

port on S. 1443, the foreign aid authorization bill.

There is a time limitaiton thereon. There will be at least one yea-and-nay vote, I am sure, on the adoption of the conference report, and there may be other votes.

On the disposition of the conference report on the foreign aid authorization bill, S. 1443, the Senate will take up Calendar Order No. 567, S. 1283, the so-called energy research and development bill. I am sure there will be yea and nay votes on amendments thereto tomorrow. Final action on that bill is not contemplated tomorrow. The Senate will resume consideration of the bill on Thursday.

Does the distinguished acting Republican leader have anything to state?

Mr. STAFFORD. Nothing further, I would say.

Mr. ROBERT C. BYRD. I thank the distinguished Senator from Vermont.

ADJOURNMENT TO 11 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 11 o'clock a.m. tomorrow.

The motion was agreed to; and at 6:45 p.m., the Senate adjourned until tomorrow, Wednesday, December 5, 1973, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate December 4, 1973:

DEPARTMENT OF STATE

Harry G. Barnes, Jr., of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

Heyward Isham, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Haiti.

Joseph J. Jova, of Florida, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

Ralph J. McGuire, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mali.

Anthony D. Marshall, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kenya.

Francis E. Meloy, Jr., of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guatemala.

DEPARTMENT OF JUSTICE

Charles D. Loos, of Indiana, to be U.S. marshal for the southern district of Indiana for the term of 4 years. (Reappointment.)

Anthony E. Rozman, of Michigan, to be U.S. marshal for the eastern district of Michigan for the term of 4 years. (Reappointment.)

Denny L. Sampson, of Nevada, to be U.S. marshal for the district of Nevada for the term of 4 years. (Reappointment.)

EXTENSIONS OF REMARKS

SENATOR RANDOLPH RECEIVES RECOGNITION FOR AVIATION LEADERSHIP

HON. TED STEVENS

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Tuesday, December 4, 1973

Mr. STEVENS. Mr. President, on November 17 it was my privilege to accompany the distinguished senior Senator from West Virginia (Mr. RANDOLPH) to his hometown of Elkins to participate in the dedication of a new terminal building at the Elkins-Randolph County Airport. With us on that important occasion were many nationally known persons who have worked and pioneered in aviation programs over a period of many, many years. It was fascinating to me to listen to these leaders—men such as C. R. Smith, chairman of the board and chief executive officer of American Airlines; Lt. Gen. Pete Quesada, first Administrator of the Federal Aviation Administration; Representative DON CLAUSEN, president of the Congressional Flying Club, and former astronaut Mike Collins—describe their years of association with Senator RANDOLPH and his effective efforts in the development of aviation and air travel.

Mr. President, I personally was aware that the Senator from West Virginia has been deeply involved in almost every legislative effort since the early 1930's to strengthen and improve aviation programs. Nevertheless, to hear C. R. Smith state that "when the history of aviation is written there will be a bright shining golden page there for JENNINGS RANDOLPH and he will certainly deserve it," brought home to me and to those present the unique role that Senator RANDOLPH has exercised in the realization of aviation progress.

Members of this body know that Senator RANDOLPH is concerned with constructive results in the activities in which he participates. However, on this day in Elkins there was one activity which had been purposely kept from him by the people of his hometown, his staff, and citizens who were to participate in the program. In addition to the dedication of the new terminal building, the Elkins City Council and the Randolph County Court had voted some time before to designate the airport as Jennings Randolph Field in recognition of his work in the establishment of the airport in 1934 and the improvements to it since that time, and as a tribute to their own Senator for his aviation leadership at the national level.

Mr. President, I ask unanimous consent that the program for the ceremony and two articles from the Elkins, W. Va., Inter-Mountain be printed in the RECORD.

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

DEDICATION—JENNINGS RANDOLPH FIELD, ELKINS-RANDOLPH COUNTY AIRPORT, NOVEMBER 17, 1973

A TRIBUTE TO "MR. AVIATION"

"He has led us in aviation . . . more than any other man", said L. Welch Pogue, former chairman of the Civil Aeronautics Board.

"He's the best friend civil aviation ever had", said John Shaffer, former chief of the Federal Aviation Administration.

Both were speaking of U.S. Sen. Jennings Randolph—known in the field of aviation and in the halls of Congress as "Mr. Aviation".

By presenting the first bill in Congress for federal aid to airports, he helped establish airports across the nation.

Back in his hometown of Elkins, there is no greater friend of the local airport than Sen. Randolph.

That friendship started in 1932 when as a young professor and athletic director at Davis and Elkins College, Jennings Randolph

was elected to the U.S. House of Representatives. Working from his Washington office with a group of Elkins aviation enthusiasts, he became a dynamic force in a movement to establish the original Elkins Municipal Airport in 1934.

When the Elkins airport was expanded, the runways enlarged and the terminal building moved and renovated in 1944, it was again Congressman Randolph who helped Elkins leaders secure federal financing for the airport development.

Elkins was the second city in West Virginia to be served by a commercial airline—American Airlines came to Elkins in 1934 at the urging of Jennings Randolph.

And on May 12, 1939, Elkins was one of the first cities on the experimental Air Mail Pickup Service route. It was Congressman Randolph who authored the Air Mail Pickup legislation.

When the Weather Station was terminated in Elkins, he was instrumental in getting it reinstated.

And always, he is in the forefront to keep the vital Federal Aviation Administration's flight service station in Elkins.

Many, many cities much larger than Elkins have no scheduled air carrier service. Sen. Randolph has been influential in the continuation of scheduled air carrier service in his hometown.

And today, 39 years after the original airport was built, Sen. Randolph has been a key figure in obtaining a new airport terminal building for Elkins.

Emerson Phares, president of the Elkins-Randolph County Airport Authority speaking for officials and citizens, paid this tribute to Sen. Randolph:

"Sen. Randolph consistently has been the strongest single force and advocate of better and improved aviation facilities to serve Elkins and Randolph County. He has been eager to assert his important office with dispatch when a need arises. Without question, we would not have this fine airport, nor would we now be dedicating this new terminal building if it had not been for Sen. Randolph".

PROGRAM

Flag Raising—West Virginia Highlanders Bagpipe Band, Color Guard, American Legion Post 29.

Invocation—Dr. Duard H. Estep, Pastor of First Baptist Church.

Master of Ceremonies—Judge Robert E. Maxwell, U.S. District Court of Northern West Virginia.

Welcome—Mayor James Gladkosky.

Remarks—Lt. Gen. Elwood R. Quesada USAF (Ret.), First Administrator of Federal Aviation Administration.

Introductions—James E. Wallace, Elkins-Randolph County Airport Authority.

Remarks—James E. Dow, Deputy Administrator, Federal Aviation Administration.

Remarks—Leslie J. Barnes, President of Allegheny Airlines.

Special Comments—Former Astronaut Mike Collins, Director of National Air and Space Museum.

Introduction of Honored Guest—Master of Ceremonies.

Introduction of Speaker—U.S. Sen. JENNINGS RANDOLPH, Honored Guest.

Address—C. R. Smith, Chairman of the Board and Chief Executive Officer of American Airlines.

(Address preceded by ceremony designating this Airport Jennings Randolph Field.)

Response—U.S. Sen. JENNINGS RANDOLPH, Benediction—Dr. Duard H. Estep.

Airport Open House 11:00 a.m. to 4:00 p.m. Guided tours by XI Alpha Alpha Chapter of Beta Sigma Phi. Refreshments by Elkins High School Boosters Club.

ASSISTING ORGANIZATIONS

Mayor of Elkins, James P. Gladkosky.

Elkins City Council

James DeCarlo, Harry Scott, Patrick Dugan, Thomas Waller, H. A. Smith, Jr., Joseph Martin, G. R. Hammer, Clair Metheny, Howard Whetsell, and F. E. Nutter.

Randolph County Court

Barrett Liggett, President; Fred Poling, and John W. Scallon (deceased).

Airport authority members

Emerson Phares, Chairman; John P. Carr, Jack R. Nuzum, Ralph S. Shepler, and James E. Wallace.

[From the Elkins (W. Va.), Inter-Mountain, Nov. 19, 1973]

A SENATOR OF THE COUNTRY—AVIATION "STARS" CALL RANDOLPH (By Yvonne Schlavoni)

"While you may look at Sen. Jennings Randolph as the Senator from West Virginia, we look at him as a Senator of the country. He is representative of everything great in aviation and in the country. He's what we really need."

The words belonged to James Dow, deputy administrator of the Federal Aviation Administration and one of the many aviation "stars" who came to Elkins Saturday not only to dedicate a new airport but to honor a man—U.S. Senator Jennings Randolph.

Dow was speaking at a luncheon at the Tygart Hotel following ceremonies Saturday which designated the Elkins-Randolph County Airport as Jennings Randolph Field.

The cold biting wind kept speeches at the airport short. C. R. Smith, chairman of the board and chief executive officer of American Airlines and longtime friend of Jennings Randolph, summed up his fellow speakers' feelings when he said, "He's been one of the strong men in aviation for a very long time. When the history of aviation is written, there will be a bright shining golden page on there for Jennings Randolph and he will certainly deserve it."

Shortly thereafter, the bunting concealing the word "Jennings Randolph Field" was dropped and the senator learned for the first time that the airport had been designated in his honor.

Visibly touched, the senator said simply, "I am grateful. I shall always remember this minute, these 60 seconds, that I've stood here after learning of this honor. Thank you very, very much."

The senator's friends, once inside the warm Engine Room at the Tygart Hotel, no longer restrained themselves in praises for their friend and colleague.

Lt. Gen. Elwood "Pete" Quesada, who had been a close associate of late President Dwight D. Eisenhower, compared Randolph to the late president. "Eisenhower was a man with an exaggerated sense of equality and patriotism . . . characteristics possessed by Jennings Randolph . . . He treated his colleagues with great respect, understanding the views of his colleagues even when they differed with his own . . . more characteristics shared by Jennings Randolph."

Quesada continued: "Eisenhower had an aversion to vulgarity and those who used obscenity and vulgarity as a means of expression, quickly gained his rebuke. And though I have never seen this characteristic in Jennings Randolph, I have always suspected it was there."

Sen. Ted Stevens (R-Alaska) said Sen. Randolph is one of the few men in Congress who take the time to help newcomers to that body, calling him a man who looks beyond his own problems to help others.

Stevens outlined the help Randolph gave in the passage of the Alaska pipeline bill. "You may ask what a senator from a coal state was doing helping a senator from an oil state," Stevens said. "He was one of the few who saw the necessity of the pipeline. I knew there was no way of getting the bill passed without getting Jennings Randolph involved. So I went to him and asked for his help. He not only helped us with his own vote, but he went out and talked to others to explain the necessity of the pipeline. The bill passed on a vote of 50 to 49."

Rep. Don H. Clausen (R-Calif.) called Sen. Randolph a man of perspective. "He demonstrated years ago that he was a man of perspective, a man ahead of his time. It is men of perspective, these born leaders that are needed in this country now," the Congressman said.

Leslie Barnes, president of Allegheny Airlines, said of the senator: "There is no one I know in Congress who is visited more often for counsel, advice, and assistance, no one who is more concerned with national progress, problems and crises. And there is no one I know in Congress or in the federal government who is more versed in or more concerned about national problems than Jennings Randolph."

Former astronaut Michael Collins told of how Jennings Randolph and Gen. Hap Arnold conceived the idea of an aviation museum to preserve the heritage of the country's aviation past, present, and future. It was Randolph who authored legislation which created the National Air and Space Museum of which Collins is now director.

C. R. Smith reminisced about the first dedication of the Elkins Municipal Airport back in 1934 which he attended with Randolph. He ended by saying "Jennings, you're a good man" a thought echoed by everyone in the room.

And finally Sen. Randolph himself, humbled by the honor bestowed him that day by the people of his adopted hometown of Elkins, reminiscing about those early days of the Elkins Airport and his first meeting with C. R. Smith, then president of American—a meeting which resulted in Elkins receiving air flight service from American with two stops daily based on a verbal agreement between the two men.

"With any recipient of an honor," the senator said, "the honor is not due him but only what he represents."

He talked about his parents. "They taught me to work. What a great thing they taught me when they taught me that," he said.

He talked about the two men responsible for causing him to originally run for Congress: his father and Earl Maxwell, father of U.S. District Judge Robert E. Maxwell.

"Though he never told me, I knew that my father wanted me to do what he had failed to do in 1916 and 1918 when he ran for Congress and lost. I tried for him," the Senator said.

"And Earl Maxwell . . . who told me 'A person who has a right to criticize is a person who has a heart to help' . . . who talked and counseled me. We ran and we lost . . . but we came back and tried again and we won," the Senator continued.

"It is time for us to think in terms of a 'heart to help' because in the future our very survival in society may rely on that . . . Think of the past, but confront the problems of the future," he concluded.

The standing ovation, the applause of that group of people in the Engine Room was sincere.

The appreciation, respect, and admiration were mutual.

Prior to introducing C. R. Smith to the audience at the airport Saturday, Sen. Randolph reminisced about the airport's history. He had asked Mrs. Georgia Harper to sit on the speakers' platform with him.

"Dice and Georgia Harper worked together in another period in the development of this facility," Sen. Randolph said, telling about the history of what was then Harper Field. "The Harpers sold their 100 acres for \$30,000 when it was worth twice that amount. But the Harpers wanted to help—that was the spirit of those days."

He recognized Blanche Noyes, also seated on the speakers' platform, a female pilot for the FAA who had attended the first dedication of Elkins Municipal Airport in 1934. "Blanche, you are the woman who placed 70,000 air markers on the tops of buildings all across the country, including the one at Elkins," the senator said.

Randolph's introduction of C. R. Smith was a tribute to the man. "I remember C. R. Smith when he was a tall, gangling Texan who came out of the Southwest to start American Airways. His goal then was to build a better America and that's his goal now," the senator said.

"This man was called back at the age of 74 to the presidency of an airline which employs 37,000 workers, called back to do a job of pulling back together an airline that needed the reasoned judgment and guidance of this man," Randolph continued. "He didn't come back because he wanted to. He came back because of the pleading of American Airlines executives . . . because they needed him in this hour of trouble."

Randolph said Smith had been to the first airport dedication in 1934. "It's appropriate that C. R. Smith should be our principal speaker this afternoon."

RANDOLPH VISIBLY TOUCHED BY SURPRISE UNVEILING (By Phyllis Morris)

At 11 a.m. Saturday, very important people gathered to dedicate a very important place—the new Elkins-Randolph County Airport.

But of all the VIPs present one man was unique—a man who remembers and is remembered by old friends, a man who, transcending the partisanship of his profession, has achieved non-partisan approbation, a man respected by the successful and emulated by those striving for success.

And it was this man for whom the new Elkins-Randolph County Airport was designated the "Jennings Randolph Field."

Visibly touched at the surprise unveiling

of his name on the new terminal building. Senator Randolph, after a long pause, said simply, "I am grateful." The feeling was mutual.

About an hour before the ceremony, the arrival of a small fleet of state police signaled a big event.

Another sign was the presence of the West Virginia Highlanders in their red and yellow tartans. Now piping, now pacing to keep warm on the chill November day, they brought to mind the age-old question regarding kilts.

The smell of fresh coffee greeted visitors who viewed the prints of West Virginia scenes in the airport lobby or reminisced and laughed over pictures of both the airport and its guests in their youth.

Among the first aviation dignitaries to arrive was the tall, handsome president of Allegheny Airlines, Leslie Barnes. "I think it's a beautiful building," he commented, "and as far as the occasion is concerned, I think it's great that people have a vision for the future. There's so much doom and gloom right now."

"I know this has been a dream of the community for a long time," he continued. "I'm glad I was invited to attend."

A flurry of excitement marked the arrival of Mike Collins, dressed like a businessman rather than an astronaut but instantly recognizable from his days as pilot of the command module Columbia of Apollo II fame.

A Star-Trek fan wanted to know if Collins watched this series. "I hate to tell you this," he answered, "but I've never watched it. My kids do. I really don't do much TV watching."

In answer to what do you do in your spare time, he grinned and said, "I come to West Virginia."

Mrs. Georgia Harper happily greeted old friends. Remembering Elkins Airport when it was Harpers Field, she stated, "It's a little bigger than it was 39 years ago."

Now visiting dignitaries arrived by the plane load—Lt. General Elwood Quesada, James Dow (deputy director of FAA), Ted Stevens (U.S. Senator from Alaska), Don H. Clauson (U.S. Representative from California) and others, including featured speaker C. R. Smith, a crusty, rangy Texan who at the age of 74 has been called out of retirement to serve again as president of American Airlines.

Of his "new" job, Smith said, "It's good to be back." Someone said, we hear you're moving airline operations from New York to Texas. "No, that's just a rumor," he responded.

The dedication ceremony began officially at 11 a.m. with the raising of the American flag. The sun broke through the clouds.

A trick of light, or the imagination, transformed a black poodle, present at the occasion, into Snoopy the Red Baron, complete with helmet and goggles.

Allegheny Airlines flight No. 216 from Charleston arrived and departed on schedule.

Mayor James Gladkosky's flamboyant greeting set the tone. "Welcome to the State of West Virginia, County of Randolph, City of Elkins," he said, making the Jennings Randolph Field sound like a very important place.

And so it is.

Angelo Koukoulis of Clarksburg, president of Aeromech, Inc., which operates Elkins commuter flights through a contract with Allegheny Airlines, was among those participating in Saturday's dedication ceremonies.

Mrs. Marian Marson, who donated the furniture for the terminal building pilot's lounge in memory of her husband, the late Harry Marson, also attended. Harry Marson, a Randolph County coal operator, was killed in a helicopter crash.

AMERICANISM

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. SHOUP. Mr. Speaker, two articles given me by Robert C. Hendon of Alexandria, Va., seem most appropriate and I publish it in the RECORD for the information of my colleagues.

THANKSGIVING, U.S.A.

I. THE PRIVILEGE

(By Janina Atkins)

Just over nine years ago, I came to this country with \$2.60 in my purse, some clothes, a few books and a beautiful china tea set for 12—a going-away gift from my friends. I was an immigrant girl from Poland hoping for a new life in a strange new country.

This month I shall celebrate Thanksgiving Day as an American citizen and, as for millions of Americans before me, this will be a day of gratitude.

Mine is not a spectacular success story, nor is that of my husband. We both left the "old country" in 1964. We did not know each other at that time, but when we met in New York City we had to face the same problems. We had language difficulties, no steady jobs, no family, few friends. It was easy to be despondent.

But, slowly, times changed. There is something in the air of America that filled my soul with a feeling of independence, and independence beget strength. There is no one here to lead you by the hand, but also no one to order you about. Once you land in America you are left to yourself, to shape your own future, to test yourself. This, I suppose, is what living in freedom means.

Working by day—I as a secretary, my husband as a clerk—and studying by night, we took the old route so many Americans have taken. Whatever we earned went for rent, food, tuition. We believed in the future. And the future did not disappoint us.

Today we work as librarians. My husband is studying for his doctorate. We live in a comfortable apartment in Manhattan. Weekends we drive to the country, and every year we travel to some faraway place. All this, we know, we owe to ourselves. And to the most hospitable and beautiful country in the world.

Among some of our American-born friends it is not fashionable to be enthusiastic about America. There are drugs, urban and racial conflicts, poverty, inflation, the Watergate affair. Undoubtedly this country faces serious problems. But what we, the newcomers, see are not only the problems but also democratic solutions being sought and applied. On Thanksgiving Day we might well remember that there is much in America to be grateful for.

I love America because people accept me for what I am. They do not question my ancestry, my accent, my faith, my political beliefs. I love this country because when I want to move from one place to another I do not have to ask permission—I just go. I love America because I do not have to stand in line for hours to buy a piece of tough, fat meat. I love America because America trusts me. When I go into a shop to buy a pair of shoes, I am not asked to produce my identity card. My mail is not censored. My conversation with friends is not reported to the secret police.

Sometimes, when I walk with my husband through the streets of New York, all of a sudden we stop, look at each other and smile and kiss. People think we are in love—and it is true. But we are also in love with America. Standing in the street, amid the noise

and pollution, we suddenly realize what luck and what joy it is to live in a free country.

II. AND THE RESPONSIBILITY

(By Michael Drury)

Late one April afternoon, I hailed a taxi in Washington, D.C., and set out for the Lincoln Memorial, feeling oddly pleased and expectant. Although I've been in the nation's capital half a dozen times, it was always on business. Now I was going like any visitor to look at the memorial to a man whose mind and spirit had always engaged my sensibilities—not only as President but as a person. What I felt was in a degree, I suppose, what I would have felt if I'd been invited to meet the living man.

In blue spring twilight, I mounted the broad steps and, as I walked between the great columns, I saw at once the heroic statue, seated, "a man of sorrows" and yet content, satisfied. The bigness of it dwarfed me. I stood reassembling my scattered emotions, and slowly became aware that there was another woman there, with a girl of nine or ten whom I took to be her daughter. They were walking and talking quietly as one does in a church or a deep forest. They paused beside me, at the foot of the statue, and we smiled without speaking. Then, in that silent place, the little girl began to read aloud the "Gettysburg Address" on the plaque in front of her.

She read it all the way through. Her mother and I stole one glance at each other; there were tears streaming down both our faces. When the child finished, we turned as if we'd rehearsed it and walked out to our respective cabs without a word. At the bottom of the steps, I turned to the child, who was somehow myself, her mother and her own self as well, and said, "Thank you."

"You're welcome," she replied gravely, and we went our ways.

That episode haunted me for months. It made me aware of something I had not known before, but I could not say what it was. Like most Americans of my time, I had been brought up with a love of my country as a component of everyday life. It was a background fact like summertime and senior proms and baseball. But now there was a hint of something more rewarding and, at the same time, more demanding. I had the feeling that I was missing something.

Some years later, when a friend and I were driving along the Pennsylvania Turnpike, we decided to stop at Gettysburg. Neither of us had been there, and we chose by chance a motel that bordered immediately upon the historic battlefield. The gravestones were almost close enough to touch from the terrace outside our room.

It was early November, and when we returned from dinner a brief snow flurry had powdered everything. I stood a long time in the storied darkness, wrapped in a blanket. I was stunned by the terrible reality of it. Here slept the men who fell in a battle that for me—until that moment—had just been something studied in a history book. Here stood the President after the barrage was stilled, and named them "these honored dead."

As a child I had had to learn that brief address, and now it repeated itself in my head. But the voice I heard was not my own. It was that of the little girl in Washington: "It is for us the living to be here dedicated . . . to the great task remaining before us. . . . We here highly resolve . . . Resolve what? Suddenly, I understood.

In the interval between that evening at the Lincoln Memorial and standing here, I had seen my country battered by racial strife and seared by assassins' bullets; denounced by some who fled it; mocked by some who remained; polluted by the effluvia of mixed-up thinking as well as by social and

industrial waste. And all of it because somehow the idea spread that the nation ought to have been handed over to us completely realized, fully possessed of its high goals. And that is impossible.

A nation, like its people, will always be in one sense "unfinished work remaining before us," because it, too, is alive. What Lincoln challenged us to resolve was to get on with the unending job. What is handed over to each generation is not a past accomplishment but a present obligation to dedicate ourselves anew to living into reality the ideals we profess.

For most of us, it is seldom that we are asked to serve our country in any great manner, but it is all the more important for us the living to serve it in the daily bits that come our way. As one lone citizen, I can't do much about international war, but I can refuse to war with my neighbor. I can accept the painful necessity of changing my attitudes when they are shown to be unjust. I can let my representative know my views instead of sitting back cynically; I can vote instead of letting my decisions go by default; I can seek to correct the law by lawful means, rather than by rioting or yammering. I can pick up after myself in public places. I can refuse to despair or to cry after a perfect society which no one living has ever had.

Citizenship is a right, but one must take that right—it doesn't just happen. I was born in the United States, but it was in the middle of my life—on that cold night in Gettysburg—that I became its citizen.

DR. A. L. JONES—SPEECH ON TECHNOLOGY AND THE ENVIRONMENT

HON. ROBERT TAFT, JR.

OF OHIO

IN THE SENATE OF THE UNITED STATES

Tuesday, December 4, 1973

Mr. TAFT. Mr. President, at the November 15 joint meeting of the Commonwealth and Commercial Clubs of Cincinnati, Ohio, Dr. A. L. Jones presented a paper on technology and the environment. Dr. Jones is presently with the Standard Oil Co. of Ohio as senior research associate. He has previously been the organizer of Sohio's satellite tracking station, prior to its relocation at Ohio University. He is the author of papers on organic analytical reagents, magnetic susceptibility, hydrocarbon separations, liquid thermal diffusion, physical techniques in petroleum research, fuel cells, and radio satellite tracking. In addition, Dr. Jones has invented and coined several types of thermal diffusion apparatuses and was the recipient of the Aerospace Award in 1963.

His paper deals with the causes of some of our environmental problems and many of the myths we believe to be causes. I commend the paper to my colleagues and ask unanimous consent to print it in the RECORD.

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

TECHNOLOGY AND THE ENVIRONMENT

(By Dr. A. L. Jones)

These are days when people have genuine concerns for the future welfare of mankind. Many fear that our technology has gotten the best of us because some think we have passed the "point of no return". It is extensively believed that we are likely to die

in our own polluted soup and that we will be lucky to make it to the year 2000. A spirit of mistrust has risen amongst us. The credibility of practically everybody is being seriously questioned.

Three years ago I started to evaluate the premises upon which some of our major environmental concerns are based. The evidence that I have been able to find has proved to be quite encouraging to me. My findings have changed my attitude from one of pessimism for the future of mankind to one of confidence that we can solve our major environmental problems if we are willing to use rational approaches and pay the cost. This is what I want to talk to you about.

I wish to make it quite clear that I am speaking to you as a scientist and not as an emotional supporter of any particular "side" of ecology. I would like to remind you that useful science is based on reproducible evidence or principles that can be repeated and verified by others. As scientists we must work in terms of what we know rather than what we do not know. Unless the pronouncements we make are verifiable by others, they are worthless. Our job is to seek the truth. Our success as scientists depend on finding the truth and relating it to the needs and interests of man.

Some of the facts I present today may surprise many of you. I can assure you my conclusions are supported by evidence that is difficult to interpret in any other way. They can be verified by anyone who wishes to do so.

My first surprise concerns the air we breathe. Throughout my formal education I have been taught that the oxygen in our atmosphere is supplied by green plants using the process of photosynthesis. It is known that plants take in carbon dioxide and, through activation by sunlight, combine it with water to make starches and cellulose and give off oxygen. In this way the whole chain of plant and animal life is sustained by energy from the sun. When the vegetable or animal materials thus produced are eaten, burned, or allowed to decay they combine with oxygen and return to the carbon dioxide and water from which they came. We all know this. What is the surprise?

The surprise is that most of the oxygen in the atmosphere doesn't come from photosynthesis. The evidence is now overwhelming that photosynthesis is quite inadequate to have produced the amount of oxygen that is present in our atmosphere. The reason is that the amount of oxygen produced by photosynthesis is just exactly enough to convert the plant tissue back to carbon dioxide and water from which it came. In other words, the net gain in oxygen due to photosynthesis is extremely small. The oxygen of the atmosphere had to come from another source. A most likely possibility involves the photodissociation of water vapor in the upper atmosphere by high energy rays from the sun and by cosmic rays. This process alone could have produced, over the history of the earth (4.5×10^9), about seven times the present mass of oxygen in the atmosphere. Two important articles on this subject have been published in *Science* within the last 18 months by Professors Leigh Van Valen of the University of Chicago and W. S. Broecker of Columbia University.

Other scientists predict that man is bringing disaster upon himself by depleting atmospheric oxygen by burning fossil fuels and poisoning the phytoplankton of the oceans by pesticides. Dr. Paul Ehrlich of Stanford predicts an oxygen shortage by 1979. Fortunately, accurate measurements of the oxygen content of the air have been made and recorded routinely since 1910. The National Bureau of Standards has made an abundance of measurements over the years. In 1910, the oxygen content of the air was found to be 20.946% by volume. In 1973,

the percentage of oxygen is still 20.946%. There is no change, even in the third decimal place. Dr. R. C. Robbins of the Stanford Research Institute has found that ancient trapped air samples from ice cores removed from the Antarctic ice cap and Greenland glaciers, dating back to 500 BC, show no change from modern air samples. This is direct evidence that the industrial activities of man have produced no measurable change in the oxygen content of the atmosphere.

The significance of this information is that the supply of oxygen in the atmosphere is virtually unlimited. It is not threatened by man's activities in any significant way either now or in the foreseeable future. If all of the organic material on earth were oxidized it would reduce the atmospheric concentration of oxygen by less than 1 percent. We can forget the depletion of oxygen of the atmosphere and get on with the solution of more serious problems.

We have heard much in recent years about the death of Lake Erie. It is true that the beaches are no longer swimmable in the Cleveland area and that the oxygen content of the bottom of the lake is decreasing. This is called eutrophication. Heavy blame has been placed on phosphates as the cause of this situation. Housewives have been urged to curb their use of phosphate detergents. The State of New York has signed into law a measure to forbid the sale of detergents containing phosphates by 1973. Many other areas of the country have similar regulations.

The scientific evidence I have been able to acquire on this subject shows that the cause of the eutrophication of Lake Erie has not been properly defined. This evidence suggests that if we totally stopped using phosphate detergents it would have no effect whatever on the eutrophication of Lake Erie. Many experiments have now been carried out which show that it is the organic carbon content from sewage that is using up the oxygen in the lake and not the phosphate in detergents. The reason the Cleveland area beaches are not swimmable is that the coliform bacterial count, from feces, is too high, not that there is too much detergent in the water. Enlarged and improved sewage treatment facilities by Detroit, Toledo, and Cleveland will be required to correct this situation. Our garbage disposal units do far more to pollute Lake Erie than do the phosphate detergents. If we put in the proper sewage treatment facilities, the lake will sparkle blue again in a very few years.

As many of you know, the most toxic component of automobile exhaust is carbon monoxide. Each year mankind adds over two hundred million tons of carbon monoxide to the atmosphere. Most of this comes from automobiles. Until recently I had been concerned about the accumulation of this toxic material because I use it daily in my research and know that it has a life in dry air of about 3 years in the laboratory.

For the past several years, monitoring stations on land and sea have been measuring the carbon monoxide content of the atmosphere. Since the ratio of automobiles in the northern and southern hemispheres is 9:1 respectively, it was expected that the northern hemisphere would have a much higher concentration of atmospheric CO. Measurements show that there is no difference in CO amounts between the hemispheres and that the overall concentration in the air is not increasing at all.

Early in 1971, scientists at the Stanford Research Institute in Palo Alto disclosed that they had run some experiments in smog chambers containing soil. They reported that carbon monoxide rapidly disappeared from the chamber. They next sterilized the soil and found that now the carbon monoxide did not disappear. They quickly identified the organisms responsible for CO removal to be fungi of the *aspergillus* (bread mold) and

penicillium types. These organisms, on a world wide basis, are using all of the 200 million tons of CO made by man for their own metabolism, thus enriching the soils of the forests and the fields. More recently, scientists at Queens University in Canada have found that green plants, such as beans, use CO in their metabolism and that they consume as much atmospheric CO as do the fungi in the soils.

This does not say that carbon monoxide is any less toxic to man. It does say that, in spite of man's activities, this material will never build up in the atmosphere to dangerous levels except on a localized basis. To put things in perspective, let me point out that the average concentration of carbon monoxide in the open air is less than 1 part per million. In downtown Cleveland, in heavy traffic, it sometimes builds up to 15 to 20 ppm. In Los Angeles it gets to be 35 ppm. In parking garages and tunnels it is sometimes 50 parts per million. These are the worst conditions.

Here is another surprise for many of you. Do you know that the carbon monoxide content of cigarette smoke is 42,000 parts per million? The CO concentration in practically any smoke filled room grossly exceeds the safety standards we permit in our laboratories (10 ppm). I do not mean to imply that 35 or 50 ppm of carbon monoxide should be ignored. I do mean to say that many of us subject ourselves to CO concentrations voluntarily (and involuntarily) that are greater than those of our worst polluted cities, including those in the Holland Tunnel in New York, without any catastrophic effects. It is not at all unusual for CO concentrations to reach the 100-200 ppm range in poorly ventilated smoke filled rooms. If a heavy smoker spends several hours without smoking in polluted city air containing 35 ppm of CO, the concentration of CO in his blood will actually decrease! In the broad expanse of our natural air, CO levels are totally safe for human beings.

No one in his right mind would condone air pollution. But we must think of things in their proper perspective. We need to ask the question about whether the air in our living rooms presents a greater hazard to health than does the outside city air. I think we should strive to clean up both of them.

The general public has been led to believe that there is a serious health hazard resulting from increased dispersion of lead into the biosphere by man. The principal sources of lead in the atmosphere are the combustion of gasoline and the burning of coal. The contributions from both of these sources are now of the same order of magnitude but in the past, the greater contribution was from coal. During the past 100 years, over one hundred million tons of lead have been dispersed by man into the biosphere.

Careful studies of possible health effects of airborne lead have been carried out by the National Academy of Sciences, the World Health Organization (WHO) and the American Medical Association (AMA). They have found no evidence of a single case of lead poisoning that can be attributed to breathing ambient air polluted with lead. The WHO reports that "there has been no increase in lead levels in the population in the last two decades". Other studies show that there has been no increase in lead concentration in either blood or urine in the U.S. population during the last 50 years. The lead levels in the blood of New Guinea aborigines are higher than those in the blood of either urban or rural Californians. The lead levels in the bones of present day man are not significantly different from those found in human bones from the third century.

Scientists at Michigan Technological University have reported in *Science* that analyses of human hair for lead show that in the period from 1871-1923 (when lead tetraethyl was introduced into gasoline) the lead in the

hair was 10 times greater than in the period from 1923-1971. They attribute the higher amount in the earlier period to the ingestion of lead from collection of water from lead roofing, storage of water in leaded jugs, lead glazed earthenware, pewter utensils, leaded paints and cosmetics.

It is hard to imagine that airborne lead is not a serious hazard to human health but the evidence is overwhelming that the lead levels in the population have not increased in recent years, in spite of increased dispersion of airborne lead. It would appear that the most important reason for removing lead from gasoline at this time is that lead poisons the catalysts in catalytic afterburners for automotive exhaust emission control. The AMA reports "subtle and unrecognized or 'unrecognizable' changes are not occurring in the general population as a result of its exposure to environmental lead". There is such a thing as lead poisoning but people usually get it by swallowing rather than breathing lead particulate matter.

One of the problems of considerable international interest concerns the use of the pesticide DDT. I find that DDT has had a miraculous impact on arresting insect borne diseases and increasing grain production from fields once ravaged by insects. According to the World Health Organization, malaria fatalities alone dropped from 4 million a year in the 1930's to less than 1 million per year in 1968. Other insect borne diseases such as encephalitis, yellow fever and typhus fever showed similar declines. It has been estimated that 100 million human beings who would have died of these afflictions are alive today because of DDT.

DDT and other chlorinated compounds are supposedly endangering bird species by thinning of the egg shells. I am not sure this is true. The experiments I found concerning this were not conducted in such a manner that positive conclusions could be drawn from them. (The evidence is that Dieldrin, PCB, and other pesticides are more likely responsible for it, not DDT). Even if it is true, I believe that the desirable properties of DDT so greatly outnumber the undesirable ones that it might prove to be a serious mistake to ban entirely this remarkable chemical.

The United States has banned the use of DDT as of the beginning of 1973. This is a clear-cut example of a modern day decision based more on fear than it is on knowledge. We know that DDT has saved the lives of 100 million people. We know that food production is increased in both quantity and quality through the use of DDT. We know that there is not a single fatality of man that can be attributed to DDT in the food chain. We know that no effective substitute has been discovered for DDT.

DDT was banned because we fear that, in spite of not having done so after 28 years of use, we may find that "man may be exposing himself to a substance that may ultimately have a serious influence on his health". Can a modern society afford to use fear and speculation rather than knowledge as a sound basis for decision making on matters that will affect the lives and welfare of millions?

Many people feel that mankind is responsible for the disappearance of animal species. I find that in some instances man may hasten the disappearance of certain species. However, the abundance of evidence indicates that he has little to do with it. About 50 species are expected to disappear during this century. But it is also true that 50 species became extinct last century and the century before that. Dr. T. H. Jukes of the University of California points out that about 100 million species of animal life have become extinct since life began on this planet about 3 billion years ago. Animals come and animals disappear. This is the essence of evolution as Mr. Darwin pointed out many years ago. Mankind is a relatively recent visitor

here. He has had nothing to do with the disappearance of millions of species that preceded him.

It is of interest to note that man has not been successful in eliminating a single insect species, in spite of his all-out war on certain undesirable ones in recent years. He also has not felt kindly towards snakes and rats, but no species of them have disappeared to my knowledge.

The world supply of fossil fuels (oil, gas, coal) is limited. Fossil fuels are composed primarily of hydrocarbons. Each year the activities of man result in 27 million tons of hydrocarbons escaping into the atmosphere. The sources of most of this escape are partially burned fossil fuels and the direct evaporation of fuels and solvents. For the most part, it is advantageous to minimize this loss for reasons of efficiency, fuel conservation and reduction of air pollution.

It is well established that in sunny places, where the air is stagnant, certain hydrocarbons, when oxidized, produce photochemical smog. This results in the growth of aerosol particles which produce a haze. The color and odor of the haze is influenced by the kind of hydrocarbon involved.

It is not so well known that, on a global basis, nature releases at least 5 times more volatile hydrocarbons into the air than man does. Practically all types of forest trees emit substantial quantities of terpene hydrocarbons. In addition to pine trees, from which hydrocarbon turpentine is obtained, trees such as aspen, locust, cottonwood, willow, oak, sweetgum, sycamore, yellowwood, mulberry, buckthorn, and Oregon grape emit substantial quantities of isoprene and ethylene. The Blue Ridge and Smoky mountains of the eastern U.S. are so named because of the characteristic haze generated by photochemical reactions involving hydrocarbons emitted by the trees. Nature releases an estimated 175 million tons of hydrocarbons each year in this way.

In addition to volatile ones, practically all plants contain hydrocarbons such as waxes and resins that do not evaporate. Did you know that the red color in watermelons, tomatoes and pink grapefruit is a non-volatile hydrocarbon? The wax in your ears is also.

In the middle-east there is a bush, with the botanical name of *Dictamnus Fraxinella*, which gives off so much terpene hydrocarbons that explosive mixtures are generated in the air surrounding the plant. This plant is believed by some to be the burning bush which Moses saw. Man has been accused of being a major polluter of the air and the water with hydrocarbons but we must also recognize the greater amounts emitted by nature.

For those who wish to return to the "good old days" when we didn't have dirty industries and automobiles to pollute the air, let's consider what life was really like in America before the Civil War. For one thing, life was very brief. The life expectancy for males was less than 40 years. Those 40 years were exhaustive, back-breaking years. The work week was 72 hours. The average pay was \$300 per year. The life of a woman was far from "women's lib." They worked 98 hours a week, scrubbing floors, making and washing clothes by hand, bringing in firewood, cooking in heavy iron pots and fighting off insects without screens or pesticides. Most of the clothes were very inferior by present day standards. There were no fresh vegetables in winter. Vitamin deficiency diseases were prevalent. Homes were cold in winter and sweltering in summer.

