States and their political subdivisions designed to encourage their acceptance of its technical findings and of nationally recognized performance criteria, standards, and other technical provisions for building regulations brought about by the Institute. Such program shall include (1) efforts to encourage any changes in existing State and local law to utilize or embody such findings and regulatory provisions; and (2) assistance to States in the development of inservice training programs for building officials, and in the establishment of fully staffed and qualified State technical agencies to advise local officials on questions of technical interpretation.

"(e) Nothing in this section, or in any other provision of this title, shall be construed as authorizing the Institute to take any action contrary to or inconsistent with the right of any locality, under any other provision of law, to adopt and have in effect code provisions which embody standards higher than the minimum standards specified in or required under Federal law.

"APPROPRIATIONS FOR INITIAL CAPITAL

"SEC. 1009. There is authorized to be appropriated to the Institute, over the first five fiscal years which end after the date of the enactment of this title, the sum of $5,000,000 for each of the first two such fiscal years, the sum of $3,000,000 for each of the next two fiscal years, and the sum of $2,000,000 for the last such fiscal year (with each appropriation to be available until expended or until six years shall have passed), to provide the Institute with initial capital adequate for the exercise of its functions and responsibilities during such years; and thereafter the Institute shall be financially self-sustaining through the means described in section 1007.

"REPORTS TO THE CONGRESS

"SEC. 1010. The Institute shall submit an annual report for the preceding fiscal year to the President for transmittal to the Congress within sixty days of its receipt. The report shall include a comprehensive and detailed report of the Institute's operations, activities, financial condition, and accomplishments under this title and may include such recommendations as the Institute deems appropriate.

"ACCOUNTABILITY FOR FUNDS; AUDIT AND REVIEW

"SEC. 1011. The Institute shall be accountable for all its funds and the expenditure thereof, shall maintain records of all its transactions and proceedings and make them available upon request to the public, to the General Accounting Office, and other governmental agencies, shall be subject to audit and review by the General Accounting Office, and shall conduct its activities in conformity with all applicable Federal procurement regulations and procedures."

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I urge the House to suspend the rules and pass the bill, H.R. 8346—the National Building Standards Act.

The bill was reported unanimously by your Committee on Banking and Currency.

Last year, also by a unanimous vote it was made a part of the Housing Act of 1972, the bill which failed to obtain a rule from the Rules Committee.

The legislation establishes a nongovernmental entity to serve as a coordinating center for the development and promulgation of performance criteria and standards, for the review and acceptance of new methods and materials, and for assembling and dissemination of technical data on building.

The legislation was introduced a result of the findings of two Presidential commissions confirmed by the investigations of three panels of the housing subcommittee.

Essentially these findings were that the housing industry was hampered in producing housing that Americans could afford because of two impediments: First, it is produced by small entities which cannot afford expensive research and development programs, and second, a myriad of complex and conflicting building codes prevents the implementation of whatever technological advances are made.

The Douglas Commission recommended the creation of a prestigious nongovernment—but Government related—institution to provide guidance in overcoming these obstacles.

That is what H.R. 8346 would do and I urge its adoption.

Mr. WIDNALL. Mr. Speaker, I rise to support H.R. 8346 which would create a National Institute of Building Standards.

I wish to make it understood that this legislation does not establish a national code, nor does it preempt local building code regulations. Having said that, I would like briefly to outline what the legislation does.

H.R. 8346 would create an independent, nonprofit, nongovernmental organization which would become self-supporting after 5 years. This organization, to be known as the National Institute of Building Standards, would have as its function to develop test methods and criteria to judge the performance of existing and new building technology. The information assembled as a result of this process would then be made available to interested communities, agencies, and groups throughout the country.

We are all aware that the cost of housing has risen quite rapidly over recent years, and many people are being priced out of the housing market. It is our hope that the Institute would help resolve various conflicts in building standards, and help accelerate the developing, testing, and approving of new materials and methods which could help stem the rise in production costs.

I urge the House to pass H.R. 8346 which has the support of the administration.

Mr. GROSS. Mr. Speaker, would the gentleman from New Jersey yield me some time?

Mr. WIDNALL. I yield 2 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, it seems to me that this bill deserves more discussion than it may get.

This bill would create a Rooty-Toot-Toot Institute, another institute in the Federal Government on which would be spent, as I understand the gentleman, about $18 million.

I wonder where the $18 million is to come from.

Further, I do not understand the necessity for an an institute in a field in which there is already so much expertise.

I do not know how it is proposed to get more housing through creation of another institute.

I would think that the test of producing more housing is to reduce the costs of home building. What is this institute going to do by way of stopping inflation so that more homes can be built?

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, would the gentleman yield?

Mr. GROSS. I would be glad to yield to the gentleman from Pennsylvania.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, in response to the inquiry of the gentleman from Iowa, let me say that obviously the institute cannot stop inflation, but it can by promoting less costly forms of building at least reduce the cost of housing.

I would believe that one of the items in the bill would be of particular interest to the gentleman from Iowa, and that is on page 14 of the bill, section 1009, where we authorize the money in a declining amount so then at the end of 5 years the institute should be self-supporting.

Mr. GROSS. It is not necessarily the initial cost, but the upkeep of such an institute, so I should think that the creation of still another institute would be of more than passing interest to the Members of the House.

What in the world are we going to get by the creation of another bureaucratic institute and the expenditure of $18 million?

Mr. MOORHEAD of Pennsylvania. If the gentleman will yield further, Mr. Speaker, I think that the fact that the institute is going to be self-supporting, and that it will be a clearinghouse for technological improvements and a clearinghouse for the local boards so that they can use their information to change their building codes. As I stated before, this is not to force them to do this, but it is a place where they can come and receive recommendations to amend their building codes that unnecessarily raise the cost of housing.

Mr. GROSS. Of course, after 5 years the cost of maintaining the institute is going to continue, and there has to be some source of income to maintain it, whether it be added costs to the building industry, Federal funds, or whatever it may be.

Mr. MOORHEAD of Pennsylvania. If the gentleman from Iowa will yield still further, Mr. Speaker, the source of the income for the maintenance of the institute would be from grants and fees rendered by the building industry. The building industry will use the information developed by the institute so that they will be enabled to build houses at a lower cost, and at more profit to them. The institute, I believe, will offer very significantly the opportunity to reduce the cost of housing, which I think is essential for America.

That is a cost over a 5-year period, a

maximum cost, of $18 million. We can reduce the cost of housing if we can get rid of some of the obsolete building codes.

Mr. GROSS. I regret that another "Advisory Board," under the sugar-coated title of "Institute," is now going to be foisted upon the American public. I am going to oppose this bill for what I believe is total lack of justification for the spending of $18 million and the contribution that will make to inflation.

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

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from Tennessee.

Mr. BAKER. I thank the gentleman for yielding.

In the committee report the statement is made:

Specifically, the Board would include representatives of the construction industry, and members representative of the public in sufficient numbers to assure that a majority of the Board represents the public interest.

Would the gentleman care to elaborate on what the composition of the board might be?

Mr. MOORHEAD of Pennsylvania. The language is phrased to say that the majority will represent the public interest, because we do not want to set up another board or commission which is captured by the industry whose products and techniques will be scrutinized and tested.

Mr. BAKER. What might constitute the membership as it represents the "public interest?" I particularly refer to the Homebuilders Association in this instance.

Mr. MOORHEAD of Pennsylvania. Well, representatives of consumer groups, representatives from universities, architects, engineers, other professional groups—people without a financial stake in the construction industry, other than the people who buy the housing. We carefully worded this composition of the board so that we would not have a board that would be captured by the industry. Yet we want to have the expertise of people—like builders, contractors, unions, who are knowledgeable in this area, and bring that knowledge to the Institute.

Mr. BAKER. I thank the gentleman for yielding.

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

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from California.

Mr. KETCHUM. I thank the gentleman for yielding.

It appears to me that with the establishment of this all new Institute, throughout the United States that since in every local community we have builders associations and trade associations that have been carrying on this sort of activity for years, not only in their interest but in the interest of the individuals that are going to buy the homes, we create another problem area. It has further been brought to my attention—and I think it is very apropos of what we are talking about here—that many years ago the light bulb was invented, and we had many different manufacturers. Somehow or another, the private sector of America figured out that there should be one-size light bulb. I think we can continue along those lines without spending an additional $18 million.

Mr. MOORHEAD of Pennsylvania. I would suggest to the gentleman that in the housing industry we have not had that kind of uniform rule, and the various building associations and contractors associations want this legislation because they want to have a central clearinghouse, not with power to tell them what to do, but with the power to suggest and carry out the research that the housing industry is not geared to do.

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

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from Georgia.

Mr. BRINKLEY. I thank the gentleman for yielding.

We have encountered problems in the construction of high-rise buildings with respect to the material used, fire hazards, and safety standards. Does this legislation envision codes, building codes, which would provide some answer to the problems there?

Mr. MOORHEAD of Pennsylvania. I would have to say to the gentleman that this legislation does not contemplate codes enacted on a national level. It would conduct investigations into safety problems in high-rise buildings and make recommendations to the local boards. So we would have one nationally recognized institute that hopefully the local boards could look to when they need this kind of information about high-rise construction.

But the institute would not promulgate an obligatory code.

Mr. BRINKLEY. Nevertheless, solutions found might be promulgated?

Mr. MOORHEAD of Pennsylvania. Very definitely. Safety is one of the factors.

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

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from Louisiana.

Mr. RARICK. I thank the gentleman for yielding.

As I read the bill, the proposed National Institute of Building Standards "shall not be an agency or establishment of the U.S. Government." Is that correct?

Mr. MOORHEAD of Pennsylvania. That is correct.

Mr. RARICK. Will the gentleman yield further?

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from Louisiana.

Mr. RARICK. In reviewing a summary of the bill, I find this language:

Efforts would be made to encourage or assist states to modify laws to conform to the Institute's findings.

Can the gentleman tell me what these efforts for reasonable assistance would consist of?

Mr. MOORHEAD of Pennsylvania. Yes. Let us suppose, for example, plastic pipe is what we are talking about. I do not know whether it is good for the purposes intended or not, but the Institute would conduct investigations by contract and come back with a report that plastic pipe would do this or it will not do that and suggest the drafting of language which could be used in the various localities to permit or prohibit use of the plastic pipe. Then it would be up to the localities to accept or reject. This would give a locality a basis on which to make a determination.

Mr. RARICK. Could this word "encourage" in any way be tantamount to a threat to these local people that if they do not comply, they would lose their Federal funds?

Mr. MOORHEAD of Pennsylvania. No; again, this is not a Federal agency. It has no power other than to recommend, suggest and offer its services.

The locality or industry can totally disregard the recommendations or encouragements of the Institute. But I think it would be unwise to have an Institute with this body of knowledge and have it be unable to send out newsletters or explanations of a scientific nature. But the communities could take advantage or disregard it if they chose.

Mr. RARICK. Is it also true that the thrust of the bill would be that Federal agencies involved in building and construction would be "encouraged" to make use of the Institute's work?

Mr. MOORHEAD of Pennsylvania. Again, encouraged, but not required.

Mr. RARICK. Has this bill any relationship to the land use legislation?

Mr. MOORHEAD of Pennsylvania. No; it is totally unrelated.

Mr. RARICK. Are we going to tell the people first how they are going to use their land and then second how to build on it?

Mr. MOORHEAD of Pennsylvania. No; the decision on the land is secondary to when the structure goes up. This Institute would have influence, but would have no enforcement power.

Mr. RARICK. I thank the gentleman.

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

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. On page 12, section 1008 of the bill, it says:

(a) Every department, agency, and establishment of the Federal Government, in carrying out any building or construction, or any building- or construction-related program, which involves direct expenditures, and in developing technical requirements for any such building or construction, shall be encouraged to accept the technical findings of the Institute, or any nationally recognized performance criteria, standards, and other technical provisions for building regulations brought about by the Institute, which may be applicable.

I think, having had experience with OSHA and a number of other Federal arm-twisting programs, I find it totally impossible to believe that we are not going to use Federal programs, whether they be direct or indirect such as federally insured programs, to force compliance with whatever standards are developed, whatever criteria are produced by this Institute.

We are headed, if we pass this legislation, to a Federal uniform construction building code, and make no mistake about it. I say to the man who votes for this legislation today, just do not apologize to his people and say that he did not know what was in the bill when the time comes that they start enforcing

these codes, because we are going to have a uniform Federal code, the track record of the Federal Government being what it is in matters of this kind.

Mr. MOORHEAD of Pennsylvania. May I say to the gentleman that the operative word is "encourage." There is no power of coercion and the legislation specifically says that it does not preempt local codes and the Institute is to be a nongovernment agency.

Mr. WAGGONNER. If the gentleman will yield further, I think the all-important word is that we use the word "shall," to say that all Federal agencies shall be encouraged.

I think the Federal agencies can be forced to comply, and once they are forced to comply, the local agencies will have no say-so, whatsoever. They will have no authority, because their building codes then will be unsatisfactory to HUD, they will be unsatisfactory to the Veterans' Administration, and they will not even have insured programs under those circumstances.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I wish the gentleman would look at section 1008.

Mr. WAGGONNER. If the gentleman would just simply look at the track record, nothing else can happen except what I predict.

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

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from Ohio.

Mr. ASHLEY. Mr. Speaker, I think it is time we do look at the track record. The fact of the matter is that 5 years ago the median price of a house in the United States was about $23,000. Today, the median price, whether by conventional or FHA financing, is about $37,000.

If the gentleman comes to the Boston area, it is $41,000; in the San Francisco area, it is about $40,000. That is the median price.

If we want to look at the track record, as the gentleman from Louisiana suggests, let us look at the track record. What are we going to do to try to bring some rationality to the component costs of housing? The instrumentality which the gentleman from Pennsylvania is suggesting is a voluntary, quasi-public agency.

What the gentleman from Louisiana says that is especially wrong is that if we do not go the route suggested by the gentleman from Pennsylvania, it would be making these two a Federal standard; we will have Federal standards that apply, because we have reached the point where 9 out of every 10 American families have been priced out of the new home market. How much further do we have to go before we realize the responsibility on all of us to try to come to grips with the cost of housing for the American people?

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

Mr. MOORHEAD of Pennsylvania. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, would the gentleman think the building code standards or restrictions ought to be exactly the same in severe weather areas as compared to Florida, for example?

Mr. ASHLEY. No, absolutely not.

Mr. WAGGONNER. But we have a uniform code proposed.

Mr. ASHLEY. There is nothing in this legislation that says that.

Mr. WAGGONNER. But the legislating process, uniform records, that is the point to which the gentleman has been speaking. If we cannot write a uniform code, then let us leave that thing alone and let the people at the local level do it.

Mr. ASHLEY. When we talk about a uniform code, we are not talking about every single aspect. What I am saying is, where there are areas of a common approach, viable and workable of course, it should be considered. It should not be ignored, but at the request of the private sector this kind of deliberative question, this problem or suggestion should be covered; but there certainly is no suggestion in this legislation that every single component or standard with respect to new or existing housing be made uniform all across the board.

That is not any solution, but I think the gentleman knows there is not any question about this Congress trying to do the right thing for the people who are looking for decent, safe, and sanitary housing in a proper environment, and that is the great majority of the people of this country today.

Mr. WAGGONNER. Would the gentleman yield for one question?