Every year an epidemic could be expected and chances were high that it would carry off someone in your immediate family. If you think that water pollution is bad now, it was more deadly then. In 1793, one person in every five in the city of Philadelphia died in a single epidemic of typhoid fever as a result of polluted water. I wonder how many

informed people want to return to the "paradise" of the good old ante-bellum days. Perhaps the simple life is not so simple.

Many of us are alarmed by the dire announcements made by technically untrained people and by scientists who have not bothered to check their assumptions against the evidence. These alarms have made us go off half-cocked with expensive measures in some cases to solve problems that are sometimes more imaginary than real. For example, the construction of some nuclear power plants has been held up because of the fear of thermal pollution by the effluent cooling water. In some cases, multimillion dollar cooling towers have been required before construction could proceed. The evidence I can find is that when the plants are located on large bodies of water, such as Lake Erie, cooling towers represent expensive monuments to misinformation. The public will have to pay for these and will receive no measurable benefit from the expenditure.

My investigation of the thermal pollution problem reveals that, beyond any question of doubt, the sun is by far the greatest thermal polluter of Lake Erie. Governor Gilligan of Ohio announced that he would "back legislation making it unlawful to increase the temperature of the (effluent) water by more than one degree over the natural temperature." As we all know, the natural temperature of the lake is changed by the sun more than 40°F every year between winter (33°) and summer (75+°). The natural life in the lake accommodates this drastic change in great fashion, as it has for many thousands of years.

I have determined that if we could store up all of the electricity produced in Ohio in a whole year and use it exclusively for heating Lake Erie all at one time, it would heat the entire lake less than three tenths of one degree (0.3°F).

In terms of localized heating, we must remember that we already have many hundreds of power plants pouring warm water into streams and lakes. Twenty-five of these are nuclear power plants. Evaluation of the effect of these from an ecological point of view is that "thermal pollution" is a less descriptive and less appropriate term than is "thermal enrichment". There are no species disappearing. No ecological catastrophes or problems have appeared. Some of the best fishing locations in the country are near the warm water outlets of power plants. An excellent scientific report on this subject may be found in the March 1972 issue of *Environmental Science and Technology*.

In every age we have people practicing witchcraft in one form or another. I used to think that the people of New England were particularly irrational in accusing certain women of being witches without evidence to prove it. Suppose someone accused you of being a witch. How could you prove you were not? It is impossible to prove negative evidence. Yet this very tactic is being used to deter the construction of nuclear power plants. The opponents are saying, in effect, that these plants are witches and it is up to the builders to prove that they are not.

The positive scientific evidence is that the nuclear power plants, constructed to this date, are the cleanest and least polluting devices for generating electricity so far developed by man. Lightning and snakebite have proven to be greater hazards to the health and safety of the public than nuclear power plants. The amount of radiation escaping from a well designed nuclear plant is less than that from the cosmic rays to which I was exposed on the jet aircraft flight to this conference. Carelessness and irresponsibility are inexcusable in potentially hazardous operations. I can find no evidence of any such behavior in our industrial nuclear operations.

The energy crisis in the United States is quite real. If we are to maintain our stand-

ard of living and avoid a rapidly increasing deficit in our balance of payments, because of greater oil imports, we must construct nuclear power plants with the greatest of urgency. They are the only demonstrated and economically feasible alternative we have for electric power generation. We cannot afford to let fear and superstition impede the attainment of the improved quality of living which we can achieve.

From what we read and hear it would seem that we are on the edge of impending doom. A scientific evaluation of the evidence does not support this conclusion. We clearly have some undesirable problems attributed to technological activities. The solution of these problems will require a technical understanding of their nature. The problems cannot be solved unless they are properly identified. This will require more technically trained people, not less. These problems cannot be solved by legislation unless the legislators understand the technical nature of the problems.

In my estimation, the most serious problem we face is the rapidly increasing human population on a world-wide basis. The pollution of our natural waters with sewage and chemicals is perhaps the second most serious one. Nothing good has been found for either sulfur oxides or particulate matter in our air. Hydrocarbon emission from our automobiles can be hazardous, especially in poorly ventilated locations. I have not been able to identify any problems that we do not already know how to solve. It is strictly a question of economics. The back to nature approach of withdrawing from reality will accomplish nothing.

I believe, as Thomas Jefferson did, that if the public is properly informed, the people will make wise decisions. I know that the public has not been getting all of the scientific facts on many matters relating to ecology. That is why I am speaking out on this subject today as a scientist and as a citizen. Some of the information I have given you may be contrary to the things you are being led to believe but I am willing to support my conclusion on evidence good enough for me to urge any of you to evaluate it for yourselves. I have no fear of staking my reputation on what I have presented to you.

We are all familiar with the Aesop fable about the shepherd boy and the wolf. The moral for the fable is: those who are found to misrepresent facts are not believed even when they speak the truth.

In recent months, we have heard cries of wolf with respect to our oxygen supply, the build-up of carbon monoxide, the disappearance of species, DDT, phosphates in the lake, thermal pollution, radiation effects on health from nuclear power plants, the Amchitka nuclear tests, lead in gasoline, and mercury in fish, to name a few. For the most part, these cries have not been malicious but have been based largely on fear, ignorance, or misinformation. The people have listened to these cries and have come running to the rescue but they are not finding many wolves.

Let us not cry wolf until we are reasonably certain that we have done enough homework to know what a wolf looks like. Otherwise we may undermine our credibility and not be believed by the people when we warn them of the real wolves that do exist. We cannot solve our recognized problems unless we attack them on the basis of what we know rather than what we don't know. We must use our knowledge and not our fears to solve the real problems of our environment. Our future can be better than most of our past if we choose it so.

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H.R. 9320

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. ARENDS. Mr. Speaker, on June 22, 1971, I introduced H.R. 9320, a bill to amend the National Labor Relations Act, and it was referred to the Committee on Education and Labor.

In my remarks at the time I introduced that bill, Mr. Speaker, at pages 21723-4 of the *RECORD* I cited a variety of undesirable conditions stemming from decisions of the National Labor Relations Board and the courts, conditions which would have been corrected by the enactment of H.R. 9320.

Mr. Speaker, no action was taken on H.R. 9320 by the 92d Congress, and the conditions it was designed to correct are as much in need of correction today as they were in June 1971. I will not burden the *RECORD* at this time, Mr. Speaker, with a detailed analysis of Labor Board and court actions these past 2 years in areas covered by this legislation. Suffice to say those actions have not materially

altered the situation. It is still in need of correction, as it was in 1971.

Accordingly, Mr. Speaker, I reintroduce this same bill today for appropriate reference. It deals with these six separate areas under the National Labor Relations Act: first, the status of economic strikers; second, coalition bargaining; third, the gerrymandering of bargaining units; fourth, the consolidation of bargaining units and the existence of a collective bargaining contract as a bar to an employee election in a particular unit; fifth, preservation of certain multiemployer units; and sixth, clarification of an employer's right to ask for an NLRB election among his employees.

Mr. Speaker, I urge early hearings and early House action on this legislation. Its enactment into law is long overdue.

ENERGY CONSERVATION

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. COTTER. Mr. Speaker, on October 17, 1973, I wrote to the Insurance Association of Connecticut and the Connecticut Business and Industry Association urging them to prod their respective corporate members to participate wholeheartedly in a voluntary energy conservation program. This, of course, was prior to the President's first energy crisis message which brought energy conservation from the back burner to the front.

One of the more encouraging responses I have received to this call came from Connecticut General Life Insurance Co., in Bloomfield, Conn. The energy savings that company projects are quite impressive.

I would like to share with my colleagues a statement from Connecticut General on energy conservation.

STATEMENT BY CONNECTICUT GENERAL

Connecticut General Life Insurance Company is achieving its goal of cutting fuel consumption by 25 percent in its home office in Bloomfield.

During November, the first month of the company's intensified conservation efforts, some 27,500 gallons of heating oil were saved, according to John F. Barnaby, senior associate of Dublin-Mindell-Bloome Associates, a consulting engineering firm hired by CG to help find ways to cut fuel consumption.

The figures include adjustments for weather variances such as degree days and sunlight.

If the oil savings rate can be maintained, CG would save 118,000 gallons of oil during the winter season, ending April 15, enough to heat approximately 100 Greater Hartford homes for that period.

In addition, Barnaby reported, electricity usage was cut 20 percent in the company's 854,000-square-foot main building. Total electricity usage by CG was down 11 percent from last November even with the addition of a new 100,000-square foot printing and supply building, which uses electric heat. Donald N. Brothers, senior energy consultant for Hartford Electric Light Company, said that the 11 percent rate of savings represents enough electricity to meet the normal needs of 480 average homes for a full year.

John S. Wyper, Connecticut General vice president, said, "We're delighted with the progress, so far. The best part about it is that these energy reductions have been achieved without any interruptions of our business and with a minimum of discomfort and inconvenience for our employees."

"It's a little cooler and a little darker around here, but our employees have been most understanding. They seem to appreciate that what we're trying to do is in the public interest."

"If our initial experience proves typical for a large number of office buildings throughout the country, this could be good news in the effort to help solve this winter's energy shortage," Wyper said.

Connecticut General has turned down its thermostats from 74 degrees to 68 degrees and has taken advantage of the natural lighting provided by its glass wall construction to reduce artificial lighting in corridors, the cafeteria and work areas. It has curtailed elevator and escalator service and adjusted evening cleaning crew schedules to turn off lights early. "It may not always appear that way from the outside," Wyper said, "but our evening lighting is way down."

In addition, CG and Dublin-Mindell-Bloome are investigating a variety of ways to adjust the home office building's heating, ventilation and air conditioning systems so they will use even less energy in the future.

THE ENERGY CRISIS: HIGHER TAXES OR RATIONING?

HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. LONG of Louisiana. Mr. Speaker, the energy crisis is no longer a mere expression; it is now a stark reality. We are running out of petroleum supplies.

Nothing we do now will increase our petroleum supplies for this winter. Our immediate goal for the next few months must be to minimize the costs—social and economic costs—of the fuel shortage.

Everybody across this great land hopes that voluntary steps will reduce our gasoline consumption and allow our refineries to produce more heating oil. Though I wholeheartedly support efforts to avoid wasteful use of gasoline, I realize at the same time that our Nation depends on it as a fuel for automobiles, by far our most used method of transportation. We can reduce driving and the waste of gasoline, but our requirements for enormous quantities of fuel will still exist.

If voluntary action does not reduce demand enough, and the signs indicate that it will not, we will have to create a system to bring down the level of consumption. The system that we create must recognize the national dimension of the shortage. The sacrifices to be required should such a system ever be adopted must not fall unfairly on any single group.

One of the suggestions brought forward as the best way to reduce gasoline use calls for sharp increases in taxes. There can be no doubt that increased taxes on gasoline would sharply curtail driving, but the burden of the reduction would fall savagely upon the shoulders of working people who need their auto-

mobiles for getting to and from their jobs. The more wealthy drivers, who account for most of the nonproductive pleasure driving, would pay more for their gasoline, which they would be able to buy because the workingman needs all of his resources to provide shelter, food, and clothing for his family.

The simple and grossly unfair result of higher gasoline taxes would be to deny automobile transportation to working people and place some restrictions on people with moderate incomes, but would have no effect whatsoever on the driving habits of the well-to-do.

The only way to fairly share a reduction in gasoline consumption is through a system of rationing that will assure every American a chance to buy a fair share of our country's limited supply of gasoline.

Nobody likes rationing. Any system of allotted purchases will be inefficient. Everybody will be inconvenienced. But under a rationing system at least everybody will be treated equally, and no group of citizens will sacrifice so others may continue their old driving practices.

Our energy problem will not be solved overnight. Our best course is to spread our supplies as far as they will go, and the best way to do that is to remember that America is a land of equality. High taxes to discourage driving would shatter this ideal. If our gasoline supply is not large enough to meet demand, a system of fair rationing must be created.

"LET'S HEAR IT!" FOR UNITED STATES

HON. ELWOOD HILLIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. HILLIS. Mr. Speaker, just what is right with America? Anything? In recent years we have heard both here and abroad comments which would lead us to believe that everything is wrong with America. I have been distressed on many occasions and felt that these dissenters needed to be set on the right path.

I have heard many attempts to do so but none as effective and meaningful as an editorial by Gordon Sinclair, a Canadian radio and TV commentator. And more impressive—here is someone who is not even an American but sees fit to defend her. Mr. Sinclair's commentary comes at a most appropriate time and I believe it to be excellent reading for everyone.

While Mr. Sinclair's thoughts have previously been inserted into the CONGRESSIONAL RECORD by another colleague, I want today to again share his commentary. It is indeed heartening to know that there are individuals like Gordon Sinclair. I salute him.

"LET'S HEAR IT!" FOR UNITED STATES

(NOTE.—In these days of unrelieved foreboding and gloomy news, all of us in this country could do with a little bucking up.

It isn't often that we get a chance to see ourselves as a neighbor sees us—and be cheered by the image.

Some time ago Gordon Sinclair, the Canadian radio and TV commentator, broadcast an editorial from Toronto. Any number of people in this country heard it or have since read it, as it has been widely reprinted in newspapers in the U.S. It was inserted in the "Congressional Record" and became the subject of many editorials.

Mr. Sinclair's commentary makes especially heartening reading right now. For the benefit of those who have missed it, excerpts are presented here.—Howard Fliege, Editor.)

This Canadian thinks it is time to speak up for the Americans as the most generous and possibly the least appreciated people on all the earth. . . .

Germany, Japan and, to a lesser extent, Britain and Italy were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions in debts. None of these countries is today paying even the interest on its remaining debts to the United States.

When the franc was in danger of collapsing in 1956, it was the Americans who propped it up, and their reward was to be insulted and swindled on the streets of Paris.

I was there, I saw it.

When distant cities are hit by earthquakes, it is the United States that hurries in to help. . . . This spring, 59 American communities (were) flattened by tornadoes. Nobody helped.

The Marshall Plan and the Truman Policy pumped billions upon billions of dollars into discouraged countries. Now newspapers in those countries are writing about the decadent, warmongering Americans.

I'd like to see just one of those countries that is gloating over the erosion of the United States dollar build its own airplanes.

Come on, let's hear it!

Does any other country in the world have a plane to equal the Boeing Jumbo Jet, the Lockheed TriStar or the Douglas 10?

If so, why don't they fly them? Why do all the international lines except Russia fly American planes?

Why does no other land on earth even consider putting a man or woman on the moon?

You talk about Japanese technocracy, and you get radios. You talk about German technocracy, and you get automobiles.

You talk about American technocracy, and you find men on the moon—not once but several times—and safely home again.

You talk about scandals, and the Americans put theirs right in the store windows for everybody to look at.

Even their draft-dodgers are not pursued and hounded. They are here on our streets, and most of them—unless they are breaking Canadian laws—are getting American dollars from Ma and Pa at home to spend here. . . .

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Pennsylvania Railroad and the New York Central went broke, nobody loaned them an old caboose. Both are still broke.

I can name you 5,000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble?

I don't think there was outside help even during the San Francisco earthquake.

Our neighbors have faced it alone, and I'm one Canadian who is damned tired of hearing them kicked around.

They will come out of this thing with their flag high. And when they do, they are entitled to thumb their nose at the lands that are gloating over their present troubles.

I hope Canada is not one of these.

THE FOOTBALL CAPITAL OF THE SOUTH

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. NICHOLS. Mr. Speaker, on this past Saturday I attended, with more than 70,000 other Alabamians, the annual Auburn-Alabama football classic at Legion Field, Birmingham, Ala., "The Football Capital of the South." This game was viewed by millions of Americans throughout the United States on national television. Although I was hopeful that my Auburn team would come out victorious, there was just no way to win out over the Nation's No. 1 football team, the University of Alabama.

In this day and time, when skepticism and pessimism is in so many quarters, I was extremely heartened to note upon entering this great stadium, that taped to each of the 70,000 seats was an attractive brochure placed there by the Fellowship of Christian Athletes of Auburn University and the University of Alabama.

I have supported this fine organization for many years and I can personally attest to the outstanding religious leadership by the Fellowship of Christian Athletes in the high school, college, and professional ranks.

I believe that the personal testimonials stated in this brochure by these great Alabama athletes are timely and certainly merit being placed in the annals of the CONGRESSIONAL RECORD. I appreciate the leadership that these young men have given this Nation, both as great athletes and great Christians, and I feel that their remarks are worthy of the reading of each and every Member of Congress.

THIS IS WHAT MAKES US TICK

We, along with hundreds of Alabama and Auburn students, as well as thousands of people around the world, have found a positive working solution to the problems of life. We have discovered real peace, security, happiness, and eternal life through knowing Jesus Christ personally.

Andy Steele, Auburn University, "It is no longer I who live, but Christ who lives in me. And in me He lives a life as full and abundant as can be lived. A life in fellowship with God's Son, Christ Jesus, a relationship characterized by His infinite love for me. A love . . . supplies all my needs through the riches of His grace. I thank God I have this relationship!"

David McMakin, University of Alabama, "Since I've become a Christian, I haven't become perfect. I've got many of the same wants, needs and desires as all of you do. Christ fulfills them, or gives me the patience to wait upon Him to act. This game may go either way, so I'm happy that my peace of mind is not dependent on the outcome. I depend on Christ."

Ed Butler, Auburn University, "Since becoming a Christian, I have come to realize that everything God has given me should be used for his own glorification. I have confidence now that whatever may happen will be for my own good as it fits into God's plan. The peace, the joy and the patience I found in Christ is unique and can be found nowhere else."

Gary Rutledge, University of Alabama, "During my life I have always been close to

God. I could not go through many problems I have without Him. It is a great feeling to know He is with you, every minute of every day. I challenge each of you to let Him have control of your life, letting things work in your life as He would have it—not yourself. There's a saying by Texaco: "Trust your car to the man who wears the star," but for each of us it should be: Trust your life to the man who made the stars.—Jesus Christ."

Wayne Hall, University of Alabama, "For the first twenty years of my life, my god was football. In the third game of my freshman year I got hurt and sustained the first of a series of four knee operations, and at this time I saw my god disappear. Since then I have found a new God, One who will never leave or betray me, Jesus Christ."

Eddie Denton, Auburn University, "Jesus Christ has been the mainstay of my life for a long time. I have always depended on Him to care for my needs and direct my life. It was not until I came to college, however, that I realized the need for something more than a once-in-awhile God. Christ has supplied this extra need for me and showed me what a wonderful day-to-day relationship with Him can be like."

Randy Hall, University of Alabama, "I used to call myself a Christian, but I relied on my own strength and ability in my actions. Now since I have come to have a personal relationship with Jesus Christ and turned my life over to Him, I realize how wrong I was before. I am weak and can do nothing without His strength and guidance. I am so thankful for God's forgiving love expressed through my Lord and Saviour, Jesus Christ."

Jim Pitts, Auburn University, "I accepted Christ at an early age during a spring revival in my hometown. Since then I have really come to love and understand the Lord more fully as I have struggled to grow as a Christian. When I at times become selfish and self-centered, I remember what a sacrifice God made for me by sending His only Son to earth to be crucified that I might be saved and have eternal life."

John Croyle, University of Alabama, "In my life I have seen and heard about Christianity and I did not want what I saw, until it was explained to me that it was a relationship with Jesus Christ, not religion. When I asked Christ to come into my life, He did as He said He would and changed my life. I challenge you as the others have, to examine the exciting life Christ has to offer, to all who will give Him a chance. Jesus said, 'I come to give you an abundant life.'"

Billy Wood, Auburn University, "When I was coming up through high school I was the kind of guy who really thought he had it made. Footballwise and materially I was sitting on top of the world. Yet, I still lacked something in my life, and I found that to be Jesus Christ. And right now I can experience the abundant life He promised us in the midst of a problem filled world."

Phil Murphy, University of Alabama, "For years I tried to find life and searched for freedom in everything imaginable. Then one day through the testimony of a teammate I learned that man could never find life abundant or ever really be free, until He committed himself completely to the God who created Him. Today I can say thankfully through Jesus Christ I have life and certainly am free."

Rick Neel, Auburn University, "Everything in my life must involve Christ. Football is no exception. Without His gifts of a strong body and good mind, there is no way I could even play the game. Without His help I could do nothing and for this reason I shall always give Christ the glory for anything I accomplish—on or off the football field."

Steve Taylor, Auburn University, "Though I went to Church as a child, I never grasped or understood why my parents made me go. I couldn't make much sense of it. My Mother died when I was twelve so with the loss of her influence I drifted into all kinds of trou-

ble. But then Christ came into my life and I knew I had found what I was searching for. God's gift of salvation through his only son Jesus has become the center of my life. I attribute my athletic ability to God's will and I know I can always count on his strength in any situation. Even in a crisis-filled world, Christ gives me peace and love like a river overflowing in my heart."

Steve Ford, University of Alabama, "I had always gone to church on Sunday morning, but never really knew or understood the claims of Jesus Christ or just who He was. One night Jesus and His claims were presented to me and I realized that He desired for me to give my life to Him, and receive Him as my Lord and Savior, which I did. Since then I have come to know Him as truly, "the way, the truth, and the life." As the Word teaches, unless one humbles himself before the Lord and opens up his heart to Him, he will never know of God's salvation or experience God's blessings."

We invite you, yes, challenge you, to receive Jesus Christ into your life today. Prayer is one way to express faith toward God. We invite you to pray a prayer something like this:

Lord Jesus, I admit I am a sinner and I realize I need you. Thank you for dying for me that I might have my sins forgiven. I invite you to come into my life, forgive my sins and make me the kind of person you want me to be. Amen.

THE IMPORTANCE OF THE TRADE BILL

HON. PHIL M. LANDRUM

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. LANDRUM. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

THE IMPORTANCE OF THE TRADE BILL

(By J. Stanford Smith, vice-chairman of the board, International Paper Co.)

We are here to give you facts regarding the importance of the trade bill to the American economy and to the forest products industry in particular. We strongly urge your support of it.

1. The trade negotiations that are getting underway will determine the economic pattern of the world. They will define the international trading system for years to come; so it is crucial that U.S. negotiators be well armed and well supported. They need to be as well equipped with negotiating authority as are their counterparts from other nations.

Only with such support can they reach agreements that reduce foreign barriers against U.S. exports and open new overseas markets for the United States. This can create thousands of new jobs and protect millions of existing jobs that will be endangered if we don't defend and extend our position in international trade. Furthermore, expanded trade and income from foreign investments are the cure for the U.S. balance-of-payments problem. It will take expanded export trade to provide funds to pay for imports such as oil that are vital to our national welfare.

2. The trade bill is important to the forest products industry. The United States forest products industry is a world cost leader. In other words, in terms of efficiency, quality, and customer acceptance, we are second to none. But the only way to maintain and enhance such world cost leadership is to be able to compete on a world basis. The more that U.S. negotiators can eliminate tariff and non-tariff barriers against wood and paper products around the world, the more this indus-

try can grow in sales and jobs, and the more it can contribute to a favorable U.S. balance of trade.

International Paper, for example, exported \$290 million worth of products last year. We imported certain types of pulp and papers which can be made most successfully from Canadian spruce and balsam that are not economic to grow in most of the U.S. But our favorable trade balance—the net of exports less all types of imports—was \$155 million, which makes International Paper the tenth largest contributor among all companies to the U.S. balance of payments. Given a favorable trade bill, we can considerably increase this contribution.

3. Third, the trade bill is important to jobs in the United States. The forest products industry directly employs 1,300,000 people (500,000 in timber and wood products, 200,000 in sawmills and lumber mills, 600,000 in paper and allied products). International Paper directly employs 51,000 people—many of them in the Congressional Districts represented here this morning. In addition to this direct employment, our studies show that over 100,000 additional people are indirectly provided employment by our operations.

Nearly all of our primary paper mills do a significant export business—one of our mills is dependent on exports for 44 percent of its production. I don't have to tell you that if such a plant were to lose its export market, it would no longer be economically viable.

Further, the products of all of our mills go into industries which also stand to gain from the expansion of overseas trade. For example, the printing and publishing industry makes a very important contribution to the U.S. trade balance. This would not be possible without the world cost leadership of U.S. paper producers.

In addition, many of you know how important jobs in forest products are to localities in the Northeast, the South, and the West. Those who visit the Adirondacks, for example, quickly see that almost all economic activity in the Adirondacks revolves around the paper mills and the woodlands operations that support them. Virtually the only other business in the Adirondacks is the highly seasonal tourist industry. The forest products industry is the mainstay of many such areas in the United States.

My associates tell me that with international trade expansion we can provide several thousand more jobs in International Paper alone.

4. This nation needs the trade bill in order to deal with the new realities of international trade. For example, we must deal on a realistic basis with such facts as the unbelievable post-war economic recovery of Japan and Western Europe. We must deal with such facts as the expansion of the Common Market into a much larger trading community.

The Common Market in 1972 bought \$1.2 billion worth of paper products. A third of these purchases—\$406 million—were from the United States. Canada and the Scandinavian countries are the other major suppliers to the Common Market.

Today there is a 12 percent tariff on most paper products entering the Common Market from the U.S., Canada, or Scandinavia. With the expansion of the Common Market, however, that tariff will gradually be decreased to zero for the Scandinavian countries; it is crucial that U.S. negotiators be in a position to work out the same sort of tariff reduction for U.S. exports of paper to the Common Market. Thousands of U.S. jobs are at stake, and so also is the U.S. position of world leadership in the paper industry.

One important final note. The major labor union representing the employees in our mills and plants also supports the views I have expressed here on why foreign trade is essential to our industry.

I hope I've shown you why we believe the trade bill is important to this nation, why we believe it will build jobs for U.S. employees and sales for U.S. business, and why we urge you to favor it.

We welcome your questions and comments.

PENN CENTRAL PERVERSITY

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. BAUMAN. Mr. Speaker, recently the House passed H.R. 9142 which contained ample provisions and financing for upgrading of various Northeastern railroads including the Penn Central system. This provision is particularly important because of the substandard safety status of much of the Penn Central track.

It might have been expected that the Penn Central would have taken a more optimistic view of their future when they responded to an order of the Interstate and Foreign Commerce Commission requiring them to make track repairs. This order was issued almost 2 years ago and Penn Central did nothing until the last minute. At that point on October 16, 1973, instead of either making repairs or coming up with a suitable plan for repair, they closed a number of miles including many miles of track in my congressional district. The closure lasted for 1 day before the ICC granted a waiver for 1 month during which Penn Central was to produce a plan for repair and reconstruction. That plan has now been submitted and it is, to say the least, a farce.

As an example of the so-called good faith of Penn Central, I point to the statistics offered by the railroad regarding needed repairs of the 406.2 miles of track located in the Chesapeake Division which includes most of the Eastern Shore of Maryland. Penn Central's estimate of the number of ties needed to bring these lines up to safety standard was a total of 39,647 ties. However, an inspection by a qualified inspector of the Federal Railway Administration showed that there was no more than 5,000 new ties required, an estimate which was only 12.6 percent of the Penn Central total. Similarly, Penn Central estimated that the same rail lines required at least 716,100 feet of new rails. The Federal Railroad Administration inspector estimated only 1,200 feet of new rails. It is clear that Penn Central has adopted the old adage that "figures do not lie, but liars do figure."

I include an editorial from the Daily Times of Salisbury, Md., detailing just how unrealistic and unresponsive this safety plan is. It seems to me that if the Penn Central wants help from the Congress and the taxpayers of the United States, they had better change their attitude, and do so quickly. For the present time they had better immediately revise their track repair plans on a more realistic basis.

The editorial follows:

THE WRECK ON DELMARVA

Delmarvans who are worried over the possible loss of railroad service will find a fresh and strong basis for concern in a track repair timetable submitted last week by the Penn Central.

The bankrupt railroad system was ordered by the Federal Railroad Administration to either submit plans for repairing some 6,901 miles of sub-standard track or close down operations.

Release of the track repair program is just more bad news for Delmarva people who have been fighting to keep the freight trains running. It will be at least three years before the railroad might even begin to repair Delmarva tracks. Worse yet, the Penn Central is saying that much of it will not be started for at least five years. Two sections of tracks will have to wait seven years.

The railroad says its track repair needs total \$49 million throughout the system in 16 states. It needs not only the labor to repair the rusting rails but it also must buy two million cross-ties, and close to 100,000 switch timbers.

And, even though there is a plan and a timetable, there's no starting date for any of it. It is dependent on financing. Indeed, the railroad is candid to say that it has no idea when the plan could get under way. Obviously, there's the ever-present hope of federal aid or subsidies as well as assistance by states in trying to preserve a railroad system vital to the well-being of a nation.

Here on Delmarva, it is unthinkable that the tracks will be allowed to rust away. Yet, that is what is going on, despite vigorous efforts by local groups to prod both the railroad and government on the problem. While service deteriorates.

Here is the schedule for repairing Delmarva tracks—the main line south of Salisbury, and the various branches. Presumably, the line from Delmar to Wilmington could be retained, even though the branches are lopped off:

Salisbury, Md.—Cape Charles, Va. (53 miles) 3rd year of the eight-year plan. Seaford, Del.—Cambridge, Md. (41.8 miles) 3rd year. Massey, Md.—Centerville, Md. (24 miles) 3rd year. Harrington, Del.—Georgetown, Del.—Snow Hill, Md. (41 miles) 3rd year.

Queen Anne, Md.—Denton, Md. (6 miles) 3rd year. Massey, Md.—Chesertown, Md. (20.2 miles) 5th year. Queen Anne, Md.—Oxford, Md. (20 miles) 5th year. Georgetown, Del.—Rehoboth Beach, Del. (22 miles) 7th year. Kings Creek, Md.—Crisfield, Md. (15 miles) 7th year.

Efforts to put the wrecked Penn Central back on the track are going on in the courts and in Congress. Some states are interested, Maryland among them. Gov. Mandel and the Economic Development Dept. are interested. Retention of most spur lines on the peninsula is vital to the future of this region. Yet, our own State of Maryland Dept. of Transportation reportedly has no policy as yet for dealing with rail transportation. We're going to need more than just one group or another getting up to proclaim the need for rail service yet lack the muscle and money to do something about it.

THE LATE THOMAS M. PELLY

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 29, 1973

Mr. STEIGER of Arizona. Mr. Speaker, I wish to pay a final tribute to a good friend and a fine and dedicated Congress-

man, the late Thomas M. Pelly of the State of Washington.

With his passing comes the end of a long and distinguished career. For 20 years, from 1952 until his retirement in 1972, Thomas Pelly served the people of the First District of Washington—and served them well.

He was the ranking minority member of the Merchant Marine and Fisheries Committee and ranking minority member of the Fisheries and Wildlife Conservation Subcommittee. His legislative judgment and experience were evident often in his work on this committee and subcommittee. He also served with equal distinction on the Science and Astronautics Committee and was the ranking minority member of the Advanced Research and Technology Subcommittee.

With the death of Thomas Pelly, I have lost a good friend; and the House of Representatives and the citizens, not only of Washington, but of the entire Nation, have lost a man who, in the 20 years he served, was an able legislator and an honorable statesman.

NATION'S ENERGY PROBLEMS

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Miss HOLTZMAN. Mr. Speaker, I recently received a letter from the distinguished attorney general for the State of New York, Louis J. Lefkowitz, concerning the Nation's energy problems. He presents some most thoughtful proposals and I would like to recommend them to the attention of my colleagues:

NOVEMBER 30, 1973.

HON. ELIZABETH HOLTZMAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSWOMAN HOLTZMAN: I am writing in connection with the pending bills containing measures to deal with the fuel shortage, H.R. 11031, 11202, 11450. There are certain fuel conservation measures which, if added to this bill, would make a more effective weapon in dealing with the Nation's energy problems.

(1) Emergency funding for rail transportation would be the single most effective means of reducing overdependence on the automobile and resulting unnecessary consumption of gasoline. The public must be promptly provided an efficient alternative to the automobile in the many high-traffic-density areas where none exist. Federal funds for urban mass transit under the Urban Mass Transportation Act and for Amtrak under the Intercity Rail Passenger Service Act should be augmented by emergency funding to make possible increases in service and to avoid fare increases. In addition, emergency funds should be specifically directed to Amtrak to provide rail service during periods of peak travel to ski resorts, beaches and summer vacation areas such as Cape Cod, the Adirondacks and the Berkshires. This step alone would eliminate the consumption of vast quantities of gasoline and would reduce air pollution and highway congestion as well.

(2) Federal funds should be advanced and earmarked for the construction and purchase of railroad and subway passenger cars and the modernization of trackage and sta-

tions where necessary to sustain passenger service.

(3) The cost of using public transportation to commute to work should be made deductible from Federal income tax.

(4) Electric advertising should be prohibited except for one sign on the premises of a retail store and only during the hours when the store is open to the public. The President's message in this regard was a step in this direction but it allowed advertising on the premises of any business. There is no reason for large electric signs consuming vast amounts of power on factories or other business establishments not open to the public.

(5) Decorative lighting on bridges, public buildings, monuments and the like should be eliminated for the duration of the fuel shortage.

(6) Federal funds should be appropriated for research into electric generation from refuse. This is now being done experimentally in some pilot projects. Its rapid expansion, which can be achieved more speedily through federally-sponsored research, would substantially reduce consumption of fuel oil used to generate electricity.

Finally, the Senate bill exempts any steps taken during the fuel shortage from the requirements of the National Environmental Policy Act. I believe that instead the law should contain a requirement that any challenge under the National Environmental Policy Act be commenced within 30 days after the announcement of the proposed Federal determination and that any such action be given a preference in the Federal courts. In my view a wholesale exemption from the mandate of NEPA for any decision related to the need to alleviate fuel shortages would create a most unfortunate precedent and would weaken the effectiveness of that important statute.

I hope you will agree as to the effectiveness of the proposals contained in this letter and will take steps to add them to the pending bill. I and my staff stand ready to assist in any way possible.

Best personal regards.

Sincerely,

LOUIS J. LEFKOWITZ,
Attorney General.

LOOKING TO THE PEOPLE FOR SOLUTION TO ENERGY SHORTAGE

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. ALEXANDER. Mr. Speaker, in the next few months we in the Federal Government are going to be called on to make many decisions to regulate the consumption of fuel in this country. To be successful, any of the programs that we establish must have the support and the cooperation of the American people, many of whom are already voluntarily cutting down on the amount of fuel they use in their homes and offices. In any decisions we may make, it is imperative that we be keeping in mind the suggestions and wishes of the people whom we represent. Today I wish to share with you letters I have received from Mr. B. J. Rosa, the superintendent of schools at Mountain View, Ark., and Mr. William E. Edwards, the owner of a motel in Fort Smith, Ark. I hope that my colleagues will review their comments and suggestions for possible sources of action.

The letters follow:

**CONTINENTAL MOTEL,
November 21, 1973.**

Mr. WILLIAM V. ALEXANDER,
U.S. Congressman,
House of Representatives,
Washington, D.C.

DEAR SIR: I urge you to support the President in all matters possible to insure unity of both parties and to pursue a course of action to raise the esteem of the Nation, and to stop the wasteful spending of money in the overrated Watergate Case. It is far past the time for the Congress and the President to pursue a course that will get the Nation back on a sound Economic basis.

The course of action taken in the current Energy Crisis can be very treacherous to the Economy, Industry, and the small Businessman. The Transportation Industry, The Motel Industry and related Industries are in jeopardy at this time and are worthy of careful consideration. I would like to submit a possible solution to a small part of the many problems for your perusal.

Use the Federal Highways, and the Interstates (or Interstates only) during the hours of 7 P.M. to 7 A.M. exclusively for the Trucking and Commercial Transportation; and to use them from 7 A.M. to 7 P.M. for local and longdistance travel of Automobile Traffic. Exceptions to be made only in emergencies.

1. The trucks require the 70-75 mph due to scheduling and gearing.
2. The absence of Automobiles will enable them to maintain a more constant speed and better economy with far more safety.
3. The lower Temperatures will give them 5 to 10 percent better performance and lower their maint. cost. They will get an additional 10 to 20 percent longer tire life and reduce the possible blowouts at the lower Highway Temperatures.
4. The Trucks would be in the Freight Terminals for loading and unloading during the working hours to secure more jobs.
5. In the event that Local Haulers and Trucks find it necessary to run during daylight hours they would be required to run at the reduced Automobile speeds.

Automobiles: 7 A.M. to 7 P.M.

1. Reduce the speed to the requested 50-60 mph speed and increase their mileage the 15-20 percent.
 2. The Trucks would be off the highways and Reduce Congestion during the time workers travel; (to and from Work.).
 3. In the event of rationing of gasoline the Commercial Automobiles and salesmen traveling with special gas Allotments would be curtailed from pleasure driving after 7 P.M.
 4. Pleasure driving and unnecessary traveling by school age drivers and others would be curtailed, during the evening hours.
 5. The lower speeds and the absence of trucks would improve the Safety Standards.
 6. Issuance of W.W. II type (A.B.C.T.) window stickers would serve as a deterrent for the improper use of the vehicle during non business hours.
 7. The Commercial man and or Salesman so vital to all industries would have the use of his vehicle and the necessary gasoline to successfully perform his job during normal business hours.
- The Motel Industry, Restaurant Industry would be allowed to function in the normal 24 hour capacity which is necessary to be successful.
1. Some revenue would be derived from Truckers laying over during the daylight hours.
 2. The Commercial Traveler (to 50 to 70 Percent lifeblood) would be available to the Motels in the Night to enable the Motels to survive without the Pleasure Seeking Tourists.
 3. The Traveler would be in and off the road early in the evening and enable the Motels to cut off the Large Neon Signs, so necessary

to Attract Travelers; thereby saving a great amount of Energy.

4. The lower speed would extend the time of the Travelers on the road and help stabilize the Motel Industry.

The successful achievement to the energy Crisis is everyone's Responsibility. I hope the ideas I submit to you will be of benefit in your search of successful solutions to our many problems.

Sincerely,

WILLIAM E. EDWARDS, Owner.

P.S. Stop unnecessary bussing of students. Savings unknown.

MOUNTAIN VIEW PUBLIC SCHOOL,
Mountain View, Ark., November 14, 1973.

HON. BILL ALEXANDER,
U.S. Capitol,
Washington, D.C.

DEAR BILL: Although the energy crisis will certainly present a serious situation and bring hardships on many of us, I also believe it is an opportunity for our leaders to use this situation to unite this country in a team effort to overcome a serious problem within our country. We have been too wasteful and we have not taught our young people to take care of what they have.

We have not taught them to appreciate the conveniences they enjoy each day and consequently we have gotten ourselves into a serious situation. Not since World War II has there been a situation where people in this country could unite together and the average citizen could be made to feel an important part in solving a serious problem.

It is my hope that the leadership of this country will use this situation as a method of teaching conservation and appreciation to the people of this country.

The Mountain View School will formulate a plan involving student leaders and faculty members that we will implement at an early date, to conserve energy and to teach appreciation for what we have on the part of our faculty and students.

With kindest personal regards, I am

Your very truly,

B. J. ROSA,
Superintendent.

THE ENERGY SHORTAGE

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. DRINAN. Mr. Speaker, last Sunday's edition of the Washington Star-News carried an excellent article on the energy shortage by former Congressman and Secretary of the Interior Stewart L. Udall and freelance writer Charles N. Conconi. The energy crisis is uppermost in the minds of all of us, and I am sure the economic, social, and political consequences of this shortage of crisis proportions will be prevasive and long term.

I am sure that all of my colleagues are anxious to have as much information and as many points of view about the energy crisis as possible, and for that purpose, I commend for their review the following article:

[From the Washington Star-News, Dec. 2, 1973]

ENERGY

(By Stewart L. Udall and Charles N. Conconi)

With a potential economic Pearl Harbor about 60 days away, it is incredible that a business-as-usual, slight-bump-in-the-road

attitude still prevails in the Nixon administration. Despite warnings signs flashing everywhere, the President put on a remarkable display of insouciance a week ago when he advised the American people that a serious crunch could be avoided by reducing highway speeds, closing gas stations on Sundays, lowering thermostats, allocating fuel oil, and eliminating outdoor lighting.

On the apparent assumption that we need a good-news sugar-coating on our conservation pill, the President also insists on his prediction that the United States will achieve "energy independence" by 1980, although we can find no one in the higher echelons of his administration who believes there is any hope of attaining such a goal. And he continues to make glowing promises about the day when "We will once again have those plentiful supplies of inexpensive energy. . . ."

The truth is that the era of cheap energy is ending, and the script for the 1970s, a script that reads "shortages and conservation," already has been written. The energy crisis is not temporary, and whether the President or any of the rest of us likes it or not, the oil binge is over. We will face serious energy shortages of various kinds for the remaining years of this century and dramatic economic and social changes that will affect this country and the world.

In fairness to the President few politicians are willing to face the hard decisions about rationing and other restrictive measures that will be necessary.

We are a spoiled, self-indulgent society of optimists that always has demanded more than is needed, as though the society were blessed with some special right to anything it might take to make life more comfortable and convenient.

So it isn't very likely that we will face or listen to the Cassandra warnings now, any more than we listened to two decades of warnings about the rapidly diminishing oil supply.

Some oilmen have begun to level with the American people, and we believe their warnings should be taken seriously. In a recent speech at the University of Texas, Robert O. Anderson, chairman of Atlantic Richfield Co., an oil leader not given to exaggeration, described the energy situation as not just serious but potentially "catastrophic." Warning of an 8 or 9 percent unemployment rate, with possibly 8 million out of work, in 1974 unless the Arab oil boycott is lifted, Anderson said there is "nothing we can do that will save us from a major and lasting change in the American life style—indeed in the whole American system." The oil executive was markedly pessimistic about the near-term outlook. He said it would be "tragic" if Americans believe the current energy crisis can be solved by "nuclear power or solar power or any other kind of power save that derived from old-fashioned combustion of gas, oil and coal."

Anderson is right, big changes are ahead, and most of them involve leaner lifestyles for everyone. The swift events of the energy crisis are forcing us to recognize that, in practical terms, there are yet no "substitutes" for petroleum—and alternative sources of energy are 20 to 30 years away. We have been literally burning up the future as though there were no tomorrow, and the President must now admit that irretrievable "lead time" has been lost and cannot be regained.

From this point on, national prudence dictates that we operate from the most conservative set of assumptions about the future. Yet our over-weening approach to "progress" stands in the way of rational planning. Instead of hoping for the best and preparing for the worst, we have been unwisely preening ourselves on our ability to produce technological "miracles."

But we begin to perceive now that the phenomenal postwar American success story was founded far more on cheap oil than on the storied American know-how. The enormous quantities of cheap oil and gas which were the real economic foundation of our postwar production spurge.

The gluttonous oil appetite of the automobile, that eternal monument to inefficiency and waste, is the primary example of our irresponsibility. It represented such a significant part of our lives that former General Motors President James Roche could say without fear of being disputed: "I think the average American today would give up about anything before he gives up his automobile."

With much of the nation's economic well being tied to Detroit and its irrational ties to the energy-inefficient, gas-guzzling internal combustion engine, the projections of 179 million registered vehicles in the United States by 1985 were welcome. Since roughly one-fifth of all jobs in the United States are directly or indirectly tied to the automobile, why shouldn't more cars obviously mean increased prosperity?

Such a growth projection, we now know, is not even possible. The U.S. automotive culture is at a point of climax: there will never be anything like it again in human history. There is no way we can increase U.S. oil production to supply the cars we want for ourselves in the 1970's, much less meet the mindless 1980's goal of the automaniacs. And with Arab oil skyrocketing toward a \$10 per barrel price, the "Arab alternative" is not viable even if the embargo is lifted!

We are depleting oil reserves at a frightening pace—and even if the Arabs are placated, foreign oil will never again be cheap, nor will the highly touted Alaskan pipeline, draining the largest oil field in North America, give us more than a modest lift in the 1980's.

Strangely, there are still a few "boomer" oilmen around who believe that, given fresh tax incentives, their industry can expand its drilling and bail us out. The oil industry has some right to boast about its exploration record. For more than four decades it has found oil in the Arabian deserts, beneath the seas, in the Alaskan Arctic and in the backcountry of Australia. And it is undoubtedly true that new oil awaits discovery. But the days of easy, cheap wildcatting are over, as all oilmen know, and the environmental and economic costs of tapping increasingly hard-to-reach deposits will be great. The U.S. oil industry will be doing very well in the next decade if it keeps our production near its current level.

Extracting modest quantities of oil from Colorado oil shale may be possible in a few years, but no one believes oil from oil shale can be more than a supplemental petroleum resource in the 20th century.

In short, there are no easy answers and no technological quickie solutions. Nor will a super scientist or politician appear to break the bondage of oil over our lives. Drastic reforms are needed—and the sooner we initiate them the better.

The first step might be an immediate 10-cents per gallon federal tax on gasoline that, although regressive in that it is borne most heavily by low income people, could be earmarked for a special Emergency Transportation Fund. Such a fund, like the present Highway Trust Fund, could be used in a crash program to develop an extensive, free, or at least cheap public transportation system.

Existing intracity mass transit systems could be subsidized and the cities given billions to build and subsidize versatile mass transit systems, including everything from bikeways to monorails with the goal of making one-man-one-car transportation obsolete and making the second car an intolerable expense.

Railroads would be subsidized and encouraged to produce a new generation of fast trains that would shift much of our intercity passenger and freight traffic from highways and aircraft to fuel-saving railways.

Congress should enact a law, effective in 1975, that would mandate that no passenger cars could be manufactured unless their weight and horsepower are reduced sufficiently that a 25-miles-per-gallon performance is assured.

There would be many benefits to such a cutback on driving. The air pollution problems, which are primarily caused by the automobile, would be reduced; a slowing of the urban sprawl would save precious land; at least 15,000 lives would be saved annually, and the dollar devaluation crisis could be eased.

The discipline and self restraint proposed by the President is, of course, necessary. The immediate future is going to be difficult and economic setbacks are coming as a sensible transition is made in creating a society that is energy efficient and waste conscious.

A nation that bases any crucial national policy on myths is inviting disaster. We must stop living by our old illusions of omnipotence—or on the feckless assumption that Secretary Henry Kissinger can through sleight of hand maneuvers get the Arab oil taps turned on.

TRIBUTE TO TOM PELLY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 29, 1973

Mr. SHRIVER. Mr. Speaker, all of us were deeply saddened by the passing of our good friend and former colleague in the House of Representatives, Tom Pelly.

Tom Pelly served his constituents in the First District of the State of Washington with distinction for two decades. He fully understood what the term "representative" means to our form of government, and his integrity and willingness to work hard at the job served as an unforgettable example for us all.

Tom's service to his hometown of Seattle and the Puget Sound area began long before his "second career" as a legislator. His contributions to cultural and commercial enterprises in the years surrounding World War II led to his being awarded the coveted "First Citizen of Seattle" honor in 1950.

Most of us, however, were more familiar with his service as a highly respected Member of Congress and a fighter for his district. Since I also have a Boeing Co. facility in my district, I well remember how Tom reacted whenever that company, with all its impact on the economy of the Seattle area, was threatened with what he considered to be arbitrary and unwise Federal actions.

All of us also remember Tom's dedication to sound Federal fiscal policies and his strong and articulate opposition to uncontrolled "backdoor" spending. We need more like him, not less, in the Congress.

This was a man of strength, of honesty, courtesy, and decency. He served his constituents and his country well. He surely earned a long and rewarding re-

tirement, but this was not to be. We will miss him.

Mrs. Shriver joins me in expressing our heartfelt sympathy to Mrs. Pelly and their family in this time of great sorrow.

CITIZEN INVOLVEMENT IN URBAN PLANNING

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. FAUNTROY. Mr. Speaker, on Friday, November 16, 1973, I had the privilege of speaking before the National Capital chapter of the American Institute of Planners. I used this opportunity to express my strong belief that those affected by urban development should be allowed to take role in its planning. I have always considered this issue to be of high importance and have consistently urged and fought for the largest possible measure of citizen participation in the planning of urban development and zoning projects. I would like to share my speech to the planners with my colleagues in the House of Representatives as I am sure that it is a topic of interest to them.

The speech follows:

STATEMENT OF CONGRESSMAN WALTER E. FAUNTROY BEFORE THE NATIONAL CAPITAL AREA CHAPTER OF THE AMERICAN INSTITUTE OF PLANNERS

I welcome this opportunity to meet and discuss with you some of the planning possibilities which will arise from passage of the Home Rule Bill. Urban planning and development, as many of you know, is for me an avocation. From the time that I returned to this city as the minister of my home church in the inner city and was confronted with the short and long range effects of urban renewal on this my native city, urban planning and development have been a passion for me. After nearly five years of study and preparation, I came up with and began implementing what I call the "Shaw Urban Renewal Process." Therefore, I'm right at home with the subject you've asked me to address.

Before I discuss some specifics of the bill, let me remind you of two important prerequisites to meaningful planning that my experience has taught me.

First, irrespective of the mechanism used, planners must talk with the people for whom they are planning. This "people perspective" in the planning process is essential for workable city development plans—thus, my emphasis upon planning with and for the people affected by community development actions in the Shaw Renewal concept.

Second, planning must be comprehensive, taken in the context of the needs and desires of the entire city. When I was developing the planning concept for Shaw, I put it this way in a statement before the National Capital Planning Commission:

"Let us together fashion an attack upon the problems of the Shaw area that would coordinate and concentrate all available Federal resources—in housing construction, in job training, in health facilities, in recreation, in welfare programs, in education, transportation, and municipal services—to improve both physical and social conditions for the people who live and work there. Nothing less than such an approach, planned and carried out with the continuing participation of

residents of the area can revitalize the Second Precinct, U Street business district. In short, we want the area renewed both physically and socially by and for the people who presently live and work there."

The future of this city must be in the hands of all its citizens. The specific element of the planning process should be based on carefully thought through social and environmental objectives as well as economic objectives.

I would be among the first to agree that there have been several bad planning decisions recently. In recent years, the appointed Mayor and the members of the City Council who serve on the Zoning Commission have sought to convert the Commission from its quasi-judicial functions into a tax revenue office, handing out building rights, as if they were for sale, to developers promising the highest short-range tax benefits. This has meant a wholesale repudiation of the idea of a comprehensive plan for the District since the opportunity for speculative profits is greatest if high-rise office buildings are constructed in a neighborhood planned to be predominantly residential or low-density commercial.

Throughout the city, developers have rushed in to buy cheap land and to propose high-rise developments in repudiation of the comprehensive plan in the hopes of securing quick profits. Consistently, a majority of the presently-appointed Zoning Commission has given them a green light to do so. This was true in Friendship Heights, in McLean Gardens, on Capitol Hill, on 14th and Pennsylvania Avenue, S.E., and on the Georgetown Waterfront, just to name a few of several such cases.

Under the provisions of the Home Rule Bill, the Congress is about to approve, the allocation of planning responsibility and authority will become an executive staff function under the direct control of the elected Mayor. The Bill specifically states that the Mayor "shall be the central planning agency for the District of Columbia . . .". The Mayor "shall be responsible for coordinating the planning activities of the District Government and for preparing and implementing the District elements of the comprehensive plan for the national capital region, including a multi-year program of public works for the District."

The main functions of the central planning staff under the Mayor will be:

1. Coordination of all physical, social, economic, redevelopment, and transportation planning of District Agencies. I hope that "coordination" will be taken to mean involving agencies in the preparation of comprehensive plans as well as making sure that agency plans are consistent with overall plans and with the plans of other agencies;
 2. Preparation of comprehensive plans and sectional plans for citizen review and adoption by the Mayor and City Council and review by the NCPC;
 3. Preparation of zoning text and map changes and preparation of case reviews for the Zoning Commission and the Board of Zoning Adjustment;
 4. Provision of a framework for citizen participation in the planning/zoning process. This should include improved hearing and public notice procedures. The Bill specifically states that public hearings must be held before the Mayor submits planning recommendations to the City Council;
 5. Additional staff functions such as: review of federal projects for advice to D.C. NCPC Board Members, as well as staff work for D.C. representatives to COG and WMATA.
- The Mayor shall submit, following appropriate public hearings, each District element of the comprehensive plan and any amendments thereto, to the City Council for revision or modification, and adoption, by act, following public hearings. Following final

adoption by the City Council, the act must then be submitted to the expanded NCPC which has 60 days to review for their impact on the federal establishment. If the NCPC takes no action within that 60 days, the act shall be enforced. If, however, the NCPC certifies the plans have a negative impact, the Council may either accept the NCPC recommendations and modify their plans, or reject the NCPC recommendations and re-submit its plans. The Commission then has 30 days to do a second review. If the Council makes modifications, the Commission has 60 days for a second review. If following the second review, the NCPC certifies a negative impact, the act cannot be implemented.

Throughout this process, the citizens will have an opportunity to make their desires felt. The Mayor must hold public hearings before submitting plans to the Council. The Council and the NCPC can each schedule public hearings. It is my hope that the city officials will make the process as open as possible. It is far better to err on the side of citizen involvement than on the side of expedience.

Under this bill, the NCPC will have 12 members: 7 ex-officio members (Secretary of Interior, Defense, the Administrator of the GSA, the Mayor, the Council Chairman, Senate and House District Committee Chairmen) and 5 citizen members—3 appointed by the President, 2 by the Mayor, both of whom must be bona fide residents of D.C. One presidential appointee must be from Maryland and one from Virginia.

In addition, the bill creates a 5-member Redevelopment Land Agency appointed by the Mayor with Council approval as an instrumentality of the D.C. Government. The National Capital Housing Authority is transferred to the D.C. Government along with all employees, property, and funds.

Under the bill, it will be possible for the city government to prepare its comprehensive plans on city-wide, service area, and sub-service area basis. It is most important that the initial planning and citizen involvement be on the smallest geographical scale possible.

With elected officials and the authority for self-determination, the District Government will finally have the authority, indeed the mandate, to become responsible and responsive to the needs of this community. With a constituency for the first time, the elected leaders of this city will not only have the legal right of decision-making, but the political incentive as well, and will no longer be able to shift responsibility onto someone else's shoulders. It has always been a temptation to attempt to shift all responsibility to Congress because in actual fact, that's where much of the responsibility has lain—much but not all. Next year, the city officials must face their constituencies.

It will now be the responsibility of the Mayor to develop a human planning process, a planning process which can check the blind developer interest, a process which will respond to the citizen's interests. Perhaps now we will be able to operate on the principle that government does not exist for profit, it exists for people. The most important aspect of planning under home rule will be that the citizens will have an effective check on the process through their power to elect, re-elect, or defeat those officials who hold the responsibility.

Let me now turn to one aspect of the planning process which I think is most crucial to the future of our city: housing. The District needs a workable means to mount a coordinated and well-financed effort to meet the housing problems confronting this city. Recently, I introduced a bill that would create an Urban Development Corporation in the District.

This Urban Development Corporation, similar to the New York Corporation which

has developed housing and other land uses could be operated as a non-profit corporation under a Board of Directors made up of local citizens. It could be established through an act of Congress and operate to acquire, construct, reconstruct, rehabilitate or improve residential, commercial, industrial, public, cultural, recreational, and transportation facilities.

It should have the power to clear, to plan, to replan, build, reconstruct, and rehabilitate substandard, insanitary or vacant areas. For these purposes, it should be able to spend public money and be able to acquire private property through the exercise of the power of eminent domain. It should pursue a policy for the District of Columbia to maximize a high level of urban design in preparation for the Bicentennial and to maximize a multitude of uses at Metro stations and in other areas available for private development including government employment sites.

The Corporation should aim at developing mixed-income communities, providing a variety of housing and drawing upon a variety of government programs: rent supplement, and below market interest rate mortgage subsidies together with private market rents to get people of diverse income, ages, and family sizes together and in proximity to transportation, shopping, and recreational facilities.

The Corporation should have all of the authority traditional for the exercise of private powers and should be able to borrow money, issue bonds and other obligations of indebtedness and to provide for the rights of the holders of those bonds and indebtedness; it should be able to make and execute contracts, to acquire property and hold it for immediate or future use, to improve or rehabilitate it, to sell or sign, change, transfer, convey, lease, mortgage, or otherwise dispose of it; the UDC should be able to loan or grant monies, to conduct, assist, promote and encourage technical assistance, social service consultant services, planning, research, architectural, and engineering studies, and to manage a project or to enter into agreement with others to undertake the management; it should be able to invest funds, procure insurance, sell, lease, assign, transfer, convey, exchange, mortgage or otherwise dispose of or encumber any project.

It could form satellite corporations in specific neighborhoods and it could draw upon government programs such as "Title Seven" of the 1970 Housing Acts and provisions available to public housing agencies and non-profit sponsors of moderate and low income housing. This Corporation should be able to deal with buildings on a spot basis in residential areas or to undertake larger civic projects.

To carry out this activity, the corporation will need some front money from the Congress to carry it through a formative period. Thereafter, it should be able to issue bonds which could be sold at public or private sales and may be exempt from tax.

The full faith and credit of the Corporation for all obligations shall be pledged in the bonds and the monies could be held by the U.S. Treasury Department. This Corporation would be able to spearhead that initiative for the people of the District of Columbia which the President has indicated he is willing to leave to the people of local jurisdictions.

If the appointed leaders of this city are serious about dealing with the imperative challenge of substandard housing in the District, they will put their weight publicly and privately behind this legislation. If they think this bill is inadequate, they have been promising to submit legislation for several years now. Let's see it. If not, let's move on this bill—for the city's sake. Now is the time for action for our city, not next year during an election campaign.

December 4, 1973

QUESTIONNAIRE

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. MOSS. Mr. Speaker, early in November, I again sent out my annual questionnaire to determine the views of my constituents on a number of major issues facing the Nation. The more than 40,000 responses, which represent a remarkable 20-percent return, have been tabulated by computer as follows:

1. OF THE FOLLOWING ISSUES, WHICH DO YOU CONSIDER TO BE THE MOST IMPORTANT (CHOOSE AS MANY AS 5)

| | Total | His | Hers |
|----------------------------------|--------|--------|--------|
| Total sample | 39,919 | 20,102 | 19,817 |
| Percent | 100 | 100 | 100 |
| A. Cost of living | 30,967 | 15,499 | 15,468 |
| Percent | 77.6 | 77.1 | 78.1 |
| B. Crime | 16,756 | 8,194 | 8,562 |
| Percent | 42.0 | 40.8 | 43.2 |
| C. Energy crisis | 21,876 | 11,123 | 10,753 |
| Percent | 54.8 | 55.3 | 54.3 |
| D. Environment | 14,558 | 7,266 | 7,292 |
| Percent | 36.5 | 36.1 | 36.8 |
| E. Watergate | 18,966 | 9,712 | 9,254 |
| Percent | 47.5 | 48.3 | 46.7 |
| F. Drug Abuse | 10,442 | 4,868 | 5,574 |
| Percent | 26.2 | 24.2 | 28.1 |
| G. Federal tax reform | 16,590 | 8,929 | 7,661 |
| Percent | 41.6 | 44.4 | 38.7 |
| H. Consumer protection | 11,621 | 5,650 | 5,971 |
| Percent | 29.1 | 28.1 | 30.1 |
| I. Health care | 15,465 | 7,292 | 8,173 |
| Percent | 38.7 | 36.3 | 41.2 |
| J. Education | 8,786 | 4,128 | 4,658 |
| Percent | 22.0 | 20.5 | 23.5 |
| K. Unemployment | 9,710 | 4,793 | 4,917 |
| Percent | 24.3 | 23.8 | 24.8 |
| L. Rising highway fatalities | 3,248 | 1,591 | 1,657 |
| Percent | 8.1 | 7.9 | 8.4 |
| Ranking: | | | |
| His: A, C, E, G, B, I, D, H, F, | | | |
| K, J, L | | | |
| Hers: A, C, E, B, I, G, D, H, F, | | | |
| K, J, L | | | |

2. HOW DO YOU RATE THE WORK OF CONGRESS THUS FAR THIS YEAR

| | Total sample | His | Hers |
|---------|--------------|--------|--------|
| Percent | 37,992 | 19,240 | 18,752 |
| | 100 | 100 | 100 |
| A. Good | 4,320 | 2,065 | 2,255 |
| Percent | 11.4 | 10.7 | 12.0 |
| B. Fair | 18,319 | 8,856 | 9,463 |
| Percent | 48.2 | 46.0 | 50.5 |
| C. Poor | 15,353 | 8,319 | 7,034 |
| Percent | 40.4 | 43.3 | 37.5 |

3A. HOW DO YOU RATE THE LEADERSHIP OF PRESIDENT NIXON ON FOREIGN AFFAIRS

| | Total sample | His | Hers |
|------------------|--------------|--------|--------|
| Percent | 38,739 | 19,551 | 19,188 |
| | 100 | 100 | 100 |
| A. Effective | 17,122 | 9,060 | 8,062 |
| Percent | 44.2 | 46.3 | 42.0 |
| B. Not effective | 14,916 | 7,517 | 7,399 |
| Percent | 38.5 | 38.4 | 38.6 |
| C. Undecided | 6,701 | 2,974 | 3,727 |
| Percent | 17.3 | 15.3 | 19.4 |

3B. HOW DO YOU RATE THE LEADERSHIP OF PRESIDENT NIXON ON DOMESTIC AFFAIRS

| | Total sample | His | Hers |
|------------------|--------------|--------|--------|
| Percent | 38,040 | 19,214 | 18,826 |
| | 100 | 100 | 100 |
| A. Effective | 4,290 | 2,222 | 2,068 |
| Percent | 11.3 | 11.6 | 11.0 |
| B. Not effective | 30,148 | 15,344 | 14,804 |
| Percent | 79.3 | 79.8 | 78.7 |
| C. Undecided | 3,602 | 1,651 | 1,951 |
| Percent | 9.4 | 8.6 | 10.3 |

EXTENSIONS OF REMARKS

4A. DO YOU BELIEVE THE PRESIDENT IS INVOLVED IN THE WATERGATE COVERUP

| | Total | His | Hers |
|--------------|--------|--------|--------|
| Total sample | 39,239 | 19,735 | 19,504 |
| Percent | 100 | 100 | 100 |
| A. Yes | 29,817 | 15,012 | 14,792 |
| Percent | 76.0 | 76.1 | 75.6 |
| B. No | 5,668 | 2,902 | 2,769 |
| Percent | 14.4 | 14.7 | 14.6 |
| C. Undecided | 3,754 | 1,812 | 1,942 |
| Percent | 9.6 | 9.2 | 9.9 |

4B. IF UNLAWFULLY INVOLVED, SHOULD HE BE IMPEACHED

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 38,891 | 19,563 | 19,328 |
| | 100 | 100 | 100 |
| A. Yes | 28,789 | 14,667 | 14,122 |
| Percent | 74.0 | 75.0 | 73.1 |
| B. No | 7,163 | 3,606 | 3,557 |
| Percent | 18.4 | 18.4 | 18.4 |
| C. Undecided | 2,939 | 1,290 | 1,649 |
| Percent | 7.6 | 6.6 | 8.5 |

4C. SHOULD THE PRESIDENT BE IMPEACHED IF HE REFUSES TO OBEY A COURT ORDER

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 38,952 | 19,598 | 19,354 |
| | 100 | 100 | 100 |
| A. Yes | 26,834 | 13,591 | 13,243 |
| Percent | 68.9 | 69.3 | 68.4 |
| B. No | 8,163 | 4,209 | 3,953 |
| Percent | 21.0 | 21.4 | 20.5 |
| C. Undecided | 3,955 | 1,807 | 2,148 |
| Percent | 10.1 | 9.3 | 11.1 |

5. ARE YOU SATISFIED WITH YOUR MAIL SERVICE

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,534 | 18,985 | 18,549 |
| | 100 | 100 | 100 |
| A. Yes | 21,960 | 11,221 | 10,739 |
| Percent | 58.5 | 59.1 | 57.9 |
| B. No | 13,943 | 6,981 | 6,968 |
| Percent | 37.2 | 36.8 | 37.6 |
| C. Undecided | 1,622 | 783 | 842 |
| Percent | 4.3 | 4.1 | 4.5 |

6. SHOULD THE PRESIDENT BE PROHIBITED FROM IMPOUNDING FUNDS THAT HAVE BEEN VOTED BY CONGRESS FOR SPECIFIC PROGRAMS

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,330 | 18,891 | 18,439 |
| | 100 | 100 | 100 |
| A. Yes | 26,375 | 13,054 | 13,321 |
| Percent | 70.7 | 69.1 | 72.2 |
| B. No | 8,301 | 4,650 | 3,651 |
| Percent | 22.2 | 24.6 | 19.8 |
| C. Undecided | 2,654 | 1,187 | 1,467 |
| Percent | 7.1 | 6.3 | 8.0 |

7. SHOULD NO-FAULT AUTO INSURANCE BE ADOPTED AS A NATIONAL POLICY

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 36,949 | 18,716 | 18,233 |
| | 100 | 100 | 100 |
| A. Yes | 24,769 | 13,179 | 11,590 |
| Percent | 67.0 | 70.4 | 63.6 |
| B. No | 5,388 | 2,664 | 2,724 |
| Percent | 14.6 | 14.2 | 14.9 |
| C. Undecided | 6,792 | 2,873 | 3,919 |
| Percent | 18.4 | 15.4 | 21.5 |

8. SHOULD PART OF THE HIGHWAY TRUST FUND BE DIVERTED FROM ROADBUILDING TO HELP FINANCE LOCAL TRANSIT SYSTEMS

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,094 | 18,780 | 18,314 |
| | 100 | 100 | 100 |
| A. Yes | 26,123 | 13,141 | 12,982 |
| Percent | 70.4 | 70.0 | 70.9 |
| B. No | 8,224 | 4,471 | 3,753 |
| Percent | 22.2 | 23.8 | 20.5 |
| C. Undecided | 2,747 | 1,168 | 1,579 |
| Percent | 7.4 | 6.2 | 8.6 |

9. SHOULD WAGES, PRICES, RENTS, AND INTEREST RATES BE CONTROLLED TO FIGHT INFLATION

| | Total | His | Hers |
|--------------|--------|--------|--------|
| Total sample | 36,913 | 18,656 | 18,257 |
| Percent | 100 | 100 | 100 |
| A. Yes | 21,897 | 10,981 | 10,916 |
| Percent | 59.3 | 58.9 | 59.8 |
| B. No | 9,561 | 5,265 | 4,296 |
| Percent | 25.9 | 28.2 | 23.5 |
| C. Undecided | 5,455 | 2,410 | 3,045 |
| Percent | 14.8 | 12.9 | 16.7 |

10. SHOULD WE CONTINUE TO BUILD AND OPERATE NUCLEAR POWERPLANTS (SUCH AS RANCHO SECO) TO HELP MEET OUR ENERGY NEEDS?

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,096 | 18,759 | 18,337 |
| | 100.0 | 100.0 | 100.0 |
| A. Yes | 27,963 | 14,812 | 13,151 |
| Percent | 75.4 | 79.0 | 71.7 |
| B. No | 4,489 | 2,047 | 2,442 |
| Percent | 12.1 | 10.9 | 13.3 |
| C. Undecided | 4,644 | 1,900 | 2,744 |
| Percent | 12.5 | 10.1 | 15.0 |

11. WOULD YOU SUPPORT LEGISLATION BARRING SMOKING IN PUBLIC PLACES SUCH AS RESTAURANTS, THEATERS, PLANES, BUSES, TRAINS, AND OTHER CONFINED AREAS?

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,435 | 18,881 | 18,554 |
| | 100.0 | 100.0 | 100.0 |
| A. Yes | 22,698 | 11,143 | 11,555 |
| Percent | 60.6 | 59.0 | 62.3 |
| B. No | 13,033 | 6,907 | 6,126 |
| Percent | 34.8 | 36.6 | 33.0 |
| C. Undecided | 1,704 | 831 | 873 |
| Percent | 4.6 | 4.4 | 4.7 |

12. SHOULD A JOURNALIST HAVE THE RIGHT TO PROTECT HIS SOURCES?

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,237 | 18,821 | 18,416 |
| | 100.0 | 100.0 | 100.0 |
| A. Yes | 27,710 | 13,897 | 13,813 |
| Percent | 74.4 | 73.8 | 75.0 |
| B. No | 6,218 | 3,380 | 2,838 |
| Percent | 16.7 | 18.0 | 15.4 |
| C. Undecided | 3,319 | 1,544 | 1,775 |
| Percent | 8.9 | 8.2 | 9.6 |

13. SHOULD THE UNITED STATES GIVE ECONOMIC AID TO NORTH VIETNAM?

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,374 | 18,850 | 18,524 |
| | 100.0 | 100.0 | 100.0 |
| A. Yes | 3,610 | 1,991 | 1,619 |
| Percent | 9.7 | 10.6 | 8.7 |
| B. No | 30,319 | 15,372 | 14,947 |
| Percent | 81.1 | 81.5 | 80.7 |
| C. Undecided | 3,445 | 1,487 | 1,958 |
| Percent | 9.2 | 7.9 | 10.6 |

14. SHOULD WE CUT OUR MILITARY FORCES IN EUROPE?

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,143 | 18,758 | 18,385 |
| | 100.0 | 100.0 | 100.0 |
| A. Yes | 21,402 | 11,086 | 10,316 |
| Percent | 57.6 | 59.1 | 56.1 |
| B. No | 10,685 | 5,544 | 5,141 |
| Percent | 28.8 | 29.6 | 28.0 |
| C. Undecided | 5,056 | 2,128 | 2,928 |
| Percent | 13.6 | 11.3 | 15.9 |

15. SHOULD WE CONTINUE TO SELL WHEAT AND OTHER FOOD PRODUCTS TO RUSSIA AND CHINA, EVEN IF IT MEANS POSSIBLE SHORTAGES AND HIGHER PRICES AT HOME?

| | Total sample | His | Hers |
|--------------|--------------|--------|--------|
| Percent | 37,585 | 18,944 | 18,641 |
| | 100.0 | 100.0 | 100.0 |
| A. Yes | 2,497 | 1,492 | 1,005 |
| Percent | 6.6 | 7.9 | 5.4 |
| B. No | 33,368 | 16,587 | 16,781 |
| Percent | 88.8 | 87.6 | 90.0 |
| C. Undecided | 1,720 | 865 | 855 |
| Percent | 4.6 | 4.5 | 4.6 |

15. DO YOU THINK THE FEDERAL GOVERNMENT IS PROVIDING ADEQUATE MEDICAL CARE AND FINANCIAL ASSISTANCE TO THOSE IN NEED?

| | Total | His | Hers |
|-------------------|--------|--------|--------|
| Total sample..... | 37,406 | 18,848 | 18,558 |
| Percent..... | 100 | 100 | 100 |
| A. Yes..... | 9,906 | 5,308 | 4,598 |
| Percent..... | 26.5 | 28.2 | 24.8 |
| B. No..... | 22,908 | 11,266 | 11,642 |
| Percent..... | 61.2 | 59.8 | 62.7 |
| C. Undecided..... | 4,592 | 2,274 | 2,318 |
| Percent..... | 12.3 | 12.0 | 12.5 |

RUSH TO THE SOVIET UNION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. ASHBROOK. Mr. Speaker, a rush is on to see who can help the Soviets the most. Neither our Government nor many in the business community seem to be hesitant when it comes to building the Soviet Union. I have been pointing out the direct links between the buildup of Soviet industry and the buildup of the Soviet military machine.

Unfortunately, these warnings seem to have fallen on deaf ears in the executive branch of the Government. The American people showed their disapproval of the Soviet wheat deal in letters to congressional offices and a number of other ways. Once, the full impact of present moves in Soviet "trade" are felt, I do not doubt that there will be an even larger public outcry.

It seems that each week the newspapers contain more articles on expanded dealings with the Soviet Union. Two recent deals are detailed below in stories from the Washington Star-News of November 26, 1973 and from the Daily News Record of the same date. The Star-News article details the building of plant manufacturing a chemical which is one of the building blocks of the petrochemical industry. The texts of the articles follow:

[From the Washington Star-News, Nov. 26, 1973]

U.S. FIRMS TO DELIVER FACTORY TO UKRAINE

ST. LOUIS, Mo.—Monsanto Co. of St. Louis and a New Jersey firm signed a \$45 million agreement with the Soviet Union on Friday for the design and the technology of a chemical plant in the U.S.S.R.

The \$45 million covers the licensing fee for the technological rights from Monsanto and the cost of design and planning. Construction will be handled by Soviet construction ministries.

Spokesmen for Monsanto and the Lummus Co. of Bloomfield, N.J., said the deal was the first between the United States and Russia to involve a completely equipped production plant. Previous deals were for separate pieces of equipment only.

The deal was concluded with Techmash-import, the Soviet agency responsible for importing technological processes.

Under the agreement, the Soviet Union will provide a 10 percent down payment and the rest will be financed in the United States. Spokesmen for the two American firms said

the financial arrangements have not been completed.

However, they said the Export-Import Bank was expected to extend its "standard" terms which would range from eight to 15 years.

The two firms will design and deliver an acidic acid plant to be erected in the Ukrainian city of Sverdlovsk. The plant will produce 150,000 tons of acetic acid annually by 1978. Spokesmen explained that the chemical is a major "building block" of the petrochemical industry.

The acetic acid production process was developed recently by Monsanto and is used at the firm's Texas City, Tex., plant. Soviet engineers will be trained there before the Sverdlovsk factory begins production.

[From the Daily News Record, Nov. 26, 1973]

TWO U.S. FIRMS PLAN PLANT FOR RUSSIA

(By Matthew Kasten)

NEW YORK.—Willcox & Gibbs, Inc., and an unnamed American producer of men's and women's outerwear are planning to jointly build a turnkey manufacturing plant in Russia.

The plans are a result of a 14-day U.S. Apparel Trade Mission visit in October to Belgrade, Budapest, Prague and Moscow.

Alfred O. P. Leubert, president and chief executive officer of Willcox & Gibbs, in revealing the plans, said his firm and the outerwear producer, which he declined to identify, "see eye-to-eye" on the project. Leubert plans to visit Russia again in about five months in line with the turnkey project.

"It's a market we can't say no to. The Russians are keenly interested in turnkey programs. It's the big market for sales of sewing machinery," he emphasized.

The other countries the group visited are more interested in exporting apparel products. The Russians are not producing enough apparel items for home consumption, he said.

The mission was organized by the American Apparel Manufacturers Association and sponsored by the U.S. Department of Commerce. It was said to be the first major U.S. trade mission in consumer goods to the USSR and the other Eastern European countries.

Leubert said he feels Russian consumers are putting pressure on the government to make more merchandise available and to put more styling into apparel.

"One of the Russian ministers asked one of the American mission members why it was necessary for his shirt to have a stripe pattern," Leubert related. Before the American could answer, Leubert said, "the female Russian interpreter asked the minister why the fashion stripe should not be there."

There is a very limited amount of apparel styling in Russia, although some young women were seen with fashionable hair styles. Apparel plants operate under a five-year plan in Russia and manufacture a quantity of a product which must be almost completely sold out at the retail level before it goes into production again, Leubert explained. In addition, the quality of the merchandise is poor and there appears to be no quality control at the plants.

Also, the prices are very high. There is no relationship between production cost and retail price. "We saw Yugoslavian-made apparel priced way out of line," Leubert said.

The mission wasn't permitted to visit a Russian apparel plant, but it is believed the plants do have good equipment. The problem there, as in plants the mission visited in Yugoslavia and Hungary, is that there is no know-how, initiative, planning or utilization of equipment to the fullest capacity.

The U.S. mission saw no automated sewing equipment at sites it visited and believes there are none in any of the Russian plants.

"There is no labor shortage in Russia," Leubert said, "consequently there is no need for any of the sophisticated devices or equipment available from Western countries. That includes such items as automatic needle positioners, automatic thread cutting and fabric transport systems."

"In addition the work pace at the plants in those four countries is considerably slower than in the U.S. In Yugoslavia, productivity is about 50 per cent of what it is in the U.S., and in Hungary it is about 60 per cent. In Russia, it takes up to six hours to make an outerwear garment that takes about 1 1/4 hours to make in the United States."

The Russians, it is believed, make some of their own sewing room equipment and buy some from East Germany.

The plant the mission visited in Yugoslavia had 5,000 employees and fairly recent Italian-made machinery, some German-made and a few Japanese. But work handling methods and the pace of operation weren't up to U.S. standards.

The country is seen as a very good market for sewing machine sales.

Garments are being made for export to Western Europe and to major department stores throughout the U.S., he said.

This one plant made a wide variety of products—suits, slacks, sport coats, rainwear, and heavy outerwear. It is Government owned on a co-operative employee basis. Private enterprise is permitted where a plant has 25-30 employees.

In Hungary, the picture was not too dissimilar from Yugoslavia's. Equipment wasn't the latest available and material handling and quality control problems were evident. The plant did only cut-and-trim work, and, as in Yugoslavia, pay was very low. Garments were being made for export to East and West European countries.

Leubert noted that there were some U.S. joint ventures in Yugoslavia, but that none is permitted in Hungary at this time although applications for them are being taken. Leubert said he sees Hungary ripe for a joint venture involving its Sunbrand operation.

The trade mission found Czechoslovakia to be in a highly depressed state because of its political situation.

Styling was missing on the clothing items seen at Czech stores and Hungary retailers showed more fashion-oriented items than those in the other three countries, he said.

Although the group couldn't visit a garment producing facility, it was told machinery used is made in Italy and in East and West Germany.

Willcox & Gibbs, Leubert said, was able to arrange for a sales representative in Czechoslovakia.

U.S. production know-how far exceeds that found in the four countries toured and has become an even more important factor in recent years as the labor shortage—skilled and unskilled—continues to worsen.