Mr. ASHLEY. One question.

Mr. WAGGONNER. Is there anything which will be made available to this institute in the way of information that HUD does not already have?

Mr. ASHLEY. That goes to the gentleman's previous observation when he took great umbrage at the word "shall"—"shall encourage the agencies of the United States—"; shall be encouraged to do this. Why should they not be encouraged to provide information, make information available? What would the gentleman say, that these agencies should not be encouraged? That does not make any sense.

Mr. WIDNALL. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. MARTIN).

Mr. MARTIN of Nebraska. Mr. Speaker, this legislation is a foot in the door toward establishing Federal controls over building codes in every community and of every city in the entire United States.

The gentleman from Pennsylvania, the chairman of the subcommittee, stated a few moments ago that the Institute of Building Standards would work on testing and trying to find new materials which might expedite construction and lower the cost of construction in future years, and that the results of these tests would be passed on to the various communities and cities in the United States, which may or may not then be included in their building codes. I believe that was the gentleman's statement.

I should like to call the gentleman's attention to what has transpired over the past several years in regard to Federal building codes on public construction. Public construction, as the gentleman well knows, has been quite a scandalous program. The standards of construction that have been utilized under the public housing program have been much below most of the building codes of our cities and municipalities in the country. Many of these public housing projects are now being torn down. They are dilapidated. They have not stood up. They were a farce and a disgrace.

I am fearful that this legislation, will result eventually in these studies coming forth with Federal building codes to be imposed locally, will have the same result. Many of our communities throughout the country have much tougher building codes than does HUD.

We do not need this type of legislation. This is a foot in the door to Federal controls. It is a step in the wrong direction.

Mr. Speaker, I hope this legislation is defeated this afternoon.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Nebraska. I am glad to yield to the gentleman from Pennsylvania.

Mr. MOORHEAD of Pennsylvania. I would direct the gentleman's attention to section 1008(e) on page 14, where we tried, as best legal minds could, to avoid that situation. It says:

> Nothing in this section, or in any other provision of this title, shall be construed as authorizing the Institute to take any action contrary to or inconsistent with the right of any locality, under any other provision of law, to adopt and have in effect code provisions which embody standards higher than the minimum standards specified in or required under Federal law.

In other words, the committee unanimously voted a bill which does not affect their local building codes except in an advisory capacity.

Mr. MARTIN of Nebraska. I well understand that, but this is still a foot in the door toward that approach after the 5 years is up.

Mr. WIDNALL. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Speaker, I have been one of the leading exponents in favor of new technology in housing, housing techniques, and building and building materials on the Housing Committee.

I notice with some interest that many of the people who have resisted my proposals to encourage new technology in building are actively supporting this bill.

Let me say that a bill of this sort should not come on a suspension calendar. The fact that we are having this much discussion about it is to me only further proof that a bill of this sort should come up in regular order under regular rules, where we can thoroughly discuss every aspect of this kind of legislation.

Just what is it going to accomplish? What will it cost the American public? How can we avoid cost to the American public? How does this particular proposal duplicate the efforts now being carried on by existing institutions?

All those things should be discussed. We should be free to present amendments. We should be able to discuss amendments to the bill.

Under all the circumstances, I fully intend to vote against this bill on the suspension calendar. I believe the suspension calendar is being very badly

abused these days. I believe that those of us who do want to consider legislation in detail should develop a habit of voting down bills on suspension. Let us bring them up under the regular procedures, so that we can have full discussion and full debate.

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

Mr. BLACKBURN. I yield to the gentleman from Kentucky.

Mr. SNYDER. Mr. Speaker, I concur perfectly in what the gentleman has said. The gentleman is a member of this committee, and I would like to ask him a question.

The point has been made that there must be no coercion on local communities by the institute to impose its standards, but is there anything in this bill—I have read it, and I cannot find it—that would say to those who make the recommendation to a community that FHA, VA, and all the rest of the institutions which have Government-insured loans that they can say, "We are not going to make any loans to a community that adopts the minimum standards of the national institute"?

Mr. BLACKBURN. Mr. Speaker, there is nothing in the bill that would prevent it. What I would expect is that the Department, HUD itself, would embrace the recommendations of this institute and insist that local communities adopt their building codes to a uniformity with the recommendations of the institute as a condition toward receiving grants from that Department.

Mr. BARRETT. Mr. Speaker, I rise in support of the bill, H.R. 8346, the bill to establish the national institute of building standards. Provisions of this bill were originally contained in last year's Housing and Urban Development bill, H.R. 16704, which failed to obtain a rule. There was no opposition to this provision during the considerations of last year's housing bill. The Subcommittee on Housing considered this bill, introduced by our colleague from Pennsylvania, Bill MOORHEAD, in a markup session on June 22, 1973, and it was unanimously approved for full committee consideration. The full committee considered it on October 4, 1973, and ordered it reported by a unanimous vote.

This bill would establish a nonprofit, nongovernmental institute to be known as the National Institute of Building Standards. The National Academy of Sciences, National Academy of Engineering, and National Research Council would assist in the institute's formation and would encourage the widest possible participation by groups now engaged in activities relating to building standards, including consumer interests.

The institute would have a 15- to 21-member board of directors whose members would be appointed by the President with the advice and consent of the Senate. The board would include representatives of the construction industry and members representative of the public in sufficient numbers to assure that a majority of the board represents the public interest. A consultative council would also be established with members from interested private and public bodies to serve as a connection between these groups and the institute.

The institute would develop and promulgate nationally recognized criteria which might be adopted by regulating bodies; evaluate new and existing technology; assemble and disseminate technical data and promulgate performance criteria, standards, and related materials. As much as possible this work would be delegated to organizations capable of performing it. The institute may accept grants and donations and may establish fees or other charges for its services.

Federal agencies involved in building and construction would be encouraged to make use of the institute's work and could contract or make grants to the institute for support and services. Efforts would be made to encourage or assist States to modify laws to conform to the institute's findings, and to develop training programs for building officials and technical advisers; but nothing in these provisions would authorize the institute to take any action contrary to or inconsistent with the right of any locality to adopt and have in effect code provisions embodying higher standards than those required under Federal law.

Appropriations for initial capital for the institute would be authorized as follows: $5 million for each of the first 2 years after enactment, $3 million for each of the next 2, and $2 million for the 5th. After this 5-year period the institute would be financially self-sustaining.

Mr. Speaker, I urge the adoption of H.R. 8346.

Mr. VANIK. Mr. Speaker, this legislation to establish a nonprofit, nongovernmental National Institute of Building Standards could represent a tremendous step toward the widespread acceptance of energy efficient building design and construction.

I am disappointed, however, that neither the committee's report nor the bill makes any specific reference to the need to develop energy efficiency and insulation standards. While there is no specific mention of these areas of concern, I am hopeful that the institute will give immediate and serious attention to energy factors.

Under our present institutional framework, there is no one governmental agency responsible for collecting and disseminating information regarding energy conservation in the building industry. The Federal Housing Administration is an inadequate instrument for the task. Despite President Nixon's recent pronouncements pointing to the upgrading of FHA insulation standards, the fact remains that these guidelines are still in need of improvement and only apply directly to 35 percent of new residential construction.

For years now we have been designing and constructing buildings with a callous disregard for efficient energy use. A most recent and notorious example of this pattern of waste is New York's World Trade Center, which now dominates the Manhattan skyline. The center is actually two monolithic towers, 110 stories tall, which together consume more energy than the whole city of Schenectady, N.Y., which has a population of 100,000.

Energy waste is evident in many other significant, if less spectacular, ways. The orientation of a building in relation to the Sun, for example, has a great deal to do with the amount of energy it takes to condition the inside air. It has been estimated that the commonplace oblong high-rise will consume 29 percent less energy for cooling if its broad surfaces face north-south, instead of east-west.

Similarly, the building materials themselves have a significant impact on the total energy consumption of a structure. Quite simply, certain materials serve to insulate the building better than others. Beyond these properties, however, the astute architect should realize the importance of considering the energy expended in the production of the material. For example, aluminum has certain qualities which make it an appealing structural material: It is light, easy to maintain, and pleasant to look at. But in terms of energy, aluminum is a tremendously expensive product.

It is obvious that planning a building to optimize the efficient use of energy is a complex and interrelated task, involving the skills of architects, city planners, designers, engineers, and local building authorities. This new national institute is in a valuable position to oversee the development and implementation of energy conservation strategies in the building industry. The important fact to remember in this discussion is that intelligent energy use will not require the development of grand scale, new technologies. Most measures to improve energy utilization are possible through the application of off-the-shelf equipment and established design techniques.

In the creation of this new agency, we in Congress should underline the importance of energy conservation in the construction industry. The National Institute of Building Standards should be a leading force in a national program of energy conservation in construction.

Mr. WIDNALL. Mr. Speaker, I have no further requests for time.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MOORHEAD), that the House suspend the rules and pass the bill H.R. 8346.

The question was taken.

RECORDED VOTE

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 108, noes 258, not voting 68, as follows:

[Roll No. 526]

AYES—108

Abzug	Collins, Ill.	Fraser
Adams	Corman	Frenzel
Ashley	Cotter	Gettys
Barrett	Davis, Ga.	Gonzalez
Bergland	Delaney	Gray
Biester	Dellums	Green, Pa.
Bingham	Dent	Griffiths
Blatnik	Donohue	Gude
Boggs	Drinan	Hanna
Brinkley	Dulski	Hansen, Wash.
Brown, Calif.	du Pont	Harvey
Burke, Calif.	Edwards, Calif.	Hawkins
Burke, Mass.	Eilberg	Hechler, W. Va.
Burton	Evans, Colo.	Heckler, Mass.
Carey, N.Y.	Fascell	Hogan
Carney, Ohio	Foley	Holtzman
Chisholm	Ford,	Kastenmeier
Clark	William D.	Koch

Lehman	Patten	Stanton,
Long, Md.	Pepper	J. William
McCloskey	Perkins	Stanton,
McDade	Pike	James V.
Macdonald	Podell	Stark
Madigan	Price, Ill.	Steele
Mallary	Rangel	Stephens
Matsunaga	Rees	Sullivan
Mazzoli	Reuss	Symington
Meeds	Riegle	Thompson, N.J.
Mezvinsky	Rooney, Pa.	Tiernan
Mitchell, Md.	Roush	Vanik
Mollohan	Roybal	Waldie
Moorhead, Pa.	St Germain	Whalen
Morgan	Sarbanes	Widnall
Nedzi	Schroeder	Wydler
Obey	Seiberling	Young, Ga.
O'Hara	Smith, N.Y.	Young, Ill.
O'Neill	Staggers	Zablocki

NOES—258

Alexander	Flowers	Myers
Anderson,	Flynt	Natcher
Calif.	Forsythe	Nelsen
Anderson, Ill.	Fountain	Nichols
Andrews, N.C.	Frey	Owens
Andrews,	Fuqua	Parris
N. Dak.	Gilman	Pickle
Archer	Ginn	Poage
Arends	Goldwater	Powell, Ohio
Armstrong	Goodling	Preyer
Ashbrook	Green, Oreg.	Price, Tex.
Bafalis	Gross	Pritchard
Baker	Grover	Quie
Bauman	Guyer	Quillen
Beard	Haley	Randall
Bell	Hamilton	Rarick
Bennett	Hammer-	Regula
Bevill	schmidt	Rhodes
Biaggi	Hanrahan	Rinaldo
Blackburn	Hansen, Idaho	Roberts
Boland	Harsha	Robinson, Va.
Bowen	Hastings	Roe
Brademas	Hays	Rogers
Bray	Heinz	Roncalio, Wyo.
Breaux	Helstoski	Roncallo, N.Y.
Breckinridge	Henderson	Rose
Brooks	Hicks	Rostenkowski
Broomfield	Hillis	Rousselot
Brotzman	Hinshaw	Roy
Broyhill, N.C.	Holt	Runnels
Broyhill, Va.	Horton	Ruppe
Buchanan	Howard	Ruth
Burgener	Huber	Sarasin
Burke, Fla.	Hudnut	Satterfield
Burleson, Tex.	Hungate	Saylor
Burlison, Mo.	Hunt	Scherle
Butler	Hutchinson	Schneebeli
Byron	Ichord	Sebelius
Camp	Jarman	Shipley
Carter	Johnson, Calif.	Shoup
Casey, Tex.	Johnson, Colo.	Shriver
Chamberlain	Johnson, Pa.	Shuster
Chappell	Jones, Ala.	Sisk
Clancy	Jones, N.C.	Skubitz
Clausen,	Jones, Okla.	Slack
Don H.	Jones, Tenn.	Smith, Iowa
Clawson, Del	Jordan	Snyder
Clay	Karth	Spence
Cleveland	Kazen	Steed
Cochran	Keating	Steelman
Cohen	Kemp	Steiger, Ariz.
Collier	Ketchum	Steiger, Wis.
Collins, Tex.	King	Stokes
Conable	Kuykendall	Stubblefield
Conlan	Kyros	Stuckey
Conte	Landrum	Studds
Coughlin	Latta	Symms
Crane	Lent	Talcott
Cronin	Litton	Taylor, Mo.
Daniel, Dan	Long, La.	Taylor, N.C.
Daniel, Robert	Lott	Teague, Calif.
W., Jr.	Lujan	Teague, Tex.
Daniels,	McClory	Thomson, Wis.
Dominick V.	McCollister	Thone
Danielson	McCormack	Thornton
Davis, S.C.	McEwen	Treen
Davis, Wis.	McKay	Ullman
de la Garza	McSpadden	Vander Jagt
Dellenback	Mahon	Veysey
Dennis	Mailliard	Vigorito
Derwinski	Mann	Waggonner
Devine	Martin, Nebr.	Walsh
Dickinson	Martin, N.C.	Wampler
Downing	Mathias, Calif.	Ware
Duncan	Mathis, Ga.	White
Eckhardt	Mayne	Whitehurst
Edwards, Ala.	Melcher	Whitten
Erlenborn	Michel	Williams
Esch	Milford	Wilson, Bob
Eshleman	Miller	Wilson,
Evins, Tenn.	Minish	Charles H.,
Findley	Mink	Calif.
Fish	Mizell	Wilson,
Fisher	Montgomery	Charles, Tex.
Flood	Murphy, Ill.	Wolff
Wright	Yates	Young, S.C.
Wyatt	Yatron	Young, Tex.
Wylie	Young, Alaska	Zion
Wyman	Young, Fla.	Zwach

NOT VOTING—68

Abdnor	Grasso	Moss
Addabbo	Gubser	Murphy, N.Y.
Annunzio	Gunter	Nix
Aspin	Hanley	O'Brien
Badillo	Harrington	Passman
Bolling	Hébert	Patman
Brasco	Holifield	Pettis
Brown, Mich.	Hosmer	Peyser
Brown, Ohio	Kluczynski	Railsback
Cederberg	Landgrebe	Reid
Conyers	Leggett	Robison, N.Y.
Culver	McFall	Rodino
Denholm	McKinney	Rooney, N.Y.
Diggs	Madden	Rosenthal
Dingell	Maraziti	Ryan
Dorn	Metcalfe	Sandman
Ford, Gerald R.	Mills, Ark.	Sikes
Frelinghuysen	Minshall, Ohio	Stratton
Froehlich	Mitchell, N.Y.	Towell, Nev.
Fulton	Moakley	Udall
Gaydos	Moorhead,	Van Deerlin
Giaimo	Calif.	Wiggins
Gibbons	Mosher	Winn

So (two-thirds not having voted in favor thereof), the motion was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Gerald R. Ford.
Mr. Rooney of New York with Mr. Moakley.
Mr. McFall with Mr. Udall.
Mr. Dingell with Mr. Rosenthal.
Mr. Fulton with Mr. Winn.
Mr. Kluczynski with Mr. Robison of New York.
Mr. Nix with Mr. Reid.
Mr. Murphy of New York with Mr. Railsback.
Mr. Giaimo with Mr. Minshall of Ohio.
Mr. Addabbo with Mr. Cederberg.
Mrs. Grasso with Mr. Peyser.
Mr. Rodino with Mr. McKinney.
Mr. Brasco with Mr. Conyers.
Mr. Holifield with Mr. Maraziti.
Mr. Hanley with Mr. Pettis.
Mr. Leggett with Mr. Diggs.
Mr. Badillo with Mr. Metcalfe.
Mr. Ryan with Mr. Frelinghuysen.
Mr. Annunzio with Mr. Mitchell of New York.
Mr. Gunter with Mr. Abdnor.
Mr. Madden with Mr. Gubser.
Mr. Mills of Arkansas with Mr. Landgrebe.
Mr Aspin with Mr. Brown of Michigan.
Mr. Sikes with Mr. Hosmer.
Mr. Passman with Mr. Froehlich.
Mr. Stratton with Mr. Moorhead of California.
Mr. Moss with Mr. Brown of Ohio.
Mr. Culver with Mr. O'Brien.
Mr. Denholm with Mr. Mosher.
Mr. Dorn with Mr. Sandman.
Mr. Gaydos with Mr. Towell of Nevada.
Mr. Gibbons with Mr. Wiggins.
Mr. Harrington with Mr. Van Deerlin.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just considered.