WHBF EDITORIAL

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. RAILSBACK. Mr. Speaker, recently I had the opportunity to review a WHBF editorial which was broadcast from Rock Island, Ill. Because I believe there is a lot of truth in this broadcast, I insert it in the CONGRESSIONAL RECORD immediately following my remarks for the review and interest of my colleagues:

ONCE MORE, ONE WORLD
(By Dick Gage)

NOVEMBER 27, 1973.

While he labors on the fuel shortage, President Nixon talks of the years down the road, of making the United States self-reliant for sources of energy in seven years. We trust his thinking also touches eternity, for the hope of coming generations all over this plundered planet lies in cooperative sharing of all the resources that are left.

Richard Nixon may be the man to get everybody working on it.

He calls his American energy goal for 1980, Project Independence. For the longer pull, we in the world are interdependent, each people tied to each other people by the shortfall of so many materials that our ravenous, superproductive society gobbles up.

Crude oil and natural gas will be gone in perhaps 50 years, from all the world. Reserves of uranium 235 may last only 30 years; copper, lead, zinc and tin, and the precious metals will run out sooner. In 25 years, we'll be importing more than half of our raw materials, at frightening prices.

If these dismal prospects are to be well handled, all the world must participate.

Mr. Nixon, prideful in his rapport with leaders around the globe, is one man who could begin Project Interdependence, an exploration of how to preserve the constricting material world for all peoples. We can't think of higher service.

FIFTY-FIVE MILES PER HOUR
SPEED LIMIT WRONG FOR THE
WEST

HON. JOHN MELCHER

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. MELCHER. Mr. Speaker, I am very disappointed in the action by the House Monday in passing H.R. 11372, the Emergency National Maximum Speed Limit Act, without regard for regional differences which might drastically alter the effect of this legislation.

Under the act, States which do not, within 60 days, reduce speed limits on all public highways to 55 miles per hour or less would stand to have projects under the Federal-Aid Highway Act rejected. I oppose this legislation because I am not at all certain that any fuel saved will offset the impractical disadvantaged in Montana and other Western States.

In Montana, where there are both long stretches of flat country with intermittent steep grades in mountain areas, no one has shown me where cars or trucks operated for longer periods at 55 miles per hour are going to save more fuel than those same vehicles running at 60 or 65. In addition, I believe there is going to be considerably worse mileage gotten by trucks and buses which need more speed to keep from having to gear down on grades.

Montanans know full well the absolute necessity of conserving fuel—whether it is to keep from being stalled on a barren stretch of highway miles from shelter, or to heat their homes when the outside temperature is 20 below. And, especially as we face a national crisis,

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they are willing to do their part and more. But I believe H.R. 11372 is a hasty and improper fuel conservation measure with defects that, in the West, offset any value. The wiser course would be to recognize regional differences and needs. Unfortunately, under the procedure of suspension of the rules of the House, as we consider this bill today it cannot be amended.

I hope the Senate will review and amend it to take into account regional differences such as those of the West.

DAVID BEN-GURION: THE COURAGEOUS, EXTRAORDINARY STATESMAN AND BUILDER OF MODERN ISRAEL

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. KEMP. Mr. Speaker, Israel has lost a gallant leader with the passing of David Ben-Gurion, that brave nation's first Prime Minister.

And the world has lost an extraordinary and respected statesman.

Few men in contemporary times have made as great a contribution to human freedom and battled so heroically and successfully against such extraordinary adversities as this great leader.

Ben-Gurion's unrelenting quests for a homeland for his people and lasting peace took varied forms. His efforts turned his dreams into realities. He was a scholar, a skilled political leader, and a nation builder.

At an early age, he was imbued with his belief in the possibility of establishing a Jewish State.

A native of Plonsk, Russian Poland, he was 19 years old when he and several friends journeyed to Palestine. Years which followed, found his footsteps in such lands as Turkey, Great Britain, the United States, and on the European Continent as he skillfully labored and organized for creation of a new Promised Land.

Finally, on May 14, 1948, he was able to triumphantly proclaim the birth of today's free, modern, and proud Israel.

As Premier, Ben-Gurion not only led his nation to victory in early battles for survival and struggled to secure diplomatic recognitions, but he set his fellow Israelis upon a course of national development which won worldwide respect.

Men and women put forth old and new skills as farmers-soldiers, technicians, and educators as well as myriad other efforts in a nation-building effort without historic parallel. Under Ben-Gurion's leadership, Israel grew from a political entity into an enterprise for human dignity, superbly conceived with blending ingredients of idealism and practicality.

Mr. Speaker, throughout Ben-Gurion's tumultuous lifetime, his pursuit for scholarship never faltered. He authored more than 15 books, mastered several lan-

guages, and steeped himself in philosophies and religious practices.

He was, it must be said, not only a rare human being but a complete man.

As the New York Times' December 2 editorial observed, this giant man of mind and courage believed:

Abstract thought and concrete action were interdependent qualities of mankind, inextricable; both were intoxicating, both were fulfilling.

Mr. Speaker, the Buffalo Evening News editorial of December 3 sheds further light on Ben-Gurion's presence among us. At this point, I would like to include it with my remarks:

BEN-GURION—SYMBOL OF A NATION

David Ben-Gurion was Israel. If any one man can be said to be the founder of a nation, he was that man. Mr. Ben-Gurion dreamed of the new land, he proclaimed its birth and he led it as prime minister through its early struggles. Even in retirement, his guiding presence continued to be felt.

From the age of 19, when he came to troubled Palestine from a Czarist-ruled Polish town, Mr. Ben-Gurion lived and helped to create the history of Israel. Like the Biblical David, he fought the giants, struggling against the Turks, the British and then the Arabs. "Ben-Gurion" means "son of a lion cub," and that, too, symbolized the spirit of those early pioneers. As a young farm hand, he worked in a kibbutz, helping to "make the desert bloom," and then he oversaw the transformation of Israel into a modern industrial state.

His resolute policies were often subject to controversy, especially his preemptive war in 1956. His desire to triple the population of Israel stirred bitter Arab resentment. Mr. Ben-Gurion saw, however, that Israel's final destiny was to achieve peace with the Arabs. "Once we were at peace, and we worked together," he recalled recently.

Israel mourns his death at a time when it also mourns the dead of the latest war and when the nation faces further severe tests in the face of gathering Arab military and diplomatic strength. Israel as a nation retains his courage and strength of will. That spirit may someday bring the final peace Mr. Ben-Gurion envisioned.

"MURDER BY HANDGUN: THE CASE
FOR GUN CONTROL"—NO. 52

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. HARRINGTON. Mr. Speaker, Raymond Carter was shot to death in New York City last month.

Five lines in the New York Times was his epitaph.

Nothing can make Raymond Carter's death worthwhile; but gun control legislation can help prevent similar senseless killings.

Included below is the November 11 article from the New York Times:

A man fired five shots through the glass door of a Harlem tavern at 570 Lenox Avenue, near 139th Street, at 2:30 a.m., killing Raymond Carter, 42, of the same address, and seriously wounding James Jennings, 35, of 176 West 137th Street.

MINING

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. SHOUP. Mr. Speaker, at a recently held public meeting in Thompson Falls, Mont. sponsored by the Western Montana Mining Association, I received several written statements expressing the feelings of the majority of those in attendance. I would like to share these thoughts with my colleagues and insert them to be printed in the RECORD:

PRESENTATION TO CONGRESSMAN SHOUP AT THOMPSON FALLS, MONT., NOVEMBER 20, 1973

Congressman SHOUP, ladies and gentlemen: On behalf of the Sanders County Chapter of the Western Montana Mining Association I am Art Dettwiles and wish to welcome you to this area again and thank you for your attention at previous sessions.

As you are aware, our association has grown from a small group in Beaverhead and Madison Counties to over 500 active members in 18 chapters throughout the State. This sudden growth was attributed to the threat to our way of life by an anti-business oriented State government and legislature, adverse federal regulations administered by hostile bureaus and adverse attacks on our industry by environmental groups. The association has become aggressive in presenting our cause thru our lobbyist and active members. We are continuing to grow and express our rights thru voting and publicity.

I would like to bring to your attention several points of interest and concern to our chapter.

1. The wilderness area program continues to remove land from our use which this nation can not afford. We wish to recommend continued multiple use of our lands over an excessive lock up policy.

2. The 1872 mining law still continues to be basically sound and necessary for our future mineral needs. We recommend this concept be maintained for private ownership instead of reverting to public ownership of our minerals. It can be shown how mineral exploration is stifled in other nations where this task was left up to the government.

3. We wish to ask you to do everything in your power to help maintain a healthy smelter industry. If we should lose our smelters in this State and other States, the mining industry will be crippled in the same manner the oil industry is through shutdowns of refineries and a consequent fuel shortage.

4. This chapter and its members strongly recommend return to private gold ownership by our citizens. We only wish to be allowed to be free to own gold as other free people in the world and not be treated as second-class citizens.

5. In addition we feel the restrictions by our bureaus of issuing patents for mineral lands is wrong. A policy of allowing private ownership of mineral lands is urged.

6. Again I wish to thank you for your attentive ear and becoming more aware of our needs in Congress.

KNUTE KIRKEBERG,
Thompson Hall, Mont.,
November 20, 1973.

Congressman Shoup, ladies and gentlemen: My name is Knute Kirkeberg. I am a miner and a member of the Western Montana Mining Association.

Today we are suddenly aware of an energy crisis, but how many of you are aware of an

impending mineral crisis? Because of increased population and consumer demands, our mineral needs are rapidly increasing beyond our reserves. Nevertheless, our Congress and State legislature continues to lock up land necessary for our mineral needs. The Wilderness Land Grant continues under the direction of people who do not know and care less for the impending shortage of minerals.

It may be only a warning but I wish to impress upon my concern of a minerals crisis.

Very little is known geologically of this area in Sanders County. Considerable exploration has taken place in the past 10 years, however little public information is available to the geology and mineral potential in this county on public lands. I would like to see a crash program by the USGS to detail geologic map this part of Montana on a 7½ minute topographic map, this should be a valuable tool in preparation for renewed exploration when the impending mineral shortage strikes. Time is important. Remember lag time from discovery to production of mineral deposits is often 2 to 5 years under the best circumstances.

It seems ridiculous to have the consumer "protected" on one hand from increased prices and possible rationing on the other with our government sponsored regulations. All this while we maintain a false price freeze on metals. We cannot compete on the world market in this manner while we know what economic isolation will do to us. Prices go up on minerals because we have a scarcity. If we keep prices down artificially we stifle our domestic exploration and mineral development. Let us join the free world market again.

In closing I would like to support the statement of the Sanders County Chapter of the Western Montana Mining Association.

SHOUP MEETING,

Thompson Falls, Mont., Nov. 20, 1973.

STATEMENT—WESTERN MONTANA MINING ASSOCIATION

Honorable Congressman Dick Shoup: The Western Montana Mining Association appreciates your meeting with the people of Sanders County here tonight.

Given this opportunity to make representative government work, our association is presenting a policy statement on the following items for your consideration:

1. REVENUE SHARING

We favor general revenue sharing and the present method of distribution to local governments. We hope that special revenue sharing can be distributed under the same formula. We oppose the regional concept of government in the United States and the various states. It tends to destroy the federal, state, local government concept, but worse yet, it gives people who are not duly elected by the people too much authority in decision making, usually through rules and regulations—(not law).

2. GAS RATIONING

The Congress through its actions, and in certain cases inaction, created the energy crisis, therefore we oppose any additional fuel tax reverting to the federal government.

3. ENVIRONMENTAL PROTECTION ACT

Far too much power was given this government agency by the Congress. We recommend that this act be amended to:

A. Create a better balance between the economy and jobs, and the environment.

B. That the environmentalists who institute legal action to delay projects, be made to furnish bond to help pay for delayed costs on unsuccessful cases.

C. That the agency be held responsible for their irresponsible decisions. (Example—

millions of acres of forests destroyed by the moth in Oregon and Washington.)

4. METAL PRICES OF LEAD AND ZINC

The Cost of Living Council under Phase IV controls the price of zinc at 19.8¢ per lb., while Canadians sell zinc to American consumers at 0.28¢ per lb., and South Americans receive 0.42¢ per lb. from American consumers—while the London metal price is 0.50¢ per lb. and, on Nov. 7th, 1973, reached 63.4¢ per lb.

How can these government policies be conducive to a healthy mining industry in the United States with this kind of fuzzy thinking. The Congress is creating a metal crisis within the near future.

5. PUBLIC LANDS

While federal law states that the Forest Service shall foster and encourage the prospecting, discovery and development of minerals on federal lands, in most cases the opposite is true. We need this pointed out to these administrators of the public lands. (Example—it took the Hiedelberg Mining Company nine (9) years to get a patented mill site on Rock Creek near Noxon.)

6. S.B. 268 AND H.R. 10294

Both of these proposed pieces of legislation are very dangerous to the concept of private property rights. We oppose both of these proposed pieces of legislation. We recommend that any legislation on land-use planning encompass the following:

1. Protect (as granted in the constitution) an individual's right to own property, and that it cannot be taken away from him without proper procedure and just compensation.

2. Encourage and assist the states to formulate and implement land-use plans.

3. Allocate planning money to the states on a fair and equitable basis.

4. That each state be guaranteed to plan and implement their own land-use plan without federal dictate, rules and regulations, or domination.

Respectfully submitted,

WESLEY W. STEARNS,
Director, Western Montana Mining Association.

WALL STREET JOURNAL TO BE
PRINTED IN FLORIDA FOR SOUTH-
EAST AREA

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. GUNTER. Mr. Speaker, I want to bring to the attention of my colleagues the opening of a new printing plant by Dow Jones & Co., publishers for the Wall Street Journal in Orlando, Fla. As a representative of central Florida, I am very pleased that my State will be able to receive this fine publication the day it is published. I know the benefit that all the people of Florida will derive from this, and I welcome this addition to the news community of the Southeast.

I am enclosing the announcement of this development which appeared recently in the Wall Street Journal:

[From the Wall Street Journal, Nov. 29, 1973]

WALL STREET JOURNAL PLANS PRINTING PLANT TO SERVE SOUTHEAST—FACILITY AT ORLANDO, FLA., SLATED FOR OPERATION IN EARLY 1975, WILL BE 10TH PRINTING CENTER

NEW YORK.—Dow Jones & Co., publisher of The Wall Street Journal, bought 6.7 acres of

land in Orlando, Fla., for the construction of a new printing plant.

The facility is expected to be completed by late 1974 and in operation early in 1975. Land, building, and equipment costs will exceed \$2 million, the company said.

The Orlando plant, the 10th Journal printing center in the U.S., will be used to service subscribers in Florida and other parts of the Southeast.

"We expect the Orlando plant to make prompt, morning-of-publication delivery possible for our many subscribers in Florida and nearby states, and also to permit expansion of Journal circulation in the Southeast," George W. Flynn, Dow Jones' vice president-operations, said. "Subscribers in the area now have their papers flown in from our plants in the Northeast, and because of the distance and sometimes uncertain air and postal service, delivery is often delayed and erratic."

The Journals in the Orlando plant would be printed through the use of a long-range facsimile transmission system originating, under current plans, in Chicopee, Mass. A Goss Metro offset press, capable of producing 60,000 papers an hour, will be installed in the new plant.

The plant will be located in Orlando Central Park, an industrial development within the city.

Dow Jones also publishes The National Observer, Barron's financial weekly, and the Dow Jones News Service. A subsidiary, Ottaway Newspapers Inc., publishes 12 general-circulation dailies and five Sunday newspapers.

PRESIDENT MILLARD FILLMORE OF BUFFALO: STATUARY HALL MARKER REMARKS OF MR. DULSKI

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. DULSKI. Mr. Speaker, I am very pleased with the approval of legislation to authorize suitable markers in the floor of Statuary Hall for location of the desks of nine former Members of the House of Representatives who became President.

The Honorable Millard Fillmore, who served in the 23d, 25th, 26th, and 27th Congresses before becoming our 13th President, was from the district I have the privilege of representing.

A self-educated man, Millard Fillmore was apprenticed to a wool carder and clothdresser at the age of 15. He taught school at Scott, N.Y., before being admitted to the bar in 1823. He served in the New York State Assembly and then was elected to the U.S. House of Representatives. During the Mexican War he commanded a corps of Home Guard, and was New York State controller from 1848 to 1849.

Elected to the second highest office in the land on the ticket with Zachary Taylor, Fillmore was sworn in as President less than a year and a half later, upon Taylor's untimely death.

After completing his term of office in the White House, he returned to Buffalo where he was chancellor of the University of Buffalo and resumed his law practice. He is buried at Forest Lawn Cemetery in Buffalo.

It is perhaps particularly appropriate that Millard Fillmore's marker should be situated in the Old House Chamber, as it was during his Presidential term that the cornerstone was laid for the present location of the House Chamber, and that the first known photograph of the Capitol was taken.

Ten million people a year visit our Nation's Capitol to see firsthand the site of the legislative branch of their Government. Historic Statuary Hall always can be found filled with visitors studying the names and statues of the States' foremost citizens. It is most fitting that we add the markers for the nine Members who also served in the executive branch and so, in the words of the House report accompanying House Resolution 605, "greatly enrich the Capitol itself and the experiences of the millions of Americans who visit it."

STOPPING PETROLEUM EXPORTS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, December 3, 1973

Mr. WYMAN. Mr. Speaker, recent news accounts of continuing U.S. petroleum exports have given rise to increasing concern among my constituents who are being asked to reduce oil consumption. At a time when thermostats are being lowered, automobile trips curtailed, and the possibility of gas rationing being discussed, many ask why the United States is supplying scarce petroleum to others.

As is pointed out in the following material from the Office of Oil and Gas and the Energy Division of the Cost of Living Council, some of the exported crude oil is returned to the United States as a refined product. Other petroleum exports are said to be genuinely surplus to domestic needs.

There is no denying the fact, however, that the United States does export a quantity of oil at a time when American citizens are being asked to do without. This is wrong.

Accordingly, I have introduced legislation to require a ban on all oil exports unless the President determines that the particular exported product is surplus to United States needs. I urge my colleagues on the House Banking and Currency Committee to consideration of this bill as a matter of priority.

The report to me from the Office of Oil and Gas and my bill are of relevance to an understanding of this problem:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF OIL AND GAS,
Washington, D.C.

Hon. LOUIS C. WYMAN,
House of Representatives,
Washington, D.C.

DEAR MR. WYMAN: Thank you for your letter of November 14, 1973, concerning exports of petroleum products.

We have been watching very closely the reports of exports of distillates. The attached news release indicates the quantities exported and the receiving countries.

The shipments to Venezuela and to the Netherlands Antilles represent oil moved to these areas for the purposes of diluting crude oil to enable it to be moved and to reduce the sulphur content of residual fuel oil. In each case the mixture was moved to the east coast of the United States. We have no special knowledge of the shipment to Japan, but its small size indicates it was a special situation. The shipments to Mexico follow a historical pattern and are probably cross border trade. The shipments to Europe occurred in the last two months and are of more concern.

It is estimated that exports of all types petroleum products during 1973 will be approximately 237,000 B/D. The United States imported approximately 4.7 million barrels daily during 1972 and absent the Arab embargo would have imported about 6.5 million barrels per day during 1973. Of the 237,000 B/D exported approximately 40 percent is coke and 18 percent is lubricating oil. A substantial fraction is residual fuel oil of which much has a high sulphur content. All these latter commodities are surplus to the U.S. requirements.

Most of the quantities exported are surplus to U.S. needs because of the nature of the product or the export follows a historical pattern. We believe these exports should be continued. Also, in view of the fact that the United States is a substantial net importer of petroleum and petroleum products any decision to restrict exports should receive very careful consideration, because it would be inadvisable to invite retaliation.

The small volume of exports of products that are apparently not surplus to U.S. needs have not as yet reached a volume constituting a threat to U.S. supply; however, any export of this type for the purpose of profiteering should not be permitted. Although no procedure presently exists which would permit us to directly prohibit such exports, we are reviewing the possibility of using the Mandatory Allocation Program to discourage such exports.

If anything further is needed, please let us know.

Sincerely yours,

J. ROY GOODEARLE,
Associate Director.

HEATING OIL EXPORTS—A STUDY PREPARED BY THE ENERGY DIVISION, OFFICE OF PRICE STABILIZATION COST OF LIVING COUNCIL

SUMMARY

The available statistics combine No. 2 heating oil, No. 4 heating oil and light diesel fuel, all of which are categorized together in the U.S. Government Schedule "B" of Classifications. Statistics for No. 2 heating oil are not segregated, within the Schedule "B" Classification.

The Comparative Analysis includes:

- (1) Domestic distillate production
- (2) Volume of distillate reports
- (3) Sales value of exports
- (4) The average price per barrel of exports
- (5) Port of export
- (6) Destination

The available statistics do not segregate exports which return to the United States after foreign processing.

Federal Regulations do not allow U.S. Census Bureau, the agency responsible for this information, to divulge the identity of the firms involved in these transactions.

The export statistics from 1969 through August 1973 were included in this report in order to compare the 1973 projection to historical data.

An analysis of the available data reveals:

- (1) That although projected 1973 totals will more than double 1972 totals, a comparison including the historical base reveals that 1972 was a depressed year in volume of barrels.

(2) That since 1972 was a depressed year in volume, the 1973 increase as compared to 1972 appears to be a return to a historical export level.

(3) That since 1973 volumes do not exceed historical volumes, while 1973 prices do, the 1973 volume appears to be a continuation of transactions with an historical foundation.

(4) That distillates amount to approximately 22% of the U.S. refinery production and that our annual export totals during the period studied range from .04% to .2% of the distillate production.

(5) That each of the annual distillate export totals for the period studied are substantially less than an average day's consumption of distillates in the U.S.

ANALYSIS: DISTILLATE EXPORT VOLUMES FROM 1969 THROUGH AUGUST 1973 AND A PROJECTION FOR THE ENTIRE YEAR 1973

| Year | Volume (barrels) | Total value | Average per barrel |
|------------------------|------------------|-------------|--------------------|
| 1969 | 1,859,825 | \$6,567,645 | \$3.53 |
| 1970 | 1,444,525 | 4,329,902 | 3.00 |
| 1971 | 1,858,471 | 7,909,468 | 4.25 |
| 1972 | 448,433 | 1,797,960 | 4.01 |
| January to August 1973 | 850,067 | 4,934,185 | 5.80 |
| Projection 1973 | 1,275,101 | 7,401,278 | 5.80 |

PERCENTAGE RELATIONSHIP OF 1973 TO EACH OF THE PRECEDING

[In percent]

| Year | Volume barrels | Total value | Dollar average per barrel |
|-----------|----------------|-------------|---------------------------|
| 1973/1969 | 69 | 113 | 164 |
| 1973/1970 | 88 | 171 | 193 |
| 1973/1971 | 69 | 94 | 136 |
| 1973/1972 | 284 | 412 | 145 |

MONTHLY VOLUME FOR JANUARY-AUGUST 1973

| Month | Volume barrels | Average price per barrel |
|----------|----------------|--------------------------|
| January | 256,618 | \$5.01 |
| February | 22,495 | 6.66 |
| March | 4,429 | 3.95 |
| April | 123,012 | 6.05 |
| May | 5,586 | 4.43 |
| June | 196,928 | 5.80 |
| July | 40,926 | 5.44 |
| August | 200,073 | 6.73 |

PERCENTAGE RELATIONSHIP OF THE EXPORT VOLUMES TO DISTILLATE PRODUCTION

| Year | Export volume barrels | Percent of total distillates produced | Average percent distillate of refiners produced |
|-------------------|-----------------------|---------------------------------------|---|
| 1971 | 1,858,471 | 0.2 | 22.05 |
| 1972 | 448,433 | .04 | 22.21 |
| January/June 1973 | 609,068 | .1 | 22.30 |

DESTINATION AND PORTS 1973 EXPORTS

| Month | Destination, port | Volume barrels |
|---------|---------------------------------------|----------------|
| January | Mexico, Galveston, Tex. | 60,346 |
| | Netherlands Antilles, Galveston, Tex. | 195,812 |
| April | Mexico, Galveston, Tex. | 113,647 |
| | Denmark, Port Arthur, Tex. | 128,695 |
| June | Mexico, Galveston, Tex. | 60,000 |
| | Japan, Seattle, Wash. | 49,228 |
| August | Panama, Port Arthur, Tex. | 148,221 |
| | Denmark, Port Arthur, Tex. | |

Since our average consumption of distillates is 2,730,000 barrels daily it is readily apparent from the foregoing export statistics that we are discussing a volume that is more than 800,000 barrels less than our average daily consumption.

H.R. 11684

A bill to amend the Export Administration Act of 1969, to prohibit the export of oil from the United States until the President determines that oil is no longer in short supply

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Export Administration Act of 1969 (50 U.S.C. App. 2401 et seq.) is amended by redesignating sections 10 through 14 as sections 11 through 15, respectively, and by inserting immediately after section 9 the following:

"OIL EXPORT PROHIBITION

"SEC. 10. (a) Notwithstanding any other provisions of this Act and except as provided by subsection (b), no oil may be exported from the United States until the President determines that it is not in short supply in the United States.

"(b) The prohibition on the export of oil described in subsection (a) shall not apply to oil exports to Canada and Mexico."

AMERICA THE GENEROUS

HON. HAROLD V. FROELICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. FROELICH. Mr. Speaker, recently one of my constituents sent me the text of an editorial broadcast by Mr. Gordon Sinclair of Toronto. It contains an important message for Americans who are obsessed and disheartened by our present difficulties.

As we look to the future, we cannot rest on our laurels. But we should not paralyze ourselves with guilt or pessimism. America is a great country. Let us not forget it.

The editorial follows:

AMERICA THE GENEROUS

(By Gordon Sinclair)

This Canadian thinks it is time to speak up for the Americans as the most generous and possibly the least appreciated people on all the earth.

Germany, Japan and, to a lesser extent, Britain and Italy were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions in debts. None of these countries is today paying even the interest on its remaining debts to the United States.

When the franc was in danger of collapsing in 1956, it was the Americans who propped it up, and their reward was to be insulted and swindled on the streets of Paris.

I was there. I saw it.

When distant cities are hit by earthquakes, it is the United States that hurries in to help. . . . This spring, 59 American communities (were) flattened by tornadoes. Nobody helped.

The Marshall Plan and the Truman Policy pumped billions upon billions of dollars into discouraged countries. Now newspapers in those countries are writing about the decadent, warmongering Americans.

I'd like to see just one of those countries that is gloating over the erosion of the United States dollar build its own airplanes. Come on, let's hear it!

Does any other country in the world have a plane to equal the Boeing Jumbo Jet, the Lockheed Tristar or the Douglas 10?

If so, why don't they fly them? Why do all the international lines except Russia fly American planes?

Why does no other land on earth even consider putting a man or woman on the moon?

You talk about Japanese technocracy, and you get radios. You talk about German technocracy, and you get automobiles.

You talk about American technocracy, and you find men on the moon—not once but several times—and safely home again.

You talk about scandals, and the Americans put theirs right in the store window for everybody to look at.

Even their draft dodgers are not pursued and hounded. They are here on our streets, and most of them—unless they are breaking Canadian laws—are getting American dollars from Ma and Pa at home to spend here. . . .

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Penn Central Railroad went broke, nobody loaned it an old caboose. It is still broke.

I can name you 5,000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble?

I don't think there was outside help even during the San Francisco earthquake.

Our neighbors have faced it alone, and I'm one Canadian who is damned tired of hearing them kicked around.

They will come out of this thing with their flag high. And when they do, they are entitled to thumb their nose at the lands that are gloating over their present troubles.

I hope Canada is not one of these.

E-BONDS AS AN INVESTMENT

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mrs. GREEN of Oregon. Mr. Speaker, an article has recently been sent to me by a constituent suggesting it would be of general interest. It concerns U.S. Government E-bonds.

Thousands of middle-income Americans are told by the Federal Government each year that E-bonds are a good economic investment. They buy them expecting a reasonable return in their retirement years.

At this point in the RECORD I will insert the article prepared by the Boston Consulting Group, an organization specializing in management and corporate consulting and planning:

THE E-BOND AS AN INVESTMENT

The E-Bond is the U. S. Savings Bond for the average person. He is being mistreated. The E-Bond is represented as a good investment. It is not, it is one of the worst. Businesses, banks, advertising media and businessmen are drafted to donate their services to plug E-Bonds as a "good investment." The power of the government is used to con the common man. That is immoral. It is not truth in advertising.

E-Bonds pay far less interest than most government bonds. They pay far less than the prime rate. They pay far less than certificates of deposit. They pay less than any of the investments available to a larger or more

knowledgeable investor. The E-Bond appears to be deliberate discrimination against the small investor.

There is much concern at present about pensions for the average man. If he cannot save enough for his own old age, then inevitably he becomes dependent on corporate pension plans or the government. If he is self-employed, he really has little chance to help himself. E-Bonds are a natural way for him to save for his retirement on his own initiative. Yet E-Bonds pay less than inflation plus the minimum income tax on their income. It should not be necessary to be dependent on either bureaucracy or corporate largesse in retirement.

Justice can be done. There can be truth in advertising. The E-Bond could be a good investment. The average man and woman could be permitted to provide for their own retirement income. Fair play and the good of the country as well as morality can be served by changing the E-Bond to make it a good investment. Saving instead of spending is also the most potent of all weapons against inflation.

The E-Bond should pay the highest interest rate of any government bond or government backed bond. Why not? Who deserves it more than the small investor?

E-Bonds should be tax exempt if they are not cashed until after retirement age. Why not? Is there any reason to tax retirement or pensions?

There is now a limit to the value of E-Bonds that can be owned by a person. Its investment value is limited to the average person, not the well-to-do. E-Bonds are registered in the name of the owner. E-bonds should be not only the safest but the best investment for retirement in the full meaning of best investment. They should be the cornerstone of everyone's personal retirement planning to the limit permitted for each person by law. To justify this, the present E-Bond would require radical improvement.

Perhaps the name as well as the terms of E-Bonds should be changed. They started life as War Bonds. Now they are Retirement Bonds. They should be made worthy of their purpose.

Current interest rates (August 1973)

| | Yield Percent |
|---|------------------|
| E-Bonds | 5½ |
| Savings Bank, 90 day deposits | 5¼ |
| Savings certificates of First Federal of Lowell, Mass | |
| Five Year | 7.93 |
| Six Year | 8.17 |
| Seven Year | 8.43 |
| Prime Rate | 9% |
| Three Month Treasury Notes | 8.9 |
| Treasury 4's, 1980 February | 7.55 |
| U.S. Notes, 6½%, 1980 May | 7.55 |
| World Bank, 4½%, 1980 November | 8.05 |
| FNMA, 6.8%, 1975 September | 8.22 |
| AT&T, 8¾%, 2000 | 8.3 |
| Litton, 8¾%, 1976 | 9.4 |
| Westinghouse, 8¾%, 1995 | 8.4 |
| U.S. Treasury Notes, 7¼%, May 1974 | 8.7 |

BRUCE D. HENDERSON.

STUDENTS INITIATE RECYCLING CENTER

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. WALSH. Mr. Speaker, in this world of the three big crises—energy, ecology, and economy—it is refreshing to learn that a group of young people have de-

vised a project that will do its part in alleviating those three serious situations.

The project in question is a recycling center started by students at the Canadaigua Academy in the Ontario County community of Canadaigua. The center was opened 2 years ago and has been a total success.

That success and the continued operation of the center have been made possible only by student involvement. The center is entirely student-run. Residents of the area, many coming from as much as 15 or 20 miles away, bring their paper, metal, and glass waste to the miniplant. The students sort the garbage into separate containers and then transport it to larger factories and plants in the area where it is recycled.

The plants pay the students for that delivery and so many have been made, the center has been able to buy a new dump truck.

The students are to be congratulated for their initiative and resourcefulness. It appears the center will continue to expand and thus better serve the community.

Also to be congratulated are the principal of Canadaigua Academy, John Wilcox, and the faculty adviser for the project, Stephen Austin, who teaches ecology at the academy. They can take a large measure of credit for the success of the project because of their encouragement and counsel to the students.

EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT THE ENERGY CRISIS AND WERE AFRAID TO ASK

HON. SAMUEL H. YOUNG

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. YOUNG of Illinois. Mr. Speaker, all of us in the Congress are receiving many requests from citizens in our districts asking for suggestions as to what individuals can do to ease the energy shortage. The attitude of cooperation that I find among the citizens of the 10th Illinois Congressional District is inspiring, and I am sure that other Congressmen are receiving the same comments and requests, and that they are similarly inspiring.

In order to be specific, members of my staff and myself collaborated to prepare the following document, which I would like to share with my colleagues:

EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT THE ENERGY CRISIS AND WERE AFRAID TO ASK

What is the Energy Crisis and why does it exist?

The "energy crisis" is a critical shortage of the basic fuels needed to provide power for the machines that perform work for mankind. Consumption of energy in the United States is the highest in the world. We use 35% of the world's total energy although we only comprise 6% of the world's population. Unfortunately, energy demands have been outpacing fuel supplies for some time, but many persons have only become aware of this quite recently. As our needs

for energy increase or even stay the same, our supply of fuels is either diminishing or growing at an insufficient rate.

What are the sources of energy?

There are numerous sources of energy. These include

FOSSIL FUELS (NON-RENEWABLE)

Oil—One of the most common fuel sources.

Coal—A fuel source of which there is a substantial supply. Until the past two decades this was one of the most common sources of energy. However, since coal burning has a severe effect on the environment its use has been increasingly limited.

Natural Gas—A low polluting source of energy but one which has an extremely limited supply.

Propane Gas—An artificially produced gas which is also in limited supply.

OTHER ENERGY SOURCES

Solar Energy—This is energy from the sun. Since it is free and non-polluting it is potentially an ideal fuel source.

Geothermal Energy—This is produced by natural heat created beneath the earth's surface (the same type of heat which creates volcanoes and geysers). It results in little pollution but potentially damaging effects to the sub-surface of the earth are not fully known.

Hydro-electric Power—This is power created by water and harnessed through the use of dams. Much of our electricity is produced this way.

Many environmentalists feel that it causes damage to the natural life cycles of many fish and animals.

Nuclear power—There are several sources of nuclear energy that are now in use or are being developed. Generally nuclear energy is efficient and clean although the fuel sources such as Uranium and Plutonium are relatively scarce. Environmentalists are concerned about the vast quantities of water used to cool traditional nuclear plants. This water is often returned at higher temperatures which can effect the ecological balance in rivers. Experimental techniques such as the Nuclear Breeder Reactor and Thermo-nuclear fusion could eliminate some of these problems.

Chemical sources—These include fuel cells, commonly known as batteries where chemical energy is converted into electrical energy. Increasing use of fuel cells (e.g. to power automobiles) has been developing.

How can I help conserve energy?

Everyone can do their share in conserving energy by cutting down on unnecessary energy-consuming activities and through better utilization of existing sources.

How can I use less energy in heating and cooling my home?

A large portion of all energy used in the United States is consumed for heating and cooling homes and offices. Savings in fuel and money could be made if the following techniques were used:

Cutting heat loss through insulation—As much as 30% of fuel costs are lost through heat that escapes through leaks and cracks in windows, doors and other openings. This can be prevented by insulation, weather stripping, use of storm windows, and caulking.

Close fireplace openings when not in use. Lower thermostats to 68 during the day and 60 at night.

To conserve air conditioning in the summer, light fixtures should be turned off where possible, draperies (preferably light colored to repel sunlight) should be closed, and windows shaded from direct sunlight by awnings or trees.

How about transportation? Can use of energy be cut down?

Americans are highly mobile people and a great amount of all energy is consumed by transportation. There are many ways you can help:

Form car pools.

Use public transportation where possible. Switch to a smaller car. A car weighing 5,000 lbs. generally uses more fuel than a compact car. Air conditioning and other power accessories use up more gasoline energy than cars without.

Drive slower. As speed increases, so does fuel consumption. The increase is most significant at speeds over 50 MPH for autos.

Do not race your engine, accelerate slowly and turn the car off while waiting for more than a few minutes.

Have your car tuned up and air filter changed periodically. Keep tires properly inflated.

Do home appliances use up much energy? How can this be helped?

Home appliances use considerable energy. Americans, due to our high standard of living and high degree of technology, have more electrical and gas powered appliances than any other country. The next time you use an appliance, ask yourself if the job could be done effectively without. In new purchases consider manual appliances (lawnmowers, toothbrushes, scissors, etc.). Energy used for major appliances such as washers and dishwashers can be conserved by waiting for full loads and using cold water cycles. Gas powered appliances use less energy than electrical ones. Frost-free and double door refrigerators consume more energy than refrigerators without such conveniences.

How else can energy be saved?

Fluorescent lights are more efficient and last as much as 5 times longer than conventional lighting. All non-essential lighting can be restricted.

Recycling of materials saves energy since it takes less energy to recycle a product such as paper or aluminum than to manufacture it originally. By buying recycled products you are encouraging the conservation of energy as well as raw materials.

Be a discerning consumer. Avoid products that wear out quickly if a longer lasting substitute is available. Avoid unnecessary power operated accessories on appliances and automobiles. Compare energy consumption of products you buy and ask dealers and manufacturers to provide this information for you.

Man created the energy crisis and man can solve it—through his own source of energy—creative energy.

Investigate and support efforts to save energy in your community:

Burning of municipal trash is a potential source of heat and electricity, that is currently being utilized in Europe and at least one U.S. city.

Schools, hospitals and other large facilities that generate their own electricity can recapture waste heat from the generating process to be utilized to heat its own buildings.

Certain procedures are available to convert organic wastes to gas and oil.

Support efforts to study development and use of other sources of energy.

Promote recycling efforts by taking newspapers and bottles to recycling centers.

OSHA

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. FISHER. Mr. Speaker, under leave to extend my remarks, I include a second in a series of three articles on OSHA, written by R. D. Patrick Mahoney, which appeared in the November 7, 1973, issue of the Texas Tribune. The article follows:

OSHA

(By R. D. Patrick Mahoney)

The statement by Congressman Charles Thone (R-Neb.), quoted in the Tribune's October 17 Occupational Safety and Health Act article, deserves repeating here: "It seems that most of them (the Congressmen) couldn't make a living back home under the laws they passed when they were back here in Congress. I think OSHA might be Exhibit A in that regard."

Graham Purcell, former Democratic Congressman from Texas' Thirteenth District, has stated before the Select Committee on Small Business: "Hidden officials within an executive department have worked their mysterious ways on it (OSHA), however, and turned it into a monster. We can put a stop to it, and toward that end I respectfully urge this subcommittee to move with all haste."

Bob Price, Republican Congressman from Texas' Eighteenth District who originally voted for OSHA, later reversed himself and testified against the Occupational Safety and Health Act on behalf of some eighteen oil and gas companies representing several thousand small businessmen. It was his contention that the countless regulations listed in OSHA would cause severe unemployment and costly expenditures by small businesses in efforts to comply with regulations—regulations which represented an almost total lack of knowledge of business operations on the part of the administrators and enforcers.