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

There was no objection.

WHATEVER HAPPENED TO THE RADICAL?

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

Mr. ICHORD. Mr. Speaker, most Americans are probably more ill-informed concerning activities of revolutionary elements within our society than they are in any other area of public interest. Without an understanding of the new strategy that has been developed in an attempt to raise the revolutionary consciousness of the working class, one cannot appreciate the extent of the threat it poses.

An extremely interesting and timely article entitled "Whatever Happened to the Radical?" written by Marshall M. Meyer and Robert L. Ellis appeared in the September 28, 1973, issue of the "Baltimore Daily Record." This article throws renewed light upon the basic Marxist premise that the working class will serve as the vanguard for the violent overthrow of the capitalist system. Many valuable insights are provided into the reasons why Maoist organizations in this country currently consider both management and labor union hierarchies to be the enemy. In this connection, the particularly interesting point is made that every improvement won by the labor unions which relates to better wages and better working conditions is viewed by the Maoist as steps which postpone and delay the revolution.

I commend to my colleagues and the American public this illuminating article which graphically points out that neither management nor labor unions can afford to pretend that the radical does not exist. The article follows:

[From the Baltimore Daily Record, Sept. 28, 1973]

WHATEVER HAPPENED TO THE RADICAL?

(By Marshall M. Meyer and Robert L. Ellis)

Even before Chile's experiment with Marxism came to an abrupt halt, writers for leading leftist publications were observing that an increasing number of radicals had begun to re-examine the history of the "American Left" and the "working class."

Those familiar with Marxism recognized the relationship between the early New Left and the American working class and found it rather unusual. In the past, every radical left group had credited the organized working class with a unique historical role in the creation of a new world. The New Left, as a student-oriented movement based on personal alienation, rejected this fundamental concept on the grounds that the working class had achieved its goals and had itself become a part of the power structure. The young radicals placed their revolutionary faith in the university as the potential "change agent" of American society.

IN-FIELD EXPERIENCES

By 1967, some radical leaders had begun to realize that students alone could not carry the revolution, and unless the New Left related to the working class, it would expire. Three activists in California obtained blue collar employments, mingled with young workers, and "learned from the people." They drew certain basic but quite obvious, conclusions from their in-field experiences, They found:

Workers, particularly young workers, could become sympathetic to the student rebellion.

Efforts had to be made to educate the community at large on broad issues from the radical perspective or point of view.

Union leaders would not allow their unions to become revolutionary organizations, and workers who would listen and fall in line with radical views could best be served through an independent organization; one geared to these views.

While students and intellectuals could develop a radical consciousness over issues, workers did so only when personally alienated. Thus, the worker would have to be convinced that capitalism was his mortal enemy.

During 1968 and 1969, Students for a Democratic Society (SDS) adopted a summer student "work in" project, which was based on these conclusions, to permit students to learn from the proletariat. SDS readily admitted its past error and said, "As intellectual students who seek certain social changes we must begin to ally with the workers." The work-in concept failed, and the working class issue tended to disappear from prominence in the leftist press. Other matters became more important—the collapse of SDS, the growth of terrorism within the movement, the 1969 mass protests, Cambodia, Kent State, and the collapse of the New Mobilization Committee.

It was this last event—the collapse of the New Mobilization Committee as a result of intense factional disputes in its leadership cadre between Trotskyist Marxists and the more orthodox Marxists—that greatly renewed the Left's interest in the working man. The two major factions were forced to compete for constituents.

REBELLION COLLAPSED

Following traditional united front tactics, the Trotskyists formed the "National Peace Action Coalition" and sought out the endorsement of established union leaders. The leadership of what was to become the "Peoples Coalition for Peace and Justice" took a different approach. The lesson of the 1968 French student rebellion did not go unnoticed. There, students began an uprising which gained the support of the French workers. The rebellion collapsed when workers withdrew their support. American radicals realized that students could start the rebellion, but that without working class support they could not follow through. During the Fall of 1970, articles began to appear in the non-Trotskyist Left press about the need to build a new revolutionary communist party which would involve the masses in a united front.

In January 1971, *Liberation* magazine published a lengthy article by Staughton Lynd, entitled "Prospects for the New Left." This article traced the working class origins of the Old Left, described what Lynd considered to be the betrayal of the working class by the Old Left ("the enemy was fascism rather than capitalism"), and called for a new movement combining the best of the Old and the New Left. In this regard, Lynd said that the proper first step would be to return to regional movements in the form of a "paralleled, central labor union" or "community union" like the Soviets of Moscow and St. Petersburg.

Lynd said radicals within the unions should attempt to get back "the powers which the Left gave up to the union bureaucracy in the thirties, the local right to strike, and the shop steward system." Furthermore, radicals should obtain low-level local offices such as that of a grievance committee—man while remaining active in grass-roots organizations outside the union structure. The community groups would give them protection from the union bureaucracy, according to Lynd.

By mid-1972, the interest in the working class was so great that Liberation magazine published a special double issue in August entitled "Workers: A Special Section." One of the articles in this issue, "A New Generation of Workers," parrots Lynd's distrust, of union leadership. The essence of the article is in two sentences, and they summarize the current radical thinking towards unions: "Inasmuch as the young workers have come to recognize that the management structure and its functionaries . . . and the union structure with its functionaries . . . are simply two sides of the same coin, radicals working within factories should dissociate themselves as much as possible from the latter as from the former, and actively participate instead in rank-and-file struggles directed simultaneously at both bosses and the union hierarchies. An effort must be made to prevent the union leadership from co-opting wildcats and other expressions of rank-and-file discontent into established bargaining structures.

The new theory of the proper role of the American Marxist to the working class, as indicated in the above, is that the radical is to organize with one foot in the union and one foot in the community organizations. He is to seek low-level union positions with the purpose of promoting wildcat disruptions and other "local initiatives" while protecting himself from management through the union, and from the union leadership through the community-based organizations.

This theory appears to have been put into practice by such groups as the "Revolutionary Unions," the "October League," the "Black Workers Congress," and the "November 4 Coalition," all of which tend to adopt the thoughts of Mao Tse-tung.

In New York, the subject of building a new American communist party as a workers revolutionary movement has been twice discussed this year at the Guardian Forums. Reading accounts of the speeches made at these forums reveals that a great deal of time was given to attacking the existing labor unions and what is constantly described as the "sell-out leadership of the labor aristocracy."

What can one expect from Marxists within organized labor?

Decades ago, J. Peters wrote in his organization manual for the American Communist Party that Communists participated in the daily struggles of labor not to eliminate hunger and misery, but to "develop the workers for their final task—the overthrow of capitalism." This past summer, Nan Grogan of the "October League" reportedly said at a Guardian Forum. "We work in the labor movement to develop the political consciousness and organization of the workers. Our goal is revolution and to teach this to the workers."

Past or present, Marxists involve themselves in union activities for purposes other than improving the lot of the common man. There was, and continues to be, an ulterior motive—while the legitimate union official seeks better pay and working conditions, the Marxist seeks revolution. And each improvement won by the union is viewed by the Marxist as a "reform" which postpones and delays the revolution. The effect of this primary reason for Marxists being involved in organized labor is factionalism within the unions. In the past, existing non-Marxist unions and their leaders have been branded as enemies of the people. Today, they are called "sell-out leadership." The massive demonstrations of the past have faded, the New Left is gone. What remains is the hardcore dedicated Marxist. He has, in the past, placed his hopes in the student, the black, the Vietnamese. Now, however, he has rediscovered classical Marxist ideology and the working class, so long the favorite of the Old Left, which he once despised. Neither union nor management can afford to pretend that he does not exist.

GERRY FORD—THE BEST CHOICE

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

Mr. RANDALL. Mr. Speaker, on Friday evening, October 12, President Nixon in my judgment announced a wise choice to fill the vacancy for Vice President created by the resignation of Spiro Agnew. Early that morning I had submitted suggestions through appropriate channels the names of former Secretary of State, William Rogers; former Secretary of Defense, Melvin Laird, and our Minority Leader GERRY FORD.

The President had invited and solicited suggestions for nominees for the Office of Vice President. My suggestions were hand delivered to the office of minority leader. To prove his integrity upon delivery, his staff immediately inquired if the letter contained nominations and, if so, they could not open it.

Mr. Speaker, President Nixon's choice of GERALD R. FORD as Vice-President-designate is a wise one. Last Saturday evening I listened to a sermon in Bethany Beach. Del., delivered by Father Mulligan who said that somehow, someway integrity in Government must be restored. He went on to say that there must be a restoration of faith in those who elect our public officials, that those who are elected will be true to the trust reposed in them.

I pondered that thought as I sat as a member of that congregation last Saturday evening on the eastern shore of Delaware.

Mr. Speaker, the President made an excellent choice. In the words of one of our leading publications GERRY FORD will be "a good lineman for the quarterback"—meaning the President of the United States. GERALD R. FORD is competent, vigorous, sincere, an upright man. He will enhance the public's confidence in Government. He is untainted.

In my judgment the true measure of a Member of the House of Representatives is not only the selection by his constituents but respect by his colleagues. This is true because today there are so many ways and means to influence the media and thereby the evaluation by one's constituency. Not so, as to one's stature among his colleagues. Either he belongs or he does not. Either he is completely accepted or he is only tolerated. Either he is embraced or he is only countenanced. He is either applauded or he is only condoned.

Few Members of the House of Representatives enjoy the respect of minority leader, GERRY FORD. He possesses the integrity, honesty, forthrightness, and candor which he has earned in his 25 years of service in the House. He enjoys the admiration of his colleagues without exception as to party line. He has few personal enemies.

He should be confirmed without delay.

TAX DEDUCTIBLE ORGY AT SEA

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

Mr. VANIK. Mr. Speaker, recent newspaper reports of a tax-deductible orgy at sea are insulting to the average taxpayers of America. Compounded with recent events which demonstrate a complete disrespect for tax laws of this country by the high and the mighty, we should be on our way toward tax reform this year.

Mr. John Shaheen has just completed renting the *Queen Elizabeth II*—at $100,000 a day—to take 1,200 guests—oil, financial, shipping, construction, and engineering executives—to the dedication of his new oil refinery being built in a foreign country. The total cost of this "trip" will be about $1 million, and, according to newspaper accounts, it is presumed that the trip will be fully or partially tax deductible as a legitimate business, promotional and entertainment expense.

Of course, there is a great deal of expense. As the Washington Post reported:

Breakfast is Spartan: melon, eggs, smoked ham, croissants and coffee. Luncheon is no more than you can get for $27 at any fancy Washington restaurant.

Of course, there is also early bird coffee at 7:00, bouillon at 10:00, tea at 4:00, cocktails at 6:30 and a midnight buffet. All these help the hunger pangs in between the regular scheduled feasts.

There are no scales on ship and nobody is looking for any.

Quite a business expense, Mr. Speaker. Caviar at every dinner, a Christmas tree decorated with lobsters, $200 a throw craps, double Chivas Regal—all apparently necessary to help in solving the energy crisis.

This country will have to face a tax revolt, Mr. Speaker. It is coming. When Mr. Agnew is given a fine—a slap on the wrist—that flaunts the entire tax enforcement procedure, when "business expenses" such as this are claimed "subject to Internal Revenue Service guidelines," we hasten the day when the American people will demand true tax justice and get that tax justice.

We are approaching the day when there will be "fair taxation or there will be new representation."

I am entering at this point in the RECORD portions of three newspaper articles which describe this orgy at sea:

[From the Washington Post, Oct. 8, 1973]

"INVITING THE WORLD" FOR A LUXURY CRUISE ON THE "QUEEN"

(By Henry Mitchell)

NEW YORK.—John M. Shaheen and 1,200 guests sailed for Newfoundland on the Queen Elizabeth II last night, fortified against the perils of the sea with the traditional champagne and destined for the dedication of one of the oil magnate's new refineries.

Before the presailing toasts in the ship's luxurious Queen's Room, the voyagers took eight lively hours to hand over their luggage to porters and climb the festive gangplanks of the Cunard flagship.

Most of the passengers (1,100 of the 1,200) are executives of oil, financial, shipping, construction and engineering interests here and abroad—companies, a spokesman said, that Shaheen's firm does business with. The other 100 represent Shaheen's own corporation.

The trip will cost a bundle since, as everybody who hires luxury vessels knows, the Queen costs a neat $100,000 a day. And Shaheen, of course, also picked up the tab to get everybody to New York. But the outlay should not be a total loss by any means, as it is expected that all or some of it will be claimed as a tax deduction at the end of the year, subject to Internal Revenue Service guidelines on business, promotional and entertainment deductions.

As a Shaheen spokesman pointed out, it's customary for oil companies to "invite the world" for events such as dedications. Oil multimillionaire Robert P. McCulloch assembled half the world when the London Bridge was reerected in 1971 in the Arizona desert. And Reese Palley, an art dealer, celebrated his birthday last year by flying 737 guests, in two jetloads, to Paris for a bash involving the Boehm porcelain birds.

Shaheen, whose fortune has been estimated at $250 million, is used to operating on a big scale. He is planning to start up an afternoon newspaper, The New York Press, in Manhattan early next year. About $7 million has already been spent on it, and another $3 million is on tap for immediate use as needed. Shaheen does not seem the least daunted by the common notion that such a venture will require $50 million. He was recently in the news as a $100,000 contributor to President Nixon's re-election campaign.

On a scale like that, chartering the Queen Elizabeth II is a huge economy if you think of it in certain ways. A spokesman for Shaheen said it was figured out that the luxury ship cost a good $180,000 less than flying everybody to Newfoundland and setting up tents and chow halls for them (as the Shah of Iran did two years ago for his party in Persepolis).