Price further stated, referring to the men he represented: "These men know more in five minutes about the requirements than some of these field men that OSHA is sending out that are inexperienced, yet are threatening these people with regulations in a rude manner."

The prohibitive cost of refurbishing oil equipment to conform to OSHA standards is best illustrated by an examination of one particular OSHA regulation. This section requires that all cast iron valves on oil storage tanks be replaced with steel valves. Compliance with this regulation would mean that thousands upon thousands of these valves would have to be replaced—at a cost estimated by Congressman Price of from \$10 to \$10,000 for each valve—despite the fact that these parts have absolutely no bearing on safety.

The most damning testimony on the Occupational Safety and Health Act came on June 21, 1972, when there appeared before the Select Committee on Small Business Charles A. Bade, president of the Missouri Oil Jobbers Association; Gregg Potvin, General Counsel of the National Oil Jobbers Council; and Lewis Barbe, then vice president of the Loss Control Division of Houston General Insurance Company in Fort Worth.

Barbe's testimony, dealing with conclusions gathered both from painstaking personal research and from a safety expert, was particularly incriminating. Bade's Oil Jobbers Council represented 75% of all fuel oil sales and one-third of all automotive gasoline sales in America. On behalf of all the small businessmen—numbering some 156,000—Bade commended the chairman of the Select Committee on Small Business for "leading this move to protect the nation's small businessmen against the unwarranted and ruinously expensive requirements of the Occupational Safety and Health Administration requirements."

Bade noted that under the mandate of OSHA, the Secretary of Labor was to set safety standards as promulgated by a nationally recognized standards-producing organization such as the National Fire Protection Association. The NFPA had issued standards which Bade and those he represented had followed to the letter.

Bade cited OSHA regulations which not only contradicted previous national standards—such as those of the NFPA—but which also would result in the closure of oil storage plants or bulk plants located through mid-America and the South.

In Bade's plant alone, according to Counsel Potvin, compliance with the regulations "would necessitate his moving his entire plant and building a new one, and it would cost not less than \$40,000. As a somewhat typical small jobber, I think that gives you a grasp of the order of magnitude we are talking about here."

Then it was Barbe's turn. His testimony—as an insurance man—was particularly germane because it has been the insurance companies which have had to pay for the small businessmen's losses for failure to comply with OSHA regulations. It is interesting to note here that in his research, Barbe discovered that 51 standards—with which OSHA stated small businesses must comply—were not available. In fact, Barbe noted, when Senator Curtis of Nebraska (who had access to the entire facilities of the Library of Congress) began to look for the regulations, he came back with a stack of OSHA standards 48 inches high. The Library of Congress, which is responsible for retaining every regulation that ever originated in government, could only come up with two-thirds of them. In fact, one of the OSHA standards had been out of print since 1939!

Barbe further observed: "The law includes all small business people, but it does not include the federal government. When we made these points that the Department of Labor, the Post Office Department, the federal buildings, and all these buildings, do not comply with the federal laws, the small business people reacted very strongly in that they have a police state telling them what to do but they don't even comply with the laws themselves."

Barbe's statement is quite accurate. In the spring and summer of 1972, visitors to the Cannon House Office Building noticed the complete lack of propriety and safety as workers sand-blasted the Congressional Office Building—with no guard rails, as workmen stood on wooden planks with questionable rope support and afforded practically no protection to either pedestrians or automobiles from the filthy sand permeating the air.

The cafeteria in the Longworth House Office Building basement has some questionable health standards of its own; it's often a standoff to see who gets more food, the cockroaches or the customers.

Subpart J, Section 1910.141(c)(11) of the OSHA regulations states: "Toilet facilities so located that employees must use more than one floor-to-floor flight of stairs to or from them are not considered readily accessible." If an agent from OSHA were to pay a visit to the Library of Congress, he would have to come back with penalty papers in hand, as employees there must make it up or down two flights of stairs.

Barbe's excerpts continued: "An employer does not have a chance to face his accusers. Under the Department of Labor money, I teach for the University of Minnesota. I teach basically union employees. I do not and have not received money to teach small businesses . . . We do this at our own cost and raise our own funds. But the Department of Labor grants money to train union employees and provides the materials to teach an employee basically how to file a complaint in secrecy against his employer. This is not right . . . We requested copies of the training material from the Department of Labor and what they gave to their inspectors and how to interpret these standards. They denied us this material . . . said it was secret and confidential. If I or any other safety engineer recommended a change in work environment, it is basic, fundamental and

primary that we would do a system safety cost analysis. Why didn't the Department of Labor do such a study when they knew it was part of the recognized safety procedure?

"As an explicit example, take the regulation on toilet seats. The cost to change toilet seats has not been rescinded and will cost us a quarter of a billion dollars. (Ed. note: This regulation states that all toilet seats that are round must be changed to those with open fronts.) I personally was told by underwriters at Lloyds of London that they cannot insure against the whims of the law enforcement officials at the Department of Labor.

"There is a purposeful, willful, malicious inflation of the accident statistics to indict business and industry. If a girl who is working in an office cuts her finger on a piece of paper, and she cannot use that finger for the rest of the day, the employer has to fill out a supplemental form, post it to a log, and post that to a summary.

"Last, but not least, why does the area director in Dallas make press releases and call a TV news interview two days before the employer even receives his citation? Does not this destroy confidence in the law for small businesses . . . ?"

In the first of his series of articles on OSHA, mention was made of the Big Brother tactic of "two steps forward and one backward." Perhaps legislators should recall the justified pleading of Barbe in his concluding testimony before the Select Committee on Small Business: "Therefore, gentlemen, please stop what is going on and let's all take two steps backward and abolish what we have done. And then take one step forward and redo everything with logic and reason. In other words, stop what is going on and go back and do it correctly and fairly with common sense."

Enter from stage left, the personages from Washington who administer OSHA—the Secretary and the Chairman of the Review Commission. First, Assistant Secretary of Labor for OSHA George C. Guenther, who attempting to rebut 400 pages of opposing testimony, stated: "This is a most difficult thing to get across to people, the approach that is low key, responsible, reasonable, helpful, and at the same time makes the point that the Williams-Steiger Act is here to stay and employers must make it their business to become more familiar . . . as cases are contested, if they are—and as Chairman Moran has observed, 95% of the citations have not been contested by employers; only 5% to date have been contested—when they are contested, adjustments may be made in the penalties."

Then, appearing from the wings to upstage Guenther, was his close friend from their old days together in the Labor Department, Chairman Robert D. Moran of the OSHA Review Commission. He plausibly delivered his version: "As you know the Review Commission's role under the Act is strictly adjudicatory. We do not conduct, initial, or order any inspections or workplaces. We are a court. We have no control over either the kind or number of cases that come to us for decision."

Three pages later, Moran cited the important case of a Newport Beach, California, boatyard owner which the Commission "adjudicated": "I am sure his case demonstrates that the Review Commission procedures are not so onerous that they prevent a small businessman from obtaining justice when he feels he has been wronged by an OSHA inspection. Let me conclude by saying that employers have very substantial rights under the Occupational Safety and Health Act. They are assured of due process of law at every stage of the proceeding."

A closer examination of the case of Blackie Gadarlan, the boatyard owner in Newport Beach, reveals that he was cited because he didn't have a ladder nailed to his dock. The

inspector who penalized him didn't even have a copy of the federal regulation Gadarlan violated—nor were any available.

Concerning the 95% of the small businessmen who don't appeal the decisions of the OSHA inspectors, the following testimony of Walter Gerson, Director, Government Relations for the National Association of Plumbing-Heating-Cooling, is quite revealing:

"On one day we are told all about the appeals procedure that must be employed by a contractor who feels that he has been unfairly cited. On the same day we receive a news release from the Occupational Safety and Health Review Commission in which Chairman Robert D. Moran triumphantly proclaims that of 25,000 employers who have been cited, 95% have voluntarily paid the proposed penalty. He goes on to cite this as proof of the fairness of the Review Commission's fair handling. We choose to believe that the fact that more firms do not appeal is a function of their total confusion and despair. Certainly this is analogous to a local traffic court, where one rarely wins. Let's not credit the Review Commission with this phenomenon. During the first ten months of the current fiscal year, proposed penalties have amounted to a cool \$1,711,995, representing 75,864 alleged violations in 18,449 citations."

This phase closes as the nightmare of OSHA slowly reaches the lesser but still bothersome stage of insomnia.

MR. FORD AND THE EMOLUMENTS CLAUSE

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Ms. HOLTZMAN. Mr. Speaker, a question has been raised about whether the emoluments clause of the Constitution—article I, section 6—will bar GERALD R. FORD from assuming the Vice-Presidency if confirmed by Congress.

This term, Congress passed Public Law 93-136, effective October 24, 1973, which raised certain civil service retirement benefits for Federal employees, including the Vice President. We have been advised by the Library of Congress that Public Law 93-136 probably constitutes an "emolument" within the meaning of article I, section 6.

The crucial question is therefore whether Mr. FORD, if confirmed, will have been "appointed to any civil office under the authority of the United States" within the meaning of the Constitution.

Since the confirmation vote on Mr. FORD is scheduled for Thursday, I respectfully draw my colleagues' attention to the following analysis of the constitutional question by Prof. Barbara Underwood of the Yale Law School. This analysis indicates that the Constitution may well bar Mr. FORD from becoming Vice President, at least without remedial legislation to nullify the increased emolument.

The analysis follows:

IMPLICATIONS OF EMOLUMENT CLAUSE TO THE OFFICE OF THE VICE PRESIDENT

The nomination of Congressman Gerald Ford as Vice President of the United States is barred by Article I, Section 6 of the Constitution, at least unless steps are taken to remedy the difficulty. That clause provides:

No Senators or Representatives shall, dur-

ing the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the emoluments whereof having been increased during such time; . . .

The Congress increased the emoluments of the Vice Presidency in P.L. 93-136 which became effective on October 24, 1973. Accordingly, the clause quoted above on its face bars Congressman Ford, and every other Congressman or Senator, from being appointed to that office during his or her present term in the legislature. It may be that the constitutional prohibition can be avoided by legislative action repealing the increase in benefits; after such a repeal, it is arguable, though not clear, that the office of the Vice Presidency would not be one whose emoluments have been increased during the present term.¹

First, a Vice President selected in the manner set forth in the 25th Amendment is "appointed" within the meaning of the clause. The primary purpose of the clause was to preserve the independence of the legislature; the term "separation of powers" was invoked in the debates. The Framers sought to avoid the risk that Congressmen or Senators might tailor their votes to the President's wishes, in an effort to obtain desirable appointments for themselves. That risk obviously has no application to an office which is filled, by elections, as the Vice Presidency ordinarily is. Now that the Vice President may be selected by the President rather than by the electorate, however, the office becomes a prize within the power of the Executive to confer, presenting precisely the same threat to legislative independence as any other appointed office.

It is true that the 25th Amendment provides that the President shall "nominate" rather than "appoint" the Vice President, subject to confirmation of the nominee by a majority of both Houses of Congress. Nevertheless, the President's role in this process is precisely the same as his role in the selection of ambassadors and other officers who are universally regarded as "appointed": the President makes the initial selection, and that selection is subject to legislative approval. While the President's selections must be confirmed by a majority of both Houses in the case of the Vice President, and by 2/3 of the Senate in the case of other officers, that difference does not change the character of the President's role in the selection process.

Second, the Vice Presidency is a "civil office" within the meaning of the clause. If the clause said simply "any Office under the Authority of the United States" there could be no question about its application to the office of the Vice President. "Any Office" is the term used in the second part of Article I, Section 6; that part bars Members of Congress from holding "any Office under the United States" while they are also serving in Congress. That prohibition surely applies to the Vice Presidency and the Presidency, as well as to any other office.

But while the bar on simultaneous service extends to "any Office", the bar on subsequent service in a new or improved office extends only to "any civil Office." The problem, then is to determine the purpose and meaning of that limitation. The legislative history of the clause makes it quite clear that the limitation was designed to exclude military officers. The clause represented a compromise. Some participants in the debates

¹ Literally, of course, it would be the case that the emolument had been first increased and then decreased. It seems fair to characterize that sequence of events, however, as an absence of needed change, but in the absence of legislative action repealing the increase in benefits, the constitutional bar is plainly applicable.

wanted to bar legislators from: "any Office," and to make the bar absolute for a fixed period of time after the end of the legislator's term. Others wanted no bar at all, for fear that it would deprive the nation of the services of its most qualified leaders at some critical time. The result was a limited bar, leaving legislators free to take any military office at all, because the new nation's military needs were given the highest priority; the clause also left legislators free to take any non-military office, so long as that office was not either newly created or newly enriched.

No contrary conclusion is suggested by the use of the term "civil Officers" in Article II, Section 4. That clause provides for impeachment and conviction of "the President, Vice President, and all civil Officers of the United States." The enumeration of the President and the Vice President was arguably redundant even at the time that it was written, and made simply to avoid ambiguity. Alternatively, it is likely that the term "civil Officers" connoted to the Framers one who held an appointed rather than an elective office. For purposes of the impeachment clause, it was one thing to provide a method by which Congress could remove appointed officer, and another matter, worthy of explicit statement, to authorize Congress to remove an officer who had been selected by the electoral process. Accordingly, the term "civil Officer" may not have included the Vice President at a time when he could not be appointed. But a Vice President who is appointed is thereby brought squarely within even this limited reading of the original understanding of the term.

BAN THE HANDGUN—VIII

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. BINGHAM. Mr. Speaker, the senseless killing of thousands of people each year by handguns can only be attributed to the many avenues through which these weapons may be obtained. Large gun manufacturers are not the only ones profiting from the handgun sales epidemic. Petty criminals are finding the street corner gunrunning enterprise highly lucrative in the quest for the quick buck. An article in the December 2 New York Times reveals the futile efforts of the New York Police Department to end the illegal gun trade absent Federal gun control legislation.

The article follows:

ILLEGAL MARKET IN PISTOLS FOUND FLOURISHING HERE

(By Michael T. Kaufman)

Rings of gunrunners are selling thousands of cheap pistols here in a lucrative black market that according to a recent study, is flourishing in bars and on street corners of the city.

The firearms are for the most part purchased in large lots in four Southern states at prices ranging from \$15 to \$25 each. They are sold in New York City, which has the most stringent gun laws in the country, for \$90 to \$150.

In an attempt to stop, or at least lessen, the flow of such illegal weapons, the Police Department four weeks ago established a special gun squad. Its undercover operatives are currently "making buys" on the streets, attempting to trace and break the

small and apparently independent gunrunning bands.

The scale of the problems here is sketched out in the statistics of Project Identification, the just-completed study in which the Treasury Department's Bureau of Alcohol, Tobacco and Firearms traced the origins of 1,254 pistols confiscated by the police in connection with a number of arrests made since last August.

Of those coming from other states, 692, or 69 per cent, were bought from licensed gun dealers in Florida, Georgia, South Carolina and Virginia. Almost all of these were so-called Saturday-night specials—the cheaply made cast-metal pistols whose manufacture and sale is illegal in New York City.

According to Mayor Lindsay, long an advocate of tightened Federal gun controls, the proliferation of such pistols here through illicit channels has paralleled a tremendous increase in the criminal use of such weapons. It was the Mayor who requested the Federal agency to do the gun-tracing study.

The Mayor's office reports that in 1960 only 19 per cent of the city's total of 390 homicides involved pistols. Twelve years later the number of homicides had grown to 1,691 and the percentage involving handguns to 49.

No one knows just how many pistols there are in the city. The Treasury Department estimates 1.3 million, but other police and City Hall guesses range downward to 250,000.

Whatever the total is, 28,000 belong to permit-holders who, after screening and investigation, have been licensed by the police. The rest are illegally owned.

HISTORY OF ONE RING

How these unregistered guns got here and are continuing to get here can be seen in the case history of one gunrunning ring that, according to Federal officials, transported 3,600 pistols to the New York area between February and October of last year. Authorities estimate that the nine-member ring realized close to \$300,000 in profits from this interstate bootlegging and sale.

Twenty-five of the guns sold here by this ring have been confiscated by the police here from men they have arrested. These weapons have been linked to one murder, two attempted murders, an assault on a policeman and a dozen armed robberies.

The Federal and city police agents who helped smash this band said that its operation began in Greenville, S.C.

There, according to the authorities, four residents of South Carolina who had been recruited for the ring made weekly purchases of cheap .38-caliber pistols from Rufus Roberts, a dealer licensed to sell weapons under a 1968 Federal law.

South Carolina is one of 31 states that require no permit or license to buy a pistol. It is perfectly legal in these states for people to carry handguns strapped to their waist in plain view, and in Vermont it is legal to carry a concealed weapon with no licensing requirement.

However, under the 1968 Federal law, a purchaser of a handgun anywhere in the United States is obliged to sign Form 4473, declaring that he is not an alcoholic or a felon and has no history of mental illness.

He must also show identification proving him to be a resident of the state, but no check is made on the buyer and no finger prints are taken. The form is merely signed at the gun shop at the time of purchase.

The four South Carolinians signed such declarations as they made weekly purchases of as many as 600 Saturday night specials. Despite the large number of guns there was nothing illegal about these sales. However,

when the buyers transferred the guns to two men in North Carolina, they violated Federal statutes. These laws were again broken when the men in North Carolina trucked the weapons to three men in the South Bronx, who sold the guns on the street.

SIMILAR ARRESTS CITED

These three, identified as Edwin Acedado, Jose Antonio Rosario and German Rosario, were the alleged masterminds of the rings. Along with the Southerners they were convicted of conspiracy to violate the Federal gun law and sentenced to five years in prison.

The case was cited as typical by Michael LaPerch, special agent in charge of the Bureau of Alcohol, Tobacco and Firearms unit here. He said that arrests of similar rings were running about 20 a month here.

As to who is buying such weapons, Deputy Inspector Robert J. Howe of the police intelligence division, said: "It is fashionable in some areas of the city to have guns. It's not just the criminal element, but also people who think that everyone around them has guns and feel they need something for protection."

Steven Brill, an assistant to Mayor Lindsay who is City Hall's resident expert on guns and gun control, said the situation has become so severe that in some areas of the city police responding to minor calls automatically assume that civilians may be armed.

"It happens all the time," Mr. Brill said. "Two men get into an argument because their dogs were fighting and one draws a gun and shoots the other, or a minor automobile accident ends with one guy shooting the other."

Mr. Brill said that retail outlets for the illicit gun trade were almost everywhere—bars, juice bars, social clubs.

The Mayor, the Police Commissioner and major police officials believe that increased Department and the new gun squad will certainly hurt the traffickers. But, they say, the only real remedy rests with Federal legislation that will end once and for all the crazy-quilt of state and local guns laws, which lay at the basis of the black market here.

HOPEFUL SIGN SEEN

Inspector Howe said that one hopeful sign has come in the passage recently in South Carolina, as well as in Illinois, of a "Fahrenheit law," which prohibits the sale of handguns that will melt at 800 degrees Fahrenheit. In effect, this bans the sale of the Saturday night specials.

Law enforcement officials speculate that if these guns, assembled in the country from foreign made parts, were to be outlawed generally, it would sharply dent the black market sale of weapons. They reason that since quality handguns retail for a maximum of \$100, black marketeers would have to sell them for about upward of \$300 and they doubt that there would be many buyers at that price.

But the solution advocated most strenuously by Mayor Lindsay is a nationwide restriction on hand gun ownership, with licensing on the New York City model. He called the general policy of permissiveness on guns "suicidal."

To get a license to carry a handgun in New York City the applicant must be fingerprinted. He must also pass a Police Department screening that denies a license to anyone with a felony or major misdemeanor on his record, or who has a record of alcoholism, drug addiction or similar instability.

Mayor Lindsay pointed out that in Tokyo, where the ownership of handguns is absolutely illegal, only three people were murdered with handguns in 1970. In that same year 538 people were killed with handguns here.

UNITED STATES ENTERTAINS
ROMANIAN COMMUNIST

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. RARICK. Mr. Speaker, the Red Party boss of Romania, Nicolae Ceausescu, is to be our national guest of honor this week. So the American people can expect to be told what a great friend and independent Communist ruler he is. Nevertheless, Ceausescu is a dedicated Communist and has been one since 1933. But he has not come to discuss the absence of a two-party political system in his country or the suppression of free speech and political prisoners. Rather, he is to be praised for his great efforts in getting Dr. Kissinger into Peking and to be honored for his country's pro-Israel stance during the Middle East war. In fact, we are even told that he may discuss the sale of Romanian petroleum products if the American people are ready to meet his price.

I include a related newsclipping at this point:

[From the Washington Star-News, Dec. 3, 1973]

ROMANIA CHIEF SCORES WITH UNITED STATES
(By Jeremiah O'Leary)

Romania's independent-minded President Nicolae Ceausescu arrives in Washington tomorrow to begin a two-day state visit here followed by a whirlwind tour around the United States. He leaves Dec. 10.

Ceausescu is popular with President Nixon and Secretary of State Henry A. Kissinger because he was instrumental in setting up the new friendship between the United States and China. Not only was Ceausescu helpful in arranging Kissinger's first surprise mission to Peking, but his nation also was the only member of the Warsaw Pact that did not sever relations with Israel after the 1967 war.

It is understood that Ceausescu is even prepared to discuss sale of more refined petroleum products from Romania if the price is right.

The Romanian president arrives at Andrews Air Force Base on a flight from Bucharest at about 3 p.m. tomorrow and will go directly to Camp David, Md., to spend the night at the Presidential retreat.

He will fly to the White House by helicopter for a welcome ceremony on the lawn which the administration reportedly intends to be enthusiastic. After conferring with Nixon after the formalities of the arrival ceremony, Ceausescu will stay at Blair House for two days.

Highlights of the visit will be a formal state dinner at the White House sessions with Secretary Kissinger. Later, Ceausescu will inspect a nuclear power installation in Wilmington, N.C., visit Cleveland, where many former Romanians and descendants of Romanians live, meet oil men in Houston, Texas, then go to Hartford, Conn., and Cape Canaveral, Fla.

Nixon is known to want to roll out the red carpet for Ceausescu with special warmth of welcome because in 1969 Nixon was the first United States President to visit Romania. Ceausescu came to Washington on a similar visit in October 1970, during which Nixon took great care to underline Romania's policy of independence.

No one, least of all the Russians, doubt Ceausescu's militant independence. He was in the forefront of those European leaders in opposition to the Soviet invasion of

Czechoslovakia in 1968. He also has visited Russia's mortal enemy, China, and has exchanged cordial visits with Israel's Prime Minister Golda Meir.

Nevertheless, Ceausescu is a dedicated Communist and has belonged to the party since 1933, when he was 15 years old.

TRIBUTE TO THE HONORABLE
LESLIE C. ARENDS

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. ROONEY of New York. Mr. Speaker, the recent announcement by my colleague and good friend, the distinguished gentleman from Illinois, the Honorable LESLIE C. ARENDS, that this is to be his last term in this great and august body came to me, as I am sure it did to all of us, as a great shock.

The decision of LES ARENDS to leave the House of Representatives after nearly 40 years of service is a great loss to the people of Illinois, to this body, and to the entire country. Few, if any, retirements in my time will be felt more deeply or will be a greater loss to the House of Representatives than that of the wonderful and dedicated, knowledgeable and decent, friendly and humble gentleman from Illinois.

LES has served his country well in several fields of endeavor including service in the Navy during the First World War; as a district commander of the American Legion and finally as a Member of the U.S. House of Representatives. As a Member of the House, he served on several important committees including the old House Committee on Military Affairs; on the House Committee on Armed Services, and on the House Committee on Standards of Official Conduct.

With all of that Mr. Speaker, perhaps LES' greatest accomplishment was that he held the post of Republican Party whip here in the House for nearly 30 years. While other members of the Republican leadership came and went, LES was always there to provide the kind of stability and internal leadership that is so important to a republic.

I know of no more effective legislator than LES, and know of no finer gentleman than LES ARENDS. I know all of us will miss him; the House will miss him and I will miss him. I hope it will be possible for me to continue my personal friendship with him in the years to come.

Mr. Speaker, the State of Illinois will lose a great advocate when LES ARENDS retires. There has never been a greater champion for his home State than LES ARENDS.

Mr. Speaker, I extend to LES and to his lovely wife, Betty, sincere and best wishes. I hope that it will be possible for LES to continue in some way to contribute to his State and his country all of the knowledge and experience that he has accumulated in his many years of public service. In the meantime, LES, enjoy your retirement years. You have earned them.

AMERICANS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. HOGAN. Mr. Speaker, my friends at WWDC radio station have been broadcasting some comments made last June by a Canadian radio announcer named Gordon Sinclair.

Because they are even more appropriate now than when they were made, I am inserting them in the RECORD:

AMERICANS

(By Gordon Sinclair)

The United States dollar took another pounding on German, French and British exchanges this morning, hitting the lowest point ever known in West Germany. It has declined there by 41% since 1971 and this Canadian thinks it is time to speak up for the Americans as the most generous and possibly the least-appreciated people in all the earth.

As long as sixty years ago, when I first started to read newspapers, I read of floods on the Yellow River and the Yangtze. Who rushed in with men and money to help. The Americans did.

They have helped control floods on the Nile, the Amazon, the Ganges and the Niger. Today, the rich bottomland of the Mississippi is under water and no foreign land has sent a dollar to help. Germany, Japan and, to a lesser extent, Britain and Italy, were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions in debts. None of these countries is today paying even the interest on its remaining debts to the United States.

When the franc was in danger of collapsing in 1956, it was the Americans who propped it up and their reward was to be insulted and swindled on the streets of Paris. I was there. I saw it.

When distant cities are hit by earthquake, it is the United States that hurries in to help . . . Managua, Nicaragua is one of the most recent examples. So far this spring, 59 American communities have been flattened by tornadoes. Nobody has helped.

The Marshall Plan . . . the Truman Policy . . . all pumped billions upon billions of dollars into discouraged countries. Now newspapers in those countries are writing about the decadent war-mongering Americans.

I'd like to see just one of those countries that is gloating over the erosion of the United States dollar build its own airplanes.

Come on . . . let's hear it! Does any other country in the world have a plane to equal the Boeing Jumbo Jet, the Lockheed Tristar or the Douglas 10? If so, why don't they fly them? Why do all international lines except Russia fly American planes? Why does no other land on earth even consider putting a man or woman on the moon?

You talk about Japanese technocracy and you get radios. You talk about German technocracy and you get automobiles. You talk about American technocracy and you find men on the moon, not once, but several times . . . and safely home again. You talk about scandals and the Americans put theirs right in the store window for everybody to look at. Even the draft dodgers are not pursued and hounded. They are here on our streets, most of them . . . unless they are breaking Canadian laws . . . are getting American dollars from Ma and Pa at home to spend here.

When the Americans get out of this bind . . . as they will . . . who could blame them if they said 'the Hell with the rest of the world'. Let someone else buy the Israel

bonds. Let someone else build or repair foreign dams or design foreign buildings that won't shake apart in earthquakes.

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Pennsylvania Railroad and the New York Central went broke, nobody loaned them an old caboose. Both are still broke. I can name to you 5,000 times when the Americans raced to the help of other people in trouble.

Can you name me even one time when someone else raced to the Americans in trouble? I don't think there was outside help even during the San Francisco earthquake.

Our neighbours have faced it alone and I'm one Canadian who is damned tired of hearing them kicked around. They will come out of this thing with their flag high. And when they do, they are entitled to thumb their nose at the lands that are gloating over their present troubles.

I hope Canada is not one of these. But there are many smug, self-righteous Canadians. And finally, the American Red Cross was told at its 48th Annual Meeting in New Orleans this morning that it was broke.

This year's disasters . . . with the year less than half over . . . has taken it all and nobody . . . but nobody . . . has helped.

THOUGHTS OF MAN—1973

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. CONTE. Mr. Speaker, on December 5, "Thoughts of Man—1973," a traveling exhibition sponsored by the Cotton Fiber Paper Council, many of whose members are located within my congressional district, officially opens in Washington for a month-long public display at the Martin Luther King Memorial Library.

The thoughts of more than 100 prominent Americans, including many within this body, are communicated in the venerable form of the letter, and address themselves to the question, "Is there a need for central cities in America's future?"

Critical and public acclaim for "Thoughts of Man" has been widespread in the cities in which it has been viewed. By presenting an eclectic philosophical overview of the city in American life, the council, the trustees of the Martin Luther King Library and Mayor Walter Washington, the cosponsors, have helped us to focus on perhaps the most significant and far-reaching challenge facing our Nation. The multifaceted complex of people, buildings, and the processes which they are a part of, can here be examined and considered by those effected.

It was Robert Frost, in his poem "The Gift Outright," read at the inauguration of President John F. Kennedy, who said, "The land was ours before we were the land's." Without our cities, we would have been wholly unable to become the land's. Scholars note that the rise of the city is the hallmark of civilization, its organizational nucleus. From the very first, the development of the large American cities was an integral part of the development of the country. Only in their establishment could the various transactions and cooperative efforts of millions

demand by the settling of a vast wilderness be orchestrated. Without them, nothing of what we have built could have been achieved.

In the settling of our land, and the conflicts that have robbed us of time and energy throughout our history, certain aspects of city life have fallen into neglect.

Our attention was turned to great tasks, the likes of which were unprecedented in human history. Growth was often so rapid as to preclude planning. This was not to the discredit of any one or more individuals, but rather characteristic of the youthful American spirit and the Nation which it spawned. But at last, the spirit of wilderness seems to have taken refuge in our cities, and we are obliged to refine them.

In the final analysis, man, who built the city will preserve the city, but only through collective effort, depending upon communication. In selecting cities as the theme of "Thoughts of Man," and the written word as the form of comment on that theme, the Cotton Fiber Paper Council has made a point worthy of consideration. In a world of increasingly complex and technological communications networks, a man with pen in hand remains a singularly powerful expressive entity.

NEW LEGISLATION TO MODIFY THE TEACHER CORPS PROGRAM

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. QUIE. Mr. Speaker, I am introducing today a bill which will modify the Teacher Corps program. There are several reasons why this program, which is currently spending \$37.5 million to train new teachers should be modified to meet current conditions. The modifications currently spending \$37.5 million to train already employed teachers as well as to continue training new teachers for poverty areas.

The new program will continue the Teacher Corps program which has had local school districts work with colleges and universities in the area to develop coordinated plans for training teacher-interns. The basic change proposed by this legislation is that already employed teachers can take part in the program along with the interns. This program will be initiated at the request of local school districts which meet the conditions of need written into the original legislation.

The original Teacher Corps law was enacted on November 8, 1965. This was a period when we did not have enough teachers to meet our needs. The shortage was most evident in the central cities and the remote rural regions where pay was not as high and working conditions were often not as attractive as they were in the suburban areas and the towns of America. The Teacher Corps was designed to find college students who had not trained for a career in education, but who were interested in becoming teachers. The next step was to give the

student an intensive summer session in education theory and techniques before he started teaching school in the fall. This was followed for the next 2 years with in-service training and summer sessions which developed as a coordinated program between the teacher, training school, and the local school district until the person was certified as a regular teacher.

This law helped meet our need for new teachers at that time, but 8 years later we have just the opposite set of conditions. There is currently a declining number of schoolchildren and an excess number of prepared teachers. Some districts are being forced to release teachers already on the payroll due to declining enrollments.

My proposals will modify the Teacher Corps to fit with this new reality. The major emphasis of the new legislation will enable the corps to bring experienced teachers into the corps for retraining. The legislation will also support demonstration projects which will allow better evaluation of new teaching techniques. The corps will have a stronger research evaluation component so that more can be learned about what works and what does not work in the improvement of teacher training. The emphasis will continue to be on training teachers to work in poverty areas. These amendments would be effective in 1975.

This bill will help alleviate the new educational problems in the United States today. Too often we merely count the number of teachers in the classroom and assume that our job is done. The last major era in education posed the problems of growth. This era poses the more complex problem of educational quality. The schools that need the most help are those strapped by lack of funds such that they cannot afford the cost of retraining on their own. The first step in developing educational quality is to help these districts revitalize their teachers and their programs. All professionals need the time and support to keep abreast of new techniques in their fields. My bill will make it possible for working teachers to take courses in universities and colleges as well as in-service programs which have been designed and coordinated to meet the express needs and concerns of the local school district.

This bill will also provide for better field research in teacher training techniques. This is an area which many people concerned with the quality of education feel can be improved. In the long run this type of research can pay high returns by allowing us to see more clearly what type of teacher training seems to be most effective. Many times we do not believe something new will work until we see for ourselves. These demonstrations and evaluations will help disseminate the new and improved teaching techniques across the country and allow teachers to see how they work in the classroom.

I hope all of you will join me in supporting this legislation which is so necessary in helping all our children receive the kind of training and education that our country needs. Without insuring the quality of teachers in our schools, we are shortchanging the future of America.

DAVID BEN-GURION

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. HELSTOSKI. Mr. Speaker, one of the world's greatest statesmen, David Ben-Gurion, died December 1 at the age of 87. More than any other single individual, he embodied the spirit and integrity of the State of Israel. Though criticized by some for his tactics and philosophies, it was Ben-Gurion who steadied the State through its infancy and insured that the new land would survive.

He leaves behind a country plagued with complex problems; his death comes at a time when his beloved nation is wrought with anxiety. However, more significant is the fact that he does leave behind a nation—a young, vibrant homeland for Jews, which had been his lifelong dream. Not only will his memory be an inspiration for Jews, but the story of Ben-Gurion will be told and retold by all who love freedom.

Mr. Speaker, an excellent editorial on the death of David Ben-Gurion appeared December 3 in the Washington Post. Because it captures the spirit of the man and what he meant to his people, I would like to take this opportunity to share it with my colleagues. The article follows:

DAVID BEN-GURION

David Gryn of Plonsk, Russian Poland, began studying Hebrew at age 2. By age 10 he had determined to live in Palestine. At 20, he arrived there and took the name Ben-Gurion, after a Jew who had died defending Jerusalem from Roman capture in 70 A.D. Across the intervening centuries of pain and travail, he believed, the Jewish people had dedicated themselves to returning to their homeland. To serve and then to lead that movement, known as Zionism, became David Ben-Gurion's mission, which he pursued with an aweing Old Testament relentlessness. A socialist who believed that Jews must redeem their own land by their own labor, he became head of the Palestinian Jewish labor movement. The rise of Hitler sharpened his sense of the urgency of gathering more Jews to Palestine, and of readying Palestine for more Jews. He knew that, if created at all, a Jewish state could not endure without administrative infrastructure, foreign ties, and its own defense force. These he brought into being, he and his group of extraordinary Russian Jews. Ben-Gurion signed the document creating Israel on May 14, 1948, and became the first prime minister, leading the state through most of its first 15 tumultuous years. He retired in 1963 to the desert kibbutz Sde Boker, there to model the lifestyle he valued most, pioneering. He died on Saturday at age 87.

Few public men have ever lived a life of the prophetic intensity and historical achievement of David Ben-Gurion. Certainly no modern figure has been of more central and comprehensive importance to the whole life of his people. In a real sense, Israel is his personal monument. But of course a state is not a stone carved and polished in studio tranquility. "We have been working to build up our land," he told the remnants of European Jewry in 1945, "so that you may come there to live as decent human beings again among your own people and where you will

not fear again." But the citizens of Ben-Gurion's Israel fear still. Neither he nor his successors could gain the trust of their Arab neighbors. Early on, Ben-Gurion had acknowledged the need "to find the way to the heart of the Arab people." He never found that way. Could anyone? Was the fault in Ben-Gurion's hard approach to the Arabs, in his zeal to give first priority, whatever the consequences, to providing a homeland for Jews? Did Hitler's genocide leave any alternatives? Could Arabs have accepted waves of Jews, or a Jewish state, under any conditions? Ben-Gurion's life did not answer—in-deed, it kept open—these questions. But he left the state of Israel.

GILMAN PROPOSES GEOTHERMAL PROGRAM**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. GILMAN. Mr. Speaker, I am introducing legislation today establishing a governmental program for the development of geothermal energy sources.

Geothermal energy is one of the best untapped resources of energy that we have. Lying near earthquake faults, volcanic regions and geysers, many promising areas of potential energy exist in the United States that have thus far remained untapped.

The basic principle of geothermal energy is a simple one. The unlimited potential of the Earth's heat is used to make steam to turn the turbines of our electric generators. Accordingly the heat of the Earth's core is substituted for the heat created by the burning of fossil fuels or by the splitting of uranium atoms in a nuclear reactor.

In a day where our conventional energy resources are rapidly dwindling, we must do all we can to encourage the exploration and development of new sources of energy. While geothermal energy will not provide immediate relief from the energy crisis of 1973, in several years it will be an important resource. Furthermore, unlike other power sources, geothermal energy can provide us with virtually an unlimited reservoir of potential power that will be pollution free.

To date, the United States has not undertaken any significant, systematic exploration of geothermal energy. Under the provisions of this bill, the Director of the National Science Foundation will initiate and support basic research relating to geothermal energy. In addition, the National Aeronautics and Space Administration will carry out a demonstration program for the development of the commercial use of geothermal resources so that our citizens may soon benefit from this new power supply.

I urge my colleagues to join me in support of this measure so that we can help to implement the President's goal of energy independence by 1980. I include the full text of my bill in the Record, as follows:

H.R. —

A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Geothermal Energy Research, Development, and Commercial Demonstration Act of 1973".

FINDINGS

Sec. 2. The Congress hereby finds that—

(1) the Nation is currently suffering a critical shortage of environmentally acceptable forms of energy;

(2) the inadequate organizational structures and levels of funding for energy research have limited the Nation's current and future options for meeting energy needs;

(3) electrical energy is a clean and convenient form of energy at the location of its use and is the only practicable form of energy in some modern applications, but the demand for electric energy in every region of the United States is taxing all of the alternative energy sources presently available and is projected to increase; some of the sources available for electric power generation are already in short supply, and the development and use of other sources presently involves undesirable environmental impacts;

(4) the Nation's critical energy problems can be solved only if a national commitment is made to dedicate the necessary financial resources, and enlist the cooperation of the private and public sectors, in developing geothermal resources and other nonconventional sources of energy;

(5) the conventional geothermal resources which are presently being used have limited total potential; but geothermal resources which are different from those presently being used, and which have extremely large energy content, are known to exist;

(6) some geothermal resources contain energy other than heat; examples are methane and extremely high pressures available upon release as kinetic energy;

(7) some geothermal resources contain valuable byproducts such as potable water and mineral compounds which should be processed and recovered as national resources;

(8) technologies are not presently available for the development of most of these geothermal resources, but technologies for the generation of electric energy from geothermal resources are potentially economical and environmentally desirable, and the development of geothermal resources offers possibilities of process energy and other non-electric applications;

(9) much of the known geothermal resources exist on the public lands; and

(10) Federal financial assistance is necessary to encourage the extensive exploration, research, and development in geothermal resources which will bring these technologies to the point of commercial application.