At the Cunard Line in New York they do not think of themselves as anybody's economy shopping mall, but one Cunard man said it certainly stood to reason that the Queen would be cheaper than trying to improvise a hotel for 1,200 people where none exists.

The new refinery is at Come By Chance, Newfoundland, and it has a 100,000 barrel per day capacity. It costs $198 million to build, and Placentia Bay on which it is located boasts an ice-free harbor that can take tankers up to 500,000 tons.

On Tuesday the ship will visit the refinery, with guests debarking at the pier for dedication ceremonies and a banquet. Other stops will be made at two other Shaheen refineries not yet completed (all three are owned by wholly owned subsidiaries) and the three of them have a combined capacity of 600,000 barrels a day.

That same day the ship will stop at Halifax, where port authorities will come aboard for a ceremony in the captain's office, traditional when a ship visits a port for the first time. The Queen has never sailed to Halifax before, though the first Cunard came from Nova Scotia. The North Atlantic Symphony, an orchestra of 40 to 50 musicians of the Maritime Provinces, is expected to give a concert in honor of the occasion.

That same night the ship will sail, arriving in New York on Saturday, at which point the revels will be ended and everybody will turn into a pumpkin again.

Considerable festivity is expected on ship, since although the Shaheen spokesman reports nothing special is planned ("Whatever you usually get on the Queen you'll get, and that's it") guests should be able to make do with three indoor swimming pools, skeet shooting on the fantail and the usual Queen Elizabeth II wine and pheasant-type regimen.

Naturally, guests will dress for dinner as they would on any great ship.

You don't just pick up the phone and rent the Queen for the next weekend, but this is by no means the first time it's been chartered. Once the Young Presidents Organization (composed of youthful presidents of companies) did, and another time the National Asphalt Pavement Association did. The best time, according to Cunard, is along about this time of year, in between the end of the trans-Atlantic season and the beginning of the cruise season. If Shaheen had not chartered the ship, it would still be making its usual runs to England.

[From the Washington Post, October 13, 1973]

THE SHAHEEN ODYSSEY: OPULENCE AT SEA

(By Henry Mitchell)

HALIFAX, NOVA SCOTIA.—"How do you do?" said the Canadian Minister of Regional Economic Expansion. "A great pleasure. Now where do we go from here?"

"Turn left," he was advised as he worked his way through the Queen Elizabeth II's jammed and champagne-floating queen's room to dinner.

"I just do what I'm told. It gets worse every day," said the Hon. Don C. Jamieson. "My, this is like a floating Holiday Inn."

Likening the Cunard Lines' sleekly posh flagship to a Holiday Inn might have been a trifle harsh. But rounding up 1,200 guests and hiring the Queen Elizabeth for roughly $100,000 a day, as oil magnate John Shaheen has this week, is flashy even by oil company standards.

After three nights at sea en route from New York, the Shaheen odssey paused at Come By Chance, Newfoundland, where passengers (oil, financial, shipping, construction and engineering executives) took part in dedicating a new Shaheen oil refinery on the Canadian East Coast.

The refinery is the first of three to be built there, representing an $800 million investment by subsidiaries of the Shaheen Natural Resources Co. of New York.

Shaheen, of course, is picking up the tab, estimated at $1 million, and claiming that this trip is necessary—and, presumably, tax deductible as a legitimate business, promotional and entertainment expense.

The Cunard Line officers, proud of their flagship, missed the Canadian cabinet minister's Holiday Inn observation, but that was just as well. Many guests have said they could not think how life aboard a ship could be improved.

"Well, I can think of one improvement," said a retired oil executive, "though I don't expect the ship is responsible for it. You could get rid of labor unions." The cabinet member didn't hear that either.

The oil crowd is politically conservative as a group and it was easy to hear comments like that of the New York oilman's wife concerning her relative who had turned Democrat, much as wine turns sour.

"He used to be such a good Republican. Who knows what got into him."

Life must go on, of course, even if the Mideast is at war and the Vice President is out; and the prevailing attitude aboard ship is that it might as well go on in the Britannia Restaurant of the Queen Elizabeth II as anywhere else.

For one thing, you get two scoops of caviar (the kind Magruder's Grocery in Washington keeps in a locked glass case) instead of one.

Also, you get vodka with it—warm, since the British have never adopted ice boxes.

If you get the regular dinner, the blue plate special, as it were, you get the caviar, then lobster bisque, not too burning hot (for the English do some things extremely well.)

The idle rich, as one Newfoundland radio station called these modern buccaneers aboard ship, are undoubtedly rich, but hardly idle.

In fact, the easiest way to talk to them is to take part, in so far as strength permits, in jogging endlessly about the deck, swimming in the indoor pools, bidding aggressively in the bridge rooms, working the crap tables at $200-a-throw maximum, or just pulling the 25-cent slot machines.

"I cannot believe that you have run 137 laps around this ship before dinner," marveled one guest to another before dinner one night.

"Oh dear no," replied the athlete. "I swam 107 lengths, not laps, in the pool."

"Well, that's different," someone remarked. "Everybody does that."

Everybody doesn't, of course, but could because on ship you're free to do what you want or don't want.

There are certainly no class distinctions. The ripe melons fall on the $60,000-a-year and the $300,000-a-year guys alike. No area of the ship is off limits to anybody. Reporters are as welcome to try their luck at $200-a-throw craps as an oil company president.

Breakfast is Spartan: melon, eggs, smoked ham, croissants and coffee. Luncheon is no more than you can get for $27 at any fancy Washington restaurant.

Of course, there is also early bird coffee at 7, bouillon at 10, tea at 4, cocktails at 6:30 and a midnight buffet. All these help the hunger pangs in between the regular scheduled feasts.

There are no scales on ship and nobody is looking for any.

At the refinery dedication Wednesday the temperature was near 40 degrees and the wind 40-miles-an-hour. Great tents of yellow canvas and blue plastic shook as they sheltered 4,000 guests, including many Newfoundland citizens.

The excitement began with bagpipes tooting in a British member of Parliament and other dignitaries.

The lord bishop of Newfoundland, striking in his silver-and-red beard, called down blessings in all and sundry, not forgetting the fishes of Placentia Bay, so important to the livelihood of the region.

The chow tent either blew down or was declared too dangerous to enter. Dan Steiner, a retired Exxon executive, gave a glowing account of a Christmas tree hung with lobsters, but few of the other guests ever saw it. A Shaheen official said it did exist, at least before the wind hit the tent.

Back aboard ship there was warmth and a change to evening clothes for a swig or two. Non-drinkers soon learned to settle for club soda; if you asked for tonic and lime, they brought beer. Dinner followed, and in due time all were in bed. Few stayed up past 5:30 a.m. since there is always another day.

Shrewd observers believe the bar bill will be horrendous. Wine, such as Nuit St. Georges, and double Chivas Regal from the ship's eight bars and two restaurants are items to reckon with.

It was widely rumored in Washington, D.C., before the ship sailed from New York that a number of government officials declined the trip, feeling it might be a shade too festive to look like official business.

The only U.S. congressmen thus far discovered are Reps. Philip M. Crane (R.-Ill.) and Paul W. Cronin (R.-Mass.), though three others are believed hiding out somewhere.

Nobody has been found, despite intensive search, who will say "what a grand idea to have reporters aboard." On the contrary, when Shaheen asked guests if they'd like a published guest list, they uniformly said "no."

"Have you got the Shah of Iran in a closet somewhere?" the ship's captain was asked.

"For all I know, yes," said Capt. Mortimer Hehir. "Its the first time I've taken a ship out without knowing who's on board."

Jane Ikard of Washington, traveling with her husband, Frank, president of the American Petroleum Institute, was among those trying to find out who was aboard.

"I know all our best friends are here but how will we ever find them?" Mrs. Ikard complained. "I'm going back and say we were on the most wonderful cruise to Newfoundland and people are going to say, 'Why yes, we were there, too.'"

(The Ikards did run into some fellow Washingtonians, including retired Army Gen. and Mrs. William W. Quinn and former USIA director Frank Shakespeare, as it turned out.)

You could easily find a Dutchman with tanker interests, a Nova Scotia legislator, numerous retired executives of major oil companies and a cancer researcher who had no idea why he was invited except that he knew Shaheen in Salerno during World War II. (Shaheen retired with the rank of Navy captain and holds the Silver Star.)

The resignation on Wednesday of Spiro Agnew as Vice President was greeted with dismay by many of the passengers, most of whom seemed to be enormously fond of him.

"I want to read about my friend Mr. Agnew," said Shaheen's wife, the former Barbara Tracy of Washington. "Here's a thing about a beauty contest," she muttered disapprovingly as she rattled a small Canadian newspaper in the vain hope of finding news to supplement the meager radio announcement.

In a summit symposium in the mens sauna, five Republicans deplored events, expressed suspicion of John Connally and divided their votes between New York Gov. Nelson Rockefeller (three) and California Gov. Ronald Reagan (one). The fifth was undecided, as well as indignant, like the rest. "He said he would *not* resign."

The ship is scheduled to return to New York today.

[From the Washington Post, Oct. 15, 1973]

REMEMBERING JERRY FORD ON A VOYAGE MADE OF MEMORIES

Many passengers got seasick, or else had hangovers passed off as seasickness, despite the fact that the ship never rolled more than a degree or two—the sea was not much rougher than the Watergate swimming pool.

Shaheen himself developed a cracked voice the second day out, undoubtedly from hour after hour of talking to guests in a series of champagne receptions, special luncheons in the Queen's grill, and general conviviality.

"Gargling with bourbon should fix that," he said Tuesday. With laryngitis rampant on Wednesday, he said his only throat problem was too little sleep and too much whiskey. "One can overgargle," it was observed.

His favorite garb was a dinner jacket in which dozens of silver Newfoundland seals were sprinkled over the dark background. The same design appeared in silk ties worn by Shaheen men, and lifesized baby seals were carved in butter to decorate the midnight buffet, stationed in front of fountains and flanked by vast shells containing picked lobster meat.

"Oh, how dear," cried an ample matron holding furs as she regarded the seals at the buffet that continued to 1:30 a.m.

"I come only to look. The buffet is so beautiful, but I wouldn't dare eat a thing. Besides, I have this coat."

"Well, dear," said her tycoon-type husband, "you could always put your coat on a chair."

No sooner said than done, and the couple joined others whose plates had wee, and not so wee, samplings of northern shrimp potted in butter, glazed fowl of various sorts, honeydews, strawberries with creme chantilly and other charms to keep things from going bump in the night.

PSYCHOLOGICAL MANIPULATION

The SPEAKER. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 15 minutes.

Mr. HOGAN. Mr. Speaker, those of us concerned with the education of the young should pay a great deal more attention to the programs students are subjected to in the name of education, especially when these programs are supported by Federal tax funds. Many of these programs have received a great deal of publicity and have been justly condemned as immoral and unethical interferences in the students' privacy.

I speak, of course, of any level of "group therapy" that regards the group as the ethical unit to which the individual must subordinate himself. The fundamental premise of some of these group encounters is that privacy is illegitimate: That the individual who does not cooperate with the group, who does not confess his "sins," in short, the individual who does not regard the group as the proper judge of his thoughts and keeps them to himself, is suspect and must be intimidated into cooperating with the group. Some of these programs sound like the plot of an Ayn Rand novel.

A new form of the "psychological communism" has recently surfaced in the schools of Prince Georges County, under the guise of teaching the students to make decisions. Described in an article by Jennifer Frosh in the Prince Georges Sentinel, June 13, 1973, the program is called "Who Should Survive?" The program is not designed to teach pupils how to make decisions on their own, but is designed to impress upon young minds certain ideas that are never challenged in the program and must be assumed by the students who participate in the group.

First and foremost among these ideas is that the group has the authority to judge which individuals shall live and which shall be killed. In this democracy, it appears that the right to life has ceased to exist and the majority decides who is wanted or needed—for group survival—and who is unwanted or unneeded. We see an unfortunate example of this in the current legal situation regarding abortion. This group program has carried psychological communism through to its logical conclusion: Murder by majority rule.

Fortunately, the program is as yet only make-believe in our public schools. Nevertheless, the long-range consequences of such subtle indoctrination techniques are monstrous. Programs such as these only hasten the day when "who should survive?" will not be hypothetical questions, but actual queries of a people who believe that the majority have the right to deprive an innocent person of life. This is now the case in regard to abortion and it will then be extended to the elderly, the retarded and the lame as happened in Nazi Germany.

The fact that tax moneys collected by the Federal Government are used in the direct and indirect support of such immoral programs should be reason enough for us to question the current Federal role in education.

Following is the text of Miss Frosh's article:

HOW STUDENTS DECIDE WHO'LL SURVIVE

(By Jennifer Frosh)

Pattie Dunn, a senior at Bladensburg High School, nervously twirled her long red hair as

she sat in a small circle with seven other students.

"Oh, I really can't stand this," she blurted out to the group. "I mean I hate to have to kill people like this. I feel sorry for them, you know? Like they all should have a chance to live."

"You can't be that way about it," a girl named Sue reminded her. "Anyway, we won't even reach a decision on who to get rid of if you keep feeling sorry for everybody. That's not really the point of this."

Pattie, still chafing, agreed to carry on and reluctantly reviewed her group's choices so far—the three-month old infant, the aging doctor, the mentally retarded 10-year-old, and the Roman Catholic Priest.

All would have to die.

Last week, Pattie and about 40 other students, in a health education class at Bladensburg High were playing "Who Should Survive?" an intriguing, often harrowing group exercise which has, of late, outraged some Prince George's County parents.

Following a May 30 Sentinel story describing the "Who Should Survive?" lesson and quoting parents who questioned its appropriateness, a reporter was invited to the school to witness the exercise first-hand.

The invitation came from Mrs. Gale Alwine, health education instructor at Bladensburg High.

Included in the senior high school drug education curriculum, the exercise is intended to drive home to participants the difficulties of group decision-making, particularly when a sensitive, or life-death situation is presented.

At the beginning of the game, the stage is set for students. There are 15 persons in an atomic bomb shelter, they are told, and these 15 people are the only ones left on earth.

Since the shelter can only sustain a total of seven persons, students are instructed to decide which seven persons will survive. Each group must reach a unanimous decision after reviewing the mythical characters' background, and then justify their decision to the rest of the class.

According to Mrs. Alwine, the exercise helps students become more aware of the process involved in making difficult decisions. This awareness, she argues, can be beneficial later on when these students may find themselves facing real life dilemmas such as whether or not to take drugs, attend college or run away from home.

"The exercise itself is beside the point," said Mrs. Alwine, a co-author of the curriculum guide. "The important thing is what follows, when the kids talk about how they reached their decision. It's been very successful so far."

In many instances, she continued, the exercise causes "tremendous interaction" among students, generates discussion and makes students think out loud.

Mrs. Alwine added however, there are usually a few students in each class who cannot bring themselves to participate, as well as those who do particpate but regret it afterwards.

"I thought the game was horrible," Pattie said to Mrs. Alwine after the exercise was completed. Mrs. Alwine had asked the class if anyone did not like playing the game.

"Every person seemed to have some good qualities. I just didn't want to decide. It was too hard," Pattie said.