FUNDING OF GEOTHERMAL ENERGY RESEARCH BY NATIONAL SCIENCE FOUNDATION

SEC. 3. (a) Section 3 of the National Science Foundation Act of 1950 (42 U.S.C. 1862) is amended by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and by inserting after subsection (d) the following new subsection:

"(e) The Director shall initiate and support basic and applied research relating to

geothermal energy development, as provided in section 3(b) of the Geothermal Energy Research, Development, and Commercial Demonstration Act of 1973."

(b) The Director of the National Science Foundation is authorized and directed to initiate, support, and fund basic and applied research activities related to geothermal energy in support of the objectives of this Act. These research activities shall, insofar as practicable, support the new geothermal energy technologies demonstrated or to be demonstrated by the National Aeronautics and Space Administration pursuant to section 4 of this Act. For these purposes the Director of the National Science Foundation is authorized to utilize funds appropriated to the Foundation pursuant to law or transferred to it from the National Aeronautics and Space Administration or other Federal agencies.

COMMERCIAL GEOTHERMAL ENERGY DEMONSTRATIONS BY NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SEC. 4. (a) Section 203 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473) is amended by redesignating subsection (b) as subsection (c), and by inserting immediately after subsection (a) the following new subsection:

"(b) The Administration shall initiate and carry out commercial demonstrations and conduct related activities (including research and development) in geothermal energy technology, as provided in section 4(b) of the Geothermal Energy Research, Development, and Commercial Demonstration Act of 1973."

(b)(1) The National Aeronautics and Space Administration (hereinafter in this section referred to as the "Administration") is authorized and directed to undertake and carry out a program, as provided in this subsection, for the development and demonstration of the commercial use of geothermal resources for the production of energy in support of the objectives of this Act.

(2) The program under this subsection shall encompass research, development, commercial demonstrations, and related activities involving geothermal resource bases such as hot dry rock and geopressured zones.

(3) (A) In carrying out the program under this subsection, the Administration is authorized to establish with respect to each geothermal resource base involved a separate demonstration project, which shall include, as appropriate, all of the exploration, siting, drilling, pilot plant construction and operation, commercial demonstration plant construction and operation and other facilities and activities which may be necessary for the generation of electric energy and the utilization of geothermal resource byproducts.

(B) Plants and other real property utilized or involved in any such project may be purchased, leased, constructed, or otherwise established or obtained by the Administration either directly, through its own facilities and personnel, or under appropriate contracts or arrangements with other public or private persons or agencies.

(C) Basic and applied research needed for or in connection with any demonstration project under this paragraph, and related research and development activities, shall be conducted or performed by the Administration but shall be coordinated to the maximum extent possible with related activities of the National Science Foundation (particularly those provided for in section 3(b) of this Act), the Department of the Interior, the Atomic Energy Commission, and other appropriate public agencies and private entities.

(4) (A) During the conduct of any demon-

stration project under paragraph (3) the Administration shall take such steps as may be necessary to dispose of all of the electric energy and other geothermal resource byproducts of such project, in such manner and on such terms and conditions as the Administration may determine to be feasible and in support of the objectives of this Act.

(B) To the maximum extent possible the disposition of byproducts under subparagraph (A) shall be accomplished through the sale of such byproducts for commercial utilization, on such terms and conditions and in accordance with such plans as the Administration may prescribe or develop.

(5) At the conclusion of the program under this subsection or as soon thereafter as may be practicable, the Administration shall, by sale, lease, or otherwise, dispose of all projects undertaken pursuant to paragraph (3) (including mineral rights therein) on such terms and conditions as it determines to be reasonable, or, if the disposition of any such project or any part thereof on reasonable terms and conditions is not possible or feasible, shall under appropriate contracts or other arrangements provide for the disposition of all of the electric energy and other geothermal resource byproducts of such project or part thereof.

(6) In the conduct of its activities under this subsection, the Administration shall place particular emphasis upon the objective of assuring that the environment is effectively protected and that such activities do not threaten the safety of persons or property; and the program under this subsection shall include such special research and development as may be necessary for the achievement of that objective.

(7) (A) The Administration shall submit to the President and the Congress at least every six months during the period of the program under this section a full and complete report of its activities under this section, including such projections and estimates as may be necessary to evaluate the progress of the program under this section and to provide the basis for as accurate a judgment as is possible concerning the extent to which the objectives of this Act will have been achieved by the close of such period.

(B) No later than one year after the close of the period of the program under this section, the Administration shall submit to the President and the Congress a final report on its activities under this section, including its recommendations with respect to any further legislative, administrative, and other actions which should be taken in support of the objectives of this Act.

(c) There are authorized to be appropriated to the Administration, for the first six fiscal years beginning after the date of the enactment of this Act, such sums, not exceeding \$80,000,000 in the aggregate, as may be necessary to carry out this section.

SOVIET OIL AND UNITED STATES TECHNOLOGY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. ASHBROOK. Mr. Speaker, with the energy shortage in the United States, we should realize that the Soviet Union is facing energy problems. At least one Western analyst forecasts the Soviet Union will be a major consumer of Mid-

die East oil by 1980. By 1985 or 1990 due to their own immense reserves the Soviets could reduce their need of Arab oil and become self-sufficient. However, this may not happen as the Soviets export oil to Eastern Europe. This export keeps Eastern Europe dependent on the Soviet Union—a dependency the Soviet Union wishes to maintain. Additionally, the Soviet Union exports oil and gas to Western Europe to earn hard currency. As much as 30 percent of the hard currency they earn may come from such exports.

Two other inhibiting factors in Soviet efforts to increase oil and gas production are the shortage of investment capital and the lack of technology and technological skill. The Soviets seem to have been unable to develop the advanced technology for extraction of their resources. Also, refinery capacity must be greatly expanded to handle any increase in oil production.

We must remember that oil and other energy sources are a vital part of any nation's military capacity. Factories which produce weapons need energy to operate their equipment. The Soviet navy—considered to be the most modern in the world—needs oil to propel its destroyers, submarines, transport ships, and other vessels. Soviet tanks, troop vehicles, armored personnel carriers, and jeeps all need oil—be it engine oil, gasoline, or diesel fuel—to operate. The Soviet Air Force needs jet fuels to keep its Mig's in the air. Obviously petroleum and petroleum products keep a military machine going. Soviet ships transporting weapons of war to Vietnam or the Middle East were able to do so because the Soviets had the petroleum.

Let us briefly look at the history of the Soviet petroleum industry and their development of technology.

By 1900 the Caucasus oil fields of Russia were producing more crude oil than the United States. After the Russian Revolution due to lack of necessary activity, many of the wells became a mixture of oil and water. By 1922, half of the wells of the Baku field—the most important of the Caucasus fields—were idle while the remainder were producing even greater quantities of water.

To solve the problems, Serebrovsky, Chairman of the Soviet petroleum combine, had a solution. He stated:

American capital is going to support us. The American firm International Barnsdall Corporation has submitted a plan. . . . Lack of equipment prevents us from increasing the production of the oil industry by ourselves. The American firm . . . will provide the equipment, start drilling in the oil fields and organize the technical production of oil with deep pumps.

The Barnsdall Corp. did what Serebrovsky said it would. Soviet oil drilling technology changed from labor-intensive methods to the American developed rotary drilling techniques. Similar advances were made in pumping technology.

Electrification came to these oil fields in the 1920's through Metropolitan-Vickers, Ltd.—United Kingdom, a subsidiary of Westinghouse, and the introduction of General Electric Products.

Oil pipelines were built in the 1920's from Western materials and by Western companies. Between the Russian Revolution and 1930, 19 refineries and cracking plants were built. One which was built under British technical supervision had some units manufactured in the U.S.S.R.

In the early 1930's the Soviets began building their own refinery equipment from Western designs. Progress was slow and limited. In 1936 American refinery construction companies came back to help the Soviets expand their refining capacity. Hydrogenation units were built by Universal Oil Products, an American company, to convert gasoline into aviation gasoline. Deliveries of refinery equipment also were made after agreements were signed in 1945.

The Soviet petroleum and energy industry has been highly dependent on Western technology including American.

On October 2, 1973, the American Communist Party's newspaper *Daily World* reported that the U.S.S.R. has placed orders and bought oil-extracting and other petroleum industry goods. Discussions have taken place and tentative agreements reached on the U.S. providing the technology to develop Siberian gas reserves.

A recent United States-Soviet trade conference sponsored by the National Association of Manufacturers included Soviet officials who discussed their desire for resource development, particularly in the oil and natural gas sectors. In these areas, the Soviets are presently placing in the words of the "Proceedings" of the conference, "a heavy emphasis on the importation of advanced Western machinery, equipment and technology." Thus, the Soviets still need Western technology for the development of their energy resources.

At a time when refinery capacity should be increased in the United States, at a time when the United States should be involved in serious energy exploration at home, the U.S. Government and American businessmen are helping the Soviets increase their energy industry. Remember it takes petroleum to move a military machine. Trucks, tanks, airplanes and ships all need petroleum.

One of the arguments put forth by the proponents of building Soviet industry with American technology and credits is that the United States can turn to the Soviet Union for importation of petroleum and gas. Occidental Petroleum and El Paso Natural Gas Co. signed a letter of intent with the Soviet Government to develop Siberian gas fields. Financial support would have to come from a consortium of American banks plus the backing of the U.S. Export-Import Bank.

Once the fields were developed, the United States is supposed to receive gas. The gas would go first by pipeline to the Soviet coast and then by tanker to the American west coast.

Questions have been raised as to the extent and the amount of Soviet reserves. The amount of energy resources that the U.S.S.R. may be able to supply might be limited by growing internal domestic needs and commitments.

One reason not mentioned by many experts stands above all others when

speaking of the United States receiving petroleum from the Soviets. The United States right now is suffering from an Arab oil shut-off—an oil shut-off being masterminded by Arab countries previously considered friendly to the United States such as Kuwait and Saudi Arabia. The Soviet Union has never had such a history of friendship with the United States. Soviet aims in the Middle East, Southeast Asia, Cuba, Eastern Europe, and numerous other places on this globe have been directly counter to the interests of the United States. The Soviets understand power and use it. American dependence on the Soviets for energy supplies—be they petroleum or gas—would give the Soviets a very influential lever to use against the United States. If we wish to maintain our freedom and even our national existence, this is a power that we do not want the Soviets to have.

Who would be so foolish to think that the Soviets would treat us any better than the Arabs? Who is so foolish to think that Soviets would not use American dependence on Soviet gas or oil as a weapon—perhaps not today but surely tomorrow—against American interests and even existence.

We must not confuse the U.S. Government with the Soviet Government. The U.S. Government may be unwilling to use trade with the Soviets as a weapon to further American interests but the Soviets have never shown such unwillingness. The kulaks, the Russian Baptists, the Russian Jews, the dissidents have all tasted Soviet power. Poland, Latvia, Estonia, Lithuania, Hungary, Czechoslovakia—to mention a few—also have all felt Soviet power. Let us not confuse our own proclivities with those of the Soviets. The Soviets view our humaneness as weakness; our search for peace as a desire to be manipulated for their own ends; our discussion of building their energy resources as a weapon to be used against us.

Let us begin to look with realism at Soviet needs and desires. Let us not confuse our own wishes with those of the Soviets. And let us not think that the Soviets want to help us out of our energy crisis. They want our help to make themselves an even stronger threat to our liberty, property, and even lives.

COMPREHENSIVE MANPOWER ACT OF 1973

HON. IKE F. ANDREWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. ANDREWS of North Carolina. Mr. Speaker, on Wednesday, November 28, the House debated H.R. 11010, the Comprehensive Manpower Act of 1973, and during that debate I pointed out some reservations about this bill.

I read into the RECORD a letter to me from Mr. George Autry, president of the North Carolina Manpower Development Corp. His letter addressed in some detail the problem that concerns me and a

number of others from the South—that is, in supporting a bill whose purpose is to help unemployed and underemployed citizens, but who funding allocation formula specifically does not include underemployed persons.

The importance of underemployment in a State such as North Carolina, which has a large, rural, agricultural population, cannot be stressed too greatly.

Other major concerns expressed in the letter, concerns with which the House and Senate conferees need to deal, are sharp reductions in funding levels for North Carolina and the South and the very real possibility that H.R. 11010 will gut the State's role as policy planner and coordinator of manpower services.

I expressed these reservations about H.R. 11010 to my distinguished colleagues Hon. CARL PERKINS, committee chairman, and Hon. DOMINICK DANIELS, subcommittee chairman, and others. The consensus was that the funding allocation formula of the bill is far from perfect and that it does discriminate against North Carolina and some other States, particularly those in the Southeast. I was assured by these gentlemen that they will work in the House-Senate Conference Committee to improve the bill's formula as it affects the States in the Labor Department's region IV.

I think it is in order here to emphasize H.R. 11010's faulty allocation formula with some figures.

It is estimated by the North Carolina Manpower Council that, without a poverty factor in the formula, North Carolina will lose \$2,066 million in fiscal 1975.

Region IV, which includes North Carolina, will face a total funding loss of \$17.26 million.

Here are the figures that I have been provided by the North Carolina Manpower Development Corp. for region IV, which is served by the Atlanta office of the Department of Labor:

| State | Funding, using 3 factors ¹ | Funding, using 4 factors ² | Funding loss |
|---------------------------|---------------------------------------|---------------------------------------|--------------|
| Alabama..... | \$13,617,000 | \$16,507,000 | \$2,890,000 |
| Florida..... | 21,717,000 | 23,263,000 | 1,546,000 |
| Georgia..... | 16,456,000 | 18,286,000 | 1,830,000 |
| Kentucky..... | 16,286,000 | 19,108,000 | 2,822,000 |
| Mississippi..... | 8,999,000 | 11,654,000 | 2,655,000 |
| North Carolina..... | 18,951,000 | 21,017,000 | 2,066,000 |
| South Carolina..... | 11,026,000 | 12,151,000 | 1,125,000 |
| Tennessee..... | 15,924,000 | 18,251,000 | 2,327,000 |
| Total loss region IV..... | | | 17,261,000 |

¹ Using formula that includes the factors of labor force, prior-year funding, and unemployment.

² Using formula that includes the above 3 factors and the factor of adult poverty.

What these figures show is that, if some form of poverty index is not included in the allocation formula, the purpose of manpower reform will not be achieved. This is not a parochial concern limited to my State or to the South; rather, it is the heart of the legislation as intended. If poverty is dropped, you lose one of the elements of manpower reform. Indeed, without a poverty factor, you destroy the elements embodied in the manpower-related efforts of the Office of Economic Opportunity.

Adding to the problem, the House bill now contains only the two factors of

prior-year funding and unemployment, and the question looms even larger whether the contemplated allocation formula will result in equitable distribution of manpower funds to the States, especially those in the Southeast.

Mr. Speaker, I would not be quite so concerned about this legislation if it were not my conviction that it is indicative of the way in which the Congress often deprives States in the Southeast of their fair share of Federal revenues.

Please let me make it clear that I do not think any Member of this body is guilty of any geographic discrimination. Rather, there seems to be somewhat of an inability to comprehend the needs of the South and the methods by which those needs can be met.

The assurance that my colleague, Congressman DANIELS, gave me on the House floor last week represented a step toward insuring geographic equality. Based on this assurance, in which he said, "we will try to work out a formula which will be equitably spread amongst all the States," I voted for H.R. 11010 on final passage.

I am heartened by the assurance I have been given that the House-Senate conferees will work to develop a more equitable formula when they meet on Wednesday and Thursday this week. Although instant perfection is impossible, I do hope that we can attain a better formula now and that the long-range goal of developing the best possible funding allocation formula will become a prime goal of the National Institute of Manpower Policy set forth in title IV of the bill.

Further, I hope that the conferees will report out a bill agreeable to all of us who are working to see that the comprehensive manpower legislation of 1973 is of lasting benefit to the economically disadvantaged of all States and is a useful addition to the provision of capable and trained workers for our economy.

FUEL FOR GENERAL AVIATION

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. McKINNEY. Mr. Speaker, yesterday, I indicated my general concern over the emergency energy legislation which passed the Senate on November 19. The inequities which have already followed the uneven and confused administration of certain energy measures is a well documented fact. I need only cite the now defunct voluntary fuel allocation program.

Unfortunately, misdirected administrative action often causes untold economic hardships, especially for the small businessman. In this regard, I seriously question the President's proposed 42.5 percent reduction of fuel for general aviation. I support reduction but not selective elimination.

In times of crisis, we must be wary not to handicap the smallest or the most vulnerable party to appease the public cry for action. I would like to bring to my

colleagues' attention a letter which I received from Edward G. Tripp, publisher of Air Progress magazine, which I think adequately outlines the problems of the general aviation industry:

NOVEMBER 27, 1973.

Re House bill 11031.

HON. STEWART B. McKINNEY,
House of Representatives,
Cannon Building,
Washington, D.C.

DEAR STEW: I'm deeply concerned about the President's statement on Sunday night. It represents an immediate, disastrous economic impact on general aviation businessmen and subsequent effects on many aspects of our national well-being.

The President singled out the many applications of light aircraft for fuel allocation averaging a 42.5 percent reduction. No other user group of fossil fuels is so selected or restricted.

General aviation as an industry represents nearly a five billion dollar contribution to our national economy (and more than 220 million dollars in export sales—a consistent and significant contribution to our balance of payments) and consists of many manufacturers and local service industries.

In a brief discussion today of the immediate impact of the President's intent, several businessmen estimated their immediate reduction in employment would reach 70 percent of their work force—more than 100,000 jobs lost in less than six months.

The economic uncertainty facing the industry as a result of fuel shortages has already been demonstrated through several million dollars of cancelled or deferred orders for equipment, suspension of plant and facility expansion in many parts of the country and withdrawal of research and development programs.

Many aviation businessmen are small, local operators who depend upon fuel services and related business to remain viable and solvent. They employ an average of thirteen people and are the sole air transportation link for thousands of small communities.

Many of these businesses—literally—will not survive three months if the specific fuel allocation proposed for general aviation applications is imposed.

It's possible that the "ripple effect" of such allocation will go far beyond the decimation of one industry. General aviation's role in air transportation and air commerce is singular, in that, as I mentioned, thousands of communities would be without air transportation without it. Many businesses have grown through decentralization to outlying, smaller communities. The economic impact of these businesses on smaller communities is strong; many of them have stated they would not have expanded or decentralized without the transportation and communications values of general aviation.

Many companies, large and small, depend on general aviation aircraft for the transportation of critical parts (one farm machinery manufacturer has stated that 40% of all critical machinery for production lines and essential services are shipped in this way).

I've even been told that many banks and finance companies have become concerned about the effect on them, through their financing and leasing support to aviation businessmen and to user companies, of devaluation of their outstanding value in general aviation equipment and through the spectre of massive repossessions.

It's essential that Congress understand the intent of the Administration toward general aviation—and other users of petroleum products—if the emergency powers are passed as proposed.

Attached is a proposal to amend the sense of House Bill 11031 to provide equal treatment for all users. It's my hope that all seg-

ments of our nation will share the burden of the emergency. The alternative is a disaster for an entire industry, with its attendant effect on thousands of individuals and the economy as a whole.

House Bill 11031 (HR-11450) is before the Committee on Interstate and Foreign Commerce at this very moment. I hope the attached amendment can be put on this bill. Because of the crisis nature of the legislation and the great pressure upon the Congress to act on it swiftly, I've barely outlined one aspect of its effect. Should you desire more, or more detailed, information, I'd be happy to help in any way possible.

Thank you for your interest and concern.

Sincerely yours,

EDWARD G. TRIPP.

NEW CANAAN, CONN.

THE CACHE RIVER: WHAT THE FUSS IS ABOUT

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. ALEXANDER. Mr. Speaker, in recent months I have received several inquiries from my colleagues from other States regarding a drainage project located primarily in the First Congressional District of Arkansas. Court action has temporarily halted work by the Corps of Engineers on a plan to provide drainage for the Cache River-Bayou DeView basin until a new environmental impact statement is filed. Both the House and Senate passed authorization last year for purchase of land and easements for mitigation purposes in the basin. However, the provisions were included in the omnibus public works bill vetoed by the President, although the \$1 million appropriation for purchase of mitigation lands was signed into law. Both Houses of Congress have again this session passed authorizing legislation, but there are differences between the two versions which must be worked out in conference.

In response to the questions of my colleagues and in an effort to help them respond to the communications they have received from their constituents on this project, I would like to share an article published recently in the Arkansas Gazette which I believe sets out the controversy in an objective manner:

[An interview of Trusten Holder by John Fleming, Arkansas Gazette, Nov. 18, 1973]

THE CACHE RIVER: WHAT THE FUSS IS ABOUT

(EDITOR'S NOTE.—The following interview with Trusten Holder on the subject of the Cache River-Bayou DeView controversy was conducted at several different meetings over the period of a month between John Fleming, the Gazette's outdoor editor, and Holder. The purpose is to try and present in an objective manner the problems involved with this million-acre Eastern Arkansas basin.)

Trusten H. Holder carries the title of Chief, Environmental Preservation, Arkansas Department of Pollution Control and Ecology. His duties include reviewing and making ecologically oriented recommendations on plans, programs and legislative proposals of state and federal agencies. He also serves as a member of the Governor's Committee and Land Use. During a period of 29 years (with

time out to serve as an infantry officer during World War II) he was employed by the Game and Fish Commission. His duties included operational control of research, land acquisition and development activities.

Holder is author of the book "Disappearing Wetlands in Eastern Arkansas" and its sequel, "Progress in the Preservation of Delta Wetlands." He served for 12 years as a member of the Arkansas Pollution Control Commission. He is widely known as an avid fighter for the protection of the environment and has won several national and state awards for his efforts in behalf of conservation.)

Fleming: Trout, before we get into the pros and cons of the Cache-Bayou DeView argument I would like to get on the record a simple statement of your position and mine. I have gone over every word I've ever written about the Cache project and there is no place where I've ever advocated a ditching project. My position is that we are faced fundamentally with a proposition wherein it will be necessary to compromise on the ditching project in order to save from 30,000 to 70,000 acres of wetlands that otherwise will go into agriculture. Is this essentially your position?

Holder: John, I haven't advocated the channelization either. It would be nice if we could get the mitigation without the ditch but you and I both know that this isn't likely to happen. That's why I think it is best to have the mitigation even if we do have to accept the ditch. Keep in mind, however, that this is a complex problem and, unfortunately, it has become involved in a highly emotional controversy. Anyhow, your statement of the proposition will give us a jumping off place for this question and answer session.

Fleming: Let's clear up one vital point right here. If the Cache-Bayou DeView Drainage Project is abandoned, will this save the existing wetlands?

Holder: Those woodlands that do remain within the Basin are vulnerable to destruction even if the Corps never does complete the drainage project. With the exception of woodlands in a few cypress breaks, I doubt if there are any woodlands from stem to stern within the Basin which are lower in elevation or any wetter than other formerly wooded tracts that have been cleared.

Fleming: Why would a farmer want to gamble on losing his crop to overflow?

Holder: If you listen to the farmers they will try to convince you that farming is a risky business even under the best of conditions. Anytime someone tries to farm land within the overflow bottoms he takes on the added risk of having his entire crop drowned out. The risks are great but they aren't sufficiently great to prevent farmers from clearing the land and taking the risks. Forget the drainage project for a minute and consider the fate of the remaining woodlands within the Basin without drainage. There are two overriding factors which control the destiny of the private-owned wooded tracts. The first is the economic factor and the second is water condition.

Fleming: Let's consider the economic factor first. How much more money can a farmer make from soybeans if he clears the land and uses it for this purpose?

Holder: Most of the woodlands which have been cleared in the overflow bottoms were cleared when beans were selling just a little above the support price which is \$2.25 a bushel. Now the price of beans is hovering around \$5 a bushel. And, the cash price is not the only factor. Futures on the commodity market also have some effect on land clearing to grow beans. At one time the price of beans rose above \$12 a bushel on the commodity market. Some Arkansas farmers contracted last June or July to sell their 1973 crop of beans at prices above \$8 a bushel.

Fleming: In other words, the possibility of a return of something well over \$100 an acre on land planted in soybeans makes the risk desirable.

Holder: Those of us who would like to save most of the remaining woodlands within the Basin sure can't get any comfort when we consider the financial advantages of raising soybeans instead of timber.

Fleming: Okay, now that it has been established that farmers can make maybe 10 times as much from soybeans as from timber, what is the extent of the risk they are taking. What I'm doing is getting to the second overriding factor. How about water conditions?

Holder: In this respect the fate of the woodlands is not controlled by how high the water gets in the winter but, rather, how low it gets during the normal crop growing season of most years. Take a look at the chart. Say the top line represents how high the water gets in the winter and the bottom line represents how low it stays during the crop-growing season of most years. Now, where is the elevation of the land that supports the growth of hardwoods in relation to those two lines? I am referring now to the land where oaks, hickories, elm and hackberry grow. We know, without running any elevation lines anywhere within the Basin, that the dashed line is a fairly accurate representation of the approximate elevation of the land that supports the hardwoods. How do we know for sure that it's somewhere above that bottom line? Because, all a landowner has to do to convert hardwoods to cultivate land, as far as the water level in the Cache River or Bayou DeView is concerned, is clear off the timber and start farming. A little land leveling or interior ditching may be desirable but the water levels in the River or Bayou during the growing seasons of most years stay considerably below the land elevations of where the hardwoods grow.

Fleming: How about a level that will support trees such as cypress, tupelo, etc.?

Holder: I'm sure your referring now to the cypress brakes in relation to the two solid lines and the dashed line. Lets consider the cypress brakes and shallow sloughs that support the cypress, tupelo, button willow and other water tolerant species of trees. Some of these brakes are located out in the overflow bottoms at various distances from the River or the Bayou. Here, again, we know, without having to run any engineering surveys, that the elevations of the bottoms of at least a vast majority of these shallow brakes and sloughs have to be somewhere between the dashed line and the bottom line—generally as represented by the dotted line. We know this because in numerous instances narrow and shallow ditches have been dug through cypress brakes and sloughs and on out to the River or Bayou. Where the ditches have been dug, all the water has drained out into the River or the Bayou.

Fleming: Is this a general practice?

Holder: In hundreds of such places, the land has been cleared and successful crops of soybeans have been grown right in the bottom of the shallow brakes and sloughs during at least three of the last five years. It is interesting to note that all of this has been done without any ditching whatsoever in the main stems of the River and Bayou except in the upper two-thirds of the basin which has already been ditched by drainage districts.

Fleming: What does the line of "Ls" represent under the bottom line?

Holder: That represents the land in the bottom of the deeper lakes and sloughs. These are the cypress-lined, open-water lakes and sloughs. We know that the bottom of many of them are at lower elevations than the summer time levels of the River or Bayou because some of them stand at least par-

tially filled with water right in the middle of a big soybean field. Also some of the others have direct connections to the River or Bayou and they fall to drain dry as the water recedes to the summertime levels.

Fleming: Considering then these two factors—economic and water conditions—you are convinced that most of the hardwoods in the Cache and Bayou DeView Basin can be cleared for agricultural purposes?

Holder: Much worse than that, John. After looking at some tracts which I would have thought would not have been feasible to clear, and yet have now been cleared, I doubt if there is a single tract of hardwood timber anywhere in Eastern Arkansas which could be definitely classified as being safe from being cleared.

SOME OF THE OBJECTIONS

Fleming: I'd like to get into some of the objections to the drainage project. It seems to have been established that the flood risks aren't great enough to stop the land from being cleared. How about the contention that most of the benefits of the drainage project will accrue to the large landowner?

Holder: The only land ownership of more than 10,000 acres is located at the extreme lower end of the project. Most of this ownership has already been cleared and when the ditch is completed all of it will be subjected to increased flood risks. According to the Corps of Engineers there are approximately one million acres in the flood plain of the Basin. Approximately 30,000 of these acres are in Missouri and the rest in Arkansas. The average size of the 1,444 ownership tracts, excluding small urban ownership, is 155 acres.

Fleming: Are all the large tracts in the Basin actually farmed by the big conglomerates?

Holder: The size of the ownerships, regardless of what is, does not reveal some of the more important considerations. It's real easy to sit back and agree with some of the more intense environmentalists who claim the whole project is just a grandiose scheme for a few rich people to get richer. True, an individual tract may be owned by a wealthy person but in many cases this owner is absentee and the land is farmed by sharecropping. The "rich landowner" usually gets one-fourth of the value of the crop. The sharecropper, on the other hand, probably borrowed the money for seed, fertilizer and all other expenses, he furnished all the equipment and labor used in the growing of the crop. When the water comes up, like it did in October of 1972, all the sharecropper can do is stand there and watch his three-fourths disappear.

Fleming: Isn't the whole purpose of the project to reduce flood risks so the landowners can clear the remaining tracts of woodlands at the taxpayers' expense?

Holder: A look at the aerial survey map made in July of this year should correct this erroneous impression. There are approximately 142,000 acres of delta woodlands in the Basin (less than 15 per cent). The straightline distance of the flood plain from Missouri to the lower extremity is approximately 150 miles. About 110 miles of this line is above Highway 64. The remaining distance is, of course, below that highway. However, most of the remaining woodlands are below Highway 64. The reasoning here is quite simple. The farmers above Highway 64 don't have many woodlands to clear. They are concerned only about flood control on land already cleared.

Fleming: What does this do to the land at the lower end of the project?

Holder: Any drainage project that takes water off the upper end of a basin and scoots it down to the lower end will cause an increase in flood flow at the lower end. The Corps has estimated that the height of the flood flow will be increased about four

inches at the lower end. This increase in flood flow is one of the reasons why some persons on the lower end are opposing the project.

Fleming: I want to get into the mitigation question later but right now I'd like to ask you about the contention that mitigation is a "horrible hoax" because, if the ditch is completed the trees will die anyhow?

Holder: There are drainage ditches in many parts of Arkansas that operate more efficiently than this ditch would operate. You don't see a lot of dead trees in any of these areas except where they have been poisoned with herbicides, girdled or flooded all year by either beaver dams or man-made impoundments.

Fleming: But what will happen in the Cache Basin?

Holder: In the upper part of the Basin where the ditch will operate efficiently and where there will be a drop in the ditch will operate efficiently and where there will be a drop in the water table adjacent to the ditch, the growth rate of the standing crop of trees will be slowed considerably. Trees, like all other living things, die eventually. I would expect death to be hastened for some of the individual trees that are approaching maximum age and for some that have been previously weakened by one cause or another.

Fleming: How about species composition?

Holder: There will also be a gradual change in species composition. This change will favor those varieties which do not require flood conditions for either regeneration or best growth. To answer your question another way, those varieties of trees which are more adaptable to environmental changes will continue to reproduce and flourish. To verify this you can drive through any lowland portion of Eastern Arkansas that has been drained. You can see what has happened where landowners have permitted trees to grow. This growth permission is highly limited but where it has occurred (in little spots or narrow lanes) the areas support good growth of pin oaks and other varieties of trees.

Fleming: What about report that there are some tracts that landowners have cleared in recent years but are reverting to forest growth because the farmers haven't been able to farm them?

Holder: This isn't too unusual. Landowners frequently clear more land than they can farm successfully for the first few years. I'm sure that in some cases they have cleared land they wished they hadn't cleared but this doesn't save the woodlands. In some places they constructed a levee completely around a tract and installed a big pump to keep the tract dry during the growing season. Now that the price of soybeans has increased so much during the last few months leveeing and pumping will increase.

Fleming: Why have some of the wooded tracts been cleared and others in private ownership are still standing?

Holder: The tracts that remain as woodlands are still wooded for a variety of reasons. Some of these tracts are tied up in estates at least for the time being. Some of the small landowners don't have the ready cash to invest in land clearing. Some are not ready to assume the added risk of farming in the lower part of their land. Some of the woodlands are owned by lumber companies which are still trying to stay in the lumbering manufacturing business even though they may have already cleared for beans other portions of their timberlands. Some of the woodlands are being used for hunting clubs and some of the landowners simply don't want to clear their remaining woodlands.

SPORTSMEN'S INTEREST

Fleming: You mention the private hunting clubs. This is a good place to discuss this

angle of the proposed project. What happens to the hunting clubs?

Holder: I don't believe there is much danger of the federal government taking away any of these lands unless the club owners decide they want to sell. Of course, in some cases the members do not own the land. Included in the mitigation proposal, which I am sure we will get to later, there are plans to acquire perpetual easements. The primary purpose of these easements would be to retain the wooded character of the individual tracts. There should be no need for private hunting clubs, or any landowner for that matter, to give up hunting rights if they don't want to. I believe in most cases it would be to the landowners financial advantage to donate perpetual easements to the federal government and claim an income tax deduction for this donation rather than accept cash payments. The only right they would be losing would be the right to clear their land and this, of course, would be a substantial contribution to environmental conservation.

Fleming: How much would this contribution be worth tax-wise?

Holder: In my opinion a donated perpetual easement of this type would have a minimum value of \$100 an acre.

Fleming: What public benefits would accrue from such a donation?

Holder: There is absolutely no doubt that such a donation would benefit even though the public would not receive hunting rights. These benefits would include helping to sustain the populations of small perching birds and other forms of wildlife, the preservation of scenic qualities, the bolstering of the segment of the wood products industry which is dependent on delta hardwood timber (which is sagging badly) plus the benefits to air and ground water quality.

Fleming: Most of the states on the northern end of the Mississippi Flyway have entered the law suit. What do you think of this?

Holder: This is hard to understand. For years, at the Flyway Council meetings, these northern states attempted to set the framework of the duck season so the season would close soon after the ducks migrated from their states. They reasoned that if a lot of ducks were killed on the lower end of the Flyway it would affect their hunting the next season. If they really were well informed they would not be opposing the project unless, of course, they just want to participate in a vendetta against the Corps of Engineers. I don't have any particular objection to their fighting the Corps if they receive any pleasure from it. However, I don't want them to do it at the expense of saving some of the woodlands in the Cache River Basin.

Fleming: The opponents of the project, including these northern states, claim the ditching will have an adverse effect on the duck population. Is this a tenable position?

Holder: Clearing of the woodlands has already had a very detrimental effect on the sport of duck hunting. It has also had a detrimental effect on wood ducks because they nest in trees within our state. If you consider reducing the kill on wintering grounds, the land clearing has had a beneficial effect on the mallard population.

Fleming: This might explain the interest of the northern states. I'm interpreting what you are saying is that, if the land is cleared, the duck hunters can't kill as many mallards and, consequently, the northern states will accomplish what they've been trying to do by getting early seasons. Can you elaborate?

Holder: All right, consider what happened during the 1972-73 duck season. Last season was the first duck season when we have had high water since major portions of the overflow bottoms were cleared. The vast majority of the ducks completely deserted the flooded timber and the dead timber reservoirs. They concentrated in those tremendous soybean fields which had become open-water lakes

with plenty of food. It was the most frustrating season the hunters ever had. These big soybean fields served as natural refuges. The ducks refused to respond to a duck call and it was virtually impossible to slip up on them. If they were scared, they merely flew a mile or so to where another 30,000 or 40,000 of their kind were enjoying each other's company. The duck kill last season was very, very light.

Fleming: Wouldn't digging the ditch have an adverse effect on fish life and on ground water?

Holder: It sure would have adverse effects. There are, however, structural measures which will lessen these effects. Also, the retention of significant portions of the remaining woodlands would soften these detrimental effects. Besides, as it now stands there is some danger of having the ditch and no mitigation.

Fleming: What is the status in Congress of the mitigation or, as some would prefer, the tradeoff proposal?

Holder: Both the House and the Senate passed an authorization last year to purchase 30,000 acres and to obtain easements to preserve woodlands on an additional 40,000 acres. This authorization was part of the omnibus bill which President Nixon vetoed. The House and Senate also passed an appropriation to purchase \$1 million in mitigation lands. The President signed that bill but the million dollars is still there waiting for authorization.

Fleming: What's happened in this session of Congress?

Holder: The authorization has been passed this year by both the House and the Senate but there are some differences in the two bills. Senator McClellan is attempting to settle the differences but he wants the Cache River project opponents to support the proposal.

Fleming: What does the Conference Committee proposal include?

Holder: It includes the overall authorization to purchase 30,000 acres, to obtain easements to preserve an additional 40,000 acres of woodlands, to authorize the outright expenditure of \$6 million for the mitigation plus an additional \$1 million for mitigation purposes to be matched by local funds. It also includes a requirement that no less than 20 per cent of future appropriations for the project be allocated to mitigation until all the authorized mitigation has been completed.

Fleming: If and when the mitigation lands would be acquired wouldn't this include about half of the remaining woodlands in the Cache River Bayou DeView flood plain?

Holder: It would include more than half by quite a bit. Of the approximately 142,000 acres involved, the Game and Fish Commission now owns approximately 16,000 acres. Another 30,000 acres is widespread in small plots and borders. This leaves 96,000 acres actually involved. If my arithmetic is correct this would be 73 per cent.

Fleming: Early in the interview you said there was some chance that the ditch could be dug without the state getting any mitigation at all. Will you elaborate on this?

Holder: This project is authorized by an Act of Congress. It was started by the Corps of Engineers and halted by the 8th Circuit Court of Appeals at St. Louis on the grounds that the environmental impact statement was inadequate. The Engineers are now preparing a more detailed impact statement. If the appeals courts approve this new statement and funds are appropriated there is nothing to stop the completion of the project with no mitigation whatsoever.

Fleming: Do you recommend that the opponents withdraw their opposition?

Holder: Not yet. I think the opponents should only certify that they will withdraw their opposition after the mitigation authorization is in the bag and after the Corps of Engineers has demonstrated good faith in carrying out the mitigation proposals.

VANDALISM AND THE SAFE SCHOOLS ACT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. BINGHAM. Mr. Speaker, vandalism of school property has become a major problem confronting educators across the country.

The Los Angeles Times article of April 2, 1973, reprinted below reveals some of the dimensions of the epidemic and, in my opinion, is evidence of the need to enact the Safe Schools Act forthwith.

The article follows:

SOMETHING EXTRA FOR THE TAXPAYER

(By Richard West)

All the fortress-like buildings—doors wrought of steel, windows of unbreakable laminated plastic—would be guarded by radar and silent alarm systems sensitive enough to be activated by a sound or a ray of light.

When an invader triggers the alarm, it would cause a red beacon light atop the building to flash on and off. Crews of patrolling helicopters would spot the light. They would radio ground units to move in swiftly.

The prowler would be caught in the act by police or guards specially trained for this type of situation.

All this smacks of a joint CIA-FBI operation or a security plan for a nuclear weapons installation or Ft. Knox. Actually, it is just a system devised by the city of Los Angeles to keep vandals out of its schools nights and weekends.

COST KEEPS RISING

Acts of arson, burglary and malicious mischief last year cost Los Angeles \$2.5 million (the price of three or four new elementary schools), up from \$2.2 million in 1969-70, \$1.8 million in 1968-69 and about \$1 million in 1967-68.

Or rather, the acts cost Los Angeles taxpayers these sums. The school system can no longer afford to carry insurance: Premiums are astronomical, and carriers want the city to foot the first \$100,000 loss of every incident.

Other Los Angeles area school districts are so desperate in seeking solutions to the vandalism problem that they are experimenting with German shepherd guard dogs and toying with the idea of offering cash bounties for the arrest and conviction of vandals.

The Los Angeles City Council, the Police Department, school officials and a special district attorney's task force are all involved in the problem, which a psychiatrist defines as an act of rebellion by some young people against "a symbol of social authority."

NATIONAL PROBLEM

School vandalism, of course, is not a problem unique to the Los Angeles area. It is a national problem, in rural areas as well as the big cities, and it is getting worse every year.

In California alone the average cost of school arson, burglary and malicious mischief is estimated to be running at \$10 million a year.

The 88 educational facilities operated by the county outside of the city of Los Angeles have so far escaped massive vandalism, mainly because most of them are small and "not Establishment representing," thus offering "less exposure," said Dr. John Hamilton, the system's business manager.

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Installation of burglar alarms and other devices in each facility some time ago also has helped "forestall serious trouble so far," he said.

But in Orange County, vandals committed 6,272 destructive acts that cost \$777,026 in repairs and replacements over a two-year period ending last December.

The alarm system that would employ flashing red beacons and surveillance helicopters (officials can give no estimate yet how much it will cost) is still in the planning stage, but the radar, light and sound alarms already have been installed in 75 schools in the southwest, east and central areas of the city.

Alarm systems are now built into Los Angeles schools as they are constructed or renovated.

Between 3,500 and 4,000 acts of vandalism are perpetrated in Los Angeles city schools each year, Paul Engle, the system's chief security officer, estimated. These acts range from scratching an obscene word on a wall to setting a fire causing \$100,000 or more damage.

Engle believes the rate of incidents has about leveled off here, noting that the cost of vandalism last year was only \$300,000 above the previous year and that the rise was probably due to inflation.

TWENTY-FIVE GUARDS

The Los Angeles system has only 25 men to guard its 630 school nights and weekends.

Proposals that men on welfare be required to work as school guards do not seem practicable to Engle.

If the time they work is based on the amount of their welfare checks, they would put in only a few hours a day, Engle said. And they would undoubtedly want to be assigned to schools in their neighborhood.

"You would have 15 to 30 people at one location," he said. "It would cost you more to supervise them than what you would get out of it."

Engle believes that one of the best ways to fight vandalism is to enlist the cooperation of persons living around schools. If they would call police whenever they saw something unusual going on at a school after hours, many vandals would be caught.

A telephone call to police from a citizen early last Monday resulted in the arrest of eight boys as they emerged from the Murchison Street Elementary School, 1500 Murchison St. The youths had damaged the contents of two classrooms and set fire to a classroom bungalow. The loss will run into "the thousands of dollars," firemen estimated.

Just how much can a city afford to pay to protect its schools from nighttime and weekend marauders?

"The entire problem of school vandalism," as City Administrative Officer C. Erwin Piper, a former FBI agent, has observed, "is but one of several social problems resulting from a public disregard of public or personal property rights."

"It should be accepted that the problem is of a continuing nature, and that the security measures necessary to appreciably reduce vandalism may well be more costly than the costs for restoration of damaged facilities."

In other words, it might be cheaper in the long run to take reasonable precautions and a chance on vandals severely damaging a school once in a while than installing such elaborate space age safeguards as tend to bankrupt school finances.

A relatively inexpensive system is being given a six-month test by the Hacienda-La Puente Unified School District with favorable results. Its main element consists of seven German shepherd dogs which the district rents for \$100 a month each.

GUARD DOGS

Since the dogs started guarding four schools in January, vandalism incidents have dropped considerably, reported Charles Cheatham, the district's director of operations.

Perhaps the immediate threat of being attacked by a dog makes more of an impression on a would-be vandal than the possibility of triggering an alarm and then being outrun by a policeman or guard.

Actually, the dogs are trained not to bite but only to knock down an intruder and hold him on the ground until help arrives.

The dogs stand guard alone. A handler comes around every two or three hours and checks them. He has a radio in his truck to summon help should one of the dogs, which weigh from 75 to 110 pounds, be sitting on a prowler.

Prowlers are not sure just which of the district's 40 schools are being guarded by the dogs, so they think twice before climbing the fence of any school, Cheatham said.

Simi Valley Unified School District has established a task force to study proposals to fight vandalism, including one that bounties be paid to persons who supply information which results in the arrest and conviction of vandals.

This custom of the Old West was revived by three teachers at the district's Hollow Hills Elementary School after vandals scrawled obscene words on classroom walls, poured paint into sinks and stole equipment.

The teachers donated \$75 of their own money for a reward. Information quickly came in and four suspects were arrested.

However, Simi Supt. Walter Ziegler does not think much of a bounty system.

"BETTER SURVEILLANCE"

"It's my feeling we should train students to be responsible citizens without a reward," he said. "I think vandalism can be handled in another manner, perhaps through better surveillance, utilizing electronic equipment or neighborhood participation."

The Los Angeles City Council started taking a hard look at school vandalism a year ago at the urging of Councilman Thomas Bradley and former Councilman James B. Potter, Jr.

They called on the council's Police, Fire and Civil Defense Committee to conduct an investigation into vandalism which, they said, "with each passing week . . . reaches new and alarming proportions."

City Administrative Officer Piper, asked by the committee for his views, came up with several ideas.

"More intensive use of school facilities, including early and evening classes, should be economically beneficial and might tend to reduce the opportunity for vandalism," he said.

However, security chief Engle said that most acts of vandalism occur after night classes end at 10 p.m. "You'd have to run all night," he said.

Piper also suggested the use of alarms, plastic windows and "camera systems used in banks" and the stationing of full-time caretakers or security guards at schools most subject to vandalism.

Asst. City Atty. James A. Doherty advised the council committee that "some progress could be made if alarm systems were built into installations at the time of construction or renovation." This is being done now.

Doherty urged city sponsorship of state legislation which would raise the amount parents are liable for acts of their children from \$1,000 to \$5,000.

"Faced with such liability, some parents would probably exercise stricter control over their minor children," he said.

The Police Department, which made a study of school vandalism for the committee, came up with the idea of the flashing red

light atop schools which could be spotted by police and sheriff's helicopters.

SPLASHING PAINT

What motivates a youngster to break into a school—an institution dedicated to serving him—and commit such outrageous acts as smashing furniture, splashing paint on walls, destroying records and even setting fire to the building?

"One of the basic problems in growing up is coming to terms with authority," commented Dr. Edward Stainbrook, a psychiatrist and professor and chairman of the department of human behavior in the USC school of medicine, "and school is one of the most important authorities in a child's life."

"The school is a symbol of social authority, and he keeps attacking it if he can, retaliating and rebelling."

Stainbrook also believes that vandalism has "something to do with social class."

"A member of what we regard as the upper class deals with his problems symbolically, not letting them spill over into rebellion and assault," he said.

But to a member of the lower class, he said, school is "a kind of substitute for total society" which he wants to attack because he feels it has rejected or failed him.

"If authority really is rejecting or not understanding or punitive, then the child, of course, learns that's how authority is and takes his own steps to counteract it," Stainbrook said.

School administrators and teachers and others "have to be firm" in maintaining discipline but at the same time they must devote "much more attention to handling tensions in the community and classroom," he went on.

For it is these tensions which spill over at night and during weekends and take the form of school vandalism.

"If people can act effectively, they won't act destructively," Stainbrook said. "A lot of studies show that in schools where there is an effective handling of classroom tensions, during the summer you can count the success by the diminishing number of broken windows."

GOOD STUDENTS

"If a child is effective inside school, he is not going to destroy it."

Dr. Bernard Greenberg, a systems analyst for the Stanford Research Institute who has made studies of school vandalism, had a further thought along this line.

"One of the problems is that police are called in too frequently to handle school disciplinary problems, and the kids get caught up with the police," he said.

"School administrators don't want to handle problem children. It takes up too much of their time—time they feel they should be using to educate the majority. They don't feel they should spend 60% of their time coping with the 5% of students who cause 95% of the trouble."

"This is one of the reasons why kids are turning against the schools."

Greenberg said his studies also indicate that many youths break into schools to steal office equipment, musical instruments and other valuable items to raise money to support their drug habits.

A local study of school vandalism is being made by a 32-member task force coordinated by Alva Collier, an assistant chief field deputy to Dist. Atty. Joseph P. Busch initiated the study last November.

The task force is delving into four major aspects of the problem—legislation and law enforcement, education and communication, research evaluation and resources and prevention and program action.

DIFFERENT GROUPS

Questionnaires have been sent out to 300 different groups in the county to determine the extent of the problem, Collier said. The task force hopes to come up with a report in three or four months.

Collier said one facet that has already come to light is "the paucity of convictions" that result from school arson.

The task force is working to effect a program where "every act of vandalism is reported and something done about it," Collier said.

"We are contacting law enforcement, officers, judges, school administrators and everyone else involved in the problem and trying to get them to all pull together."

VIRGINIA NATIONAL BANK NEWS RELEASE

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. WHITEHURST. Mr. Speaker, with this Nation in the midst of an energy crisis, it is indeed heartening to know that Virginia's largest bank, Virginia National Bank, has voluntarily taken steps that go even beyond the recommendations of the President in an effort to conserve as much energy as possible.

So that my colleagues may be apprised of what one institution is doing, I am inserting at this point in the RECORD a recent press release from Virginia National Bank outlining the steps it has taken. VNB is setting an example that others would do well to follow.

The press release follows:

NEWS RELEASE FROM VIRGINIA NATIONAL BANK, NOVEMBER 26, 1973

NORFOLK.—The state's largest bank has joined the fight to conserve power during the energy crisis. Eliminating the lighting of all outdoor signs is just one step which Virginia National Bank is taking to help alleviate the country's growing energy shortage.

In his most recent energy message Sunday night, President Nixon requested the elimination of commercial lighting except signs identifying places of business. However, Virginia National has taken the President's recommendation one step further by voluntarily extinguishing all outdoor lighting at the bank's 116 offices in Virginia. This action should mean a cut in power consumption of more than 1200 kilowatts per day.

Following the President's earlier recommendations, Virginia National has already lowered the thermostats in its offices to 68 degrees. All other lighting not necessary for building maintenance and the safe operation of bank facilities, including nighttime floodlighting of buildings, has been cut out. Also, the hot water temperature in bank restrooms has been reduced. And the only energy expended in dressing VNB up for the Christmas season will be the human energy required to hang Yuletide decorations since no lighting will be used.

Bank officials expect these actions will mean a considerable reduction in power consumption since they are being put into effect at all 116 VNB offices. These measures should produce a major cut in energy use at the Virginia National headquarters building alone. The headquarters at One Commercial Place in Norfolk is the largest private office building in the state.

A spokesman for the Virginia Electric and Power Company said he is pleased by VNB's energy conservation program. Vepco marketing official John Marsh pointed out that the lights on one Christmas tree normally consume some 300 kilowatts of electricity in a month. Referring to Virginia National's actions, Marsh said: "If every company would take these steps, we'd see a considerable saving in energy."

Marsh noted that while Vepco does get nuclear power from its Surry facility, most of the company's power plants still rely on petroleum for fuel. By reducing its power consumption, VNB expects to reduce Virginia's consumption of dwindling oil supplies.

CPB'S MINORITY FUNDING

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. CLAY. Mr. Speaker, the Corporation for Public Broadcasting held its first public board meeting on Thursday, November 8, 1973. A broad spectrum of witnesses testified. The overwhelming theme was the lack of black programming.

The statements made at this meeting, as reported in the Washington Post, should be of interest to all Members of Congress. Hopefully, this will help to make others aware of the inadequacies of public television in this area.

The article entitled "CPB's Minority Funding" follows:

CPB'S MINORITY FUNDING

(By Joel Dreyfuss)

The Corporation for Public Broadcasting (CPB) held its first public board meeting yesterday and testimony was dominated by criticism of the handling of black programs by public television.

A broad spectrum of witnesses called on CPB to make additional funds available for the public affairs program "Black Journal" and for "Soul," the variety show, two nationally distributed programs cut back drastically this season, and to give a larger share of the agency's funds to minority programming in general.

Tony Brown, executive producer of "Black Journal" and dean of Howard University's school of communications, called for the creation of a panel to monitor the performance of public television and insure adequate input.

Other witnesses asked for increased use of instructional programs, special programs for the deaf and more accurate portrayals of women and ethnics.

"The meeting was productive beyond the board's expectations," said Robert S. Benjamin vice chairman of the CPB board, whose members declined to comment on statements by more than 20 witnesses.

Several of those supporting "Black Journal" charged that it served as a symbol of CPB's lack of concern about black programming. CPB officials disagreed, saying the shows had fallen victim to last year's battle between the corporation and the Public Broadcasting Service (PBS) for control of public television.

CPB officials noted that "Black Journal" received the same agency grant (\$345,000) this year as last, and said its problems stemmed from a failure to draw private funds. As a result, Brown estimated he would only be able to produce two or three half-hour segments of "Black Journal." "Soul," at one time also a weekly program, was given

\$175,000 this year by CPB for two one-hour specials.

CPB allocated \$345,000 to a new show, "Interface" for nine half-hour programs which will explore the relationship between blacks and whites. The corporation also points out that half its budget goes to children's programs said to reach a considerable number of black children.

Both Brown and Ellis Halzlip, producer of "Soul," dismissed "Interface," charging that it was not a "black show" but one that was also intended to cater to whites.

"The fundamental question is whether our access to the public airwaves is a civil right," said Rev. Jesse Jackson, president of the black achievement organization Operation PUSH. "We as black people have a distinct point of view and our tax investment in public broadcasting obligates public broadcasting to hear us."

"Either give black people our percentage share of that which presently exists or give us 15 per cent of the budget and we will establish our own," Jackson said.

Brown charged that the real issue with "Black Journal" was its emphasis on "black people solving black problems and black people speaking for black people."

CPB President Henry Loomis denied that the show's content had an adverse effect on its funding.

"The problem with 'Black Journal' is not objections to it but that Tony Brown has one particular point of view," Loomis said. "We feel there should be other points of view." He said the decision not to give additional funds to the program was made by its parent station, WNET in New York.

Officials there blamed the Ford Foundation's failure to specifically allocate funds to "Black Journal" and "Soul," and claimed that CPB has made efforts to move away from public affairs and controversial programming under the Nixon administration.

Tinka Nobbe, a program officer in the Office of Public Television at Ford, declined responsibility. "We make block grants to our grantees and they decide what to do with it," she said.

A study of public television's relationship to minorities commissioned by the Ford Foundation and directed by Washington Post associate editor and ombudsman Robert C. Maynard was released last week.

The study called for increased black programming and suggested that "Black Journal" be expanded to provide a broader range of views.

"We don't feel our role is to respond to those recommendations," said Mrs. Nobbe, pointing out the foundation's efforts to withdraw its financing of public television so other forms of support can be developed.

Statements by several of the witnesses at the CPB board meeting charged that only \$650,000 was being made available for black programming out of a two-year CPB budget of \$130 million.

However, CPB officials said that the agency is still operating on a \$35 million "continuing resolution," of which only \$12 million is for programming. The \$130 million appropriation for CPB is tied up in the HEW-Labor bill which may be vetoed by President Nixon, as it was last year.

MISSING THE BOAT IN THE MIDEAST

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Ms. HOLTZMAN. Mr. Speaker, we are all concerned about the wisdom and ef-

ficacy of our Government's policies in the Middle East and especially toward Israel. In a recent article in the Washington Post a research assistant for the Brookings Institution has raised thoughtful and extremely disturbing criticisms of the way in which the Nixon administration has handled the Middle East problem. He claims that by failing to request an end to the oil embargo as a price for a cease-fire, the administration has left Israel in a much more vulnerable position than it would have been otherwise. I commend this important article to the attention of my colleagues:

MISSING THE BOAT IN THE MIDEAST

(By Martin E. Weinstein)

There is a widespread illusion that the Nixon-Kissinger policy in the Middle East crisis has been a diplomatic success. It has been widely publicized as a masterpiece of timing, agility and firmness that saved the structure of peace, got the Arabs and Israelis moving toward a lasting settlement, and restrained the Soviets from sending their forces into the war.

Like most illusions, this one has shreds of evidence and wisps of logic to hold it together. After all, a cease-fire is in effect, Arab-Israeli negotiations are being planned, and the Soviets didn't send in their troops.

But the harsh truth behind the illusion is that the Nixon-Kissinger policy has conceded to the Soviet Union military predominance in the Middle East and has confirmed the Arabs in their belief that they can rely on Soviet military protection in the pursuit of their policies, either on oil or Israel. The U.S. policy also has seriously, and perhaps irreparably, damaged our vital alliances with Western Europe and Japan—the relationships which are the basis of American security and prosperity. And, finally, it is leading the United States, along with the rest of the non-Communist world, toward an economic abyss—a severe depression, induced by a shortage of oil and complicated by short-sighted economic nationalism.

UNDERESTIMATING THE EMBARGO

The major flaw in the administration's Middle East policy has been its underestimation of the Arab oil embargo and its consequent failure to have that embargo lifted. The embargo was threatened within a few days of the Egyptian-Syrian attack on Oct. 6, and was officially announced on Oct. 17. From the moment the embargo was declared, it constituted a terrifying threat to American interests—not simply to our interests in the Middle East, but to our entire position as a world power—a threat which Mr. Nixon and Kissinger did not perceive.

The immediate effect of the embargo, as President Sadat and King Faisal intended, and as the Soviets must have understood, was to give an unprecedented battering to the Western Alliance, and by so doing to push the United States toward diplomatic isolation. The Western Europeans and Japanese, whose industries would be crippled without Arab oil, had to choose between placating the Arab producers or backing the United States in its "even-handed" policy of equivocal support for Israel. The administration minimized the importance of the oil embargo, brushed off the allies' economic concerns as selfish, and left them no alternative but to appease the Arabs. That, of course, is what they have proceeded to do.

Our position, however, was not irretrievable. Within a few weeks of the war's outbreak, the administration was given an opportunity to correct its initial errors and to act positively on the oil embargo. By Oct. 20, when Secretary Kissinger flew to Moscow to negotiate a cease-fire, it was obvious that the Egyptians and Syrians, despite the ad-

vantage of a coordinated, surprise attack and ample supplies of advanced Soviet weapons, were getting into military difficulties. It was a mistake for Secretary Kissinger to have flown to Moscow at all. It was the Arabs and the Soviets who needed a cease-fire, and he should have let them come to him. Instead, he rapidly worked out a cease-fire scheme with the Soviets and rushed it through the U.N. Security Council on Oct. 21, with the stipulation that the cease-fire was to take effect on Oct. 22.

By Oct. 22, however, the Israelis had a sizeable task force West of the Suez Canal. The Egyptians, after underestimating the scope and power of the Israeli crossing, belatedly realized that the Israelis were moving into a position from which they could cut off the Egyptian forces east of the canal and simultaneously attack the Egyptian reserves or even threaten Cairo. Given these circumstances, it is understandable that both sides ignored the cease-fire on Oct. 22 and 23—the Egyptians in the hope of preserving their initial gains and the diplomatic advantages inherent in those victories, the Israelis to compensate for their early setbacks and to strengthen their bargaining position in the expected negotiations.

By the next day, Oct. 24, it was clear that the Israelis were winning decisively. Suez City was in their hands and the Egyptian 3d Army was cut off from its supplies, including its food and water. Unless the cease-fire was immediately honored, Egypt faced a military disaster.

THE SOVIET NOTES

The Soviet leaders, fully realizing the desperate position of the Egyptians, sent President Nixon several urgent notes, correctly pointing out that the cease-fire was being violated and insisting that we act together to enforce it, especially on the Israelis. According to administration accounts, in one of these notes the Soviets proposed joint Soviet-American intervention to stop the fighting and stated that if the United States did not act together with the Soviet Union, "we the Soviets should be faced with the necessity urgently to consider the question of taking appropriate steps unilaterally."

In plain language, the Soviets were telling the President either to put a leash on the Israelis or the Soviet Union might send in its own forces to save the Egyptians.

The Soviet notes should not have been a shock. They hinted at unilateral intervention but left room for diplomatic maneuver. And why not? They had successfully rattled their missiles in the 1956 Suez Canal crisis. Why not threaten intervention again in 1973, especially since the United States and its allies already had shown themselves weak and divided in their reaction to the oil embargo.

Mr. Nixon and Kissinger responded to this quasi-ultimatum by promptly stopping the Israelis and simultaneously called a world-wide strategic alert. Then, on Oct. 25 and 26, the secretary and the President held televised news conferences at which they stated that their alert had averted a superpower military confrontation in the Middle East. The President announced that this was "the most serious crisis we have had since the Cuban confrontation of 1962," and he strongly implied that he had faced the Soviets down.

A number of critics of the administration promptly charged that the alert was unjustified, that the President had staged a military crisis to divert attention from his Watergate problems. These critics were wrong. The President did face a serious contest with the Soviets. But he avoided it. He did not save the day with his alert. Rather, he avoided a crucial test by giving the Soviets what they demanded and what Egypt desperately needed—an immediate honoring of the cease-fire.

WHAT SHOULD HAVE BEEN

But what of the oil embargo? There is not the slightest evidence that Mr. Nixon or Kissinger ever saw a connection between the cease-fire and the embargo. It should have been clear to them by Oct. 20 that the oil embargo is a more potent weapon in the Middle East war than the Egyptian and Syrian forces, or Soviet arms, and that it is a weapon aimed only indirectly at Israel but directly and menacingly at the United States and the entire Western alliance.

In brief, the administration should have made the lifting of the Arab oil embargo the prerequisite for our support of the cease-fire. This should have been our stand throughout the crisis. Our government should have told the Soviets and the Arabs that we favored a cease-fire and that we wanted negotiation for a lasting peace settlement, but that we could not work for a cease-fire or participate in negotiations while the embargo continued. How could we be expected to press the Israelis to stop fighting in Egypt and Syria while the Arab oil producers persisted in their economic warfare against the United States? If the fighting was to stop, it must stop on both the military and the economic fronts.

The sensible, unprovocative policy the United States should have followed was to stand firmly on the necessity of the embargo being rescinded as part of the cease-fire agreement while opposing intervention in the war by the armed forces of either of the superpowers.

Such a policy would have distributed the tasks of peace-making equitably. It would have breathed life into Secretary Kissinger's repeated but still hollow declarations that he intends to revitalize our alliances with the Europeans and the Japanese. And, most importantly, such a policy would have made it clear to the Arabs that the Soviet Union is not an omnipotent protector and that they cannot use the oil weapon with impunity.

If the administration has perceived the crucial importance of the oil embargo, and had stood fast on the necessity of the embargo being rescinded, then the President's claim to firmness and to coolness under fire would have substance and the secretary's reputation as a diplomatic genius would be at least debatable. As it is what we have are merely illusions.

THE FIRING OF RUTH BATES HARRIS THREATENS FEDERAL COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. RANGEL. Mr. Speaker, the firing of Mrs. Ruth Bates Harris by the National Aeronautics and Space Administration, as shocking and unwarranted an action as it was, carries greater significance than the loss of an able and dedicated public servant to an agency whose record of equal employment opportunity is so dismal that it can ill afford such a loss.

The firing of Mrs. Harris is, I am afraid, symbolic of a general retreat by the Federal Government under this administration from the goals of equal employment opportunity for minorities. When an agency whose equal employment record is so deficient that it is pro-

jected that NASA will only have 9 percent minority employees by the year 2001, finds it cannot live with a person like Mrs. Harris because of her dedication to move forward faster, we have come to the point where we in this body can no longer remain silent. If we are to make our commitment to the civil rights laws we passed in the mid-1960's more than empty rhetoric, we must insist that the Federal Government honor this commitment by enforcing these laws and providing true equality of opportunity.

We can begin to prove our commitment by insisting that NASA rehire Mrs. Harris.

To fully acquaint my colleagues with the circumstances of the Harris dismissal and what is at stake, I include in the CONGRESSIONAL RECORD an article by Constance Holden from the November 23, 1973, issue of Science magazine:

[From Science magazine, Nov. 23, 1973]

NASA: SACKING OF TOP BLACK WOMAN STIRS CONCERN FOR EQUAL EMPLOYMENT

On 25 October, James Fletcher, administrator of the National Aeronautics and Space Administration, summoned Ruth Bates Harris, deputy assistant administrator for equal opportunity, into his office and fired her. In so doing, Fletcher may have precipitated just the sort of pressure for improving NASA's employment performance with women and minority group members that critics say it has so far managed to resist.

NASA was pushed into the spotlight as civil rights and women's groups rushed to the defense of Harris and members of Congress demanded explanations from Fletcher. The issue also points up the frustrations and conflicts in many government agencies over programs to advance minority groups at a time when the watchword, more than ever, is economy.

Ruth Bates Harris is a black woman who gained a national reputation in the 1960's for her work as director of the Human Relations Commission in the District of Columbia. When NASA established a separate office for equal employment opportunity and contract compliance in 1971, they asked Harris, then human relations director for the Montgomery County, Maryland, school system, to head it.

Harris says there were problems right from the beginning, when she found her title was not to be director, but deputy director, and that the Office of Equal Employment Opportunity (EEO) would be supervised by the director of industrial relations. Harris says that she was frustrated by middle management's undermining of her office's authority and by lack of firm support from the top and that several times she considered resigning.

Finally, last April, following pleas from her and her staff, the EEO office was elevated to a position where its chief had direct access to Fletcher. But instead of naming Harris assistant administrator for equal opportunity (the new title), they put Dudley McConnell, a black physicist and former head of the NASA Scientific and Technical Information Office, in the position and named Harris his deputy.

It was apparently clear from the beginning that McConnell's approach was incompatible with that of the people who ran the two major components of the office: Harris, who, in addition to being his deputy, supervised the in-house affirmative action programs, and Joseph Hogan (who is white), who headed the contractor compliance division.

According to Harris and several of her former associates, there was a great deal of frustration in the office arising from their belief that McConnell was not committed to real change and that he was turning the

office into a public relations outfit. They felt that McConnell, who at 37 is NASA's only black in the administrative stratosphere of "supergrades," was a servant of the establishment and did not identify strongly enough with the needs of minorities. McConnell says that Harris continued to act as though she were running the office, that she was uncooperative and uncompromising, and that she did not seem to be fully aware of the bureaucratic restrictions government employees must work under.

At any rate, Harris, Hogan, and Samuel Lyon, a black contract compliance officer, decided the office was going nowhere. "After months of agonizing," she says, the three of them put together a report—on their own time and money—documenting their belief that NASA's equal opportunity effort was "a sham."

The report, submitted to Fletcher in late September, points out that the number of people in minority groups employed by NASA has gone up only 1 percentage point—from 4.10 percent to 5.19 percent—since 1966. Women (almost all of them clerical workers) make up 18 percent of the NASA work force. Most women and blacks hold civil service grades below GS 9, despite the fact that 70 percent of all NASA employees are at GS 10 or above. "At the present rate of increase, NASA would reach only 9 percent minority employment by the year 2001!" laments the report. The authors said efforts by the office to speed things up had been thwarted by the fact that its recommendations on hiring were often ignored or overruled and that the quantity and quality of equal opportunity officers at NASA's ten research and space centers left much to be desired.

The report rounds off by raking McConnell over the coals and asking that he be removed from office. McConnell is accused of "an apparent lack of integrity" in his communications between management and staff and "immaturity in relation to people." (A case in point was McConnell's use of a little bell to summon his secretary, a practice that, says Harris, earned him the sobriquet of "Mr. Ding-a-ling" and made the EEO office a "laughingstock" within NASA. McConnell, wincing at the memory, says the bell was a souvenir given him by his wife and he is very sorry indeed about having used it.) In sum, wrote the authors, in only 5 months, "he has impaired the integrity of the office and made a mockery of the office and made a mockery of the equal opportunity program."

Hogan, Lynn, and Harris delivered the report in person to Fletcher and went over it with him point by point. Fletcher, they say, agreed that NASA's record was dismal and arranged to meet with them again after he had had time to further absorb their message. It was at the second meeting that he dismissed Harris, transferred Hogan (who, unlike Harris, is protected by Civil Service) to another department, and warned Lynn that, if he couldn't get along with McConnell, he would be expected to resign.

Fletcher indicated that this action had nothing to do with the report, which contained information that was already well documented. Rather, it was that Harris had become a "divisive" force and that "there was a basic incompatibility in the organization in which she was placed." Harris says the effort to lay the dispute to personality differences is a "smokescreen" to cover the fact that top management was simply not prepared to take the "painful" measures necessary to make the program really work.

Indeed, the inference that Harris modeled herself along the lines of Angela Davis does not wash with some of her former colleagues, who regard her as thoughtful, reasonable, and easy to get along with. It is also difficult to imagine that it took NASA 2 years to discover that the woman was a "divisive" personality.

McConnell's side of the story is that things never went smoothly under the Harris leadership—that she lacked administrative experience and never troubled to learn the workings of the bureaucracy. He implied that her efforts, however heartfelt, were not particularly effectual. Asked if it were not undemocratic to demand that the heads of the two major components of the office subordinate their ideas to his, McConnell compared himself to the captain of a ship who is confronted with unruly crew members—“If the captain has the responsibility, he should also have the authority.” McConnell, who comes across as soft-spoken, ingratiating, exceedingly articulate, and strong-willed, says he had no inkling that people felt he lacked the human touch until a black female contract compliance officer quit last summer, complaining in a letter to Fletcher that, while McConnell undoubtedly thought he was doing his best, he was “not sensitive” to the mission of the office and “close to hostile with regard to the concerns of women.”

At any rate Fletcher's Nixonian purge appears to have opened up a can of worms NASA may not have bargained for. Some 70 headquarters personnel sent a memorandum to Fletcher expressing concern about the future of NASA's EEO program and asking for his reassurance, and representatives of civil rights and women's groups at several NASA centers have publicly pledged support for Harris. The Association of Women in Science, the NAACP Legal Defense Fund, and the Leadership Conference for Civil Rights have been holding meetings and plotting action. Harris says newspaper stories on her firing have elicited calls from all over the world. “People have come out of the woodwork and out of retirement.” Members of Congress are also stirring. Representative Charles Rangel (D-N.Y.) has asked Fletcher to reinstate Harris and come across with a full explanation of the matter, and Representative Charles Mosher (R-Ohio), a member of the House Science and Astronautics committee, has asked his staff to look into the matter. What's more, Senator Frank E. Moss (D-Utah), chairman of the Senate's Committee on Aeronautical and Space Sciences, and committee members James Abourezk (D-S.D.) and Floyd Haskell (D-Colo.) have asked for explanations from all concerned and may hold hearings.

An employee of the Association for Women in Science says that many people involved with employment opportunity in government find it particularly alarming that someone with Harris's stature could be so summarily dismissed—the attitude is that, if this can happen to Ruth Bates Harris, it can happen to anyone,” she says.

Harris herself has petitioned the Civil Service Commission for reinstatement on the grounds that her dismissal was a “reprisal.” But she believes that congressional hearings are the only way to get to the bottom of the matter. She says she has discovered ominous things she didn't know about while working at NASA—“We've got to have a hearing . . . we've learned so much more since then . . . it's frightening.”

Fletcher was prompted by all the turmoil to send a memorandum to all NASA employees explaining the situation. He said Harris wanted to centralize equal opportunity authority at the headquarters office, thus robbing centers of the autonomy they enjoy in other matters, and that she wanted EEO personnel exempted from the universal reductions in force NASA has been suffering. He said that, while he admired Harris's “dedication and enthusiasm,” she lacked the “necessary administrative and management skills.” She was “unwilling to share the broader problems of management with her peers, and because she became a seriously disruptive force within her own office,” he concluded it was time for her to go.

Fletcher acknowledged that the NASA record was “not a record in which we can take pride,” but said all that was changing under McConnell's leadership. He pointed to the fact that goals and timetables are now being developed and programs are being formulated for recruiting women and minority members, hiring students to do stints as paid NASA employees, and helping jog people out of “deadend jobs. Fletcher finished by saying, “. . . my major concern is that Mrs. Harris's termination might discourage other employees from making their ideas and criticisms known to the Administrator for fear of jeopardizing their own jobs,” and that he and deputy director George Low were “very interested” in hearing any complaints. Harris supporters find this ironic, since they believe she was fired for “doing her job.”

Even granting NASA the best of intentions, it faces special difficulties in increasing its professional female and nonwhite personnel. As an agency strongly preoccupied by its dramatic scientific missions, it has tended to be dominated by scientific and technical rather than administrative types. Almost half the NASA work force is made up of scientists and engineers, but the national manpower pool contains few women and minority members. Only 1 percent of engineers are female, for example, and 3 percent are nonwhite. Critics point out that NASA contractors, who draw from the same pool of talent, have a far better record in equal employment than NASA. But contractors do not operate under the Civil Service constraints, veterans' preference, and periodic reductions in force that characterize the NASA of the 1970's. What's more, the Office of Federal Contract Compliance is a considerably stronger enforcement agent than the Civil Service Commission, which is responsible for seeing that affirmative action is taken within the government.

Nonetheless, the overwhelming white male domination of NASA is making it an increasingly conspicuous and embarrassing anomaly among government agencies. “You have to take a kamikaze attitude to work there,” says one woman, a consultant, who says she never walks down the hall with a bunch of papers in her hand because “they'll think I'm going to the Xerox machine.”

It would appear that considerably stronger pressure than has hitherto been exerted is needed to get NASA moving. It may be that the current uproar will culminate in such pressure.—CONSTANCE HOLDEN

FEDERAL ENERGY ADMINISTRATION

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. MACDONALD. Mr. Speaker, I am introducing today legislation to create a Federal Energy Administration which will have the responsibility for developing and coordinating Federal energy policy.

As chairman of the Commerce Subcommittee on Power and as a ranking member of the Government Operations Committee, I am pleased to lend my support to this bill especially because of the man who has been chosen to serve as the head of this new agency—Deputy Treasury Secretary William Simon.

Bill Simon will be assuming a tough assignment, but he brings to the task a dedication and sense of purpose that are well recognized by those of us in the Congress who have been dealing with

him on energy matters throughout the past year.

I hope and fully expect that the choice of Secretary Simon will mark an end to the administration's shuffling of so-called energy czars and foot dragging on energy policy. There is little doubt in my mind that the past 6 months of indecision at the White House have served to make a very serious energy crisis even more severe. Up until now the American people have looked to the President for leadership and direction, only to be disappointed again and again by contradictory promises and halfway measures.

I have already detailed on several occasions for my colleagues in this Chamber the pattern of delay on key energy measures by the administration. Instead of working with Congress to provide solutions, the President often chose to work against Congress with the result that the problems themselves were made worse.

Bill Simon was one of the few within the administration who sought to cooperate with Congress and offered concrete proposals to alleviate the present emergency. In July during testimony before the Commerce Committee, Secretary Simon, appearing as Chairman of the Oil Policy Committee, endorsed a strong mandatory system for the allocation of fuels to replace the unsuccessful voluntary program which existed at that time.

Following his commitment to me that the administration plan would be forthcoming within a week from that date, Bill Simon was shuffled around by the administration and was replaced as “energy czar” by Gov. John Love. From that time until last weekend, Governor Love was supposedly the source of energy policy in the White House. The absence of any significant action by the President until now and the general confusion in the White House as to energy planning are good indications of how well Governor Love did his job.

I was pleased when Bill Simon called me last Saturday to inform me that he had accepted this new position. I can only hope that Bill Simon will have the same level of support and cooperation within the White House as he will have in the Congress. I have confidence in his ability and in his desire to formulate a comprehensive energy program which will come to grips with the real sources of the energy crisis.

I can assure Bill Simon that he will have my support and, I am certain, that of the other members of the subcommittee. My only regret is that the President failed to take this definitive step many, many months ago.

The text of the Federal Energy Administration Act follows:

A bill to provide for the effective and efficient management of the Nation's energy policies and programs

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Federal Energy Administration Act.”

ESTABLISHMENT OF FEDERAL ENERGY ADMINISTRATION

SEC. 2. (a) There is hereby established an independent executive agency to be known

as the Federal Energy Administration hereinafter referred to as the Administration. The Administration shall be headed by an Administrator and Deputy Administrator each of whom shall be appointed by the President by and with the advice and consent of the Senate.

(b) (1) The functions and powers of the Administration shall be vested in and exercised by the Administrator.

(2) The Administrator may from time to time, and to the extent permitted by law, delegate such of his functions as he deems appropriate.

(c) The Administration is authorized to have six Assistant Administrators and three Assistants to the Administrator, each of whom shall be appointed by the Administrator.

(d) The Administration shall have a General Counsel, appointed by the Administrator. The General Counsel shall be the chief legal officer of the Administration.

(e) The Assistant Administrators, the General Counsel, and the Assistants to the Administrator shall perform such functions and duties as the Administrator may prescribe.

(f) The Administrator shall designate the order in which the Deputy Administrator and other officials shall act for and perform the functions of the Administrator during his absence or disability or in the event of a vacancy in his office.

FUNCTIONS OF THE FEDERAL ENERGY ADMINISTRATION

SEC. 3. (a) The Federal Energy Administration shall be responsible for assuring that adequate provision is made to meet the energy needs of the Nation for the foreseeable future. To that end, the Administration shall plan, direct and conduct programs related to the production, conservation, use, control, distribution, and allocation of all forms of energy.

(b) The Administrator of the Federal Energy Administration shall be the President's adviser with respect to the establishment and integration of domestic and foreign policies relating to energy matters.

TRANSFERS

SEC. 4. (a) There are hereby transferred to and vested in the Administrator all functions of the Secretary of the Interior, the Department of the Interior, and officers and components of that department:

(1) as relate to or are utilized by the Office of Petroleum Allocation;

(2) as relate to or are utilized by the Office of Energy Conservation;

(3) as relate to or are utilized by the Office of Energy Data and Analysis; and

(4) as relate to or are utilized by the Office of Oil and Gas.

(b) There are hereby transferred to and vested in the Administrator all functions of the Chairman of the Cost of Living Council, the Executive Director of the Cost of Living Council, and the Cost of Living Council, and officers and components thereof as relate to or are utilized by the Energy Division of the Cost of Living Council.

(c) Notwithstanding any other provision of law, the President may transfer to the Administrator any function of any other Executive agency, as defined in Section 105 of title 5 of the United States Code, if he determines that such transfer would further the accomplishment of the intent and purposes of this Act. The President shall notify the President of the Senate and the Speaker of the House of Representatives forthwith of each such transfer and his reasons therefor, and shall publish a notice of each such transfer in the Federal Register. If either the Senate or the House of Representatives, within sixty calendar days after the date of delivery of any such notice, shall adopt a resolution disapproving the transfer involved, the functions involved shall immedi-

ately revert to the Executive agency from which they were transferred. Nothing in this subsection shall be deemed to permit any transfer or group of transfers the effect of which would be inconsistent with the provisions of subsection (a) of Section 905 of title 5 of the United States Code. Each function that is transferred to the Administration pursuant to this subsection shall revert to the Executive agency from which it was transferred upon the expiration of this Act or upon such earlier date as the President, or the Congress by law, may prescribe.