"Well, that's one of the things adults have to learn about life and decisions," responded Mrs. Alwine. "That important decisions are hard. You have to fight within yourself to make them. And once you've decided you have to learn to live with the consequences, good or bad."

During the game, Pattie's group had only one major disagreement which eventually was resolved with no hard feelings. The two black students in the group, a girl and a boy, were strongly in favor of eliminating a young black male candidate who was described in the instructions as a "suspected homosexual, with bitter feelings towards racial problems."

"He has to go, that's all," said Carolina Bryan, the self-appointed leader of the group. "He's definitely weak, man. He won't serve the purpose no way. All he'll do is cause a conflict and you can't have a conflict in that situation."

Earl Ross, silent up until this point, agreed. "I think he should go, too," he said firmly.

But the white members of the group were adamant about keeping the man. He was young, a year away from a medical degree, and the new society would need his services, they argued. So what if he had problems, he could resolve them in a hurry, they said.

In the end, it was decided the man would not be eliminated.

Another minor disagreement arose over whether the group should keep a young Roman Catholic nun, or a middle-aged priest, "with liberal views."

"The sister would hold people together and she's young and healthy. But she wouldn't have sex. You need people who will keep up the species" said Sue Hessler.

"Yea, but the priest would hold people together and you need a man to hold things together and act as a leader," said Sheila Burger.

"Why not get rid of both of them," offered Nora Ford. "Neither of them can have kids. It isn't sensible."

Sheila shot back, "You have to have some kind of religion, don't you?" The upshot of this interchange was that the group eliminated both the priest and the sister. The other candidates, some of whom were described in the lesson as faithful churchgoers, could take care of religion.

The last disagreement, and the one which confirmed Pattie's opinion that the exercise was "cruel," concerned a middle aged Jewish couple and their mentally retarded son. The group decided to keep all three at first, then ditched the boy and finally the father.

Only the mother, with a degree in psychology, would be of use in the new society, the student decided.

"You're definitely gonna need a shrink in that situation,'" said Sheila.

But Pattie had had enough and reeled on her feet in disgust.

"You can't do that! You can't kill the poor woman's husband and son, and then expect her to be the super shrink for the whole group, can you?"

Later, during the discussion, Pattie criticized her group's decision about the family again.

Mrs. Alwine answered, "What if I asked you all to draw up personality sketches of yourselves, and then used that for the game instead of the fictitious one in the curriculum guide?"

The class grew silent, and then one replied: "Gad, I wouldn't do it. I just couldn't do it. I'd see myself go first before I'd . . ."

MANDATORY FUEL ALLOCATIONS—SPEECH BY HON. TORBERT H. MACDONALD

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

Mr. MURPHY of New York. Mr. Speaker, I would like to call the attention of my colleagues to the remarks made by Congressman TORBERT H. MACDONALD to the Southern Governors' Conference last week in Point Clear, Ala. His speech to the Governors of the 18 Southern States deals with his continuing efforts to see a viable, tough program for mandatory fuel allocations implemented by the administration.

I know of his efforts firsthand since I serve on the Subcommittee on Communications and Power, of which Congressman MACDONALD is the chairman. It was his bill which has been reported by the House Commerce Committee and should be before this body for consideration this week.

I commend to your attention Congressman MACDONALD's address to the Southern Governors, and include the text of that address at this point in the RECORD:

ADDRESS OF HON. TORBERT H. MACDONALD, DEMOCRAT OF MASSACHUSETTS, AT THE SOUTHERN GOVERNORS' CONFERENCE, POINT CLEAR, ALA.

The topic you have chosen for this meeting, the energy and power crisis, is one that's terribly close to all of our thinking these days. I am sure that the pressure from your constituents is as great as it is from mine. This is no long-range problem to be discussed philosophically by a group of experts in a think-tank. It is here with us now, at the gas pumps and the heating oil delivery trucks all around the country. Perhaps we in New England are more apprehensive of the coming winter than you are in this delightful climate—but if things are permitted to drift as they have been drifting, if the energy czar in the White House and his colleagues don't display more energy than they have so far in taking some meaningful steps, then we are all in trouble, long-range and short-range.

We may be able to avert some of this trouble if we attack the problem in unison. In the course of these remarks, I am going to ask for the help of the Southern governors in supporting my bill for mandatory allocations of fuel. It is my firm conviction that this is not a regional problem, but a national problem; and I hope I can convince you that the South has as great a stake in this situation as New England, the East Coast, the Midwest, the Rocky Mountain States, the Northern West Coast, and everywhere else in the country.

For background, 30 seconds on what you undoubtedly already know:

At present, the nation faces the first peacetime fuel shortages in its history. Vital transportation and agricultural functions are being affected. Gasoline stations have closed, and hundreds which have not yet been forced to give up are standing with their backs against the wall. Independent refiners have run short of crude oil supplies. Units of local government—counties, cities, schools—are unable to get bids on fuels necessary for essential public service. Utilities warn about blackouts—and these are real blackouts, not the football blackouts that have been occupying the front pages in the last few weeks—unless their fuel supplies are replenished and guaranteed. Cries of real anguish come from virtually every sector of our economy.

What are the prospects for the situation taking care of itself, by a policy of muddling through? Almost nil. Or by a policy of governmental laissez-faire or voluntary controls? *Absolutely* nil. There is little chance that domestic refineries can catch up with spiraling demand.

According to the Interior Department, if we have a normal winter—whatever that is—the U.S. will need 650,000 barrels *per day* of No. 2 fuel oil for heating our homes. Last year, we averaged only 400,000 barrels per day. And the Department reports that a maximum of 550,000 barrels per day may be all that is available from all world sources. That's a one-hundred-thousand-barrels-a-day shortfall.

On the average, we are using four million barrels of gasoline more than we produce each week. Whether some or all of this deficit can be made up through imports is

highly uncertain, especially in light of recent developments in the Middle East.

And those developments are coming thick and fast—an arbitrary rise in the price of oil from the organization of oil-producing countries within the last two weeks, the take-over of foreign oil investments in Libya, mixing oil and politics in Saudi Arabia, and more to come. Not a pretty picture when superimposed on the projections about how much imported oil we will need from that area of the world for the rest of this century.

I will spare you another analysis of how we got into this pickle. A number of us in the Congress, and I am among that number, have been attacking oil import quotas for a long time. They were finally dispensed with this year. The horse, however, had not only left the barn, but was last seen galloping down the road. Many of us have been looking suspiciously at the policies of the major oil companies. But all that is water over the dam. The question is what are we going to do about it now.

Obviously, I cannot speak for all 435 members of the House. There are many divisions of jurisdiction in both the Senate and the House on matters dealing with energy. On the Senate side, various aspects of energy come under the Commerce Committee, the Interior Committee, the Public Works Committee and the Joint Atomic Energy Committee. On the House side, the same complex picture applies, with a few embellishments. There is legislation being considered on land use, on deep water ports, on the Alaskan pipeline, on research in coal gasification and a number of other fuels,. There are investigations going on in a number of government agencies, and there are undoubtedly hundreds of reports and analyses being written.

It may look like a bad jigsaw puzzle to the distant observer. But when all the parts get put together, as they will, no one side gets everything it wants, but the compromises that are arrived at are usually pretty good laws.

But let me narrow the focus down to what is going on in my own Subcommittee on Power and in our full Committee, Interstate and Foreign Commerce, and therefore within the House of Representatives.

From the time the 93rd Congress convened in January, we watched the Administration take halfway measures in the field of fuel allocation. The months went by, and the rumblings of discontent from independent fuel dealers and distributors became louder. A very competent man, William Simon, whose background, strangely enough, was in the investment business, was given, in addition to his job as Deputy Secretary of the Treasury, the assignment of heading the Oil and Gas Policy Committee. A number of optimistic statements came out from that Committee, along with promises of a firm Administration policy. Very little happened, except for the announcement of a "voluntary" allocation program, under which the major oil companies—on the honor system, evidently—would behave magnificently in the public interest and protect the rights of their competitors, the independent marketers.

This looked like a dubious proposition to me. In my ten terms in the Congress, I'm afraid I gained something of a reputation among the major oil companies of looking at a lot of their claims of acting in the public interest as dubious propositions. And sure enough, evidence piled up that the voluntary program was not working, as we had suspected from the outset.

So in May, I introduced a bill calling for mandatory allocations of refined petroleum products and crude oil to the independents at the same percentages that they were able to buy those products the year before. At the same time, Senator Jackson introduced identical legislation on the Senate side.

A little over a month later, the House Commerce Committee was able to clear its commitments and hold hearings on my bill. During those hearings, we took testimony from representatives of the Administration, from members of Congress who told of the hardships being put upon their constituents, from organizations representing independent dealers and distributors, from the Federal Trade Commission (which had serious charges of collusion to bring against the major oil companies), and from the head of the President's Oil and Gas Policy Committee, Mr. Simon.

At that time—it was the 10th of July—Mr. Simon promised the Committee, under questioning from me, that the Administration would come forward with a new allocation policy within one week.

Needless to say, one week passed without any policy. And then it was two weeks, and then three—and the date for adjournment of Congress for the summer recess was getting closer and closer. I do not blame Mr. Simon for the inaction at the White House; he had been supplanted as head of the Administration's efforts in this area by Governor John Love of Colorado—an estimable man, I am sure, but not one of whom it can honestly be said that he has displayed a great deal of energy since he has been put in charge of energy.

In the closing week, having rested as long as we possibly could on the good faith of the Administration—if not longer—the Congress tried to rush through the bill that Senator Jackson and I introduced. I won't attempt to describe the parliamentary maneuvers involved; suffice it to say that Congress adjourned for the recess in some frustration with no mandatory allocations legislation.

Since the Congress reconvened after Labor Day, the House Commerce Committee has been proceeding with all due haste to report out this legislation. Unfortunately, the Committee was unable to report out the bill last week, after three separate executive sessions; but I think I can promise you that it will be reported out tomorrow. Then it will proceed with all possible dispatch to the floor of the House. We are assured that the Senate will act swiftly, and we hope and trust that the President will sign it into law.

Forgive me for spending so much time on one case history of one bill, but it may provide you with a microcosm view of the problems faced by Congres in dealing with the complex problems of the energy crisis. My bill dealt with a relatively simple problem, saving the only vestige of competition in the gasoline and fuel oil business, before it disappeared completely.

Basically, the bill:

(1) Directs the President to institute a program of mandatory allocations of crude oil and petroleum products within ten days after its enactment, and to have that program in operation 15 days after that.

(2) The authority granted to the President is temporary; it expires in early 1975.

(3) Among the petroleum products specifically included are gasoline, kerosene, distillates (incuding No. 2 fuel oil used for home heating), diesel fuel, propane, residual fuel oil, and petrochemicals.

(4) It prohibits export of these fuels while they are in short supply and needed to fill priority needs in the United States. Fuel exchanges with Canada and others would continue as long as they did not contribute to shortages in the U.S.

And the bill specifically spells out the intent of Congress to protect independent, nonbranded, branded, and franchise-holding marketers. These are the small businessmen who are being forced out of business. We do not intend to let this happen.

We have other energy business pending before our Committee. For the past several years, we have been working on a bill to simplify the procedures involved in power plant siting. This is a tremendously complicated problem; balanced against the obvious need for more power plants is the resistance of any given group of citizens to having such plants located in their back yards, plus the legitimate demands of the environmentalists. We face the same problem with desperately-needed oil refineries—and again, harking back to shortsighted policies of the past, a perfectly good refinery in my state was closed down by Exxon several years ago on the grounds that its output was not needed. *No* refineries are currently on the drawing boards in the continental United States—a situation, quite frankly, that I find appalling.

My Subcommittee has continuing oversight responsibilities for the Federal Power Commission, which in addition to regulating electrical power generation is charged with setting prices on natural gas in the interstate market. In recent months, the FPC has made a number of ad hoc decisions letting the price of natural gas rise as much as 75%. This has the effect of circumventing the law, and we plan to call the Commissioners before our Committee in the near future for a full explanation of their actions. If gas prices are permitted to rise in this manner—and I for one am by no means convinced that such rises will guarantee an increased supply of this vital fuel—such action constitutes a deregulation of natural gas prices at the wellhead, a move that can only legally be undertaken by the Congress of the United States, certainly not by an administrative arm of that Congress—namely, the Federal Power Commission.

There can be no doubt that we face some agonizing decisions in the next few years as we attempt to insure supplies of energy and determine to guard the rights of the consumer. There are very real issues of foreign policy, very real differences of opinion on how to proceed in almost every area of the energy field. We must have energy, yet we must not destroy the quality of our environment. We must stop wasting gasoline, yet we cannot overnight restructure the automobile industry. Can we figure out a way to utilize our vast offshore oil potential without doing permanent harm to our shoreline and our beaches? Can we figure out a way to draw on the virtually unlimited supply of coal without ravaging the land and polluting the cities? Can we harness the sun's energy?

There are literally hundreds of key questions, and very few answers. None of those come easily.

It is our fervent hope that the Administration will begin to move in those areas where they can give leadership, especially in the field of research and development, which has long been overlooked and neglected. If the Administration is as solicitous of the states as they indicate, I am sure that the voices of the governors would be listened to. I urge you to raise them.

I can pledge you that my Subcommittee will be doing all that is in its power to maintain the competitive structure of the fuel business, to protect the interests of the consumer and the independent producer while searching out new sources of energy, and to get on with the urgent business of coping with the ominous energy crisis.

VICE-PRESIDENTIAL SUCCESSION

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

Mr. GONZALEZ. Mr. Speaker, under the 25th amendment, we have the great responsibility of deciding whether or not to approve the nomination of the President for filling the vacancy in the office of Vice President. I have said that the amendment is itself defective, and ought to be changed in several respects,

but today I wish to speak of our present responsibility, which must be discharged before any changes can be made in the amendment under which we act.

Already the procedure we are engaged in has been flawed.

Under the 25th amendment, Congress is supposed to act independently on the President's nomination. Unfortunately, when the President nominated a leader of the House, he in large part compromised our position, by making this body in a sense a party to the transaction. To compound this, when the House leadership attended the President's announcement party, they also became party to the transaction. It would have been better if they, like the Supreme Court, had recognized the independence of this body and branch of Government, and respectfully declined to participate in the event.

I will not go into the bizarre nature of the announcement itself. It was an unseemly pretense at triumph, when in fact it was but the latest in a series of tragic events that have shaken the very stability of our Nation and its principal institutions. It would have been better if the President had recognized the tragedy, rather than make it some sort of celebration. It is nothing to celebrate when the latest in a long line of the President's intimates is revealed as a common criminal.

The odd nature of the President's announcement should be of concern to anyone who wants to think or believe that the Nation's leadership recognizes the depth of our crisis. We are not participating in any triumph. We are a party to one of the greatest tragedies in our national history.

Now we have to think about how to go about our task.

First of all, I believe that we should render a truly independent judgment. We have to recognize that the man Congress confirms to be Vice President may well become President. That requires sober, independent judgment, as envisioned by the authors of the 25th amendment. This can be no mere political game; it is in fact a burden of the House to insure that the nominee is capable and honorable, and that he will be a credit to his office and the country. That is the least we can do.

It is too late to retrieve the error of the leadership of last Friday, when it elected to attend the President's announcement, an occasion on which they could only offer applause and approbation. Thus being a part of the ceremony, their independence, and our own, was compromised. But nothing can be done about that today.