ADMINISTRATIVE PROVISIONS

SEC. 5. The Administrator of the Federal Energy Administration may:

(1) appoint, employ, and fix the compensation of such officers and employees, including attorneys, as are necessary to perform the functions vested in him and prescribe their authority and duties; except that 55 officers and employees may, under this provision, be compensated at rates not in excess of the rate prescribed for GS-18 under Section 5332 of title 5 of the United States Code, and that of such 55 officers and employees, 15 may, under this provision, be appointed without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service;

(2) employ experts, expert witnesses, and consultants in accordance with Section 3109 of title 5 of the United States Code, and compensate such persons at rates not in excess of the maximum daily rate prescribed for GS-18 under Section 5332 of title 5 of the United States Code for persons in Government service employed intermittently;

(3) appoint advisory committees composed of such private citizens or officials of Federal, State, and local governments as he deems desirable to advise him, and compensate such persons other than those employed by the Federal Government at rates not in excess of the maximum daily rate prescribed for GS-18 under Section 5332 of title 5 of the United States Code for each day they are engaged in the actual performance of their duties (including travel time) as members of a committee and pay such persons travel expenses and per diem in lieu of subsistence at rates authorized by Section 5703 of title 5 of the United States Code for persons in Government service employed intermittently;

(4) promulgate such rules, regulations, and procedures as may be necessary to carry out the functions vested in him;

(5) utilize, with their consent, the services, personnel, equipment, and facilities of Federal, State, regional, local, and private agencies and instrumentalities, with or without reimbursement therefor, and transfer funds made available pursuant to this Act to Federal, State, regional, local, and private agencies and instrumentalities as reimbursement for utilization of such services, personnel, equipment, and facilities;

(6) accept voluntary and uncompensated services, except where such services involve administrative proceedings, investigations, or enforcement powers notwithstanding the provisions of Section 3679 of the Revised Statutes;

(7) adopt an official seal, which shall be judicially noticed, and the provisions of Section 709 of title 18 of the United States Code shall apply to the use of the seal, after its adoption and publication in the Federal Register, except as provided by regulations prescribed by the Administrator;

(8) accept unconditional gifts or donations of money or property, real, personal, or mixed, tangible or intangible;

(9) subject to appropriation Acts, enter into and perform contracts, leases, cooperative agreements, or other transactions with any public agency or instrumentality or with any person, firm, association, corporation, or institution; and

(10) perform such other activities as may be necessary for the effective fulfillment of his duties and functions.

COMPENSATION

SEC. 6. (a) Section 5313 of title 5 of the United States Code is amended by adding at the end thereof the following new paragraph:

"(2) Administrator of the Federal Energy Administration."

(b) Section 5314 of title 5 of the United States Code is amended by adding at the end thereof the following new paragraph:

"(62) Deputy Administrator of the Federal Energy Administration."

(c) Section 5315 of title 5 of the United States Code is amended by adding at the end thereof the following new paragraph:

"(99) Assistant Administrators, Federal Energy Administration (6)."

(100) General Counsel, Federal Energy Administration."

(d) Section 5316 of title 5 of the United States Code is amended by adding at the end thereof the following new paragraph:

"(132) Assistant to the Administrator, Federal Energy Administration (3)."

(e) In the event that any individual at the time of entering upon any one of the positions described in subsections (a) through (c) of this section then holds another position in the executive branch, he may continue to hold such original position but shall be entitled, for as long as he holds both positions, to receive the pay for only one such position: *Provided*, That he shall be entitled to receive the greater pay if different rates of pay are prescribed for the two positions.

(f) Appointments to the positions described in subsections (c) and (d) of this Section may be made without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service.

TRANSITIONAL AND SAVING PROVISIONS

SEC. 7. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective by the President, any Federal department or agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this Act, and

(2) which are in effect at the time this Act takes effect,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked by the President, the Administrator, or other authorized officials, a court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceeding pending, at the time this Section takes effect, before any department or agency (or component thereof) regarding functions which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued if this Act had not been enacted.

(c) Except as provided in subsection (e)—

(1) the provisions of this Act shall not affect suits commenced prior to the date this Act takes effect, and,

(2) in all such suits proceedings shall be

had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted.

(d) No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the United States or such official as may be appropriate and, in any litigation pending when this Section takes effect, the court may at any time, on its own motion or that of any party, enter any order which will give effect to the provisions of this Section.

(e) If, before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act any function of such department, agency, or officer is transferred to the Administrator, or any other official, then such suit shall be continued as if this Act had not been enacted, with the Administrator, or other official as the case may be, substituted.

(f) Final orders and actions of any official or component in the performance of functions transferred by this Act shall be subject to judicial review to the same extent and in the same manner as if such orders or actions had been made or taken by the officer, department, agency, or instrumentality in the performance of such functions immediately preceding the effective date of this Act. Any statutory requirements relating to notices, hearings, action upon the record, or administrative review that apply to any function transferred by this Act shall apply to the performance of those functions by the Administrator, or any officer or component.

(g) With respect to any function transferred by this Act and performed after the effective date of this Act, reference in any other law to any department or agency, or any officer or office, the functions of which are so transferred, shall be deemed to refer to the Administrator or other officials in which this Act vests such functions.

(h) Nothing contained in this Act shall be construed to limit, curtail, abolish, or terminate any function of the President which he had immediately before the effective date of this Act; or to limit, curtail, abolish, or terminate his authority to perform such function; or to limit, curtail, abolish, or terminate his authority to delegate, redelegate, or terminate any delegation of functions.

(i) Any reference in this Act to any provision of law shall be deemed to include, as appropriate, references thereto as now or hereafter amended or supplemented.

(j) Except as may be otherwise expressly provided in this Act, all functions conferred by this Act shall be in addition to and not in substitution for functions existing immediately before the effective date of this Act and transferred by this Act.

(k) The provisions of this section shall apply to functions transferred to the Administration pursuant to Section 4(c) of this Act, except that reference in this section to the effective date of this Act shall be deemed to be references to the date of the transfer of the functions involved.

INCIDENTAL TRANSFERS

SEC. 8. The Director of the Office of Management and Budget is authorized to make such additional incidental dispositions of personnel, personnel positions, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to or to be

made available in connection with functions transferred by this Act, as he may deem necessary or appropriate to accomplish the intent and purpose of this Act.

DEFINITIONS

SEC. 9. As used in this Act—

(1) any reference to "function" or "functions" shall be deemed to include references to duty, obligation, power, authority, responsibility, right, privilege, and activity, or the plural thereof, as the case may be; and

(2) any reference to "perform" or "performance", when used in relation to functions, shall be deemed to include the exercise of power, authority, rights, and privileges.

EFFECTIVE DATE AND INTERIM APPOINTMENT

SEC. 10. (a) Any of the officers provided for in Section 2 of this Act may be nominated and appointed, as provided in that Section at any time after the date of enactment of this Act. Funds available to any department or agency (or any official or component thereof), any functions of which are transferred to the Administrator by this Act, may, with the approval of the President, be used to pay the compensation and expenses of any officer appointed pursuant to this subsection until such time as funds for that purpose are otherwise available.

(b) In the event that any officer required by this Act to be appointed by and with the advice and consent of the Senate shall not have entered upon office on the effective date of this Act, the President may designate any officer, whose appointment was required to be made by and with the advice and consent of the Senate and who was such an officer immediately prior to the effective date of this Act, or any officer who was performing essentially the same functions immediately prior to the effective date of this Act, to act in such office until the office is filled as provided in this Act. While so acting, such persons shall receive compensation at the rates provided by this Act for the respective offices in which they act.

APPROPRIATIONS

SEC. 11. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

EFFECTIVE DATE

SEC. 12. This Act shall be effective on such date as the President shall prescribe and publish in the Federal Register, and shall terminate two years after such effective date.

LET US SET THE EXAMPLE

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. FORSYTHE. Mr. Speaker, recently I received from a constituent a letter expressing irritation that while she was dutifully observing the 50-miles-per-hour speed limit, a car with congressional tags sped past her at a high rate of speed.

While there may have been good reason for this, it does cause a certain feeling of "who does that guy think he is."

It is my view that we in the Congress should be setting a positive example during this period of enforced self-denial. For this reason, I am herewith including the text of my constituent's letter for your perusal:

LETTER

I just want to express my feeling of annoyance, disgust and frustration with one of your fellow Congressmen.

We all know about the energy crisis and how we are to conserve gasoline, home heat, etc. I just want to know how government members, expect the "common people" to follow rules, and energy conservation when they blatantly go speeding along for all of us to see.

I was on the New Jersey Turnpike this past Friday, November 16, heading north driving along at the new speed limit of 50 m.p.h., when we were passed at 11:30 a.m., as if we were standing still by a car with the license U.S. Congress.

I would appreciate knowing how we can willingly conserve energy when elected representatives just flaunt these measures, such as a lower speed limit.

I do hope you will let this person know his actions did not go unnoticed.

FACTS TO BE REMEMBERED ABOUT ENERGY SITUATION

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. MOLLOHAN. Mr. Speaker, the continuing debate over the many facets of our current energy problems often obscures some vital points that need to be made.

For example, the administration has suggested on several occasions that the Congress is to blame for not moving forward with enough foresight to deal with this situation before it became what is now being called a "crisis."

However, I call your attention to the editorial reprinted below entitled "The Energy Crisis and Mr. Nixon." It appeared in the November 28 edition of the Wheeling News-Register in my district. This very perceptive and well-researched piece of journalism points to efforts made in the past by Congress to deal with our developing energy problems. More importantly, it stresses that most of the recommendations and warnings issued by Congress have up until now been ignored by the administration.

As the News-Register so aptly explains, the record simply will not support that charge that Congress is to blame for the present energy crunch.

In another editorial, this one published on November 26, the News-Register comments on the lack of wisdom with which our Nation has approached environmental protection legislation.

We have no argument against cleaning up the environment—it has to be done.

The paper states:

Our argument is with the hastily conceived standards based on emotion and not fact. Standards that fail to consider the world in which they are to be applied and without sufficient research to support their necessity can prove harmful to all of us.

I believe my colleagues will profit by reading these perceptive News-Register editorials, which are reprinted below in their entirety:

ENERGY CRISIS AND MR. NIXON

Reaction to President Nixon's latest efforts to conserve energy has been mixed as was to be expected. Much of the opposition to the President's proposals stems from his larger credibility problems. The doubts about

Watergate spill over into everything he says and does.

Meanwhile, many persons still aren't convinced that the energy situation requires the drastic action being called for by the Administration. There is a feeling that it is the "little fellow" who is being asked to sacrifice the most while big business rolls merrily along. It is not overlooked, for example, that Gulf Oil recently reported a quarterly profit gain of 91 per cent.

The real rub comes from Mr. Nixon's announcement that effective Jan. 1, home heating oil will be rationed. Deliveries will be reduced by 15 per cent for homes but only 10 per cent for industry. As one gasoline dealer put it, "It's the same old Nixon; take care of big industry and forget about everybody else."

Furthermore, it is the consumer who is being asked to make adjustments not the oil companies. It is to be noted that gasoline is more profitable to produce under the Administration's Phase II and Phase IV economic program, and oil companies will not of themselves ask their refineries to produce less gasoline and more heating oil, although this could be done.

There is no question that energy consumption in this country has gone out of bounds. But all of the blame does not rest with the consumer. The energy producers have promoted unlimited consumption as though there was no tomorrow until this latest crunch hit.

Now the President adds to his credibility problem by seeking to assign blame to the Congress for the seriousness of the current energy crisis. The record won't support him in this stand.

It may be recalled that on July 16, 1970, West Virginia's own U.S. Senator Jennings Randolph introduced legislation to establish a National Commission on Fuels and Energy. This was to be a joint Executive-Legislative body to make a comprehensive study of the Nation's energy needs and how best to meet them.

The Administration opposed creation of this commission on the ground that its work would overlap with studies by the Domestic Council—studies that were announced after Sen. Randolph's bill was introduced. If such studies were in fact made by the Domestic Council, they have never seen the light of day. But it is significant that the Administration was on notice, more than three years ago, of deep Congressional concern about emerging energy problems.

Because a serious study was obviously needed, Sen. Randolph sought to authorize a unique cooperative effort in the Senate early in 1971 when he introduced legislation authorizing the National Fuels and Energy Policy Study by the Senate Interior Committee, with participation by the Committees on Commerce and Public Works and the Joint Committee on Atomic Energy. This study is continuing. Much of the energy legislative program now moving through Congress emerged from the study.

The disarray in the Administration on energy issues was reflected in the fact that it took four months to produce a Presidential energy message for Congress. The message that was first promised for January finally came in April. It then proved necessary to bolster this message with a second one in June.

Even in the area of coal research the Administration has dragged its feet. Again it was another U.S. Senator from West Virginia that took the lead in getting more funds to explore better use of our massive coal reserves. Sen. Robert C. Byrd in this year alone succeeded in adding almost \$40 million to the Administration's budget to accelerate research on coal gasification, coal liquefaction and improvements in mining technology.

It is a combination of all these circumstances that causes the public to rebel and

question the need for the drastic measures now being imposed to save fuel. Nevertheless, once the Congress does act to make the President's recommendations mandatory, it is unlikely that there will be open defiance of the regulations. Until the proposals do become law, however, voluntary compliance with Mr. Nixon's energy program is expected to be spotty.

COMPROMISE NECESSARY

It must be evident by this time that some of the hastily enacted environmental cleanup legislation is in direct conflict with the Nation's ability to meet the country's energy needs.

Scores of other environmental laws, most of them conceived in the atmosphere of "the sky is falling" have led to the confusion and even to a detrimental effect on the environment.

The time is now to make a careful analysis of both the environmental and energy needs of the Nation and arrive at compromises that will stand the test of time.

Even though there have been early warnings about the fuel crisis, it was not until the Middle East oil boycott that legislation began to roll from Congress. Again, it appears that much of it is being stamped out in an emotional and in an emergency atmosphere.

Energy suppliers indicate that the Nation will have fuel problems well into the 1980s. The environmental problem continues to be with us and needs to be met. After all, this is, as the environmentalists tell us, the only planet we have on which to live.

The environmental bandwagon that started to roll with the first Earth Day in 1970 must now be evaluated and adjustments made.

For example—some agriculture experts are now saying that the restrictions on the emission of sulphur dioxide from smoke stacks are too stringent. Plants need sulphur to grow and the emissions from smoke stacks supplied this sulphur to the plants. When the Nation's smoke stacks are cleaned up—farmers will need to add sulphur to the soil to properly nurture growth. No one has yet determined just how much sulphur dioxide is harmful.

For example—The Wall Street Journal last summer carried a series of articles in which the writer claimed that automobile emission standards were far too strict. The series said that the standards were based on the report of one scientist and as the proposed standards moved through agency after agency, each agency tightened the restrictions as they added safety factors.

For example—state after state banned phosphate from detergents. The detergents substituted in nicrolotriacetic acid for the phosphate and a far more dangerous product resulted. The growth of aquatic plants, which the phosphate ban was supposed to slow, has continued with no abatement in the areas that banned phosphates.

For example—the Clean Water Act, that calls for a complete stream cleanup by 1985 is so stringent in its standards and timetable that the Nation will never be able to find the money to accomplish its requirements.

For example—cyclamates were banned early this year. Now reports are filtering out of the Washington departments that cyclamates made by substituted saccharin may be more harmful than cyclamates.

We have no argument against cleaning up the environment—it has to be done. Our argument is with the hastily conceived standards based on emotion and not fact. Standards that fail to consider the world in which they are to be applied and without sufficient research to support their necessity can prove harmful to all of us.

ISRAEL COMPLAINT OF VIOLATIONS OF GENEVA CONVENTION

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. DRINAN. Mr. Speaker, I would like to bring to the attention of my colleagues a copy of the complaint submitted to the International Committee of the Red Cross by the Government of Israel regarding the treatment of Israeli soldiers still being detained in Syria.

Documents and photographs show that Israeli prisoners captured by the Syrians have been bound, blindfolded, mutilated, and shot or stabbed to death. These actions clearly constitute grave violations of the Geneva Convention requirements relative to the treatment of prisoners of war.

I have joined with 78 of my colleagues in urging Secretary of State Kissinger to instruct our United Nations Representative to introduce a Security Council resolution calling on Syria to fulfill these Geneva Convention requirements and urging an immediate exchange of wounded prisoners.

The text of the Government of Israel's statement and the letter to Secretary of State Kissinger follow:

COMPLAINT BY THE GOVERNMENT OF ISRAEL RESPECTING GRAVE VIOLATIONS OF THE GENEVA CONVENTION OF AUGUST 12, 1949, RELATIVE TO THE TREATMENT OF PRISONER OF WAR PERPETRATED BY THE SYRIAN ARMY IN THE COURSE OF THE BATTLES ON THE GOLAN HEIGHTS IN OCTOBER 1973

INTRODUCTION

1. The Government of Israel submits to the International Committee of the Red Cross a grave complaint respecting crimes of murder and mutilation committed on the person of Israeli prisoners-of-war officers and men of the Israel Defence Forces, who were taken prisoner by the Syrians in the region of the Golan Heights. These barbaric and inhuman crimes of Syria's military forces constitute grave violations of the Geneva Convention of 12 August 1949 relative to the treatment of prisoners-of-war.

MURDER OF PRISONERS-OF-WAR

2. After the Syrian forces that had penetrated the region of the Golan Heights had been driven back, Israel Defence Forces troops discovered proof that 28 Israeli soldiers, who had been taken prisoner by the Syrian, had been murdered in cold blood after their capture by soldiers of the Syrian army. Particulars of the localities, and of the number of murdered Israeli POW's found in them, are as follows:

- i. The bodies of 11 Israeli soldiers were found at the Hushneyah crossroads.
 - ii. 7 bodies were found at Hushneyah village.
 - iii. 3 bodies were found at Tel Faris.
 - iv. At least 7 Israeli POW's were murdered by the Syrians at the Israel Defence Forces strong-point on Mount Hermon.
3. In the light of the condition in which the bodies were found, it is clear that the Israeli soldiers were murdered systematically and in cold blood after they had been taken prisoner: they were blindfolded, their hands were bound, and in certain cases their legs also.

4. The facts in respect of each of the locations are as follows:

HUSHNEYAH

The bodies were found in a wadi concealed methodically, but not completely, by stones and shrubs. In every case, their hands were bound behind their backs with laces taken from their own boots, and their eyes were blindfolded with rags or bits of clothing. Some of the bodies were found unclothed and unshod. Examination of the bodies discloses that the prisoners were shot at very close range. Every body was riddled by a number of bullets. Considering that some of the bodies were found unclad and stripped of all their personal belongings, including identity discs, it has been possible to identify only six by name.

HUSHNEYAH VILLAGE

The murdered Israeli POW's were found all together in a field near the village their hands bound, their eyes blindfolded. Of the seven bodies, only three could be identified by name. Five of the bodies were found with their upper parts bare. Two other bodies were discovered dressed only in undershirts. All the bodies were found, as said, together in one spot. Beside the bodies were found shirts of the murdered men. On examination, it was seen that the shirts were intact and not pierced by bullets. Empty cartridges were found only a metre away from the bodies. One of the murdered men was found with his legs bound.

TEL FARIS

Here the bodies were found in a ditch, the hands of all three of the murdered men tied with ropes. The men were clad in their underwear only. All had been shot at very close range. All have been identified by name.

MOUNT HERMON STRONG-POINT

At least 31 soldiers of the Israel Defence Forces surrendered on 8 October 1973 to a Syrian force which surrounded the position. According to the testimony of Syrian officers and men who were taken prisoner by the Israel Defence Forces, the last 5 of the 31 Israeli soldiers to emerge from the strong-point when the garrison gave itself up were shot dead while their heads were raised and they were unarmed. The testimony in question affirms that the 5 Israeli prisoners who were shot were murdered on the specific orders of the officer commanding the Syrian battalion on the spot.

Two other Israeli soldiers were murdered as the line of prisoners marched towards the neighbouring Syrian strong-point. According to the evidence of the Syrian prisoners, orders were given to the Syrian escort to kill every Israeli prisoner who lagged behind. Two of the prisoners had difficulty in walking because they were wounded, and they were accordingly shot dead by the Syrian soldiers.

5. Five photographs are attached which show with horrifying clarity what was seen by the Israeli soldiers who found the bodies of the murdered Israeli prisoners-of-war. It is possible to distinguish plainly that the prisoners were concentrated in a single group and then were shot at point-blank range. It can also be seen that all of them had been blindfolded with bits of clothing and rags, and that the hands of every one of them had been bound behind his back.

6. The circumstances of the murder of all the Israeli prisoners-of-war, as described above, bound hand and foot and helpless, prove that these were acts of deliberate mass murder of Israeli prisoners-of-war who had fallen into Syrian hands.

7. The fact that four separate groups of bodies of Israeli prisoners-of-war were found in different places leads to the conclusion

that this was methodical murder perpetrated in accordance with plans and orders emanating from a high central authority.

8. The murder of prisoners-of-war constitutes a violation of Article 13 of the Geneva Convention relative to the treatment of prisoners-of-war. Under Article 130, the deliberate murder of a prisoner-of-war is a grave violation of the Convention. Needless to say, the murder of prisoners-of-war constitutes the most serious imaginable infringement of the whole basis of the Convention and of the principles of humanity accepted among civilized peoples.

9. According to the first paragraph of Article 12 of the Convention: "Prisoners-of-war are in the hands of the enemy Powers, but not of the individuals or military units who have captured them."

In accordance with the Article, it is the detaining Power which is responsible for the attitude adopted towards prisoners-of-war who fall into its hands. There is, therefore, no doubt that the Syrian authorities bear the responsibility for the shameful crime committed by Syrian soldiers.

10. So as not to cause anguish to the families of the murdered men, the Government of Israel has refrained until now from bringing these dreadful facts, in all their tragic detail, to the knowledge of the general public. Since, however, the story has been widely reported in the press, the Government of Israel regards it as its bounden duty to bring the shocking findings which have come to light to the knowledge of the International Committee of the Red Cross.

11. The Government of Syria bears unequivocal responsibility for these methodical crimes.

DEMANDS OF THE GOVERNMENT OF ISRAEL

12. The Government of Israel calls upon the International Committee of the Red Cross to take, at once, the necessary steps to condemn the barbaric and disgusting crimes that have been described, and to ensure that proper and full protection be extended to Israeli prisoners-of-war. It demands that every means be adopted immediately to guarantee the health, welfare and honour of the Israeli prisoners-of-war held captive in Syria, as the Geneva Convention requires.

13. The Government of Israel demands of the Syrian authorities that they give firm guarantees and issue clear instructions to ensure that there shall be no repetition of the horrendous crimes, such as described in this complaint, and that the Government of Syria will respect the laws of war and international Conventions.

LETTER TO SECRETARY OF STATE KISSINGER

DEAR MR. SECRETARY: As members of the U.S. House of Representatives, we want to raise with you an issue of great humanitarian concern that has developed as a result of the war in the Middle East.

The governments of Israel and Egypt have recently completed an exchange of prisoners, and it is widely recognized that this expeditious action has made a significant contribution to the prospect for peace talks between Israel and Arab nations.

A similar exchange of prisoners with Syria has been proposed by the government of Israel. To date, the government of Syria has not only refused to agree to such a procedure, but it has also neglected to fulfill its obligations under the Geneva Convention and international law with regard to the treatment of prisoners. The government of Syria has failed to provide the International Red Cross access to the Israeli prisoners and has also denied a request for an immediate exchange of wounded prisoners.

The Syrians are believed to be holding ap-

proximately 125 Israeli prisoners. It is our understanding that Israel has given the Red Cross a list of approximately 350 Syrian captives it is holding and has given this organization an opportunity to inspect prisoner and hospital facilities and to talk with prisoners of Syrian nationality.

Unfortunately, there is cause for great concern as to the treatment of Israeli soldiers detained in Syrian. A group of House members which recently visited Israel was shown documentation and photographs indicating that Israeli soldiers captured by Syrian forces have been bound, blindfolded, mutilated, and shot or stabbed to death. The bodies of approximately 30 Israeli soldiers, apparently killed after their capture, were located at various sites in the Golan Heights.

War is in itself tragic and inhumane. However, there are well-established laws and international agreements with respect to the handling of prisoners of war, and it is assumed that responsible governments will honor these obligations.

We therefore, are calling on you to instruct the U.S. Representative to the United Nations to introduce a Security Council resolution asking Syria to fulfill Geneva Convention requirements by providing the International Red Cross with a list of prisoners of Israeli nationality and permitting the Red Cross to contact the captives and to visit POW facilities. The resolution should also call for an immediate exchange of wounded prisoners.

The United States should appeal to all members of the UN Security Council, regardless of their position on the political issues involved in the Israeli-Arab dispute, to support such a resolution on the grounds of simple humanitarianism and respect for international law. Certainly, there can be no doubt that action by the UN on this issue would be an important step toward relieving world tensions and achieving peace.

THE PROPOSED MULHOLLAND NATIONAL SCENIC PARKWAY

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

MR. BELL. Mr. Speaker, on October 30, 1973, accompanying legislation to create a Mulholland National Scenic Parkway (H.R. 11163), I made a statement for the RECORD describing the 50-year history of Mulholland Drive and Highway in Los Angeles, explaining my conception of the improvements which would be desirable or necessary to convert the 5½-mile road to a national scenic parkway, and detailing briefly the elements of city, county, State, and Federal participation which are basic to this proposal.

Over the last 5 weeks this legislation in principal has been endorsed by the Governor of California, the mayor of Los Angeles, the director of the State department of parks and recreation, the Los Angeles County Parks and Recreation Commission, the Los Angeles City Recreation and Parks Commission, the Sierra Club, the Friends of the Santa Monica Mountains' and Seashore, the Federation of Hillside and Canyon Association—representing 11 property owners groups along the proposed parkway route—the Los Angeles Times and

the Los Angeles Herald Examiner. Senator JOHN TUNNEY, of California, has introduced a companion bill in the Senate cosponsored by Senator ALAN CRANSTON, of California.

In addition, the following California Members of Congress cosponsored my bill when I reintroduced it on November 15, 1973: Mr. ANDERSON, Mrs. BURKE of California, Mr. BURTON, Mr. CORMAN, Mr. GOLDWATER, Mr. HAWKINS, Mr. HOSMER, Mr. McCLOSKEY, Mr. MOORHEAD of California, Mr. MOSS, Mr. REES, Mr. ROYBAL, Mr. STARK, and Mr. CHARLES H. WILSON of California.

In due course I will place in the RECORD the statements of each of the endorsing individuals and agencies. Today, however, I wish to offer answers to 10 questions which have been put forward by interested Los Angeles residents regarding my intent in the introduction of this legislation. The responses to these questions have already been forwarded to the Department of the Interior, the National Park Service, the House Interior and Insular Affairs Committee, and to Senators TUNNEY and CRANSTON, as an amplification of my legislative intent.

The questions and answers follow:

THE PROPOSED MULHOLLAND NATIONAL SCENIC PARKWAY—QUESTIONS AND ANSWERS
(By Congressman ALPHONZO BELL)

1. What do you estimate to be the cost of the proposed Mulholland National Scenic Parkway?

Answer: I envisioned participation to be approximately \$30 million.

Ideally, this would be provided at the rate of \$4.8 million a year for six years divided equally between Parkway improvement projects in Los Angeles City and Los Angeles County.

An additional \$1.2 million (made available at the rate of \$200,000 a year for six years) would go to Ventura County for trails and other improvements linking Point Mugu State Park with the Scenic Parkway.

This does not take into account the cost of City, County, and State projects, already planned, on and adjacent to Mulholland.

2. How will present and contemplated City, County, and State programs involving Mulholland Drive and Mulholland Highway be affected by this legislation?

Answer: Section 4 of the bill requires the Secretary of the Interior to coordinate development of the Parkway with Los Angeles City and County agencies and with the California Department of Parks and Recreation.

Section 4 also requires the Secretary to act to "assure that the National Parkway program will augment and not supersede" present City, County and State programs on the Mulholland route.

National Scenic Parkway legislation can only be helpful to City, County, and State programs involving Mulholland.

3. Who would administer the Mulholland National Scenic Parkway?

Answer: The bill calls for the Secretary of the Interior to administer the Parkway in accordance with the Act of August 25, 1916, as amended and supplemented.

However, the Secretary under this Act has considerable discretionary authority to issue licenses covering the use of parkway lands and this quite likely would result in some, if not all, administrative responsibilities being assigned to a County, or a specially created City-County-State, agency.

It should be remembered that the National Parkway will be located on what are now City and County roadways and that recreation and beautification projects will, in many

cases, be undertaken on City and County rights-of-way and adjacent State and local parklands.

I do not anticipate difficulty in the negotiations regarding administration. There is ample precedent for the National Park Service to relinquish areas or aspects of administrative responsibility for its facilities.

4. Is there precedent for a combined City-County-State-Federal undertaking such as the Mulholland National Scenic Parkway?

Answer: Not to my knowledge. Nor is there a comparable facility in the National Park system which is located almost entirely in an urban area.

But, particularly with the present energy crisis, it makes sense for the Department of the Interior to begin sponsoring innovative federal recreational programs closer to our population centers.

The Mulholland proposal has the added advantage of allowing the federal government to build on major recreational and roadway investments already made at other levels of government.

The cost of this plan from scratch (including construction of the 53.5 miles of mountain roadway) would be considerably more than a billion dollars and would not even be considered by the Congress or the Department of the Interior.

5. What would the Mulholland National Scenic Parkway legislation accomplish?

Answer: The Mulholland National Scenic Parkway would link together City, County and State Recreational facilities in the Santa Monica Mountains which are located on Mulholland Drive or Mulholland Highway.

These include Leo Carillo State Beach, the projected Century Ranch State Park, the 7,200 acre Santa Monica Mountain Urban State Park, the projected City Wilderness Park (on what had been Nike Base 96), and the Hollywood Bowl.

In addition, separate ancillary Mulholland Trails (of 5 to 10 miles each) would link Griffith Municipal Park and the Pilgrimage Theater to the Parkway in the east; Point Mugu State Park in the West; and Will Rogers State Historic Park near the center of the Santa Monica Mountain Range.

The plan would anticipate the placement of additional secondary parks and picnic areas, parking cut-outs, scenic overlooks, hiking and labeled nature trails, bicycle trails, equestrian trails and, perhaps, a network of hostels along the route.

All of this would be done as part of a Master Plan to beautify the 53.5 miles of Mulholland Drive and Highway.

6. Will it be necessary to widen Mulholland Drive and Highway in order to establish the Scenic Parkway?

Answer: No. The widening of Mulholland is an issue which will be resolved at local levels of government.

The proposed National Scenic Parkway could be adjusted to whatever decisions are made by City and County agencies.

My personal preference, however, is that Mulholland not be widened and, in fact, not be considered a major east-west artery but, instead, be regarded as a 53½ mile ribbon park.

7. Would passage of the Mulholland National Scenic Parkway legislation preclude federal acquisition of parkland in the Santa Monica Mountains?

Answer: The State Department of Parks and Recreation has taken the position that land acquisition in the Santa Monica Mountains should be funded by state government with the Mulholland connecting corridor being developed as a federal project, as proposed in the legislation which has been introduced.

State Director William Penn Mott, Jr. has defined an initial land acquisition program totaling 40 to 50 thousand acres in three

areas of the Santa Monica Mountains and (after ten years and an investment of \$40 million) has made substantial progress toward that end.

Mott has, moreover, also stipulated that even this commitment is not intended as a terminal goal for recreational development and preservation of the Santa Monica Mountains.

Accordingly, at least the first stage of the Mulholland National Scenic Parkway concept focuses on the improvement and linking up of already available land with only limited acquisition of new land and new rights-of-way.

There is, however, a point of view advanced by the Friends of the Santa Monica Mountains' Parks and Seashore that "federal funding for park roads should not exclude federal funding for direct park and beach land acquisition."

Those who share this position will not necessarily be compromised by supporting the Mulholland National Scenic Parkway legislation because the goals are not mutually exclusive.

For example, the first five parkways in the National Park system included a total of 130,410 federal acres, averaging slightly less than 25,000 acres per parkway. More than 23,000 acres have been authorized for the most recent John D. Rockefeller, Jr. Memorial Parkway in Wyoming.

It should also be noted that Senator Tunney, the author of the bill to create a Santa Monica Mountain and Seashore National Urban Park (S1270), introduced Mulholland Parkway companion legislation last week in the Senate.

In the past the Department of the Interior has expressed concern about the "full use" potential of land in the Santa Monica Mountains. These objections, however, would not apply to the Scenic Parkway program.

And even if establishment of the Mulholland National Scenic Parkway did not encourage the Department of the Interior subsequently to increase its investment in the area (as often happens with National Park facilities) the Parkway might very well have that effect on the State Department of Parks and Recreation and even on city and county agencies.

8. Are there other National Parkways in our National Park System?

Answer: Yes. There are six others. The most recently dedicated is the 82 mile John D. Rockefeller, Jr. Memorial Parkway which links Yellowstone and Grand Teton National Parks.

The 29 mile Baltimore-Washington Parkway provides a good example of special jurisdictional arrangements which can be made for National Parkways.

Nineteen miles of this Parkway are administered by the National Park Service. Ten miles are administered by the State of Maryland.

9. Will federal investment in the Mulholland Parkway stimulate demands for similar projects in or near other population centers?

Answer: There are no comparable opportunities in any major city in the United States.

The Mulholland project is possible only because (thanks to the initiative of Los Angeles residents beginning fifty years ago) Mulholland Drive and Highway now exists and (thanks to City, County and State Recreation Departments (major park facilities have already been established on the 53.5 mile route).

It is, however, reasonable that other urban areas should propose similarly innovative cooperative park ventures to the Department of the Interior based on shared costs by City, County, and State agencies.

And I believe they should be given a sympathetic hearing because I believe our urban

areas ought to be better served by our National Park system.

10. Does the Mulholland National Scenic Parkway proposal have significant community support?

Answer: Yes. The legislation is supported by the California Department of Parks and Recreation, by the Los Angeles County Department of Parks and Recreation, and by the Los Angeles City Recreation and Parks Commission.

It has been endorsed by Mayor Bradley. It will be cosponsored in the U.S. Senate by Senator Alan Cranston and Senator John Tunney of California.

A resolution has been introduced in the Los Angeles City Council (proposed by Councilman Wachs, seconded by Councilman Braude) expressing support for the legislation.

Both the Los Angeles Times and the Los Angeles Herald Examiner have editorialized in behalf of the proposal. And we understand other local publications and citizens' groups are also preparing supporting statements.

TRIBUTE TO MARIE McDOWELL, OF ALASKA

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. YOUNG of Alaska. Mr. Speaker, I would like to join my fellow Alaskans in

expressing deep sorrow at the passing of Marie McDowell, dedicated member of Alaska's State Board of Education since 1971. I wish to take this opportunity to recognize the high principles and strong convictions she demonstrated during her tenure on the State board of education.

Marie McDowell was a concerned individual and advocate of the youth, who contributed much to the betterment of Alaska's educational system. All of Alaska will feel the loss of her wisdom and devoted service.

SENATE—Wednesday, December 5, 1973

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

Dr. Frank E. Gaebelstein, headmaster emeritus, the Stony Brook School, Stony Brook, N.Y., offered the following prayer:

O God of all love and compassion, Thou who dost work redemptively among men, we confess our need of Thy cleansing and healing power in our lives and in our country. Thou art ever gracious to forgive us our sins when we truly turn to Thee. Teach us, therefore, to be forgiving in all our dealings with others. Thou art just and righteous in all Thy ways. Increase, therefore, our sensitivity to injustice and quicken our concern for the poor and oppressed.

Sustain and encourage, we beseech Thee, all who bear the burdens of governing our Nation. May the Members of this body be given discernment in knowing Thy will and integrity in doing it. And grant, O gracious God, that with clarity of mind and soundness of judgment they may glorify Thee in all their work today.

In the name of Him who is the Way, the Truth, and the Life. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, December 4, 1973, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

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

AMERICAN INDIAN POLICY REVIEW COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calen-

dar No. 572, Senate Joint Resolution 133.

The PRESIDENT pro tempore. The joint resolution will be stated.

The legislative clerk read as follows:

S.J. Res. 133, to provide for the establishment of the American Indian Policy Review Commission.

The PRESIDENT pro tempore. Is there objection to the consideration of a joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 5, line 14, after the word "Senate", insert "Committee on Interior and Insular Affairs"; in line 16, after the word "House", insert "of Representatives"; in line 21, after the word "Representatives", insert "Committee on Interior and Insular Affairs"; on page 6, line 21, after the word "above", insert "Indian members"; in line 23, after the word "any", insert "one"; on page 7, at the beginning of line 13, strike out "\$150 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties." and insert "\$100 for each day such member is engaged in the actual performance of duties vested in the Commission, but not to exceed sixty days in any one calendar year. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service."; on page 9, line 1, after the word "to", strike out "Indians"; and insert "Indians, and provide specifically for a management study of the Bureau of Indian Affairs utilizing experts from the public and private sectors"; on page 12, line 1, after the word "this", strike out "Act and such moneys as may be appropriated shall be available to the Commission until expended" and insert "Act"; at the beginning of line 5, strike out "the civil service laws and regulations and without regard to the Classification Act of 1949, as amended," and insert "provisions of title 5, United States Code, governing appointments in the competitive services, and the provisions of chapter 51 and sub-

chapter III of chapter 53 of such title relating to classification and general schedule pay rates"; and, in line 24, after "(d)", strike out "service of an individual as a member of an ad hoc committee, or employment by the Commission of an attorney or expert in any job or professional field on a part-time or full-time basis with or without compensation shall not be considered as service or employment bringing such individual within the provisions of the act of October 23, 1962 (76 Stat. 1119)." and insert "Any individual serving as a member of an ad hoc committee, or any attorney or expert in any job or professional field employed by the Commission on a part-time or full-time basis with or without compensation, shall, while engaged in such service or employment, be deemed a "special Government employee" within the meaning of section 202 of title 18, United States Code."

The amendments were agreed to.

The joint resolution, as amended, was passed.

The preamble was agreed to.

The joint resolution, as amended, with the declaration and preamble, reads as follows:

DECLARATION OF POLICY

It is hereby declared to be the policy of Congress that the unique and longstanding legal relationship between the American Indian people and the Federal Government shall—

(a) be fully recognized and respected; and
(b) serve as the foundation for a fundamental reform of Federal-Indian relations so as to develop and implement a new national Indian policy to encourage and assist the full development of the unique human and natural resources of Indian people.

DECLARATION OF PURPOSE

Recognizing that the unique relationship of the American Indian people and the Federal Government is based upon the Constitution, numerous treaties and a still-growing body of statutory law and court decisions, that this relationship carries with it a Federal trust responsibility for the protection of Indian land and rights to other natural resources and for the provision of public services to Indian people, that this solemn and legal responsibility has not been adequately fulfilled, that the Indian people have been denied the opportunity to realize the full potential of their human and natural resources, and, therefore, that those results demonstrate that the national Indian policy and the administration of Indian affairs is