I do believe, however, that some of the cloud can be removed if the nominee resigns his position in the House, immediately.

As it stands now, Mr. FORD is neither a Member of the House nor a Vice President. He is seized of the responsibility to be the President's man, but he must also be a member of this independent and coequal branch of Government. It is an untenable position for him, and for the House. His immediate resignation would make his status clear: He is, like any other nominee, coming before Congress for confirmation. It is unseemly and inappropriate for the nominee to remain part of the body that must be his judge, and he should recognize this anomaly. Much as we are disposed to the minority leader as an individual, and much as we are pleased by his sudden new prominence, we must not let this blind us to our plain duty, nor allow us to forget the responsibility and duty we have to offer independent judgment on this high question of state.

I hope that Mr. FORD will recognize that he cannot be nominee and minority leader at the same time, nor nominee and Member of Congress at the same time, without damaging the equality and independence of the legislative branch of our Government. Let him resign, now that he has executive responsibility, so that we can proceed with our legislative responsibility.

In our further consideration of the Vice-Presidential succession, I hope that the leadership and Members of the House at large will keep in mind the precedents that are being set. We are dealing with a matter that involves the very stability of our Government. We are exercising a unique responsibility, one that involves the substitution of our judgment for that of the general electorate. These are awesome responsibilities, and ought not to be approached lightly. Let no one repeat the mistake that was made in the East Room of the White House last Friday; we are not embarking on some celebration—we are trying to find a way out of the wilderness.

It behooves us to be prudent in our actions, and clear in our judgment. We are acting not in behalf of the President, nor for or against a colleague, but in behalf of the whole people of this great Nation. Let us do this in a manner that does the country credit, not as a foil to the President's odd gaiety, nor as a favor to a colleague. The President has been wrong too often in his judgment of men for us to accept his word blindly; and our colleague is now in a position far different than he was last week—properly no longer a Member of the House, but a nominee to be screened and approved, as if we had never seen or known him, in the same way that voters would screen and approve him, because it is in their behalf that we must act.

FEDERAL GRAND JURIES—RECENT DEVELOPMENTS

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

Mr. EILBERG. Mr. Speaker, on June 6, 1973, I introduced a bill (H.R. 8461) which would substantially revise grand jury procedures in an effort to restore the historical function of grand juries and to provide certain due process guarantees for witnesses called before Federal grand juries.

Upon introducing that legislation, which has been referred to my Judiciary Subcommittee, I stated:

> . . . the grand jury was originally designed as an independent autonomous body with extensive powers to enable it to perform the dual function of checking an overeager and aggressive prosecutor, and at the same time, initiating their own investigation when the prosecutor was not aggressive enough. Quite the opposite is true today, however, and most grand juries are totally dominated by the governmental prosecutor.

Subsequent to the introduction of this legislation I requested specific comments from all Federal judges with respect to the provisions contained in this proposal as well as their general observations on the operation of Federal grand juries. In addition, reports on this legislation were requested from the Department of Justice and the judicial conference. The committee has recently been advised that the judicial conference, after receiving reports from its Committee on the Administration of the Criminal Law and the Advisory Commission on Criminal Rules and the Justice Department, oppose enactment of H.R. 8461. Similar bills—H.R. 9008 and H.R. 9837—have been introduced by Congressman CHARLES B. RANGEL along with various cosponsors and they are also pending before my subcommittee.

Furthermore, Judiciary Committee Chairman PETER W. RODINO, JR., and his predecessor, the Honorable Emanuel Celler wrote the Chief Justice of the United States to request the judicial conference to consider the matter of grand jury reform. In response to these letters and in view of the great interest in this subject by the Judiciary Committee, a committee of the judicial conference is presently engaged in an extensive study of the Federal grand jury process.

In a related development, a recent report of the National Advisory Commission on Criminal Justice Studies and Goals, entitled "Courts" recommended "grand jury indictments should not be required in any criminal prosecution * * * the grand jury should remain available for investigation and charges in exceptional cases." A similar view is held by Senior Judge William Campbell, U.S. District Court for the Northern District of Illinois, who has been a Federal trial judge for over 32 years. Judge Campbell recently noted:

> A most effective way to reduce delay and back-log in our criminal justice system and expedite trials would be to abolish the Grand Jury. Whether this can be done by act of Congress or would require constitutional amendment, the process of elimination should be started now. Much of the bad procedural law which clutters the administration of criminal justice today is due to deserved Supreme Court displeasure over the anachronism of the Grand Jury and its offspring—the criminal indictment. This great institution of the past has long ceased to be the guardian of the people for which purpose it was created at Runnymede. Today it is but a convenient tool for the prosecutor—too often used solely for publicity. Any experienced prosecutor will admit that he can indict anybody at any time for almost anything before any grand jury.
>
> I favor abolishing the grand jury and making such prosecutor responsible by statute for the prosecutions in his district including civil responsibility for bad faith or malicious prosecution. A preliminary hearing before a magistrate to determine prob-

able cause with the accused participating through counsel would be a great improvement over the present archaic indictment. Many of the states and indeed our own military now successfully use such a system.

Along these lines, I am today introducing a proposed constitutional amendment which would abolish the grand jury and instead provide for the commencement of all Federal criminal prosecutions by the filing of an information "signed by the attorney for the Government and stating the essential facts of the crime charged."

Although my subcommittee originally anticipated holding hearings in late October to consider the issue of grand jury reform, it is apparent that additional time will now be required to receive further comments on both of my proposals as well as to evaluate the valuable information which has already been submitted to the committee by Federal judges across the country.

I wish to emphasize that my proposed amendment recognizes the legitimate investigative function of grand juries and therefore authorizes the impaneling and conduct of such grand juries but only in accordance with specific guidelines established by the Congress. My primary reason for introducing this proposed constitutional amendment is to provide an available alternative in the event grand jury reform and a restoration of its historical function become an impossibility.

It is interesting to note that England, from whom we borrowed this institution, abolished the grand jury in 1933. Likewise, only 25 States now require grand jury indictments in order to initiate criminal prosecutions—the remainder permitting prosecutions of substantially all crimes by either information or indictment. Moreover, the Pennsylvania legislature recently approved a constitutional amendment to eliminate the indicting grand jury and this matter has been placed on the ballot for a referendum vote next month.

Although the grand jury was originally conceived as a bulwark between the citizen and the Government, it has now become merely a convenient tool for the prosecutor. Consequently, the need for an exhaustive congressional review of this institution is apparent in order to determine whether reformation or abolition of the Federal grand jury is warranted.

I wish to insert into the RECORD at this time a letter which I received from Terence F. MacCarthy, executive director, Federal defender program, northern district of Illinois, in which he discusses the need for elimination of the grand jury:

FEDERAL DEFENDER PROGRAM,
Chicago, Ill., September 19, 1973.

Re H.R. 8461.
Hon. JOSHUA EILBERG,
Chairman, Committee on the Judiciary, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN EILBERG: Please excuse the slight delay in responding to your letter of August 22, 1973. I am most interested in reviewing the function and operation of the grand jury system. However, my own experience convinces me that the best reform would be accomplished by a total (or at least almost total) elimination from our criminal justice system of the grand jury. In making this broad statement I am mindful of the need for a constitutional amendment to obtain this result.

Actually my views are for the most part—if indeed not entirely—the views already expressed by Senior Judge William J. Campbell in his thought provoking article entitled "Eliminate The Grand Jury" (for your convenience I am enclosing a copy of Judge Campbell's article).

I hasten to note that I practice in the same district Judge Campbell has served for many years. I, as most members of our Bar, have come to admire the direction, the wisdom, and the many innovations Judge Campbell brought to the district as its Chief Judge. He is, in my opinion, one of the outstanding legal minds and legal innovators of our time, one who I credit for primarily being responsible for the many novel improvements in our criminal justice system—not the least of which was his work in creating our Federal Defender office.

My bias having been acknowledged, I offer the following general comments relative to the grand jury system. In support of the grand jury system I have from time to time heard the following listed two reasons mentioned:

(1) The grand jury protects against unfounded indictments or stated in a more general way, it serves as a safeguard against overzealous and unfounded prosecutions.

Comment: Any attorney familiar with the procedures involved in the return of indictments well realizes that the grand jury does not and indeed cannot serve this purpose. Any prosecutor worth his salt can obtain a true bill from a grand jury—and if for any reason he should fail, he may employ the simple expedient of going before a different grand jury.

(2) The grand jury effectively serves as the prosecutor's investigatory tool.

Comment: Although this is a valid assertion it applies to a very limited number of cases, generally those involving organized crime or possibly anti-trust. By and large the grand jury is not used as an investigatory tool but is merely a "rubber stamp" to accomplish that which need be done.

Allowing the fact that the prosecutors do under certain circumstances need an investigatory tool, I would suggest thought be given to giving them a far less costly, less cumbersome and yet more viable alternative. I have in mind a procedure somewhat similar to that initially proposed by the Criminal Rules Committee as Rule 41.1. (This Rule was never submitted for final approval.)

Importantly, in fashioning this alternative investigatory tool pains should be taken to build in the many necessary protections and curbs required to prevent the abuses which are now possible when working within the present grand jury system. In this regard, thought might be given to interposing the magistrate between the prosecutor and his requests for subpoenas. A perfunctory showing could be required and the right to test the legality of subpoenas should be afforded a forum.

The arguments against the continued existence of the grand jury are for the most part obvious. In the first place, assuming the two reasons stated above have been effectively repudiated, the grand jury is of no present value. Secondly, the cost of continuing grand juries is surprisingly high. Thirdly, consistent with our concern for speedy disposition of criminal cases, the point can well be made that the grand jury system is a tremendous contributor to the inordinate delay ofttimes associated with the prosecution of criminal cases. This would be particularly so in the less populated districts, where for instance grand juries would only be convened once or twice during a year. And finally, the grand jury is presently the cause of many complicated legal issues, issues which would be totally eliminated were the grand jury to be abolished.

Fairly strong arguments have been made for the need and value of grand juries relative to certain investigations—i.e., those involving official political corruption. Accepting these arguments I would suggest that a potential for having an occasional grand jury be provided for. This right could and should rest with the courts. In other words the courts should be left with the inherent power to convene a grand jury where exceptional circumstances warrant such action.

In closing I commend you for your concern and interest in the grand jury system. And although your Bill does direct itself at certain abuses which presently exist, for the reasons stated above, I strongly feel that the answer lies not in correcting the system, but rather, in totally eliminating the grand jury.

Sincerely,

TERENCE M. MACCARTHY.

CAMPAIGN SPENDING REFORM AND H.R. 7612

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

Mr. HAMILTON. Mr. Speaker, the beginning point for consideration of campaign reform is to acknowledge that unless the American people have confidence in the integrity of the electoral process, it will not work. If they lack confidence in the manner in which their public officials are elected, they will lose faith in their public institutions and, sooner or later, will withdraw their consent to be governed by them.

At this stage in our history that confidence cannot be taken for granted; the danger signals are apparent:

In an election that both Presidential candidates agreed presented the clearest choice in decades, only 55 percent of the eligible voters—the lowest turnout in 24 years—bothered to vote;

Two in three Americans believe that there are Congressmen who won election by using unethical or illegal methods;

One in five Americans believes that half or more of the Representatives have obtained office through questionable means; and

Seventy percent of the American public, sensing that something is wrong with the electoral process, favor major campaign reform, and 90 percent of the businessmen polled favor limits on campaign spending.

GOALS OF DEMOCRATIC ELECTION

In view of these expressions of a lack of confidence in the electoral process and the desire for reform, it is important to remind ourselves of the goals of an election in a democratic society.

An election should be competitive, fair, open, and honest.

The victory of a wealthy candidate or an incumbent should not be a cinch. The merit, not the money, of a candidate should be the dominant factor in his election. Access to the political arena for any meritorious candidate should be encouraged.

Contested political races give the voters a choice, make candidates work harder, listen better, and act more responsibly. A nation as enchanted by

competition as America should need no persuasion that a heavy dose of competition into our political process would be desirable. Fair competition among the best people available for any given office is clearly in the national interest.

The public has the right to know the source of campaign money and how it is spent.

Only if elections are conducted by these standards will the public respect the officials and the Government chosen, and only if the people respect the process will they participate in it.

THE CLEAN ELECTIONS ACT OF 1973

The Campaign Finance Reform Act of 1971 has helped reduce the excesses of campaign spending practices and advanced us toward our goals of clean and competitive elections, but a new series of steps, building on that law, must be taken to further protect the integrity of American elections. H.R. 7612, the Clean Elections Act of 1973, of which I am cosponsor, will help eliminate the present abuses of excessive campaign spending, and achieve elections worthy of a great democracy.

The major provisions of the bill and their justifications are as follows:

(1) FEDERAL ELECTIONS COMMISSION

By far the most important aspect of the Clean Elections Act is the provision for the creation of a bipartisan and independent Federal Elections Commission with tough enforcement powers. The recordkeeping functions currently delegated to the "supervisory authorities"—the Clerk of the House, Secretary of the Senate, and Comptroller General—would be transferred to the Commission, which would take on a number of functions now performed exclusively by the Justice Department. It could subpena witnesses, compel evidence, administer oaths, submit legislative recommendations to the President and the Congress, initiate court action against violators of the act and require any person, under oath, to submit written reports on campaign activities.

The President, the Speaker of the House, and the President of the Senate would each appoint two of the Commission's six members, each of whom would serve 6 years. Members' terms would be staggered, and no more than half of the Members could be from the same party.

The Commission would be independent of any branch of government. Thus, the act avoids a pitfall under the current law, which in effect has Senators and Representatives monitoring their own campaigns.

(2) LIMITS ON CONTRIBUTIONS

The bill would limit yearly contributions by any person or committee to $1,000 for a House or Senate candidate and $2,500 for a Presidential candidate. The only exceptions to this rule would be the national committees and congressional campaign committees, whose expenditures would not be limited. In effect, though, the limit on contributions from all sources place a limit on expenditures by the national or congressional committee.

Money has become critically important in American politics. Campaign costs have reached the stage where they threaten the lifeblood of the democratic process, and they simply must be gotten under control. These limitations on contributions will help.

Objections to excessive campaign spending are based on the concern that large contributions frequently make elected officials susceptible to pressures from special interest groups. If this bill is passed, candidates will find it more difficult to raise large sums. A small number of wealthy contributors will not be able to exert disproportionate influence. A special interest group will be able to contribute no more money, or have any greater influence on the candidate, than any random group of citizens who chose to donate to the campaign. The amount which a candidate raises will depend solely on his ability to solicit small contributions. If a candidate enjoys broad popular support, he may indeed spend large amounts on his campaign. But he will do so without becoming indebted to any special interest group.

The combined factors of less ease in raising large sums of money and limitations on individual gifts should help remove the specter of unethical spending from our political campaigns.

(3) INCOME TAX CREDITS

H.R. 7612 provides a number of incentives for small contributions. One of these is the increase in income tax credit from $12.50 to $50 for each taxpayer, or $100 for a joint return.

If large donations are eliminated, candidates will still need enough money to carry on an effective campaign. This bill encourages the candidate to raise small contributions from many sources, and prohibits large contributions from a few sources. The influence, or even the appearance of influence, of large contributions will be removed.

(4) PUBLIC FINANCING

This bill provides for public financing of Federal elections, an innovation which has been much discussed but never tried.

The U.S. Treasury would, under the bill's provisions, match any contribution up to $50 received by a candidate or his committee. Before becoming eligible to receive these payments, a candidate would have to submit proof of a specified amount in matchable donations. This would tend to discourage phony or frivolous candidates or "ego trippers" from running simply for the Federal money which would accrue to them.

Elections are already subsidized by public funds to a greater extent than is commonly realized. Local governments provide voting machines and election officials; incumbents enjoy a variety of benefits, including staff, travel allowances, and the franking privilege; and contributors receive tax breaks.

Elections would be made more fair and open if a limited and impartial procedure of matching Federal donations was the primary means of campaign financing.

This would encourage candidates to seek small contributions, since the amount of their Federal subsidy would depend directly upon the number of small contributions they received. Treasury outlays would be limited to 10 cents per eligible voter to candidates, and to a total of $15 million to all national and congressional campaign committees. Total cost to the U.S. Government is estimated at $100 to $150 million per year, should this act become law.

A Gallup poll conducted in September showed that 65 percent of the people favor some form of public financing of elections, up from 58 percent in June 1973. Previous proposals, however, have foundered on questions of third-party eligibility, frivolous candidates, and financing of primaries and multicandidate races. The Clean Elections Act provides workable answers to all these questions.

(5) VOTERS' TIME

Since its development in the late 1940's, television has grown into the most popular and pervasive means of mass communication. Especially in recent campaigns, politicians have seized on it as the ideal means of presenting their ideas and themselves to nationwide audiences. A candidate's major obstacle in using television has been its prohibitive cost. This bill is based on the premise that all candidates who have demonstrated substantial popular support should be given the opportunity to present their views on television.

Therefore, the bill provides for "voters' time" following a proposal made in 1969 by the Twentieth Century Fund. Parties are identified as "major," "third," or "minor," depending on the portion of the popular vote which they received in the previous election. A party may establish itself as a minor party for a congressional election in one of two ways: By showing that its candidate received 5 percent of the popular vote in that State in the preceding election; or by filing with the Federal Communications Commission a petition containing a number of signatures of registered voters equal to 5 percent of the votes cast in the State's preceding senatorial election.

A formula allots segments of publicly subsidized television time to candidates, including third party and minor party nominees. Amounts range from 5 half-hour blocks for major party Vice Presidential and Presidential candidates to one 15-minute block for minor party congressional candidates. All television stations located in the affected area would be required to transmit these broadcasts simultaneously, except in metropolitan areas containing a large number of House districts. In such cases, the Federal Communications Commission would be permitted to divide voters' time responsibilities among the television stations, and thus protect the channels from constant inundation with campaign speeches.

If this bill is adopted, no candidate will be relegated to obscurity simply because he or she lacks the funds to flood the air with political messages.

The Clean Elections Act does not prevent third party candidates from being heard. A candidate need show only a specified, but low, amount of public support before he becomes eligible to receive the public subsidy. At the same time, a frivolous candidate would be excluded.

It is unlikely that a totally nonserious contender for public office could muster the requisite number of signatures on his petition for voters' time, or raise enough money in small contributions to benefit from the Federal matching payments plan.

The Clean Elections Act proposes a novel but reasonable scheme of public and private financing, incentives for public participation, and enforcement of the laws. It promises to go a long way in ridding this country of campaign spending abuses and unethical political methods, and it should be enacted into law.

SEND THOSE PLANES NOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. PODELL) is recognized for 15 minutes.

Mr. PODELL. Mr. Speaker, as we sit here today, the war in the Middle East rages on. While I have no doubts as to the outcome, which will see Israel rise victorious over the aggressions of Egypt and Syria, I am nonetheless greatly concerned over the costs to Israel in men and weapons.

Casualty lists just released by the Israeli Government show that 656 brave men have died. While this seems like a small figure in the abstract, we must consider what this means to Israel. She is a small country, only about 2½ million people. So a loss of 600 soldiers for Israel would be as severe as the United States losing 30,000 men. And even as these figures were released, more men were dying. When the fighting finally ends, the loss in human lives alone will be staggering.

Equally devastating will be the cost to Israel in money, to pay for the war, and to replace the airplanes and other weapons which have been lost. Already proposals have been made to increase the tax burden on Israelis to pay for the war. These people are the most heavily taxed in the world, simply because they are living in a constant state of preparedness for war due to Arab intransigence. The Israelis will need more guns, tanks, missiles, and planes, not just to win the war, but to make sure that the Arab States will think long and hard before attacking again. This will cost more money than Israel has now, or can easily raise in the near future.

This is where the United States comes in. Since 1948, the United States is literally the only nation which has consistently supported Israel in her struggle to survive against overwhelming odds. And yet now we seem to be dragging our feet, when it is so very clear that Israel was the victim of a senseless attack.

I frankly do not understand how our new Secretary of State, Henry Kissinger, can remain so calm as the Russians resupply Egypt and Syria. Is détente so precious to him and to the rest of this administration, that we will let the Russians get away literally with murder before we speak out? I cannot believe that the American people will stand for this.

The administration should have realized by now that our diplomatic efforts in this matter are valueless so long as Russia keeps shipping arms into the Middle East. Surely we can do no less than resupply the Israelis, not just with smaller weaponry, but with tanks, missiles, and planes of the most advanced sort.

Part of the reasons for Israel's difficulty in winding up this war quickly is the presence of the most sophisticated Soviet missiles in the Suez. Where the world was expecting SAM–3 installations, it turned out that the Russians supplied Egypt with the mobile and much more accurate SAM–6. There were no SAM–6's in Vietnam, but they are in Egypt. Surely this should indicate to the President and the Secretary of State the stakes Russia is playing for in the Middle East.

Because the SAM–6 is mobile, it is much harder to knock out, and will do much more damage to Israeli planes. We have not, nor do there seem to be any plans to, supply Israel with a similarly sophisticated weapon. Nor have we sent them jets with electronic equipment capable of equalizing the odds against these missiles.

The time is long past for temporizing about détente with the Soviet Union. They are encouraging continued Arab aggression against Israel. They are playing a most dangerous game, and until the United States stands up and takes its rightful place as a supporter of Israel, they will continue to play that game until the world is pushed into a total war.

What can we do? Very simply, we can move now to resupply Israel. We can send her as many Phantom F–4's as she needs to replace those lost in the conflict. We can send her tanks and missiles and guns, so that an end to the war will not be delayed because Israel did not have the weapons to finish things up properly. We can move quickly, without agonizing over credit terms, or loan agreements, or what this will do to our relations with Russia. We can make special credit arrangements with Israel, to give her a chance to recover from the fighting before she must begin to pay the bill. We can ignore the threat to détente, just as the Russians have done.

It will do us no good, and it will destroy Israel, if we play holier than thou and let the Russians do as they will in the Middle East. Our stakes are just as great as theirs.

Furthermore, we must not let ourselves be frightened by the threats of Saudi Arabia and other Persian Gulf States to cut off our oil supply if we aid Israel. Most of the world's experts on energy and Arab politics agree that this is an eventuality that will never come to pass. The profits that these nations have derived from oil are too great for them to be lightly given up, in the heat of a conflict.

If we become frightened now, and give in to oil blackmail, we will have lost the world's respect. We have a commitment to Israel that can and should be honored, without fear of what other nations may do to us. The oil will almost certainly not be cut off. But if it should be, I am convinced that the United States will survive in fine style. It is a greater threat to the nations of Europe than the United States for they are almost wholly dependent to Arab oil. That being the case, it would be in American's best interests to enlist these nations in an effort to bring peace to the Middle East once and for all.

This is, however, planning for the future. Now we need immediate action. I do not want to see another week go with no action by this administration. I do not want to see more Israeli planes lost before Nixon and Kissinger decide it is time to send a paltry half dozen jets to Israel. What I want to see is an immediate shipment of all the planes already sold to Israel and waiting for delivery, followed by continued shipments of planes and weapons for as long as Israel needs them. Anything short of this would tell me, and millions of Americans who are concerned for Israel's survival, that this administration refuses to honor its commitment. I cannot believe, my constituents cannot believe, the American people will not believe that détente with the Russians is more important. We must send those planes now.

CONGRESSMAN KOCH OF NEW YORK AND HIS NEWSLETTER TO HIS CONSTITUENTS

(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, in the next week I will be mailing my third newsletter of this Congress to my constituents. The report covers a number of issues of current concern to the Congress and several problems I have been working on in New York City.

The report also includes the tabulation of the returns from my June questionnaire.

The text of my newsletter follows:

CONGRESSMAN EDWARD I. KOCH REPORTS FROM WASHINGTON—VOL. 3, No. 3; OCTOBER 1973

Dear Constituent and Fellow New Yorker:

There is so much happening now in Washington as a result of the Middle East War and the resignation of Vice President Agnew. Both of these events have left all of us somewhat stunned, but also mindful of our responsibilities to assure the survival of Israel and to take steps to prevent another Agnew/Watergate abuse of the public trust.

During the past two weeks I have participated in a number of meetings on the Middle East crisis. I believe that it is both in our national interest and morally correct to provide Israel all the material aid she needs to repel Arab aggression.

The House Administration Committee, of which I am a Member, is now considering campaign reform legislation. The issue is quite controversial. H.R. 7612 entitled, "Clean Elections Act of 1973," is the major bill on the subject. It would provide a limitation of $1000 on donations by any individual to the campaign of a House or Senate candidate and a limitation of $2500 to a Presidential campaign.

H.R. 7612 also introduces public financing by providing a matching grant from the federal Treasury equal to each contribution of $50 or less received by a candidate for federal office. It provides federally subsidized TV time, but limits the total amount that any congressional candidate can spend on news media advertising, bill boards, telephone banks and direct mailing to a total of 10 cents per eligible voter.

Before I come to any final conclusion on this legislation, I will wait for the comple-

tion of the testimony now being taken. I do, however, favor limiting the amount that can be spent in a campaign. In doing so one has to recognize the advantage an incumbent has over the nonincumbent and not unfairly limit the challenger's ability to get his or her name known to the public. Second, I am not convinced that the federal government should directly assist the financing of campaigns. In my judgment it would be better to give candidates a reasonable amount of free TV and radio time and one free district-wide mailing of political literature. I would be interested in your point of view on this particular legislation, as well as on any other matter, whether or not raised in this newsletter.

THE FBI AND AN INDEPENDENT CONGRESS

As most of you know, when I first came to Congress in 1969, I introduced my Federal Privacy Act to regulate the federal government's collection of information on individuals. On August 1, I introduced a companion bill, H.R. 9786, to regulate all remaining governmental and private data banks. And, I expect that before the end of this Congress, some version of this legislation will be brought to the Floor for a vote.

There is one dimension of the privacy problem left untouched by this legislation: the special problems involved when the executive branch collects information about the legislative branch. I have had lengthy correspondence with the recent succession of FBI Directors on the FBI's files on Members of Congress. All have refused my request that Members be allowed to see their files, and while former Acting Director Gray admitted that the files are "not essential to FBI operations," the FBI claims they cannot by law be destroyed.

The holding of files on Members of Congress affects all citizens for it constitutes a direct challenge to the delicate system of checks and balances that has served to prevent the concentration of power in any one branch of the government. The autonomy of Congress stands in jeopardy as long as an apparatus for Executive coercion is officially tolerated. And, any action which discourages the unfettered discussion of issues by public officials poses a threat to the democratic process.

Therefore, I have introduced H.R. 10548 to require the destruction of these files after a period of 60 days, during which each Senator and Representative can examine his or her own file. Exempted from this requirement are those files maintained pursuant to a criminal investigation and those compiled to assist in the consideration of a Member for a federal appointment.

MASS TRANSIT

On October 3, the House passed H.R. 6452 by a narrow vote. The bill provides $800 million in operating assistance for mass transit systems in the next two years. In the weeks before the vote I worked with other Members of the Mass Transit Subcommittee and the House leadership in securing support for the bill. This was difficult because the concept of the federal government providing assistance for local transit operations is new and opposed by the Nixon Administration.

Passage of the bill came after a day of "seesawing" between defeat and victory. Early in the afternoon the operating subsidies portion of H.R. 6452 was removed from the bill by a vote of 206–203, but after retrieving a few Members from a committee meeting, the subsidy program was reinstated by a vote of 210–205. The bill was then passed 219–195.

Under the bill's formula, a derivative of my original passenger distribution proposal, the New York Metropolitan area will receive approximately $90 million annually—22% of the entire amount.

Now, H.R. 6452 goes to conferences to resolve the differences between it and a similar bill passed by the Senate in September. Most important, however, are the efforts that are being undertaken to gain President Nixon's acceptance of this bill. He must be convinced that our country's transit systems are in a critical state and require federal aid. Most are laboring under rising deficits, outdated service plans, and declining ridership. In a time of fuel shortages and urban air pollution and mobility crises, public transportation use must be expanded. In addition, we must avoid any increases in transit fares that will place an additional financial burden on transit riders and further inflationary pressures on wages.

In another area, mass transit scored a gain when the President signed into law the Federal Highway Act of 1973 authorizing, for the first time, limited use of Highway Trust Fund monies for public transportation. Next July $200 million in Trust Fund money will be available nationwide for bus purchases and in July 1975, $800 million will be available for any type of transit equipment. The bill also authorizes the "demapping" of unconstructed portions of the Interstate Highway System in urban areas and the transfer of funds allocated for highways to mass transit projects. This is one of the options now available to those considering alternative plans for the West Side highway.

Finally, the Federal Highway Act includes provisions of the Bicycle Transportation Act which I first introduced in 1971. $40 million in Trust Fund monies will be available nationwide for the construction of bicycle lanes and shelters and the installation of traffic control devices.

AN ALTERNATIVE TO THE WELFARE HOTELS

The City continues to house a large number of welfare families in hotels. Such housing, at $5 a day for each family member, is very expensive for the City. One hotel even charges an extra $4 a day per family while providing, like all welfare hotels, a poor living environment, particularly for children. Many families stay at the hotels for more than six months; as of August, the welfare hotel family population was 1,836.

As part of my efforts in this area I recently visited the Urban Family Center, an emergency housing facility sponsored by Henry Street Settlement. I was impressed by what I saw. The Center provides safe and sanitary housing for 72 families at a given time—as well as employment, day care, and educational services and home preparation counseling. The average stay at the Center is three months with 60% of the families finding apartments in private housing and 40% going into public housing. While such family centers will not solve New York City's severe housing shortage, we must take every opportunity to ease this multifaceted problem through better use of existing resources. The Urban Family Center is an example of such an initiative, and I have urged the City to get other private groups to sponsor similar emergency housing facilities.

During the course of my visit at the Center, I spoke with a man who had lived with his five children at the Broadway Central early this summer. At that time he was not on welfare and for the two rooms in which he and his children stayed he paid $14.55 a day. This compares to the $30 a day that would have been charged the City had he been on welfare. This instance suggests that the hotels may be charging the City premium rates. I have asked State Welfare Inspector General George Berlinger to investigate whether such discrepancies exist today between what hotels charge for welfare recipients and what they ask of the paying public.

KOCH BILLS RECENTLY PASSED

H.R. 708—extending federal assistance for two years for the Children & Youth and Maternal & Infant Care projects funded under Title V of the Social Security Act; provisions of this bill were included in the Debt Ceiling Authorization enacted into law July 1, 1973.

H.R. 684—providing family visitation furloughs for federal prisoners; amended and passed as H.R. 7352 by the House September 17, 1973 and the Senate October 8, 1973.

H.R. 7555—granting an alien child adopted by a single U.S. citizen the same immediate relative status for immigration purposes as an alien child adopted by a U.S. citizen and spouse; passed by the House September 17, 1973.

SCHOOL SECURITY

When school opened in September, there was considerable publicity about improved security in our public schools. But, parents and teachers quickly found that the City's school security guard force had been cut back by approximately 400 members and many schools were without protection. For instance, in District 2, which covers most of the East Side and the Village, only 18 guards were available for 29 schools. This compared to a total of 56 guards in the District's schools last June. The cutback was the result of the City's budgeting the same amount of money for the current school year that had been spent for security guards for only part of last year.

Because of the public conference I held on school violence in 1972 and my work in getting guards into the schools, concerned parents requested my assistance. I immediately wrote to Chancellor Irving Anker protesting what I considered to be a reckless compromise of our school children's safety. And, on September 14 I held a press conference to focus attention on the cutback with Rhoda S. Lansky, Community Superintendent of District 2, UFT representatives, teachers, local school board members, and many parents.

District 2 has decided to place one guard in each school until April, at which time the budgeted funds will run out. We will have to continue to press for additional funds to finish the school year.

QUESTIONNAIRE RESULTS

Approximately 4,000 persons responded to the questionnaire that was included in my June newsletter. While the response was relatively small, the answers provided a good sample of opinion on some of the major issues we are concerned with today.

I realize that there was some confusion over the meaning of the two columns in the questionnaire. These were provided so that two members of a household could respond. Some persons changed these into "yes" and "no" columns. That was all right; even with such adjustments, all returns were included in the tabulation.

The following are the results in percentages (*note that in those questions in which one could choose more than one alternative, the figures add up to more than 100%*):

A. Do you feel at this time (*check one*)—

	Percent
The House should allow the Ervin Committee to continue its investigation and take further testimony before determining whether a formal House inquiry on impeachment is needed	49
There is sufficient evidence for the House to appoint a committee of inquiry to consider impeachment proceedings	14
The evidence currently available justifies the impeachment of the President and his removal from office	10
President Nixon, on his own initiative, should resign from office	12
The evidence necessary for impeachment will never be forthcoming	7
Impeachment is not warranted even if it is shown that the President gave his consent to the Watergate activities and coverup	8

B. In 1972, the Supreme Court ruled that the present discretionary system of impos-

ing the death penalty is unconstitutional. Would you favor a mandatory death penalty, without regard to extenuating circumstances in individual cases, for any of the following crimes:

	Percent
Kidnapping and consequent death of child	44
Skyjacking of a commercial airplane	33
Killing of a police officer or jail guard	34
Assassination of a public official or candidate for public office	38
No death penalty under any circumstance	34

C. Assuming we are not successful in sharply reducing defense spending or achieving significant tax reform would you favor any of the following as part of an overall fiscal and monetary program to bring inflation under control? (*Select one or more*)

	Percent
Surtax on federal income tax (personal & corporate)	18
Enactment of a value added tax (national sales tax)	12
Increase in interest rates	23
Mandatory system of wage and price controls	53
Voluntary system of wage and price controls	9

Would you favor the enactment of any of the above tax measures to finance expanded social programs?

	Percent
Yes	48
No	52

D. New York City has been threatened by a transit fare increase to 60 cents on January 1, 1974. Assuming that all of the additional revenues needed to stop a fare hike cannot be obtained from the state and federal government alone, would you favor any of the following to keep the fare at 35 cents?

	Percent
Regional payroll tax	20
Surcharge on city income tax	10
An increase in operating subsidies from the City treasury	30
Tolls on all bridges coming into Manhattan	61
Accept a fare increase	21

My thanks to those of you who responded. This expression of your opinion has been very helpful, as were the individual comments added by many.

Your comments on this newsletter and any proposals you might have on any subject are of interest to me. Please write to me c/o House of Representatives, Washington, D.C. 20515.

If you need assistance, call my New York City office at 264–1066 between 9:00 a.m. and 5:00 p.m. on weekdays.

Also included in the newsletter were five photographs entitled as follows:

At the emergency October 7 rally in support of Israel in Dag Hammarskjold Plaza.

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Recently FBI Director Clarence M. Kelley came to my office to discuss the FBI's policies of maintaining files on Members of Congress.

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Giving testimony with Federal Prisons Director Norman A. Carlson at the House Judiciary Committee hearing on legislation providing family visitation privileges for federal prisoners.

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On September 8, I joined the dedication of the Henrietta Szold Place Park (Ave. D and 10th St.). Breaking ground with me were Borough President Percy E. Sutton, Parks Commissioner Richard M. Clurman, and Diana Kerievsky, Co-chairwoman of the Szold Place Park Committee.

The Lower East Side Community has waited a long time for this park. A pool was installed two years ago, but the surrounding lot left vacant. Early this year the park nearly suffered a setback when the President announced his moratorium on housing and open space projects. Despite the freeze, we finally were able to get approval of a $165,000 open space grant—the last of its kind to come through—from the U.S. Department of Housing and Urban Development to be matched by $150,000 in City funds.

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At my September 14 press conference with Rhoda S. Lansky, Community Superintendent of District 2, and other school officials protesting the school security guard cutback. The press conference was held at P.S. 116 on East 33rd Street.

SPECIAL ORDERS GRANTED

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

Mr. GRAY, for 1 hour, on October 18, 1973, and to revise and extend his remarks and include extraneous matter.

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

Mr. DON H. CLAUSEN, for 5 minutes, today.

Mr. HOGAN, for 15 minutes, today.

Mr. YOUNG of Alaska, for 10 minutes, today.

(The following Members (at the request of Mrs. BURKE of California), to revise and extend their remarks, and to include extraneous matter:)

Mr. MURPHY of New York, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. EILBERG, for 10 minutes, today.

Mr. HAMILTON, for10 minutes, today.

Mr. PODELL, for 15 minutes, today.

EXTENSION OF REMARKS

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

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

Mr. ESCH.

Mr. ROBISON of New York.

Mr. HORTON.

Mr. HOSMER in three instances.

Mr. SARASIN.

Mr. WYMAN in two instances.

Mr. SHRIVER.

Mr. HUDNUT.

Mr. PARRIS in 10 instances.

Mr. DELLENBACK.

Mr. ARCHER.

Mr. ZWACH.

Mr. HUBER in two instances.

Mr. STEELE.

Mr. TAYLOR of Missouri in two instances.

Mr. SKUBITZ in two instances.

The following Members (at the request of Mrs. BURKE of California), and to include extraneous matter:

Ms. HOLTZMAN in 10 instances.

Mr. BRECKINRIDGE in five instances.

Mrs. BOGGS.

Mr. MURPHY of New York.

Mr. VANIK in three instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mrs. MINK in two instances.

Mr. ASPIN in 10 instances.

Mr. WALDIE in five instances.

Mr. RANGEL in 10 instances.

Mr. GINN.

Mr. STUDDS in two instances.

SENATE BILLS REFERRED

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

S. 2178. An act to name the U.S. courthouse and Federal office building under construction in New Orleans, Louisiana, as the "Hale Boggs Federal Building," and for other purposes; to the Committee on Public Works.

S. 2503. An act to name a Federal office building in Dallas, Texas, the "Earle Cabell Federal Building," to the Committee on Public Works.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8250. An act to authorize certain programs and activities of the government of the District of Columbia, and for other purposes;

H.R. 8825. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes; and

H.J. Res. 748. Joint resolution making an appropriation for special payments to international financial institutions for the fiscal year 1974, and for other purposes.

ADJOURNMENT

Mrs. BURKE of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Tuesday, October 16, 1973, 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:

1448. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation to authorize appropriations for U.S. participation in the International Ocean Exposition 1975; to the Committee on Foreign Affairs.

1449. A letter from the Assistant Administrator for Legislative Affairs, Agency for International Development, Department of State, transmitting a report on the programing and obligation of contingency funds, covering the quarter ended June 30, 1973, pursuant to section 451(a) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1450. A letter from the Attorney General, transmitting a report on the feasibility of establishing an environmental court system, pursuant to section 9 of Public Law 92–500; to the Committee on the Judiciary.

1451. A letter from the Administrator, U.S. Environmental Protection Agency, trans-

mitting a report on the costs of construction of needed publicly owned waste-water treatment facilities, pursuant to sections 516 (b)(2) and 205(a) of the Federal Water Pollution Control Act Amendments of 1972; to the Committee on Public Works.

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. THOMPSON of New Jersey: Committee on House Administration. House Resolution 510. Resolution to provide funds for the Committee on the Judiciary (Rept. No. 93–589). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ALEXANDER:

H.R. 10907. A bill to authorize the Secretary of Agriculture in emergency situations to control the export of domestic fertilizer and for other purposes; to the Committee on Banking and Currency.

By Mr. EVANS of Colorado:

H.R. 10908. A bill to prohibit payment of salaries of heads of departments, agencies, and other organizational units of the executive branch which do not comply with requests of committees of Congress for certain information, and for other purposes; to the Committee on Rules.

By Mr. RHODES:

H.R. 10909. A bill to amend title 5, United States Code, to provide additional annual leave to certain employees for discharge of their duties as elected officials of municipalities, if not in violation of prohibited political activities laws applicable to Federal employees; to the Committee on Post Office and Civil Service.

By Mr. RONCALLO of New York:

H.R. 10910. A bill to return Veterans Day to its traditional date, November 11 of each year; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 10911. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to prohibit the Secretary of Transportation from imposing certain seatbelt standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELMAN (for himself, Mr. WYLIE, Mr. SISK, and Mr. VANIK):

H.R. 10912. A bill to provide that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate; to the Committee on Government Operations.

By Mr. TEAGUE of Texas (by request):

H.R. 10913. A bill to provide for fire accident data collection, analysis, and dissemination, to assist State and local governments in reducing the incidence of death, personal injury, and property damage from fire, to increase the effectiveness and encourage fire prevention and control at all levels of government, and for other purposes; to the Committee on Science and Astronautics.

By Mr. ZWACH (for himself, Mr. BERGLAND, Mr. BOWEN, Mr. COHEN, Mr. FISHER, Mr. FROEHLICH, Mr. HARVEY, Mr. HELSTOSKI, Mr. LITTON, Mr. MELCHER, Mr. MONTGOMERY, Mr. O'BRIEN, Mr. QUIE, Mr. RIEGLE, Mr. SEBELIUS, Mr. THONE, Mr. CHARLES WILSON of Texas, Mr. WON PAT, and Mr. NELSEN):

H.R. 10914. A bill to amend title 39, United States Code, to maintain and extend rural mail delivery service; to the Committee on Post Office and Civil Service.

By Mr. MINISH:

H.J. Res. 772. Joint resolution to establish a Joint Committee on Energy, and for other purposes; to the Committee on Rules.

By Mr. ROBERTS (for himself and Mr. WRIGHT):

H.J. Res. 773. Joint resolution to set aside regulations of the Environmental Protection Agency under section 206 of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. RAILSBACK (for himself, Mr. O'BRIEN, and Mr. QUIE):

H. Con. Res. 350. Concurrent resolution that all citizens should reduce the temperatures of the home and place of work by 2 degrees during the approaching cold period in order to conserve energy; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

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

317. By the SPEAKER: a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to peace in the Middle East; to the Committee on Foreign Affairs.

318. Also, memorial of the Legislature of the State of California, relative to a uniform certificate of title law; to the Committee on Interstate and Foreign Commerce.

319. Also, memorial of the Legislature of the State of California, relative to airline fares; to the Committee on Interstate and Foreign Commerce.

320. Also, memorial of the Legislature of the State of California, relative to the international metric system; to the Committee on Science and Astronautics.

PETITIONS, ETC.

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

314. By the SPEAKER: Petition of the Military Order of the World Wars, Washington, D.C., relative to restoration of the draft; to the Committee on Armed Services.

315. Also, petition of the Military Order of the World Wars, Washington, D.C., relative to national security; to the Committee on Armed Services.

316. Also, petition of the Southeastern Association of Community Action Agencies, Inc., relative to the Office of Economic Opportunity and Community Action Agencies; to the Committee on Education and Labor.

317. Also, petition of the Military Order of the World Wars, Washington, D.C., relative to defense of the national interest; to the Committee on Foreign Affairs.

318. Also, petition of the Military Order of the World Wars, Washington, D.C., relative to aid to North Vietnam; to the Committee on Foreign Affairs.

319. Also, petition of the Military Order of the World Wars, Washington, D.C., relative to control of the Panama Canal; to the Committee on Foreign Affairs.

320. Also, petition of the Military Order of the World Wars, Washington, D.C., relative to a balance of power among the three branches of the Government; to the Committee on the Judiciary.

321. Also, petition of the city council, Elizabeth, N.J., relative to restoration of the death penalty; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

NEEDS OF THE ELDERLY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 15, 1973

Mr. WALDIE. Mr. Speaker, rising food prices are a burden on every American citizen but no group within our society is suffering more than the elderly.

Locked into fixed incomes, the elderly person has no recourse in the currently unstable domestic economy but to eat poorer quality food or not to eat at all. I have been informed, and I do not find it hard to believe, that bread and water diets are not uncommon.

This situation is outrageous in my view. There certainly must be room in any of our supplemental food programs to assure that an elderly person is not only guaranteed ample food but that the diet be balanced nutritionally.

At this time, I am calling my colleagues' attention to a recent survey conducted by the National Enquirer which illustrates quite vividly the seriousness of this situation.

The survey follows:

THE PLIGHT OF AMERICA'S ELDERLY—LIFE ON THE BRINK OF STARVATION

Elderly people across the face of America are being driven to the brink of starvation.

Their plight, due to soaring food prices, has become a national disgrace.

Inflation has left some of them surviving virtually on bread and water . . . or a few crackers . . . or just rice.

Meat has all but disappeared from their diet. These shocking revelations are the result of a nationwide, in-depth Enquirer probe into ways that the shrinking dollar at the food market has handicapped the nonworking elderly. Their fixed incomes have left them far worse off than ordinary working Americans.

In Miami, 64-year-old Charles Crawson, who lives on a $130-a-month government disability pension, told us: "About all I eat is rice. Sometimes I feel I just can't take being poor anymore.

"I've been so in need of good food at times, I've considered trying to steal it. I just couldn't bring myself to do it, although friends of mine shoplift. They say it's the only way they can eat right.

"To think that I fought for this country, that I got my guts shot out for freedom and that I worked all my life—and this is where I am today. And why? Just because I'm getting old and can't get around like I once could. That's my crime. I'm too Goddamn old!"

U.S. Senator Abraham Ribicoff (D.-Conn.) told The Enquirer: "The situation is now desperate for many of our senior citizens.

"It's the aged who are inflation's hardest-hit victims. Their struggle to make ends meet has taken a dramatic turn for the worse during the past six months."

Elderly Americans, reflecting bitterly on their lives today, told teams of Enquirer reporters:

"We go to the grocery store and walk right on past anything that contains meat . . ."

"People on Social Security, like me, simply forget about meat entirely . . ."

"For the last few days before I get my check, I'm so hungry I feel sick."

Here are some other comments aired by the elderly in interviews from coast to coast: