

Committee of the Whole House on the State of the Union.

Mr. DULSKI: Committee of conference. Conference report on H.R. 9256 (Rept. 93-706). Ordered to be printed.

Mr. HOLIFIELD: Committee on Government Operations. H.R. 11510. A bill to reorganize and consolidate certain functions of the Federal Government in a new Energy Research and Development Administration and in a Nuclear Energy Commission in order to promote more efficient management of such functions; with amendment (Rept. No. 93-707). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BROTZMAN:

H.R. 11833. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates under that act, to expand the coverage of that act, and for other purposes; to the Committee on Education and Labor.

By Mr. DONOHUE:

H.R. 11834. A bill to provide that a State or political subdivision may levy a tax with respect to a federally assisted housing project which under Federal law is otherwise exempt from State and local taxes but is required to make payments in lieu of taxes, where such payments are less than the amount of the taxes from which it is so exempt; to the Committee on Banking and Currency.

By Mr. GINN:

H.R. 11835. A bill to authorize the Secretary of the Interior to assist in the commemoration of the Revolutionary War battle fought at Savannah, Ga., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARSHA:

H.R. 11836. A bill to direct the President to halt all exports of gasoline, No. 2 fuel oil, and propane gas until he determines that no shortage of such fuels exists in the United States; to the Committee on Banking and Currency.

By Mr. KEMP:

H.R. 11837. A bill to prohibit common carriers in interstate commerce from charging elderly people more than half fare for their transportation during nonpeak periods of travel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 11838. A bill to amend sections 2516 (1) and (2) of title 18 of the United States Code to assure that all wiretaps and other interceptions of communications which are authorized under that section have prior

court approval; to the Committee on the Judiciary.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. CHAPPELL, and Mr. VANDER JAGT):

H.R. 11839. A bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration in cooperation with the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling; to the Committee on Science and Astronautics.

By Mr. MELCHER:

H.R. 11840. A bill to review the present and prospective uses of the lands of the United States, and to stimulate the production of oil and gas from such lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN (for himself, Mrs. SULLIVAN, Mr. WIDNALL, and Mr. WYLIE):

H.R. 11841. A bill to authorize the Secretary of the Treasury to change the alloy and weight of the 1-cent piece; to the Committee on Banking and Currency.

By Mr. THORNTON:

H.R. 11842. A bill to amend the Small Business Act to provide for loans to small business concerns seriously affected by shortages of energy producing materials, and for other purposes; to the Committee on Banking and Currency.

By Mr. RANDALL:

H.R. 11843. A bill to prohibit the export of petroleum and petroleum products from the United States during the present energy crisis; to the Committee on Banking and Currency.

By Mr. RODINO:

H.R. 11844. A bill to enlarge the trial jurisdiction of U.S. magistrates to encompass additional misdemeanors; to the Committee on the Judiciary.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. ROY, Mr. CARTER, Mr. HEINZ, and Mr. HUDNUT):

H.R. 11845. A bill to amend the Public Health Service Act and related laws to revise and extend programs of health revenue sharing and health delivery, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE:

H.R. 11846. A bill to provide financial assistance to the States for improved educational services for exceptional children; to establish a National Clearinghouse on Excep-

tional Children; and for other purposes; to the Committee on Education and Labor.

By Mr. SYMINGTON:

H.R. 11847. A bill for the relief of certain fire districts and departments in the State of Missouri to compensate them for expenses relating to a fire on Federal property; to the Committee on the Judiciary.

By Mr. THONE:

H.R. 11848. A bill to amend the Internal Revenue Code of 1954 to restrict the authority for inspection of tax returns and the disclosure of information contained therein, and for other purposes; to the Committee on Ways and Means.

By Mr. TIERNAN (for himself, Ms. CHISHOLM, Mr. CORMAN, Mr. DUNCAN, Mr. FASCELL, Mr. FAUNTROY, Mr. HELSTOSKI, Mr. MILFORD, Mr. OBEY, and Mr. RODINO):

H.R. 11849. A bill to authorize the Secretary of Transportation to make grants and provide technical assistance to units of general local government to implement programs which are designed to increase the use of carpools by commuters; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL:

H.R. 11850. A bill to designate certain lands in the Saguaro National Monument in the State of Arizona as wilderness, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 11851. A bill to amend the Recreation and Public Purposes Act of 1926, as amended, to provide for the sale or transfer of public lands to State and local governments for public purposes; to the Committee on Interior and Insular Affairs.

By Mr. WIDNALL (for himself and Mr. BLACKBURN):

H.R. 11852. A bill to increase the availability of urgently needed mortgage credit for the financing of housing, and for other purposes; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COUGHLIN:

H.R. 11853. A bill for the relief of Produce Factors Corp.; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 11854. A bill for the relief of Dao Thi My Linh and Dao Thi Anh Thu; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H.R. 11855. A bill for the relief of Miguel Angel Cuadra; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

FEDERAL CIVILIAN EMPLOYMENT, OCTOBER 1973

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. MAHON. Mr. Speaker, I include a release highlighting the October 1973 ci-

vilian personnel report of the Joint Committee on Reduction of Federal Expenditures:

FEDERAL CIVILIAN EMPLOYMENT, OCTOBER 1973

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in October was 2,779,068 as compared with 2,782,260 in the preceding month of September—a net decrease of 3,192. Total pay for September 1973, the latest

month for which actual expenditures are available, was \$2,748,088,000. These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

EXECUTIVE BRANCH

Civilian employment in the Executive Branch in October, as compared with the preceding month of September and with October a year ago, follows:

	Full time in per- manent positions	Change	Tempo- rary, part time, etc.	Change	Total em- ployment	Change		Full time in per- manent positions	Change	Tempo- rary, part time, etc.	Change	Total em- ployment	Change
Current change:							12-month change:						
September 1973	2,403,496		335,779		2,739,275		October 1972	2,475,904		297,737		2,773,641	
October 1973	2,413,221	+9,725	322,950	-12,829	2,736,171	-3,104	October 1973	2,413,221	-62,683	322,950	+25,213	2,736,171	-37,470

Some highlights with respect to Executive Branch employment for the month of October are:

Total employment of Executive agencies shows a decrease of 3,104 during the month of October to a total of 2,736,171. Major decreases were in Agriculture with 1,938, Interior with 1,781 and HEW with 1,582, partially offset by an increase of 1,418 in Defense.

The 3,104 decrease in total Executive agency employment reflects a usual decline in regular seasonal employment and temporary summer employment in federal opportunity programs for the disadvantaged.

In October there were 23,923 youths employed in federal opportunity programs for the disadvantaged. This is a decrease of 8,546 from last month. Employment under this program reached its peak in the month of July when 63,331 youths were reported in temporary and part-time positions.

The full-time permanent employment level

of 2,413,221 reported for the month of October shows an increase of 9,725 as compared with the previous month of September and it is 62,683 under the total reported a year ago. Of the 9,725 increase during October major increases were reported by Postal Service with 3,786, Defense with 3,115 and Treasury with 1,068.

During the first four months of fiscal year 1974 there was a net decrease of 8,486 employees in full-time permanent positions. This represents an increase of 1,758 among the civilian agencies and a decrease of 10,244 in Defense agencies.

A comparison of total employment among the civilian and military agencies follows:

	October	September	Change
Civilian agencies.....	1,707,313	1,711,835	-4,522
Military agencies.....	1,028,858	1,027,440	+1,418
Total, civilian employment.....	2,736,171	2,739,275	-3,104

FULL-TIME PERMANENT EMPLOYMENT

	June 1972	June 1973	October 1973	Estimated June 30, 1974		June 1972	June 1973	October 1973	Estimated June 30, 1974
Agriculture.....	82,511	81,715	78,991	78,800	General Services Administration.....	36,002	35,721	35,332	37,800
Commerce.....	28,412	28,300	27,846	28,400	National Aeronautics and Space Administration.....	27,428	25,955	25,844	25,000
Defense:					Panama Canal.....	13,777	13,680	13,662	14,000
Civil functions.....	30,585	29,971	28,516	30,800	Selective Service System.....	5,791	4,607	3,492	4,900
Military functions.....	1,009,548	957,310	948,521	956,000	Small Business Administration.....	3,916	4,050	3,982	4,100
Health, Education, and Welfare.....	105,764	114,307	118,396	101,800	Tennessee Valley Authority.....	14,001	13,995	13,631	14,000
Housing and Urban Development.....	15,200	15,820	15,412	13,900	U.S. Information Agency.....	9,255	9,048	8,917	9,100
Interior.....	56,892	56,771	55,907	56,900	Veterans Administration.....	163,179	170,616	171,522	170,000
Justice.....	45,446	45,496	46,911	47,100	All other agencies.....	33,499	34,610	34,117	35,800
Labor.....	12,339	12,468	12,260	12,400	Contingencies.....				5,000
State.....	22,699	22,578	22,461	23,400	Subtotal.....	1,910,854	1,874,424	1,864,389	1,874,100
Agency for International Development.....	11,719	10,108	9,685	9,900	U.S. Postal Service.....	594,834	547,283	548,832	564,500
Transportation.....	67,232	67,885	67,349	69,400	Total ²	2,505,688	2,421,707	2,413,221	2,438,600
Treasury.....	95,728	98,087	100,000	104,000					
Atomic Energy Commission.....	6,836	7,145	7,271	7,400					
Civil Service Commission.....	5,260	5,911	6,017	6,000					
Environmental Protection Agency.....	7,835	8,270	8,346	9,200					

¹ Excludes increase of 31,000 for civilianization program.

² Excludes increase of approximately 15,000 in adult welfare categories to be transferred to the Federal Government under Public Law 92-603.

³ October figure excludes 1,062 disadvantaged persons in public service careers programs as compared with 1,175 in September.

Source: As projected in 1974 budget document. It should be noted that the President has ordered reductions in the projected 1974 level, but information is not yet available.

FOR NEW ECONOMIC PLANS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. ZABLOCKI. Mr. Speaker, innovative and progressive steps are needed to be taken by the administration and the Congress if we will be successful in resolving the major domestic and international economic problems confronting our Nation.

With that objective in mind, I would like to insert the article "For New Economic Plans," by our colleague, Representative HENRY S. REUSS, which appeared in the November 27 issue of the St. Louis Post-Dispatch.

By calling the article to the attention of our colleagues, Mr. Speaker, I am hopeful that Representative REUSS' views will contribute to a better understanding of some of the constructive steps needed to restore the economic viability of our country:

FOR NEW ECONOMIC PLANS

(By Representative HENRY S. REUSS)

Full employment without inflation; an improved distribution of income and wealth;

an international economic policy that will be the servant rather than the master of domestic needs—these are the economic problems of the years ahead. And 1974 is the year for constructive first steps toward their solution by the Democratic congressional majority if its party is not to go the way of the Whigs.

As with all changes of Administration, the Republicans in 1968 inherited a mess. But today, after three years of stagnation and unemployment, a few months of sunshine, and more than a year of inflationary misery, the mess is much worse.

Here is an attempt at Democratic diagnosis and cure. A bill of particulars against the Administration would go something like this:

(1) Unemployment and Poverty. For its first three years, the Administration attempted to fight inflation with unduly restrictive fiscal and monetary policies. These policies succeeded in almost doubling the number of unemployed, and in forcing many families into poverty, increasing the welfare rolls, interrupting the growth of family income and of business profits.

In 1972, on the other hand, the Administration, alerted by the upcoming election to the damage it had wrought, swung the pendulum too far the other way. A sudden surge of federal spending, and an 8.3 per cent increase in the supply of new money, intensified already serious inflationary pressures. Today, a swing back to tight money has produced the threat of a new period of stagnation and unemployment.

(2) Inflation and Shortages. Prior to Aug.

15, 1971, the Administration refused to use the power to impose price-wage restraints provided by a Democratic Congress. The freeze of Aug. 15, 1971 worked tolerably for a few months. But the history of Nixon price-wage controls shows almost a death wish that they not succeed.

Instead of the social contract that was needed, labor was excluded from the original formulation of controls. Wages have consistently been subjected to unfairly tighter controls than prices. In the last year, for example, the weekly buying power of labor has actually declined by \$3.15. Salaries and bonuses of corporate executives were allowed to skyrocket.

Price-wage controls can work only as a supplement to sound fiscal and monetary policies. As was said above, the Federal Government went on a 1972 election-year spending and money-creating binge. A consumer buying spree was allowed to run unchecked because of the Administration's failure to use the power Congress had given it to impose controls over consumer credit. Worse, Administration tax policies still stoke the inflationary fires where they are hottest. The investment tax credit and depreciation are continuing to produce inflationary bottlenecks in business plant and equipment.

Off-again-on-again controls have compounded the problem.

The highest-flying item in 1973's runaway cost of living is food. For this, a large part of the blame must fall on the Department of Agriculture and its 1972 performance. The

Department kept restricting the production of meat, grain and poultry. Then, lulled by its own bad forecasting, it engineered the Russian wheat deal that helped exacerbate our own shortages.

In many other commodities, the Administration's shortage policies contributed to the inflation. Mr. Nixon's veto of the measure to increase medical education has helped to make health bills higher today. Mr. Nixon's retention of oil import quotas has helped not only to raise the price of gasoline and heating oil, but to retard the building of vitally needed refinery capacity in the United States.

The inflationary problem has been heightened by what the Administration calls the dollar's "undervaluation" since last March—the extra depreciation of the dollar created by international lack of confidence in the Nixon Administration.

At the moment, most economists are predicting a slowdown for 1974—a slowdown produced by chillingly high prices and interest rates, a sharp drop in home construction, a tapering off of the consumer buying spree, an energy shortage and a worldwide economic slowdown that will hurt our export sales. A slowdown means that unemployment will go up again, with cruel repercussions on those it hits first—blacks and other minorities, young people and women.

What is to be done? In my view, the task ahead for the Democrats is along these lines:

(1) The public sector. The public squalor of today must give way to a new sense of public responsibility. High on the list of national priorities should be a public service employment program to banish the scourge of unemployment, perform useful services, and eliminate the temptation toward inflationary across-the-board overspending; an adequate minimum welfare payment for all who cannot work (combining allowances for dependency, food stamps, medical aid, housing); comprehensive national health insurance; block grants for housing and community development; expanded programs in education, public health, the environment, mass transit; research and development in new forms of clean energy.

At noninflationary full employment, the expenditures of government at all levels should be balanced by equivalent revenues. At the federal level, this should be achieved partly by a reordering of priorities (away from excessive military expenditures and unnecessary subsidies, as for private aviation and large corporate farms); partly from the growth in revenues to be obtained by full employment.

(2) Tax reform. Tax reform should be promptly and comprehensively undertaken, to achieve equity, to augment the revenues and to counter economic inefficiency (for instance, the present exemption from taxation of capital gains at death induces security holders to overhold; the exemption of unrepatriated foreign income of American multinational corporations encourages overinvestment and discourages exports, all to the damage of our balance of payments). Tax reform should aim to improve the revenues by 15-20 billion dollars annually, and to permit some effective tax reduction for moderate-income taxpayers, as by shifting some of the burden of the social security tax to general revenues.

(3) Inflation control. Phase IV is far too imperfect and stifling to be tolerated indefinitely. But it must not be simply abandoned. Rather it should be replaced by:

(a) a permanent price-wage review board, to examine and, if needed, to set ceilings on prices (and on wages where the increase would compel a price increase) in the cost-push, administered-price sectors of the economy, such as steel, automobiles, rubber, oil and aluminum;

(b) an independent price ombudsman to

represent the consumer—in increasing supply and opposing Governmental agencies such as the Interstate Commerce Commission, which themselves inhibit competition.

(4) International economics. Rather than get ourselves into another bind by going back to fixed exchange rates for the United States, we should continue to float, with internationally agreed rules for intervention. Democrats should and will support the main outlines of the Administration's trade bill. To fend off a balance of payments deficit that has damaged us immeasurably abroad, and to keep the dollar from depreciating further in the face of our expected greater import outlays for oil and raw materials, we must eliminate the biggest single red-ink item in our payments deficits—military expenditures abroad.

EXPORTS OF PETROLEUM AND PETROLEUM PRODUCTS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. DINGELL. Mr. Speaker, in regard to the current energy crisis, I believe it would be beneficial for my colleagues in the House to be aware of a letter which I have today sent to the Honorable William E. Simon, Director of the Federal Energy Administration, in reference to reports of continued exports of petroleum and petroleum products during this time of critical domestic shortage.

I insert the text of this letter at this point in the RECORD:

WASHINGTON, D.C., December 7, 1973.

HON. WILLIAM E. SIMON,
Director, Federal Energy Administration,
Washington, D.C.

DEAR MR. SIMON: I am increasingly disturbed by reports of continued exports of petroleum and petroleum products during this period of critical domestic shortage. This raises a number of serious issues.

On November 27, 1973, the Congress passed Public Law 93-159, the "Emergency Petroleum Allocation Act of 1973." Section 4 of that bill prohibits the exportation of petroleum:

"d. The regulation under subsection (a) shall require that crude oil, residual fuel oil, and all refined petroleum products which are produced or refined within the United States shall be totally allocated for use by ultimate users within the United States, to the extent practicable and necessary to accomplish the objectives of subsection (b)."

My staff, in talking to officials in the Office of Export Administration, Department of Commerce, which has jurisdiction over the enforcement of export control programs and the Customs Bureau, which collects the data on exports, learned that both agencies are unaware of this recently passed law and are obviously not enforcing it.

My staff further found that even if the Office of Export Administration were told to move forward with this authority, the Office would have no capability for enforcing the program. I was shocked to find that for the range of export control programs the Office is responsible for enforcing, the Office has only five commodity inspectors to cover the entire country. Two of these inspectors are permanently stationed at John F. Kennedy Airport.

Therefore, are there only three inspectors to enforce the program at the hundreds of airports, ship terminals, border crossings, and other such terminals in the United States?

This, of course, raises a serious question as to whether we can believe the petroleum export figures that the Administration and its agencies are reporting. The way these export numbers are gathered appears to be a joke.

Please bear with me a moment: (a) the ship loads up with oil at a terminal; (b) exporting oil does not require a license or other documentation; (c) the customs official at the port has no authority to check the actual cargo but is merely a paper collector; (d) the shipper is required to file an export declaration identifying the cargo within four days after the ship has left port; (e) if a question is raised as to the reliability of the export declaration, the ship is long gone; (f) these export declarations are then passed on to the Census Bureau which then publishes these completely unverified figures.

As you know, there is a growing incentive to export oil and bring it back into the United States to circumvent the Phase IV price controls. For example, earlier this week, No. 2 home heating oil was being offered in the New York area for \$.67 a gallon which is three times the allowed price under Phase IV. We thought at first there was a black market operating, but it turned out to be imported oil that can be sold at any price. Now, that is what I call an incentive to export either overtly or covertly!

I am finding it easier to believe the rumors circulating about the surreptitious shipping of oil outside the country and either having it refined abroad and shipping the petroleum product back in as imported product or merely falsifying ship documents and transporting the product directly back in as an import.

I think it is an outrage that the Administration has not appreciated this incentive to surreptitiously export petroleum and have not added staff or increased the number of authorized staff inspections to protect against this potential fraud.

What is the Administration's justification for not designating petroleum as a strategic commodity and banning the export entirely?

It is very difficult to explain to my constituents that oil companies are still free to export petroleum, as it is not a strategic commodity, while at the same the Administration and the Department of Defense are taking 19.7 million barrels away from the domestic consumers of America by invoking the Defense Production Act.

I believe this should be stopped.

As I am a Member of House Interstate and Foreign Commerce Committee actively engaged in preparing the National Energy Emergency Act legislation for full Congressional consideration, I would appreciate receiving at your earliest opportunity a full report along with your comments and recommendations which you might plan to suggest.

Thank you for your attention to my request.

Sincerely yours,

JOHN D. DINGELL,
Member of Congress.

WORDS TO HEED ON GREECE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. HARRINGTON. Mr. Speaker, Mr. George Anastaplo is a lecturer at the University of Chicago. He has sent me two letters to editors recently concerning the recent coup in Greece and the similarity between our own country and the situation in Greece a few years ago when the monarchy was overthrown. I do not know Mr. Anastaplo personally, but

his warnings deserve the attention of each Member of Congress. Therefore, I would like to insert his two letters in the RECORD at this time:

ATHENS AND WATERGATE: A MORAL?

DEAR SIR: It might well be instructive, in order to assess soberly what is going on in Washington these days, to recollect what has happened in Athens in recent years.

In April 1967, a clique of colonels betrayed their oaths and their king by seizing the government of Greece. They have held it ever since as a military dictatorship with civilian trappings. Much of the responsibility for this violent usurpation lay with the leaders of the principal political parties in Greece. That is, a constitutional crisis had been permitted by them to fester for two years—so much so that desperate measures could then be exploited by unprincipled soldiers who saw their chance to take over.

Greece has suffered ever since—in long-term economic distortions, in a damaging alienation from the European community, and in a corruption of political morale which is likely to endure a long time. Chance will have far too much to say about whether the Greeks can return to normal constitutional life without first plunging into a debilitating civil conflict.

The trials of the Greek people are ultimately the responsibility of the leaders (including a then young and inexperienced king) who self-righteously refused, before April 1967, to come to terms with one another. Had these leaders preserved their sense of proportion, the self-serving colonels would never have found an opportunity to make their long-planned move. Politics were quite exciting in Athens those days—but also quite irresponsible and, ultimately, quite destructive of orderly political life.

In Washington, too, politics have been quite exciting the past year.

Respectfully yours,

GEORGE ANASTAPLO,

Lecturer in the Liberal Arts, the University of Chicago; Professor of Political Science, Rosary College.

THE KARAMANLIS SOLUTION FOR GREECE

To the Editor:

The crisis which has toppled the bloody Papadopoulos dictatorship in Athens cannot be resolved, or even smothered, by recourse to still another military strong man. This crisis is rooted in the incompetence and arrogance of colonels who cannot be expected to handle intelligently the complex social and economic problems of Greece. Such usurpers cannot enlist the necessary services and good will of the better professionals, politicians and military officers of that country for the great work of reconciliation and austerity which Greece so desperately needs.

The shortsighted role played by our government since the colonels first took over in 1967 has already (and perhaps even permanently) compromised, in the eyes of the resentful Greek people, our legitimate interests in that country and hence in the Middle East. Among our mistakes of the past six years has been that of publicly backing the wrong men in Greece. I have found, in my visits at the State Department and the Pentagon during this period, that our policymakers have been remarkably unequipped to consider seriously the long-range consequences of the policies they were pursuing in Greece.

We should, before still another dictator becomes consolidated in Athens, try to redeem somewhat our good name by using our remaining influence in Greece and NATO to help the Greek people recover control of their own affairs. This can best be done, it seems to me, by vigorously encouraging the colonels to step aside for Constantine Karamanlis, the man whose prestige as a former conservative prime minister still recommends

him to the Greek people as the best way to avoid the even bloodier crises which now threaten their country.

Greece may be the only country in the world today where the genuine popular alternative to domestic tyranny is so moderate and so experienced a politician as Mr. Karamanlis. What more can the Greeks or the United States hope for? Dare we or they risk further deterioration in Greece and in American-Greek relations?

GEORGE ANASTAPLO,

Lecturer in the Liberal Arts, the University of Chicago; Professor of Political Science, Rosary College.

P.S. You may use as much as you like of the above identification as well as of the following information: I have, in recent years, published a number of articles in this country on current Greek affairs. Because of these articles I was declared *persona non grata* by the Greek government in 1970.

EDUCATION FOR EXCEPTIONAL CHILDREN ACT

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. STEELE. Mr. Speaker, I am today introducing legislation to provide a quantum jump in the number and quality of special education programs available to "exceptional children," that is, our gifted and our handicapped youngsters. This legislation mandates that government at all levels has a basic responsibility to provide each such child with a free, public education suited to his or her special needs. And it provides the tools to do so: increased Federal funding, major teaching training programs, intensified research into the field.

Ours is a fast moving country. Yet certain things have remained constant throughout our history. One is the deep belief in the importance of education in our national life.

The traditional measure of progress in education has been growth. The number of students enrolled, the number of schools in existence, the amount of money spent—these have been the ways we gauge how effectively we have educated our children.

And on that basis we have had remarkable success.

Between 1955 and 1965, the number of high school graduates increased more than 85 percent; the number of those graduates going on to college increased 110 percent. Today more than half our young people enter college, while only 20 years ago the number was less than 25 percent.

In the last 2 decades, the total number of institutions of higher education has increased from 1,850 to nearly 2,500 and the average enrollment in these schools has doubled.

Total education outlays, public and private, have been increasing at 2½ times the rate of the gross national product—which itself has grown nearly fourfold since 1950.

Indeed, this is remarkable growth—growth which must be nurtured until every young American has the opportunity for 4 free years of higher educa-

tion or training. And I have proposed a program for funding such an endeavor based on the Federal Government issuing bicentennial bonds to finance the program at no cost to the taxpayer.

We must recognize, however, that access to schools does not automatically reveal a successful education. It measures only the exposure of a particular age group to whatever educational institutions exist, not the quality of the experience they will find there.

The simple fact is that we are not providing quality free public education to all of our Nation's children. In many cases, we are not providing free public education at all. Nor has our educational system been particularly subtle in whom it excludes—in a word, they are the exceptional children, the handicapped, and gifted.

While most State constitutions guarantee free education as a basic right, all the States—with the exception of Mississippi—which has no compulsory education law—have statutory provisions which authorize school authorities to exclude certain children from public schools.

Originally, these exclusion provisions were intended to exempt children from compulsory education laws if their parents felt they were not physically or mentally capable of attending regular school. But regardless of the reasons for such provisions in the past, the results are not patently clear: Thousands of handicapped children are being denied their right to an education.

There are some 7 million handicapped children in the United States. Close to 60 percent of these children are being denied the educational programs they need to have full equality of opportunity. One million of them have been excluded from public schools entirely.

For most of these children, educational services are something they will receive only through the perseverance and sacrifice—often at prohibitive cost—of their parents. Tragically, the education they are likely to receive will in no way prepare them for full, useful, and rewarding lives.

During the 1971-72 school year, there were seven States in which less than 20 percent of the population of handicapped children were provided educational services. In 19 States, 31 percent or less of the handicapped population was served. Only 17 States served more than 50 percent of all handicapped children.

And if we examine this by disability group, the disparity is all the more striking. In 1971, only 57 percent of all trainable mentally retarded children; 52 percent of all speech impaired children; 45 percent of all crippled or orthopedically handicapped children; 13 percent of all serious emotionally disturbed children; and only 26 percent of all children with multiple handicaps received an education.

Take, for example, the nationwide situation as it relates to children who are deaf or are hearing impaired. The Bureau of Education for the Handicapped in the Federal Government's Department of Health, Education, and Welfare has estimated that there are some 348,-

600 children under the age of 19 who are hard of hearing, yet only 49,315 of these youngsters are being served by special education. And of the 52,300 deaf children in the same age bracket, only 35,624 are receiving such educational services. In other words, despite the successes of our educational system in some areas, 321,161 deaf and hard of hearing children nationwide are not receiving the kind of education they so desperately need and deserve. This is unacceptable.

We, in Connecticut, are more fortunate than those in most other parts of the country. Some 55,000 to 57,000 schoolchildren—or about 8 percent of all Connecticut's public school pupils—are presently being served by State special education programs. Almost 40,000 of these children receiving special education are youngsters with learning disabilities or are neurologically impaired youngsters, speech impaired youngsters or children who are emotionally disturbed.

But despite the inroads we have been able to make in Connecticut, we still need to do more. It is estimated that as much as 12 percent of the school age population—between 3 years 8 months and 21 years—could be in need of special education.

And it is important to remember that Connecticut is not typical of the rest of the Nation.

It is impossible to justify our nationwide situation. The blunt truth is that for far too long Government has been willing to condemn generation after generation of handicapped youngsters to lives without hope and without help.

That is not to say that we have not made any progress. In 1971, some 799 bills were introduced in State legislatures which sought to provide educational services for handicapped children; 237 of these bills were passed. We have increased Federal assistance to the States for this purpose from a mere \$45 million 5 years ago to \$215 million in the 1972 fiscal year. But this has been a token expenditure.

The progress we have made is simply not enough.

It is time for us to recognize that handicapped children are, above all, children. They have the same rights as any other child to live, to learn, to be free. Last August, this view was affirmed by a U.S. District Court which declared that all handicapped children have a constitutional right to full, free, public education. It is up to us to assure that that right is a reality.

We must not lose sight of the fact that we are talking about human beings. An all too common failing of government is that it forgets that what is at stake in issues such as this is the well-being of people.

There is no better—nor more tragic—example of this than the recent bureaucratic bungling of the Federal Office of Education—bungling that has adversely affected the education and lives of thousands of children with learning disabilities.

Last year, the Office of Education got behind schedule in processing grants and contracts for the 1972 fiscal year—grants that had to be made by June 30, 1972, or

the funds had to revert back to the Treasury. Because of bureaucratic red-tape, the Office of Education was unable to make these awards in time, so rather than lose the funding, it backdated the contracts and grants.

There are several things wrong with this procedure—one of them is that it is illegal.

The Congress—struggling to regain control over the budget—forced the Department of Health, Education, and Welfare—which oversees the Office of Education—to redate these forms accurately. But the result was to throw the expenditures for them into the 1973 fiscal year. And so to stay within its spending limits for that year, HEW slashed the funds that had been originally budgeted for special education programs.

This is not just a matter of Government accounting procedures. These are funds which should have reached children—children with learning disabilities which make them unable to take full advantage of our public schools without special help.

Now those children may not get the money.

The Congress has provided some \$26 million in additional funds to aid these youngsters. But the Department of Health, Education, and Welfare is refusing to spend \$12.5 million of this.

It is this kind of callous indifference to the welfare of our children that has prevented us from meeting our obligation to provide each and every one of them with a full opportunity for a meaningful life.

Concerned citizens have taken this particular matter to court, in an attempt to force HEW to spend those funds as the Congress directed. Hopefully, we will soon have a final ruling in this matter which will insure that these funds reach the children who need them so much.

But it is not enough to rely on individual court rulings to provide quality educational programs for exceptional children. What is needed is a full-scale national effort to assure all children of a free, appropriate public education which will allow them to develop to their full individual capabilities.

But the handicapped are not the only children who are not receiving the kind of educational experience which they need and deserve. Ironically, those who have been termed our most precious resource, have likewise been overlooked—our gifted youngsters.

In the past, the existence of gifted children has scarcely been acknowledged by our formal institutions of education. And even when their presence has been recognized, their needs have been neglected.

There are at least 2 million children who should be considered as gifted—yet even the most generous estimates claim that only 80,000 of these youngsters are now receiving appropriate education. Only 10 States—including Connecticut—have a full-time person responsible for gifted and talented education. Only 22 States have laws to provide funds for their education. And many of these States have never appropriated funds.

This situation is best summed up in a 1971 Office of Education report that

concluded that education of the gifted was of so little concern to Federal, State, and most local governments that it best could be described as “nonexistent on the national agenda.”

Much of the reason for this is that we have been inhibited by the feeling that any special attention to the gifted is somehow alien to the true purposes of education in a democratic society—that gifted youngsters can do it on their own. But a bright mind will not always make its own way. Intellectual and creative talent cannot survive educational neglect and apathy.

Education must meet the needs of students. All students.

In today's schools, gifted children are locked in by structural and administrative restrictions that inhibit their development. They are denied access to the kinds of advanced materials that will allow them to truly use their minds. They are unsatisfied in their intellectual pursuits.

Some American educators have become more responsive to individual differences among students. However, the degree of this falls far short of the requirements of the gifted child. As former U.S. Commissioner of Education, Sydney Marland, has noted,

Rearranging desks in a circle rather than in straight rows may help free a teacher, but it is not enough in schools that number among their pupils potential poets, philosophers, scientists and social leaders.

What is needed is a national effort to assure the gifted and talented child of an education which will allow him to fully develop all his abilities.

We are making a beginning.

Last year a Federal Office of Gifted and Talented Education was established in the Bureau of Education for the handicapped. But the Federal task at this point is limited to awakening interest in education for the gifted—funds are virtually nonexistent. I believe that we can do better. I believe that we can bring quality education to every gifted student by 1976. I believe we must.

Nor can we deny full educational opportunity to any other child, regardless of his potential for making contributions to our society. Education is the right of all.

That is why I am today introducing legislation to provide a quantum jump in the number and quality of special education programs available to exceptional children.

This legislation provides a basic entitlement to each State to aid them in expanding their efforts in educating these children; it provides grants for the training of teachers and supervisors to help guide these youngsters. It establishes a national clearinghouse to facilitate the interchange of information and ideas relating to this area of education. It sets stringent guidelines to assure that exceptional children receive the best education possible. And it mandates—as a matter of congressional policy—that each and every youngster in this country is entitled to a free, appropriate public education.

Our present educational system has tended to neglect, and even exclude, ex-

ceptional children—children with unusual learning needs, the gifted, the handicapped. They must not be neglected any longer.

Our challenge is to provide each and every one of them with a quality education.

I believe that we can meet that challenge.

PUBLIC PERSONNEL SYSTEMS IN EFFECTIVE GOVERNMENT

HON. DAVID N. HENDERSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. HENDERSON. Mr. Speaker, in these days when people are concerned about the effectiveness of their Government, because of the crisis in confidence at this particular time which makes them distrustful and very doubtful of the credibility of their Government, it is refreshing to find a forthright statement by one of our top career civil servants, Mr. Bernard Rosen, Executive Director, U.S. Civil Service Commission. His address on November 27, 1973, to the International Conference on Personnel Administration in Miami, Fla., summarized some of the reasons for the people's lack of confidence in effective government and suggests courses of action which can be taken by our public administrators to restore such confidence.

Our Subcommittee on Manpower and Civil Service is deeply concerned with providing the American public with the most effective government services possible. May I take this occasion to commend the many dedicated career public servants, both managers and rank and file employees, for their outstanding contribution toward this objective.

Because of the vital importance of this matter, I believe that Mr. Rosen's remarks warrant wide circulation.

Mr. Speaker, for this reason I include the full text as part of my remarks:

ADDRESS BY BERNARD ROSEN, EXECUTIVE DIRECTOR, U.S. CIVIL SERVICE COMMISSION AT THE 1973 INTERNATIONAL CONFERENCE ON PERSONNEL ADMINISTRATION, MIAMI, FLA., NOVEMBER 27, 1973

It is very appropriate that the oldest and most prestigious organization of public personnel professionals should be considering merit principles and effective government at this conference.

Principles and effectiveness are two words of particularly high concern at this time.

People are concerned about principles and effectiveness in their government because they know that government decisions affect them in important ways. A May 1973 Lou Harris Poll indicated that more than 80 percent—four out of every five persons—thought that decisions made by the government at the State, local, and national level were important to them.

People are concerned about principles and effectiveness in their government because government is costly. Payroll costs alone, exclusive of fringe benefits, for all three levels of government in the United States come to about \$9 billion for an average month. At the State and local level, payroll costs, exclusive of fringe benefits, are running close to 50c of every dollar spent.

People are concerned about principles and effectiveness in their government because of a crisis in confidence in our time which makes people distrustful and very doubtful of the credibility of their government.

For these reasons alone, it is important that we go back to basic principles—such as the merit principles in public employment—in an attempt to increase confidence in our public institutions and to improve delivery of services.

What do I mean when I talk about merit principles? I mean those six fundamental principles of sound personnel management set forth in the Intergovernmental Personnel Act (IPA) that provided for:

1. Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills;
2. Equitable and adequate compensation;
3. Training employees as needed to assure high-quality performance;
4. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance and separating employees whose poor performance cannot be corrected;
5. Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex or religious creed, and with proper regard for their privacy and constitutional rights as citizens; and
6. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

There is nothing negative about these principles. They should make perfect sense to personnel professionals. They should be embraced as the essence of fairness and common sense by public managers. They provide a blueprint for sound personnel management and a keystone to effective government.

If this is true, and I believe it is, why do we hear so much criticism of public personnel administration?

The Pendleton Act became law for our National Government 90 years ago, and similar laws at the State and local level have been enacted since that time. The primary thrust of these early laws was toward more integrity in government, better performance in government, and continuity in government.

Over the years, however, the basic relationship between merit principles and effective government has become blurred. There is insufficient understanding or acceptance by the public, by politicians, by managers, and yes, by too many personnel professionals, that merit principles, faithfully followed, are a great guarantee for good government—that is: honest and effective government.

It is an unfortunate fact that merit systems are viewed by many people as essentially negative and restrictive—they see merit principles as a series of "thou shalt nots." Too often this view from the outside is reflected and perpetuated from the inside—even by personnel practitioners who know better, or at least should. There is a tendency to translate merit principles into so-called merit systems which emphasize the negative, restrictive, and the protective aspects of personnel administration. Often overlooked are the flexibilities and the positive values of merit principles to the people being served, to administrators, and to employees.

Some public officials view the personnel procedures established to assure conformity with the "merit system" as restrictions and limitations on their own judgment and freedom to do their jobs.

Managers who are of necessity forced to be results-oriented, bridle under delays and so

called "red tape" associated with many "merit system" operations. For example, they simply cannot understand why it requires six weeks to two months, on the average, to fill a vacancy.

As you know, there is some substance to these views, especially where defenders of merit confuse archaic trappings and procedures with the merit principles themselves. Unnecessarily restrictive and ineffective personnel administration has resulted in a serious lack of integrity in many personnel systems. We all know what I am referring to.

It centers around the widespread view that merit requirements are something to "get around." Not only is "beating the system" widely practiced—many seem to pride themselves on their ability to do so. And, in some instances, they are aided and abetted by personnel officers. When these efforts are directed against procedural requirements which have nothing to do with merit principles, or may even be contrary to them, criticism of the violators will have little support. This is true even when the violations also impact on the basic merit principles. Yet it is an entirely different matter when some managers or personnel practitioners sacrifice principles to expediency.

What such persons fail to recognize is that when they bend the merit principles to "beat the system"—they may also be violating the law and they are reflecting seriously on the credibility of the merit concept and the effective, fair operation of our democratic government.

Here is the naked truth: When declarations are solicited to bring a favored candidate within reach on a certificate of eligibles, the solicitor is breaking the law.

When a job description is tailored to the qualifications of an individual in order to minimize competition for the real duties of the job, the perpetrator is breaking the law.

When a position description is deliberately overblown to raise the grade of a job—and thus the pay—the supervisor involved is breaking the law.

All of these illustrate illegal acts, and they are often analogous to stealing from the pocket of the taxpayer. Representatives of a personnel office or Civil Service Commission who condone such practices are party not only to falsification of official documents but are guilty of a much greater offense. Their conduct undermines personnel management principles which are not only sound and workable but essential to honest and effective government!

Failures to take appropriate disciplinary action under merit principles are also serious infractions. Take the case of the supervisor or manager who fails to correct inadequate performance of a subordinate. Not only is he being unfair by not helping the employee to improve performance; if he tolerates inadequate performance, he is cheating the taxpayers who are not getting the performance their tax dollars pay for.

You can run through the range of personnel operations and find many other examples—falling to promote the best qualified . . . providing training opportunities for personal favorites who may not be the ones who should be given the training.

Each is a violation of merit principles. Each is unfair to taxpayers and employees. And inevitably the question arises: Should not the offenders be punished? When the offense is very serious, should not the penalty be severe?

Responsible public administrators would not run the risk of violating rules and laws regulating financial matters. When dealing with money matters, they religiously conform to requirements because they know that violations can bring dismissal and even imprisonment.

December 7, 1973

We need to help managers recognize that in personnel operations, public trust and public funds are involved every bit as much as in contracting—and that violations of personnel laws can bring severe penalties.

But it is not enough to play policeman and enforcer to insure integrity and accountability in public personnel management. We need to do much more than maintain vigilance for violations—we need to prevent them. To truly prevent them we need to make sure the personnel system is effective and that public managers understand and appreciate how they can benefit by following merit principles. We need to make them aware of the flexibilities legitimately available and, in fact, inherent in merit principles.

Certainly, the "shalt nots" of merit principles are important to help insure integrity and accountability in public personnel management. But that is only one side of the coin.

We need somehow to strike a balance—one that makes clear, on the one hand, that the maintenance of merit principles is essential to assure integrity and accountability in public personnel management; and on the other, one that broadcasts the message, and demonstrates convincingly by our actions, that adherence to merit principles by managers will bring positive benefits in terms of operational effectiveness and accomplishment of mission.

So those of us with primary responsibility for preserving merit principles and ensuring that we have effective public personnel systems have a vital operational, educational, and interpretive job to do.

We need to demonstrate and emphasize that the application of merit principles goes hand-in-hand with the basic objective of every responsible manager—to get his organization's work done as efficiently and effectively as possible.

And if we do our job well, we will no longer have:

Inappropriate selection criteria, such as lack of valid tests or educational and experience requirements still being widely used with the result that those best qualified for the work are not the first to be hired.

We will no longer have:

Competition for employment unnecessarily restricted by such devices as unreasonable physical and residency requirements.

We will no longer have:

Full-blown patronage hiring systems—some complete with assessments for regular political party contributions with the result that the employees' loyalty is not completely and solely to the public interest.

We will no longer have:

These and many more practices, policies, or procedures inconsistent with merit principles and plainly working against good government.

If we want to change such practices, establish and maintain integrity in personnel administration, and demonstrate the validity of merit principles, we need to take a hard look at such procedures masquerading as essential elements in merit systems—and we must make needed changes.

I am heartened by our experience under the Intergovernmental Personnel Act. We see needed changes being made at all levels of government. For example, many State and local governments have undertaken studies to validate tests and assure job relatedness, so that the best qualified can be identified.

Others have established or instituted studies of position classification and pay systems to provide a base for modern personnel systems, including equal pay for equal work.

A number have made progress in job restructuring and upward mobility to harmonize organizational needs and employee aspirations.

In some localities, personnel systems founded on merit principles have been established for the first time.

And a wide array of actions have been taken under the Emergency Employment Act to remove artificial barriers to the employment and advancement of the disadvantaged.

Proponents of sound public management can be further encouraged by the report of the advisory council on Intergovernmental Personnel Policy which recommended that Chief Executives of States and localities develop comprehensive merit personnel systems for all of their programs.

Within the Federal Government we are taking actions to update and strengthen basic aspects of personnel administration. Perhaps one of the most significant things we are doing at the national level is installing and refining a system of management by objectives—a concept which has been defined as concentrating first on doing the right things and then doing things right. The purpose is to establish goals and objectives in the personnel management area which will facilitate the accomplishment of our national program priorities. We need to show our program managers how effective merit-based personnel management systems will help them accomplish their program objectives. When we have done that we will be more secure in their managerial scheme of things.

One of our basic objectives is to make a fundamental effort to reach the Federal manager, to convince him that his objectives can best be achieved through an effective, merit-based personnel system. For example, we are redirecting and intensifying our training for managers, to improve management of government programs by improving managers. In the process, more managers will be made aware of the importance of effective personnel management as part of their overall management responsibilities. And they will focus on the merit of adhering to merit principles.

We are also working with top management in Federal agencies to improve their systems for personnel management evaluation. Here, we are stressing the linkage between evaluation of personnel management and organizational effectiveness and productivity.

And we are taking other actions to assure that managers are aware of their responsibilities for maintaining merit principles as well as the benefits that will accrue to them in the process.

We commend some of these approaches for consideration in other jurisdictions, and we would welcome suggestions from your vantage point that we might use in the Federal civil service.

Although merit principles and effective government may not be generally accepted as synonymous, my view is that they can and should be. I firmly believe that merit principles faithfully followed are our best guarantee of honest and effective government.

But, it is clear that we, as public personnel practitioners, have a big improvement and educational job to do to gain awareness and appreciation of this truth. It is also apparent that the message must be made loud and clear to those inside our systems before we can make believers of those outside.

There has always been a tendency to overlook "the people" side of the public service, but the plain fact of the matter is that people do make the difference. The work force determines how well governments do their job! Their ability and dedication can and does make the difference between success and failure.

When the Intergovernmental Personnel Act was signed into law in January of 1971 full recognition was given to this people factor by the enunciation of a national policy:

That effective State and local government institutions are essential in the maintenance and development of the Federal system in an

increasingly complex and inter-dependent society.

That a national interest does exist in a high caliber of public service in State and local governments.

And that the quality of public service at all levels of government can be improved by the development of merit-based personnel systems.

Our work is already underway, but to paraphrase Mr. Frost:

"The woods are lovely, dark and deep.

But we have promises to keep

And miles to go before we sleep."

It is a worthy cause we serve and it does warrant our best efforts!

CANADIAN SAYS "LET'S STOP CRITICIZING AMERICA"

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. STEIGER of Arizona. Mr. Speaker, I would like to call to the attention of my colleagues an address delivered recently in Montreal, Canada, by Geoff Stirling, chairman of the board of Maisonneuve Broadcasting Co. Mr. Stirling is a winter resident of Wickenburg, Ariz., and his address was reprinted in the November 15 edition of the Wickenburg Sun. The address follows:

LET'S STOP CRITICIZING AMERICA AND REALIZE ITS BEAUTY AND ITS NOBILITY

During the past months it has become the sophistry of the moment to make fun of the Watergate hearings and the corruption they are demonstrating by taking an anti-American position on the part of many foreigners, who find it easy to forget the greatness that is the United States of America. All of us are free today because of that greatness.

The American Constitution and the Declaration of Independence are probably the most enlightened documents on the face of this earth. They, more than anything else, represent the true American character, which is unbelievable generosity, a willingness to admit mistakes and to strive constantly for greatness.

Those of us who love America, know in our hearts that God truly blessed that great country, which is now publicly displaying its own purification process, just as it has always openly and courageously faced every crisis since George Washington declared the United States of America. The United States will emerge from the present crisis stronger and more glorious than ever. It has the vitality and strength to solve any problem, but it now needs from its friends the encouragement of faith. Let us therefore put behind us the temptation to criticize and feel self righteous.

I lived, for ten years, in a little town called Wickenburg, in the middle of Arizona, a town of 2,700 beautiful, courageous and generous Americans, representing all of the States of America, indeed a microcosm of that beautiful nation. I know how generous Americans are, and how forgiving and how basically honest they are.

I have a little girl who was born in Wickenburg. She radiates the purity and beauty of America. She is a constant reminder to me of how much they have taught us and how much we owe them. I am tired of hearing them condemned because of the greedy handful of politicians who are acting just like politicians act in any other place in the world, but who do not represent Amer-

ica, any more than any individual man who has lost his conscience represents the nation he happened to be born in.

Who in the world can fail to be impressed with the courage they are now demonstrating in this troubled time. Who can fail to be inspired by their honesty and by their determination to correct whatever needs correcting. Who can fail to applaud their tenacity and their soul searching. Who can stand up and cast the first stone?

Let us pour our hearts out to these great people. Let us demonstrate our appreciation for what they have done for all of us, for the Marshall plan that re-built Europe, for the aid and lack of malice that, 25 years later, has made their wartime enemy, who bombed them without warning, now their strongest economic competitors.

The United States has always, in my mind and heart, been the light that symbolizes the individual freedom so articulately expressed in their American Constitution. The light that has inspired millions throughout the world to seek the same freedom that each individual American enjoys.

Let us put aside our criticism and extend our love to this great nation and to each citizen of that nation, who collectively represent the beauty and dedication which is the American character, and we may have no doubts that they will emerge from the present crisis victorious, once again, before an astounded world, demonstrating that God indeed does bless America and will keep her perpetually free through her own integrity and purification processes which are the essence of life, liberty and the pursuit of happiness.

BUTZ BLAMED FOR FLYING FOOD PRICES

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. BROOKS. Mr. Speaker, some of the problems our farmers are experiencing were explained by the following column, "The Washington Merry-Go-Round" from the Washington Post of November 28, 1973, by Jack Anderson.

The Secretary of Agriculture is making every effort now to destroy the rice industry in the United States by encouraging new producers to plant outside of the national program. This, of course, would be to the serious detriment of the existing producers—from Mississippi to California, and from Texas and Louisiana to Arkansas.

While it is to be hoped that under his leadership the Agriculture Department will continue the fine program within the rice industry that has brought opportunity to rice producers and millers and other related operations, I believe the record of Mr. Butz bodes serious trouble for rice people—producers and consumers.

The text of the article expressing my own judgment of the Secretary of Agriculture follows:

FLYING FOOD PRICES BLAMED ON BUTZ

(By Jack Anderson)

Many factors have combined to send prices skyrocketing in the supermarkets. But the biggest blame falls upon Agriculture Secretary Earl Butz, who has handled the delicate farm controls like the operator of an erratic tractor crashing through a corn field.

This is the whispered view of Agriculture Department economists, who speak privately of his farm failures as "Butz's bungles." These range from the Russian wheat deal to faulty crop estimates, which have had disastrous results.

The tragedy is that the poor are paying the most for Butz' follies. Buried in his files are grim statistics, which show that supermarket inflation has affected basic necessities far more than the luxury items only the affluent can now afford. Many poor families face the prospect of meatless holiday tables during the Christmas season.

Hamburger prices, for example, shot up 41 per cent while sirloin steak rose only 18 per cent. The low-budget meats and poultry jumped a dramatic 50 per cent during the past year. A year ago, chicken cost about 42 cents a pound. Now the price is closer to 72 cents a pound, a staggering 71 per cent increase.

Hot dogs have gone up 49 per cent, bologna 36 per cent. Bacon, once a common item, is now a luxury on many breakfast tables. It has shot up 67 per cent. Substitutes like fish have also been priced beyond the pocketbooks of the poor. Perch fillet has gone up 36 per cent.

In startling contrast, the meats favored by the affluent have risen only an average 25 per cent in price. Fancy cheeses have drifted up 11 per cent. Porterhouse steak has risen 17 per cent. Lobster tail prices have gone up only slightly.

Other staples have registered sharp price increases. Flour is up 36 per cent, potatoes 32 per cent, rice 30 per cent.

A comparison of 13 items reveals that economy foods jumped an average of 31 per cent from September, 1972, to September, 1973, compared to an average gain of 21 per cent for their luxury counterparts. While margarine increased 24 per cent, for example, the markup for the "high-priced spread" was only 15 per cent.

The reasons for the price rocketing, of course, are complex. But economists who work for Butz lay the heaviest blame on his inept handling of the agriculture economy.

All year long, for example, the Agriculture Department has put out inflated crop estimates. The economists suspect the faulty estimates have been influenced by the administration's eagerness for good news.

But the eventual result has been bad news. The high estimates caused prices to drop briefly. Then the low prices increased the demand. By the time the Agriculture Department got around to straightening out the figures, prices would zoom back up to even greater heights.

This happened with cattle, corn and pigs. Butz predicted a 6 per cent increase in pig production. Instead, there was a 2 per cent decline.

Similarly, a staggering five million head of cattle, which Butz had mistakenly counted, never made it to market. An anticipated increase in dairy production also never materialized. All these miscalculations helped to drive up prices.

Butz's biggest bungle, of course, was the Russian wheat deal. His poor appraisal of world demand for wheat led him to sell one-quarter of the U.S. crop to Russia for \$1.63 a bushel. By the time the last bushels had squeezed through the clogged transportation system, the price had soared to nearly \$4 a bushel.

The vacillating farm policies also had an inflationary impact upon prices. Rumors that price regulations would be implemented at the farm level discouraged production, and the resulting cutbacks sent prices up.

When controls were slapped on beef prices, livestock producers withheld their beef from the market and caused a price rise. The administration also threatened to curb exports,

then decided against it, all to the detriment of consumer prices.

The failure to do anything about the bogged transportation system, which slows down the delivery of food, also had an effect on the market. The administration also refused to control the wild speculation in commodities, which helped to drive up prices.

The results were predictable; higher prices for supermarket shoppers, particularly the poor. Some low-income families and elderly people on fixed incomes have been reduced to buying dog food for their dinner tables. For these people, Butz's bungles will bring a bleak holiday season.

Footnote: An official spokesman denied that Butz had mismanaged agricultural affairs. The spokesman contended that price controls, rather than overestimated crop reports, had caused dislocations on the farm. The wrong estimates, he urged, had "a minimal effect" on production and prices. He blamed the rise in food price on inflation, pointing out that nonfood prices had risen, too. He defended higher food prices, saying it was time the farmers got their fair share of the food dollar. He declined to be drawn into a discussion of whether food processors and packagers, rather than the farmers, were getting the biggest benefits from price increases.

BIG THICKET BIOLOGICAL PRESERVE

HON. ALAN STEELMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 3, 1973

Mr. STEELMAN. Mr. Speaker, I would like to commend the House of Representatives for its foresight in passing H.R. 11546, to establish the Big Thicket Biological Reserve. This bill's administrative innovations, as well as the biological uniqueness of this addition to our parks system, will result in passage of this legislation being recorded as one of the environmental highlights of the 93d Congress.

For the past year I have had the pleasure of working with environmentalists and educators throughout Texas in developing a Big Thicket Biological Preserve bill. Through this work and a personal, onsite inspection, I have concluded that the proposed Big Thicket Biological Preserve is indeed the biological crossroads of North America that deserves incorporation into the National Parks System.

Its plant and animal life are made up of species found in the western and eastern sections of the United States, both temperate and tropical. As Dr. Thomas Eisner, professor of biological science, Cornell University, told the National Parks and Recreation Subcommittee:

The Big Thicket is from an ecological standpoint better deserving of preservation than any existing National Park in the United States, with the possible exception of the Florida Everglades. Nowhere else in North America is there found such a diversity of plant and animal species; nowhere else is there such a unique combination of habitat, northern temperate and subtropical, arid western and humid south-eastern, freshwater and saltwater, forest and prairie, calcareous and acid. Though preservation of rare species such as the Texas Red Wolf and Ivory-billed woodpecker might in itself

justify creation of a wildlife refuge, it is the incomparable ecological diversity of the Big Thicket which renders the region of such priceless biological value.

Its inclusion into the Parks System also signals a significant change in the previous concept of that system to stress now the scientific and educational aspects of land that deserves to be set aside for students as well as conservationists. I hope this is the beginning of a trend.

I hasten to point out that this bill emphasizes that development of the area is to be kept minimal, so as to assure the maintenance of the ecological integrity of the natural resources which the preserve is established to protect. Facilities development are to tread lightly, particularly due to the small size of many of the units. The Big Thicket Preserve presents an ideal opportunity for the National Park Service to display in its development plans an approach of minimizing development within and providing for most of the visitor service needs to be satisfied outside the preserve boundaries.

This is not to deny the varied recreational aspects that will be enjoyed in the Thicket as evidenced by the committee's wise inclusion of hiking trails and bridle paths as well as many, varied opportunities for canoeing.

Administratively we tried to direct our attention to many new aspects of guidance for the National Parks Service in determining the utilization of the Big Thicket and similar preserves. Streamside corridors are wisely included to insure water quality so essential in maintaining the delicate balance of plant life that has made the Thicket unique. Also we have addressed management and developmental objectives in a manner that further defines congressional intent for this unique addition to our parks system. At the same time provisions were included to be certain no permanent homes would be taken if at all possible, and recreation is included.

I think that the committee's wisdom in the inclusion of a legislative taking section should be commended. This is the second time this year that the committee has directed a legislative taking—the Big Cypress Preserve included a similar provision—and it will allow property owners to be aware of the disposition of their holdings within 6 months. Also there will be a considerable savings to the Federal Government by reducing the inflationary costs that have plagued our National Parks system in protracted negotiations for land. Only 100 years ago the Big Thicket covered more than 3 million acres. Now we must move with utmost haste to insure that the 84,000 acres compromised upon by the Texas delegation remains intact. Legislative taking will provide the vehicle to accomplish that end.

Mr. Speaker, I strongly support this bill, but I only make this point to show how shortsighted we continue to be in always acting too late with too little. We spend millions and billions of dollars in this country for many programs which turn out to be very wasteful and ill-advised, but when it comes down to allotting sufficient financial resources for

preserving a few tangible resources so that they can be retained and enjoyed in their natural beauty for many generations to come, we too often falter and act too late with too little.

Preservation of the biological uniqueness of the Big Thicket area of Texas is overdue. We owe it to the people of this country, to protect the remainder of the Thicket.

ACTION'S NEW VOLUNTEER PROGRAM SEEKS INCREASED COMMUNITY PARTICIPATION

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, one of the most important pieces of legislation enacted during this session was the Domestic Volunteer Services Act, which authorizes ACTION to administer all of our domestic volunteer programs and the development of new programs and new ways to tap the spirit of voluntarism that exists in our country.

Under this authority, ACTION, the Federal agency for voluntary service, has launched a new national volunteer effort aimed at increasing community participation in solving local problems. The program—ACTION cooperative volunteers—already is operating in 13 States with nearly 50 volunteers. And, by July 1974, about 300 are expected to be serving.

The program allows community groups to sponsor volunteers for 1 year by sharing the overall costs with ACTION. In this way, ACTION may place more of the thousands of highly educated and motivated people willing to serve.

Started as an experiment in volunteer cost-sharing with State and local governments, other Federal agencies and private and public nonprofit organizations, ACTION cooperative volunteers has placed 48 nationally and locally-recruited volunteers with local private and public nonprofit organizations. The volunteers are supplementing community efforts to tackle problems related to poverty and environment.

ACTION volunteers in ACTION cooperative volunteers—ACV—are now in New Jersey, New York, Ohio, Nebraska, Nevada, Washington, Montana, Delaware, Minnesota, Louisiana, Hawaii, Maryland, and Oregon.

The program already is showing signs of success. In Nebraska, for example, 11 volunteers in an adult basic education program are showing teachers how to redesign curriculums for low-level achievers, making course work more relevant and producing recognizable results. In addition, they are recruiting and training volunteer tutors, setting up a summer education program, and helping establish a training center for Indians.

Leonard Hill, director of the Nebraska program, said:

Our ACTION volunteers have been of such value that we've opened a new vista of opportunity for giving under-educated adults new leases on life.

They really have revitalized our program. They are exploring innovative areas and doing things we had no money to do before.

ACTION volunteers in adult basic education programs in Nebraska, as well as Ohio and New Jersey, are cosponsored by the Office of Education, U.S. Department of Health, Education, and Welfare—HEW. HEW is granting the States funds for the ACTION program as a test to evaluate the effectiveness of ACTION volunteers.

While ACTION assists the sponsor in defining program objectives and in planning the training and supervision of volunteers, the sponsor is ultimately responsible for training and supervising the volunteer in his work. This is a key element of the program. The sponsoring agencies have more authority and flexibility in the ACTION cooperative volunteers program than in other ACTION volunteer programs.

During the volunteer selection process, ACTION tentatively identifies candidates whose qualifications meet those required by the sponsor. The volunteers are invited to a staging—an in-depth interview lasting several days where they are interviewed by ACTION staff, community members, supervisors, doctors, and where they get a complete picture of what the program is like—at which they are matched with a position.

Through this program, which emphasizes community participation, ACTION provides volunteers who have a strong interest in solving human and social problems. At the same time, ACTION offers a flexible means of meeting many kinds of sponsor needs.

Volunteers in programs throughout the country are demonstrating this versatility. For example, Montana's State traffic safety division has three volunteers helping to rehabilitate habitual traffic offenders.

The State library for the blind and physically handicapped in Hawaii is using four volunteers to improve its services; and, in Wilmington, Del., six volunteers are working in environmental planning, economic development, communications liaison, and home management for the city's housing authority.

Vincent Fausto, assistant director for adult basic education program for New Jersey and director for the ACTION cooperative volunteers effort in the State, points to his first ACV volunteer, Judy Klikun, of Chicago, as an example of the great contribution ACTION volunteers can make to community programs.

Miss Klikun is one of seven volunteers in the program. She holds a bachelor's degree in education from Chicago State University, and has taught for 3 years in Illinois schools.

Since she joined the program at its Jersey City State College resource center, she has assisted the State director for the work incentive program—WIN—in setting up—in 6 months—a completely new, individualized curriculum for grades 0-12.

In her spare time, Judy has done considerable research in adult reading problems, the use of supplementary materials, the design of a teaching program and the development of teacher model materials.

She has been granted a graduate assistantship at Jersey State Teachers College to study adult basic education. Miss Klikun said:

We are all examples of what can be done. Adult education is ripe for this kind of program. And I'm sure other types of community efforts are in the same position . . . money is tight and many things are not being done because organizations can't afford to do them.

Other ACTION volunteer programs are Volunteers in Service to America—VISTA, University Year for ACTION, retired senior volunteer program—RSVP, foster grandparent program—FGP, service corps of retired executives—SCORE, active corps of executives—ACE—and the Peace Corps.

COURT-APPOINTED SPECIAL PROSECUTOR IS A MUST

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. HUNGATE. Mr. Speaker, a court-appointed Watergate Special Prosecutor is a must. Some time next week the House will be considering important legislation reported by the Committee on the Judiciary to provide for the appointment of an independent Watergate Special Prosecutor who can be assured of being able to aggressively conduct his office without executive branch interference or harassment. I would hope the committee bill, H.R. 11401, will be well supported by our colleagues.

The St. Louis Post-Dispatch and the New York Times have recently given editorial support to this legislation as being necessary and constitutional.

The editorials follow:

[From the St. Louis Post-Dispatch, Nov. 20, 1973]

JUDICIAL THREAT TO PROSECUTOR

Despite the general respect that U.S. District Judge John L. Sirica has won for his handling of the Watergate cases, members of Congress should not allow themselves to be swayed by his opposition to legislation providing for a court-appointed special prosecutor independent of the Executive Branch. In suggesting that judicial appointment of a special prosecutor might compromise the neutrality of the courts and undermine the prevailing doctrine that prosecution is an executive function, Judge Sirica was ignoring both the constitutional provision that would authorize a court-appointed prosecutor and the special provision of the pending bill that would preserve the court's neutrality. He was also ignoring the peculiar circumstances of the Nixon Administration scandals that would cast doubt on the ability of any presidentially-appointed prosecutor to pursue a trail of crimes that might lead into the office of the President.

Besides Chief Judge Sirica, whose comments were in response to a letter of inquiry from Chairman Eastland of the Senate Judiciary Committee, Judge Gerhard Gesell of the same District of Columbia court also alluded adversely to the special prosecutor legislation in the course of an opinion declaring the dismissal of Special Prosecutor Archibald Cox illegal (but not granting any remedy for the dismissal). We hope that Representative William Hungate of Missouri,

chairman of the House Judiciary subcommittee which drafted the special prosecutor bill, was being overly pessimistic when he said the judicial remarks had hurt the bill's chances.

In any event, Mr. Hungate has answered the judges' reservations by pointing out that the House bill would authorize a three-judge panel of the district court to appoint the prosecutor, after which these judges would not hear any of the cases brought by him. This procedure would divorce the appointing judges even more from the prosecutorial function than is already the case when federal judges appoint interim U.S. attorneys; judges, incidentally, have also been empowered to appoint defense attorneys.

The need for an independent special prosecutor has been made clearer than ever by reports that White House special counsel J. Fred Buzhardt lobbied Mr. Cox to try to prevent indictments of Mr. Nixon's closest associates.

The Constitution clearly permits such a congressionally-established prosecutor when it says "Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments." The House and Senate should proceed forthwith to provide for such an officer to take the Watergate cases out of the hands of the Administration which has already done so much to obstruct justice.

[From the New York Times, Dec. 4, 1973]
TRULY INDEPENDENT

In reporting out its bill to provide for a court-appointed Watergate prosecutor, the House Judiciary Committee declared that "the only way to assure that the American people will have complete trust and confidence in the aggressiveness and independence of the special prosecutor is to make him truly independent of the Executive, give him tenure, and legislate limited grounds for his removal."

The bill meets those essential requirements. A three-judge panel of the United States District Court for the District of Columbia would appoint the special prosecutor for a term of three years. The three judges would have the sole power of removal and only on grounds of gross impropriety, gross dereliction of duty, or physical or mental incapacity.

At present, the post of special Watergate prosecutor is occupied by Leon Jaworski. He has a distinguished record as a corporate attorney in Texas and as former president of the American Bar Association. But the most convincing testament to Mr. Jaworski's independence and determination to do the job lies not in his own protestations but in the fact that he has retained the entire staff of his dismissed predecessor, Archibald Cox. In a sense, Mr. Jaworski is hostage to his own subordinates. Nevertheless, the President's power to fire him, though somewhat hedged about, is still real.

Many legal scholars have agreed that a court-appointed special prosecutor is constitutional. Such an appointment would help restore public confidence in the special prosecutor's independence, particularly as the White House has begun the same sniping at Mr. Jaworski that it had leveled against Mr. Cox. Congress has already delayed unduly long in enacting this essential statute.

PERFECT CHRISTMAS TREES

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. THONE. Mr. Speaker, for many years there has been admirable coopera-

tion between researchers for the University of Nebraska College of Agriculture and those of the U.S. Forestry Service.

Recently, I was privileged to attend the dedication of a new Forestry Service laboratory that is located immediately adjacent to the campus where the Nebraska College of Agriculture is located. I am certain that with this new facility, much more good for America can be achieved by these scientists.

Already, the institutions working in tandem have accomplished much. An article in the Wall Street Journal, written by David Brand, attests to their good work in seeking perfect Christmas trees. With your permission, I will place the article in the CONGRESSIONAL RECORD:

MEAD, NEBR.—David Van Haverbeke kneels in the mud and biting wind of a Nebraska winter day and encircles the young green branches with his arms. "Isn't it just beautiful?" he asks. "Isn't the shape just perfect?"

Mr. Van Haverbeke is a U.S. Forest Service researcher who gets particularly emotional around this time of year. For his mission is to juggle with the sex life of the Scotch pine in an effort to produce the perfect Christmas tree.

On 10 acres of sparse land at Mead, which is 25 miles northeast of Lincoln, Mr. Van Haverbeke has planted nearly 1,000 carefully selected trees. Year by year he is nurturing the young pines until, five to 10 years from now, the trees will begin to cross-pollinate and produce the first seeds of what Mr. Van Haverbeke says will be the first generation of aristocratic Christmas trees.

The Mead seed orchard represents 11 years of complex, costly work by researchers at the Forest Service and the University of Nebraska. All this effort is being devoted to Christmas trees because foresters want to give known parents to Scotch pines in the U.S. They've been unknown until now because the tree isn't a U.S. native but was brought here in Colonial times.

"In the past we haven't had the foggiest idea where our Scotch pines came from," says Ralph Read, the Forest Service's chief forester at Lincoln. These so-called wild seeds, he says, often produce scraggly, unromantic trees that are easily attacked by disease or such nasty bugs as the turpentine beetle.

This is an annual headache for Christmas tree growers, and it's estimated that only one out of every three trees planted actually makes it into the living room. Last year, Americans brought 35 million live trees, and, says a man at the National Christmas Tree Growers Association, "They'd have bought another one million if they'd been available."

The Scotch pine, which over the past few years has become the most popular Christmas tree in the U.S., also has a particularly unseasonal habit: It tends to turn yellow in the fall. This sends growers running around their plantations spraying yellowing needles with green vegetable dye.

The growers can't control what they grow because they get their young trees, or seedlings, from nurseries who in turn get their seeds from collectors around the world. The collectors find their seeds by climbing trees or even uncovering cone piles hoarded by squirrels.

So it isn't surprising, says Henry Gerhold, a Pennsylvania State University forestry professor, that U.S. growers often end up growing trees from a region of the world quite unsuited to the local soil and climate. The Scotch pine, he says, is the most widespread forest tree of Europe and Asia, and varieties can be found from the arctic to the Mediterranean.

Because of this, the Nebraska researchers

chase seeds from 36 regions, from Spain to Siberia, when they began their planting project in 1962. Nearly 1,000 seedlings, about 28 from each region, were planted at the university's research farm at Plattsmouth, 20 miles south of Omaha.

In 1969, when the trees were Christmas-tree size, Mr. Van Haverbeke selected what he considered to be the most perfect trees from among the 1,000, judging such features as "density, balance, color and shape." His role as an arbiter of taste still fills him with anxiety. "I often wonder if I made the right choices," he confesses.

Reproducing these 40 trees (which come from 18 regions all close to the Mediterranean) in the seed orchard has been a laborious task because the Scotch pine is an unhelpful plant: A cutting will rarely take root when planted. So instead, the cuttings have had to be grafted onto seedlings grown from wild seeds. The grafted part fuses with the seedling, resulting in a new tree identical to the selected tree.

There will be 1,000 grafted trees in the orchard by next spring, and pollination among them will be carefully controlled. When they produce seeds the name of each "mother" tree will be recorded so the seeds' "pedigree" can be state-certified.

Mr. Van Haverbeke soon will start yet another plantation. Should any group of seven seeds from one tree grow into scraggly offspring they will have doomed their mother. And this unfortunate mother tree will be removed from the Mead seed orchard.

Next year the state of Nebraska will take over the orchard, which has cost hundreds of thousands of dollars to develop, and in time will sell the new trees at cost to growers. "To tell the truth no one has even thought about making a profit," a state forestry official says. "The only thought has been to get a better Christmas tree."

THE FAIR LABOR STANDARDS ACT

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. BROTZMAN. Mr. Speaker, inflation has substantially reduced the benefits which resulted from the increase in the minimum wage established by the 1966 amendments to the Fair Labor Standards Act. The process has come full circle and we are now faced with the need for minimum wage increases commensurate with the rising cost of living.

Earlier this year, the House and Senate passed legislation which subsequently earned a Presidential veto. The bill failed to address the issue of separate minimum wage rates for young people. For several years now, youth unemployment rates have been disproportionately high. Statistics indicate the teenage unemployment rate has risen relative to that of adults each time the minimum wage rate has been increased during the post war period. Moreover, the disparity became even greater when a large number of service and retail employees were brought under the Fair Labor Standards Act. These industries traditionally employ inexperienced young people.

Accordingly, I am today introducing legislation that would remedy these deficiencies. My bill would increase the minimum wage to \$2 an hour on the first day of the second full month after its

enactment. Thereafter, that rate for nonagricultural employees covered prior to 1966 is increased to \$2.10 an hour 11 months after enactment and successively to \$2.20 and \$2.30 an hour on dates at 1-year intervals after the effective date of the \$2.10 rate. Similarly, employees covered after 1966 would be increased to \$1.80 with increases thereafter to \$2, \$2.20, and \$2.30 at the same intervals. For employees in agriculture the rate would start at \$1.60 with increases to \$1.80, \$2.20, and \$2.30 at the same intervals.

Second, my bill provides a mechanism for moving young people into the employment pipeline—a youth differential. Youngsters, notably high school dropouts, are at a serious disadvantage in the job marketplace. Even in Colorado, which has had the Nation's lowest unemployment rate, teenagers are without jobs twice as often as the work force generally.

Hiring new personnel requires a considerable investment on the part of the employer: initial enrollment is costly, training expenses are sometimes high, and early work inefficiency can take its toll in a business where profits are marginal. A youth differential, or reduced minimum wage rate, will serve as an incentive to employers to hire the inexperienced young person.

To safeguard against the callous treatment of young people, this reduced rate is limited to a period of 13 weeks for each individual. Thus, having proven his ability to perform the skills necessary for employment, the young person joins his colleagues at the full minimum wage rate. The youth differential, then, literally supplies a bridge for the transition between formal schooling and the job market for those least able to compete.

Further, employers would only be permitted to hire six employees or 12 percent of their total number of employees, whichever is higher, at the lower wage. To protect against the displacement of adults, the bill requires employers to certify that such employment will not create a substantial probability that other full-time employment would not be reduced. Also, such employment must have the approval of the Secretary of Labor.

Finally, Mr. Speaker, my bill contains several provisions that go a long way toward rectifying past inequities. State and local government employees would be covered for the purposes of the minimum wage. Domestic workers, who are regularly employed for 24 or more hours per week, would be covered by the Fair Labor Standards Act. The bill would retain the \$250,000 establishment sales test for those in the retail and service industries.

TOM PELLY OF WASHINGTON: A FISHERMAN FOR ALL SEASONS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. LEGGETT. Mr. Speaker, last week the bell tolled for our recently retired colleague Tom Pelly.

Fortunately, Tom was singularly honored during this time last year on the occasion of his retirement from 18 years in the Halls of the U.S. Congress. He was hailed by Republicans and Democrats, the entire membership of our Merchant Marine and Fisheries Committee. He was liked and respected by business and labor for his continuous and meaningful input to environment, oceanographic and fisheries legislation for many years.

I had the occasion to chair hearings at one time in Tom's hometown when Russian fishing vessels were invading the west coast waters. Tom promised action and the people got action.

Tom Pelly is a fisherman for all seasons. He has made his mark. His wife, Mary and family are joined by the Nation in their mourning.

PERSPECTIVE ON THE ENERGY CRISIS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. ROGERS. Mr. Speaker, the effect of the Arab oil embargo and suggestions for countering it have been the topics of much debate lately, and these are indeed problems we must soon answer if we are to effectively deal with the "energy crisis." In a recent editorial, Mr. Bill Mullen of the Fort Lauderdale Sun-Sentinel addressed these problems. I would like to insert Mr. Mullen's editorial in the RECORD at this point, for the consideration of my colleagues in the House:

WHY IS THE UNITED STATES HURTING OVER A 6-PERCENT OIL CUTBACK?

For reasons we don't believe have been explicitly explained still, we suddenly are confronted with a petroleum crisis because Arab states that supply about six per cent of our daily needs have reduced their daily production in reprisal for our support of Israel in the Middle East.

We are told that American wells are in a steady output decline—we should say existing domestic wells. We know there is a vast reservoir in Alaska that can be made available to the American consumer if the opposition of ecologists can be overcome and the transmission pipeline is constructed.

We know there is oil available to us from Venezuela.

We know, too, that domestic producers ship out some 53.3 million gallons, mostly to the Netherlands Antilles and to Mexico but, according to the American Petroleum Institute, the amount is one-tenth of one per cent of our production and a portion of it is returned processed.

There are other realities, including a continuing spiral in automobile production, more production, more miles driven per year, higher speeds on superhighways and the federally required attachment of anti-pollution equipment to the higher number of automobiles being driven more each year and enjoying less mileage because of the exhaust devices.

Add to these the frightening discovery that the United States, as an industrial giant, faces the grim prospect of being handicapped by fuel shortages that will curtail production of steel, plastics, petrochemicals, manufactured products, and the efficient distribution of some diesel locomotives and gasoline or diesel powered trucks.

If the reduction of the six per cent quan-

tity of our daily needs produced by the Arab states can so impair us as an industrial nation and as a military power relying heavily upon petroleum products there are, then, many other things we should know.

Let us be told, for example, how many tons of food we are supplying to the Arab states, including Egypt, which once told us to go jump in the Mediterranean while continuing to gobble up our handouts under the Food For Peace program.

Or how about a review of our foreign aid, including military assistance to the Arabian oil producers.

And after a cold look at some of these figures, how about a series of talks with oil consumers in the Free World to explore possible sanctions against the Arabian states to make it clear they cannot hold an economic gun having immense military potential to their respective heads.

As we said, we are perplexed that the sudden disruption of six per cent of our petroleum needs can virtually overnight throw us into a fuel crisis.

If this is a fact of life and not a wave of hysteria and an eagerness to climb aboard a bandwagon gaining in popularity, then we had better take a look at the situation from another angle.

Up to now, the emphasis has been upon inconvenience for the public, such as possible gasoline rationing, lower turnpike speed limits and cutbacks in home heating fuels.

In the true dimension of a fuel shortage, as it thus has been told, the factual presentation should stress the potential effects upon us economically, militarily and diplomatically.

When that impact is realized there will be a more ready response to fuel conservation. There will be an outcry for retaliation against those turning the valve on the fuel production line. And there will be a justified demand to know who allowed us to get into the untenable position, as it appears, in the first place.

THE FORGOTTEN VETERAN

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. DRINAN. Mr. Speaker, in the recent past, the Subcommittee on Education and Training of the Veterans' Affairs Committee has published a proposal which if adopted would greatly update the present educational benefits program. The proposal would provide incentive for use of these benefits by increasing the benefit allowance and by extending the time period in which educational benefits can be used.

Studies by two independent groups, the Educational Testing Service of Princeton, N.J. and the U.S. Conference of Mayors indicate that the present educational benefits program is inadequate in meeting today's high cost of education and in providing incentive to the 6.7 million Vietnam era veterans in seeking further education and training.

I strongly feel that adoption of the subcommittee's proposal is a constructive and much needed step. I commend to my colleagues the following editorial from the Boston Globe, which provides further indication of the need for legislative action in this area.

THE FORGOTTEN VETERAN

There was no hero's welcome for the 6.7 million Americans who served in the military during the Vietnam era that began for the government's legal purposes on Aug. 4, 1964, (Tonkin Gulf). And there has been little in the way of hope or help for them since.

According to the Labor Department this week, of the 4.6 million Vietnam veterans now between the ages of 20 and 29, a whopping number are unemployed, with the rate for minority 20-to-24-year olds a staggering 13.2 per cent in the third quarter of 1973.

Another 1.4 million, or about one-fifth of those eligible over the whole period, are currently "in training" according to a spokesman for the House Committee on Veterans Affairs. This spokesman, whose committee is working on legislation to increase GI Bill benefits, compares the educational participation during the first 78 months of three postwar programs to present a sanguine view of what is happening to the Vietnam vets.

Oliver Meadows points out that 47 per cent of the veterans of World War II used the GI Bill for postwar training. The figure for Korean War veterans was 41.2 percent. The figure for Vietnam vets in the comparable period was 43.7 and rising, he maintains. And his figures for college enrollment under the Federal program show that 23.4 percent of the Vietnam vets are in an academic program as compared to 13.8 percent after World War II and 20.8 percent after the Korean War. "It just isn't true that the Vietnam veterans aren't going to college," says Mr. Meadows.

But which colleges are these? And how are the veterans making it on a stipend that ignores discrepancies between state tuitions, that compels them to match study to jobs in an economy where jobs are increasingly scarce, and that assumes that veterans have the same financial obligations as new high school graduates?

Because the draft exempted people who were married or in college for most of the period, the veterans of the Vietnam War—unlike those in World War II or the Korean conflict—are largely the poor and undereducated who most need educational help if they are to participate in civilian life. What they are getting is a cut-rate offer that proponents say is designed to give everyone the same purse with which to get into the race.

And one suspects that, because the Vietnam war was unpopular, because the Vietnam veterans do not include the sons of the rich, the powerful and the articulate, because the veterans of this war have been unwilling or unable to organize on their own behalf, nobody cares.

At this moment a battle is gearing up for next year between Congress and the Administration over enlargement of the GI Bill from a flat payment of \$220 a month (which works out to less than \$10 a day) to \$250 a month (still less than \$10 a day) to cover up to 36 months of education or job training, including books, fees, and living expenses.

The House bill, cosponsored by Rep. Margaret Heckler of Massachusetts and Rep. Henry Helstoski of New Jersey, would also extend the period within which the grant can be used from eight to 10 years. The Administration has opposed the time extension and has said it would not approve an increase above \$238 a month.

For a government that willingly poured \$25 billion a year into the pursuit of an undeclared war half way around the world, and that last year spent \$2.6 billion in foreign aid to the Thieu regime, this haggle over a \$38 to \$50 individual increase in a \$2.5 billion program for young and frequently alienated Americans at home is absurd and outrageous.

The heyday for veterans was the post-World War II period when the 14 million who came out of the military could enroll for up to 48 months in any institution for which they could qualify. The government footed the bill and paid the veteran an additional \$75 a month in living expenses. This offer was good for nine years, provided the program was undertaken within four years after discharge from the service.

That day of glory, which allowed veterans from all walks of life to compete for and win places at the top Ivy League universities, revitalizing those institutions in the process and enriching society immeasurably as a whole, was closed out after the Korean War in 1951 when the system changed to a standard payment that limits those who have no other resources to the most inexpensive public education they can find.

The result is that Harvard, which had a veteran enrollment of 59 percent after World War II, now has an enrollment of 992 veterans or four percent of its total, and only 98 of these are undergraduates. Basic tuition at the college is \$3200. At the business school it is \$3600 for the academic year.

At the University of Massachusetts at Amherst, where tuition and required fees for in-state students add up to \$600 (the median for state universities), veterans make up only 12 percent of the total. Even at UMass Boston, where tuition and fees come to \$360 a year, veterans make up a small 17 percent of the student body. This may be because the real cost, on which scholarship aid is based, is \$2620 at Amherst and \$2330 at Boston, both well above the veteran's nine-month stipend of \$1980.

Rep. Silvio Conte of Massachusetts, who chaired an eight-month study for the National League of Cities and the U.S. Conference of Mayors believes the GI Bill should pay 80 percent of all tuition and fees at both public and private institutions, with the present stipend of \$220 a month going entirely for living expenses, if we are to give today's veterans the same benefits their fathers had.

We wish that such legislation were in view. Even if an expanded GI Bill cost more than the \$19 billion spent on educating seven million veterans in the 1940s, it would be a valid investment in this country's future, both in moral and in economic terms.

Last March the President said, "Words of thanks are not enough." But what could be a national opportunity is currently being treated as a bargain-basement payoff. And it has the serious potential to backfire in bitterness and resentment.

FOREIGN MONEY

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. GUNTER. Mr. Speaker, I called to the attention of my colleagues recently the large amounts of foreign money that has been sent to American universities in the past few months. At that time I indicated that I planned to continue my search to learn the sources of all foreign money and what that money is being used for.

It has come to my attention that Dean Edmund Gullion, of the Tufts School of Diplomacy, has recently returned from a successful fundraising trip to the Midwest. I include in the RECORD a copy of the letter I recently sent to Dean Gullion:

NOVEMBER 20, 1973.

Dean EDMUND A. GULLION,
Fletcher School of Diplomacy, Tufts University,
Medford, Mass.

DEAR DEAN GULLION: It has come to my attention in recent days that you have just returned from a successful fundraising trip to Kuwait and other Arab nations. While I applaud your ingenuity and resourcefulness in securing funds for your fine University, this has raised the question in my mind as to the need for public knowledge of such contributions.

Certainly the heightened increase in economic activity by foreign individuals and corporations in the United States raises serious questions about our nation's economic future. At the same time, contributions to our leading colleges and universities from foreign sources may open the door to future opportunities as well as abuses by those foreign contributors.

I would be very interested and I am sure my colleagues in the Congress would be, to learn the extent of the contributions made by the Arab governments, as well as foreign private corporations and individuals to Tufts University. At the same time, if you have any knowledge of other contributions to Tufts or any other universities throughout this country, I would also find such information useful. It is my contention that contributions to our nation's colleges and universities from any foreign source should be public information.

I believe that it is essential that this information be made available to all the American people so that when future decisions requiring educational funding are made, we will have the benefit of knowing how much foreign money is supporting programs in our nation's colleges.

I feel confident of your willingness to cooperate with me on this project, and hope to hear from you in the immediate future, so that any report on your trip will have the benefit of your assessment. As a member of the House Energy Subcommittee, I am very concerned with the influence of Arab nations on our country and its educational institutions. I plan to insert a copy of this letter and a copy of your response in the Congressional Record.

Best personal regards,

BILL GUNTER.

FORCED BUSING MADNESS TO CONTINUE TILL SCHOOLS CLOSE?

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. HUBER. Mr. Speaker, as I have pointed out on a previous occasion, millions of gallons of gasoline could be saved if we could somehow stop forced busing to schools over the country. Richmond, Va., is one of the many localities forced to carry on this practice against the will of the majority. As the following editorial from the Richmond Times-Dispatch of December 4, 1973, indicates, the court order will be obeyed until the schools have to be closed for lack of gasoline. Historians in later years will surely speak of this insanity. The article follows:

No BUSES, No SCHOOL?

In the face of this nation's worst fuel shortage since World War II, those perspicacious people who run the Richmond public schools believe they have no alternative but to continue to burn 530,000 gallons of gaso-

line a year to bus schoolchildren from one end of the city to the other.

And if all those yellow buses guzzle all their gasoline and can get no more, what then? Why, the city would just have to close down its public schools, a ranking administrator has said.

Such nonsense! Prior to 1970, the city managed to make public schooling available to all without the aid of a costly bus fleet or 55,000 gallons of gasoline a month. Most students walked to their neighborhood schools and the remainder rode Virginia Transit Co. buses. Even a moderate snowfall usually failed to close the city schools in the walk-in days. Remember? To assert now that the school system would have to lock its doors for lack of fuel for buses is to exhibit either an acute case of tunnel vision or amnesia.

But why consume all that fuel in the first place? Citizens are being asked to exert extra effort and make personal sacrifices to conserve gasoline and oil in order to protect jobs and the economy. At a minimum, the Richmond School Board ought to be able to bestir itself sufficiently to walk down to U.S. District Court and ask Judge Robert R. Merhige Jr. to release the system from its busing plan. Adoption of a new pupil assignment system minimizing busing ought to be done now, in time for the start of the second semester in January.

It will be said that to transfer pupils in the middle of a school year would be "disruptive" and there would be problems no doubt. But can anyone honestly argue that returning to neighborhood schools would be more disruptive than continuing a plan that (a) has chased some 10,000 pupils from the city schools and substantially segregated the system, and (b) every day drains thousands of gallons of gasoline that could otherwise be used for critical enterprises?

The school board cannot defy a federal court order. However, the board's contention that it has no choice but to continue large-scale busing until the tanks run dry is unpersuasive, because the board has not even tried to have the court order dropped or modified. And the argument that a return to neighborhood schools is unfeasible because some schools could not accommodate all the children in their neighborhoods is baseless. Where crowding did occur, students could go to the next closest school. Some might still have to have transportation. But the net gasoline savings nevertheless would be substantial.

Busing isn't working for its intended purpose—creating racial balances—in the first place. But when citizens are being asked to shiver in their homes and offices and to leave their automobiles in the driveway, the frivolous busing of thousands of children who could walk to school becomes doubly absurd.

PEKAO CORP. MARKS 25 YEARS OF SERVICE

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. HELSTOSKI. Mr. Speaker, throughout the United States several million Americans of Polish descent still maintain cordial relations with families and friends in Poland. Often, many also have contacts with Polish organizations of a charitable, educational, cultural, religious, touristic, or athletic nature.

Such ties, almost of necessity, include

financial transactions in the form of material aid, gifts, holiday parcels, money transfers, payments for travel, the opening of savings accounts in Poland for imminent repatriates, and donations.

This year, marking its 25th year of service to the American-Polish community in these regards is the PEKAO Corp.

During its quarter century of service, PEKAO has serviced over 3 million orders, making it the largest firm of its kind in the country. One reason for that success is the broad network of authorized dealers throughout America.

PEKAO orders are delivered in Poland through the cooperation of Bank Polska Kasa Opieki, S. A. in Warsaw. Founded in 1929 for the purpose of serving Polish emigrants abroad in their financial transactions, the bank still operates in that capacity today but, in addition, also operates a delivery service for parcels en route from the United States.

In 1973, the newest service of PEKAO, the transfer of currency and the issuance of PEKAO checks, became available.

PEKAO service has been a boon to Americans of Polish extraction since the service enabled them to assist their relatives and friends in Poland to obtain the necessary means of maintaining their livelihood, without which their standard of living would be much lower than it is.

ENVIRONMENTALISTS COUNTER ADMINISTRATION ENERGY PROGRAMS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. ROSENTHAL. Mr. Speaker, the seriousness of the current energy crisis cannot be denied. The United States, with only 6 percent of the world's population, cannot continue to consume more than 30 percent of the world's energy.

Several environmental and citizen groups, however, have criticized the Nixon administration's energy proposals, labeling them "anti-environment and anticonsumer." The groups—while saying they support several of the President's programs—charged that the overall thrust of the proposals is a capitulation to long-sought-after corporate goals.

The environmentalists argue that the major responsibility for reducing energy usage cannot be placed on individual consumers, as the Nixon administration proposals do. It must instead be placed, they contend, on the corporate sector.

I believe my colleagues will profit by reading portions of the "energy counter message" of the environmentalists which present their own program of priorities during the energy crisis. I am also including a reprint of a recent editorial in the Washington Star-News which reminds Congress and the administration, in their haste to solve the energy crisis, not to forget the interests of the consuming public.

The items follow:

ORGANIZATIONS SPONSORING THE COUNTER MESSAGE

Center for Science in the Public Interest.
Ellen Berman, Consumer Federation of America.
Marsha Curran, Common Cause.
Environmental Action.
Friends of the Earth.
Highway Action Coalition.
Movement for Economic Justice.
Metropolitan Washington Coalition for Clean Air.
National Clean Air Coalition.
National Consumers League.
National Intervenor.
Byron Kennard, Public Interest Economics Center.
James Ridgeway.
The America the Beautiful Fund.

ENVIRONMENTAL "COUNTER MESSAGE" ON ENERGY

There can be no doubt that the United States faces a serious energy shortage. We share the President's concern that the U.S., with only 6 percent of the world's population, consumes over 30 percent of the world's energy. It is commendable that the Administration has expressed its desire to reduce the nation's spiraling usage of energy. We believe, however, that its basic approach is an attempt to delude the American public.

The major responsibility for reducing energy usage cannot be placed, as Administration proposals do, on individual consumers. Although environmentalists and consumerists support lowering thermostats, reducing auto speeds, and reducing unnecessary lighting and other superfluous uses of energy, we believe such an appeal to consumer sacrifice is being used as a pretext to avoid making hard decisions regarding corporate practices and structure.

We offer this energy "counter program" of principles and actions on which a sound energy policy should be based.

A major responsibility for alleviating the energy shortage must be placed on the corporate sector. By penetrating government at every key decision making level, industry has amassed enormous unbalanced political power in the energy area. It is in this political and economic problem, and not in environmental restrictions or even in consumer demand that the present crisis has its prime roots.

Strategies now being proposed or implemented by the Administration—the Trans-Alaskan pipeline, lax regulation of surface mining, offshore oil drilling, oil shale development, relaxation of air quality standards—rather than altering these patterns of unconstrained power, worsen them by capitulating to long-sought-after corporate goals. These goals are now being transformed, under a climate of energy hysteria, into specific government actions and policies.

To thus release industry from its responsibility will have severe consequences; it will: reverse progress made in safeguarding the environment, alter the nation's democratic political structure, and discriminate against those with low and moderate incomes.

It cannot be convincingly argued, as the Administration message implies, that existing environmental controls have contributed in any significant degree to present energy shortages. The Trans-Alaskan pipeline, for example, which has been delayed until now because of inadequate environmental planning, would not have been completed to supply oil at the present time even if there had been no delay. Nor can it be convincingly argued that environmentally destructive programs to alleviate the energy crisis—such as relaxing air quality standards and speeding up licensing of nuclear plants—will have more than a marginal effect in the near future. Speeding up nuclear plant li-

censing, in fact, may well drain off more energy than a speed up would supply.

The recent Senate action on relaxing clean air requirements, before it attempted any measures to conserve energy, was precipitous and irresponsible.

Besides being environmentally detrimental, the Administration's strategies threaten to alter our Nation's basic political structure. Control over energy is equivalent to control over the entire economy of our country; the possessor of that control wields enormous power. Too much power should not be placed in a single individual, the President of the United States. Similarly, one-man control at the State and local levels runs counter to the democratic process. Eliminating public hearings on nuclear power plants and other projects would seriously limit democratic participation. Even in this time of energy crisis, decisions must be made by democratic consensus, not by executive decree.

In reaching consensus, those lower down on the economic ladder must receive special consideration. The majority (70 percent) of the population falls into the moderate to low income category. Measures should be taken to ensure that all people will be allowed to share in the available supplies of heating fuels and not be discriminated against by "client shopping," dealers as is now being done, especially in rural areas. If the work week is shortened, those employees who are not on a salary basis must be protected against losses in total income. More jobs should be created which are low in energy consumption (such as those in social programs. Such measures will provide jobs for persons displaced from high energy consumption jobs and will help serve a vital function in transforming our economy from a growth economy to a more steady-state economy. Middle and low income consumers should not be charged high prices and taxes to subsidize and insulate industry from the effects of the energy crisis.

SHORT AND MEDIUM RANGE STRATEGIES TO CONSERVE ENERGY

Many of the Administration's proposals for conserving energy are commendable but they omit many measures which would save considerable quantities of energy resources that are presently wasted:

Equalize utility rates for small and large users, in order to encourage more efficient energy use, revamp all utility rate structures in the interest of energy conservation (American industry uses 40 percent of the Nation's energy, much of it wasted, but the large users pay only 1/3 to 1/2 the rate charged the small residential and commercial users. This backwards rate structure encourages waste).

Support the concept of a national power grid.

Utilize low cost loans or tax deductions to homes and commercial establishments for improving insulation.

Take measures to phase out the use of natural gas as a boiler fuel just as the Administration proposed electric generating plants switch from oil to coal, and at the minimum make those plants which use natural gas as boiler fuel pay the same rate as small users.

Make mandatory auto and appliance efficiency standards.

Outlaw gas lamps and develop more efficient gas range starters than present pilot lights.

Limit advertising of high energy consuming and luxury products.

Promote through excise taxes or other means small and lower fuel-use automobiles.

Shift from truck freight to rail and barge freight.

Utilize wastes for heating fuel.

Encourage more efficient industrial plants and practices.

LONG RANGE STRATEGIES

Base energy strategies on a more realistic energy budget and develop environmentally sound energy supplies such as solar power and nuclear fusion.

Curtail use of non-recycled consumer and industrial products.

Provide mass transit operating subsidies from the highway trust fund.

Grant air pollution variances only as a last resort if energy conservation measures fail.

Expand deep mining rather than surface mining of coal.

Do not speed up licensing of nuclear power plants.

Expedite anti-trust action against the major oil companies.

CURTAIN USE OF THROWAWAY CONSUMER AND INDUSTRIAL PRODUCTS

According to the Council on Environmental Quality (CEQ), technology is available to recover materials from wastes, yet the percentage of recycled versus total materials used is still declining. A CEQ analysis indicates that use of recycled materials instead of virgin materials can significantly reduce energy consumption. Presently, it costs the U.S. \$6 billion annually to discard materials, much of which could be recycled or converted to energy use. The Environmental Protection Agency estimates that energy recovery practiced in urban areas could meet 2 per cent of the nation's energy requirements.

PROVIDE MASS TRANSIT OPERATING SUBSIDIES FROM THE HIGHWAY TRUST FUND

Between 1960 and 1970 the U.S. population increased by 13 per cent. During the same period, however, the number of registered automobiles increased by 46 per cent and the amount of fuel they consumed increased by 59 per cent.

A significant amount of this increased auto use has been prompted by increased highway construction. Engineers have learned that increased expressway mileage induces motorists to drive more than they would without the expressways. Studies in Baltimore also found that since the end of World War II, the average trip length has increased 20 per cent, most of which engineers attribute to increased expressway mileage.

Expanded use of mass transit could greatly reduce the 30 per cent of U.S. petroleum that is now devoted to automobile travel. Buses and trains use approximately 1/3 to 1/4 the energy per passenger mile that autos use. It makes little sense to continue to overfinance energy-wasting highways while energy-conserving mass transit systems lose ridership because of a lack of sufficient operating funds.

GRANT AIR POLLUTION VARIANCES ONLY AS A LAST RESORT IF ENERGY CONSERVATION MEASURES FAIL

The relaxation of clean air standards must be viewed only as a last resort; reduction of our extravagant uses of the world's energy resources should be first priority.

Ambient air standards established pursuant to the Clean Air Act were based on the incidence of mortality and hospital admissions for circulatory and respiratory diseases during periods of high air pollution. A relaxation of these clean air goals will most assuredly be coupled with a corresponding increase in major adverse health effects. For this reason, among others, easing of air pollution controls must not be viewed as a primary means to deal with the energy crisis.

In some areas, low sulfur fuel will be unavailable this winter, and industries and utilities which have lately converted from coal will have to return to it. If energy conservation measures fail, variances may be granted on a case by case basis, for a fixed period of a year or less. But the return should be temporary, and every effort should be made to use high sulfur fuel only in those

areas where sulfur oxide, particulate, and sulfate levels are low—so that adverse health effects are prevented or minimized.

EXPEDITE ANTITRUST ACTION AGAINST THE MAJOR OIL COMPANIES

Twenty oil companies (8 major and 12 smaller) presently control, directly or indirectly, the supplies of oil, natural gas, coal and uranium (and the development of oil shale, tar sands and geothermal steam) in the United States. According to the House Subcommittee on Special Small Business Problems:

The major oil companies account for approximately 84 percent of the U.S. refining capacity; about 72 percent of the natural gas production and reserve ownership; 30 percent of domestic coal reserves and over 20 percent of domestic coal production capacity; over 50 percent of uranium reserves and 25 percent of the uranium milling capacity. Further, the major oil companies are acquiring oil shale and tar sands as well as water rights in many areas of the country.

Testifying before the Senate Antitrust and Monopoly Subcommittee, former FPC economist Dr. John Wilson stated:

The top 14 natural gas producers in 1970 were also among the top 15 oil and liquids producers and among the top 17 petroleum refiners. These 14 leading gas producers were also among the largest sellers of gasoline and other refined petroleum products and among the 17 largest sellers of natural gas to interstate pipelines.

Besides this direct control of energy sources, there is also substantial evidence of mutual interdependence between virtually all of the major firms in the petroleum industry. This interdependence includes joint lease acquisition (bidding combines), banking interlocks, joint ownership of pipelines and gathering systems, joint ownership and production from oil and gas leases, international joint ventures and vertical relationships between the producing, transporting, processing, and marketing sectors of the industry.

DO NOT SPEED UP LICENSING OF NUCLEAR POWER PLANTS

The Administration is pressing the Atomic Energy Commission to accelerate the licensing and construction of nuclear power plants in order to bring them on line within six years instead of the current ten. This would be accomplished by, among other things, eliminating public hearings for up to 18 months.

The Administration's plan, however, overlooks several recent trends in AEC activity. Licenses which have already been issued are now being modified by the AEC and, in some cases, even taken away as a result of the discovery of unsuspected safety problems.

The AEC is also in the process of reviewing proposed safety standards which would govern emergency core cooling systems. The standards being recommended by AEC's staff will require broad restrictions on nuclear power plant operation. Moreover, the major safety system, the emergency core cooling system, has been examined at numerous, lengthy public hearing sponsored by the AEC. There exists a great deal of disagreement and controversy over the ability of the system to prevent a release of radiation in the event of a loss-of-coolant accident.

Many problems are already posed by the operation of the nation's existing nuclear power plants, including the existence of real possibilities of sabotage and theft, the accumulation of radioactive wastes which last for tens of hundreds of thousands of years, and the danger of adverse health effects resulting from low-level radiation. Increasing the number of nuclear plants, especially through a crash construction program, will serve only to worsen these difficulties. Nothing will be gained by ushering in a radio-

activity crisis to replace the current energy crisis.

This trend toward concentration has increased and has, in fact, been encouraged by the energy, tax, and foreign policies of the Administration. According to a Federal Trade Commission staff study:

The industry operates much like a cartel with 15 to 20 integrated firms being the beneficiaries of much federal and state policy. Thus, the federal and state governments with the force of law do for the major oil companies that which would be illegal for the companies to do themselves . . .

The resulting system endangers existing independents, makes new entry difficult or impossible, and yields serious economic losses to American consumers.

Diversity means strength and the capacity to respond to change with minimum disruption. There can be little doubt that the progressive elimination of competition in the energy field has contributed to the present energy crisis.

BASE ENERGY STRATEGIES ON A MORE REALISTIC ENERGY BUDGET AS WELL AS SEEK ENVIRONMENTALLY SOUND ENERGY SOURCES SUCH AS SOLAR POWER AND NUCLEAR FUSION

Despite the panic of government and industry, there is plenty of energy available if it is used properly. Using it properly, though, requires an energy budget that is much more detailed than what is presently available. Beyond the gross figures on amounts of energy used in various industries and for various residential purposes, there linger serious information gaps: the amount of net energy available from various reserves (coal that takes more energy to mine than it yields is a net energy loss while remaining a gross energy gain), increased costs that accrue as extraction of fuels becomes more difficult, the extent to which fossil fuels subsidize more recent and marginal fuel sources (how coal or oil, for example, are used to mine and process nuclear fuels, develop costly plants, store wastes, operate complex safety systems, and so forth), the relationships between urban patterns and natural and man-controlled energy budgets.

There is also little known about the long range possibilities of solar power, nuclear fusion, and other forms of environmentally sound power. If these forms of power are practical, programs to employ them should be accelerated to the maximum extent possible.

THE CONSUMERS' STAKE

There isn't time for fooling around in trying to solve the energy crisis. But in the haste to get conservation and exploration measures on the books and in operation, Congress and the administration ought not forget whom they're doing it for: the consuming public.

The National Consumers Congress was right the other day to caution that "hurry up solutions" could well lead to greater crises, both economic and environmental. There may have to be some temporary relaxation of environmental standards, but there should be no going overboard in permitting the fouling of our habitat in the name of energy. Nor should the giant energy combines be allowed to benefit unduly from the crisis. One consumer organization expressed the fear, not altogether unjustified, that the energy program may be "turned over to oil company executives."

The Consumers Congress made several recommendations aimed at protecting the consumer interest: Guarantee active participation of consumers in the formulation and operation of a national energy program; make all pertinent information available to the people so they can understand what's going on; set specific time limits on suspen-

sion or relaxation of environmental standards; brook no relaxation of enforcement of anti-trust laws; probe the possible role of monopolies in reducing supplies, raising prices and exacerbating shortages.

We think these are worthy suggestions for the Congress and the administration.

DISTRICT OF COLUMBIA HOME RULE CONFERENCE REPORT

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. DIGGS. Mr. Speaker, the Members of the House may be interested in the major provisions which will be in the conference report on S. 1435 (H.R. 9682), the District of Columbia Self-Government and Governmental Reorganization Act which will be voted on by the House on Wednesday, December 12. This legislation is a reasonable and rational accommodation of the interests of all Americans in their Nation's Capital with the basic principle that government should be responsible to the governed. For nearly 100 years, the residents of the District of Columbia have not been able to elect their local officials to decide those matters purely local in nature. This legislation would restore that privilege and responsibility.

I want to stress that the conference report retains the key provisions of the House bill and continues to accomplish the objectives of the House passed bill including the following:

First, reserves the right of Congress to legislate for the District at any time on any subject;

Second, retains in Congress the authority to review and appropriate the entire District budget;

Third, authorizes audits of the accounts and operations of the District Government by the General Accounting Office;

Fourth, preserves the court system established by the Congress in the 1970 crime bill;

Fifth, insures that all planning done by the local government may be vetoed by the Federal planning agency—NCPG—if it adversely affects the Federal interest;

Sixth, prohibits the local Council from, among others, enacting a tax on non-residents, increasing the height limitation on buildings, affecting the functions or property of the United States, regulating U.S. courts, U.S. attorney's office and office of the U.S. marshal's office in the District of Columbia, or increasing the Council's authority over the Washington Aqueduct, the National Guard, the National Zoological Park, or any Federal agency;

Seventh, establishes a National Capital Service Area—enclave—and continues the efficacy of the Federal and local laws within this prescribed area;

Eighth, authorizes emergency control of the police by the President;

Ninth, preserves Presidential appointment of the judges;

Tenth, provides that all charter amendments be approved by both Houses of Congress within 35 days; and

Eleventh, provides for a 30-day lay-over for congressional disapproval of all council acts.

AGENCY TRANSFERS

The conference report adopts the House provision and transfers the following agencies to the local government:

REDEVELOPMENT LAND AGENCY (RLA)

RLA is established as an instrumentality of the District government with a board of five members appointed by the Mayor, subject to Council approval. While the transfer of the Agency takes effect on July 1, 1974, the appointment authority shall not become effective until January 2, 1975. The conference adopted the House provisions with an amendment which would allow the newly elected Council to adopt the following proposals:

First, to assure uniform procedures relating to the disposition of complaints and claims involving RLA;

Second, providing that all planning, designing, construction and supervision of public facilities contributed to any redevelopment area be carried out by an appropriate D.C. agency;

Third, providing that any occupied rental property owned by RLA shall be maintained in a safe and sanitary condition;

Fourth, providing that the Mayor may waive special assessments, as for cost of sewers, streets, curbs, and so forth, where the cost therefor can be applied as non-cash local grants-in-aid. Of course, this provision does not prohibit the Council from taking action regarding RLA's activities.

D.C. MANPOWER ADMINISTRATION

All functions of the Secretary of Labor with respect to public employment services for the District are transferred to the District, which is made eligible to participate in apprenticeship programs operated by the Secretary of Labor.

Also, all District employees workmen's compensation processes are transferred to the District on the date the District establishes an independent personnel system or systems.

NATIONAL CAPITAL HOUSING AUTHORITY (NCHA)

The NCHA is transferred to the District government and the Mayor is vested with all functions, powers, and duties presently vested in the President under the Alley Dwelling Act.

PUBLIC SERVICE COMMISSION

The Commission is maintained to insure that every public utility doing business within the District is required to furnish service and facilities reasonably safe and adequate and in all respects just and reasonable.

The Commission shall be composed of three Commissioners appointed by the Mayor, with Council approval.

ARMORY BOARD

The composition of the Board is amended to consist of the Commanding General, D.C. Militia, and two other members appointed by the Mayor for 4-year terms, subject to council approval.

BOARD OF EDUCATION

The present board of 11 members is retained with the mayor and council given authority to establish the maximum amount of funds appropriated to the board, but prohibiting them from specifying the purposes for which such funds might be expended by the board.

Since the present board is made a part of the District Charter all changes in the structure shall be made according to the charter amending procedure.

NATIONAL CAPITAL PLANNING COMMISSION

The Mayor is established as the central planning agency for the District, and is responsible for D.C. planning and preparation of the local elements of the comprehensive plan. The conference report adopts, in essence, the provisions approved by the House, with amendments in the procedural requirements and time allowed the Commission for review of District elements, and with requirements that the mayor submit his multiyear capital improvements plan to the commission for review and comment. Neither the commission nor the mayor has any power over the U.S. Capitol Building and Grounds, or over any other buildings under the control of the Architect of the Capitol.

With respect to provisions for the District of Columbia Zoning Commission, the conference report adopts the major provisions of both the House amendment and the Senate bill, including the continuance of the five-member Zoning Commission which shall consist of the Architect of the Capitol, the Director of the National Park Service, and three citizens appointed by the Mayor for 4-year terms. Other provisions adopted by the conference report include a requirement that all zoning maps, regulations, and amendments not be inconsistent with the comprehensive plan; a requirement for public hearings; and a requirement for a 30-day period for NCPC review and comment on proposed zoning amendments.

CITY COUNCIL

The conference report provides for a Council composed of 13 members, 8 elected from single member wards, 5 elected at-large including a separate office of Chairman, each to serve for 4-year terms elected on a staggered basis in partisan elections. Of the 5 at-large members, not more than 3 may be nominated by any one political party.

The Chairman and members must be D.C. residents for 1 year and are compensated at a rate equal to the highest level of a GS-12 (\$22,705) with the Chairman to receive an additional \$10,000.

D.C. COUNCIL—LEGISLATIVE POWER AND LIMITATIONS

The conference report grants general legislative powers to the Council which shall include:

First, authority to pass acts consistent with this Act;

Second, authority to pass taxing measures;

Third, authority to reorganize, abolish or establish agencies and departments of the D.C. Government; and

Fourth, authority to establish an independent personnel system or systems within 5 years.

The Council may not change the building height limitations nor legislate with respect to the Commission on Mental Health. Congress retains authority over the District of Columbia criminal laws until January 2, 1977. During this period I shall actively support the revision of the D.C. Criminal Code. After this time such authority shall be vested in the D.C. Council but shall be subject to a veto by either House for 30 legislative days. We have also provided that any member may bring a disapproving resolution to the Floor if the District Committee fails to report such disapproving resolution over Council changes in the Criminal Code. Also, the President may, within 30 days, sustain the Mayor's veto over Council acts.

MAYOR

The conference report provides for a partisan election of a Mayor for a 4-year term who is required to be a D.C. resident for 1 year. The Mayor is established as the Chief Executive Officer of the District and is vested with basic executive authority including the following:

First, file a financial report by November 1 each year;

Second, establish, reorganize and abolish agencies, subject to Council approval; and

Third, appoint a city administrator. In the event of a vacancy, the Chairman of the Council becomes Acting Mayor until a special election is held within 114 days.

JUDICIARY

Appointment of judges for a 15-year term would be made by the President from a list of three nominees submitted to him by the Judicial Nomination Commission.

Congress retains authority over the composition, structure, and jurisdiction of the D.C. courts.

Under the Court Reorganization Act of 1970 which established the Superior Court as the court of general trial jurisdiction and the D.C. Court of Appeals as the court of general appellate review jurisdiction, the President of the United States has complete discretion as the appointing authority for judges of the District of Columbia courts. The Senate of course must confirm all nominations. There are, however, no strictures on what inputs the President must consider for judicial nominees with the exception of those general ones provided in the D.C. Code. This type of nomination procedure is not consistent with the ever-expanding concept of merit selection of local judges.

The judicial nomination procedure as encompassed in the conference report provides for an admixture to reflect both the Federal interest in local judicial nominees and the need for a merit selection process for these nominees.

The report establishes a new Judicial Nomination Commission. The purpose of this Commission is to recommend qualified persons to the President of the United States to fill vacancies on either

of the District of Columbia local courts. The composition of the Commission reflects both the need for community input and representation of the Federal interest in the consideration of nominees for judgeships. The Commission will consist of seven members to serve staggered 6-year terms. The members will be appointed as follows:

First, two will be appointed by the Board of Governors of the Unified Bar of the District of Columbia;

Second, two will be appointed by the elected Mayor, one of whom shall be a nonlawyer;

Third, one shall be appointed by the Council who shall be a nonlawyer;

Fourth, one shall be appointed by the Chief Judge of the U.S. District Court for the District of Columbia who shall be an active or retired Federal judge serving in the District; and

Fifth, one appointed by the President of the United States.

This composition reflects the many facets of interest which it was felt should be represented. The local bar who will have to practice before a judge clearly has an interest. The local government in expanding the concept of home rule has an interest which is especially reflected in the requirement that two of the appointees be nonlawyers. The Federal interest is represented by the Federal judicial appointee and by the President of the United States having an appointee.

This Commission is to submit three names to the President of the United States. The President shall appoint with the advice and consent of the Senate one of these nominees. Under this procedure the President retains the appointing authority, but is circumscribed in the execution of that authority in that he must appoint one of the persons the Commission recommends. In cases where the President does not select within 60 days one of the 3 names submitted by the Judicial Nomination Commission, the Nomination Commission shall then select one of these three names and transmit the selection to the Senate for confirmation.

There is a District of Columbia Commission on Judicial Disabilities and Tenure. The members of that Commission will be appointed under the home rule bill in exactly the same way as the members of the Nomination Commission. The Tenure Commission has been given a new responsibility—to evaluate candidates for reappointment. Under the new scheme a judge who is a candidate for reappointment declares himself to be such. The Tenure Commission then evaluates his performance and rates him as either "exceptionally well-qualified," "well qualified," "qualified," or "not qualified." The evaluation is then submitted to the appointing authority. The Tenure Commission was selected for this evaluation task because it is the Commission which will deal with the day-to-day complaints about particular judges. If a judge is deemed to be exceptionally well-qualified or well qualified, the Commission of the setting judge is automatically extended for another 15-year term. If the judge is deemed to be qualified, the appointing authority may re-

appoint him with the advice and consent of the Senate. If the judge is deemed to be not qualified, he may not be reappointed.

This special procedure for renomination of judges was added to provide security of tenure for potential candidates for the bench. The reasoning behind this is that in order to attract qualified members of the bar to the bench, some security should be provided. For example, a practicing attorney might be reluctant to leave his practice in mid-career to take a position on the bench if he were not fairly certain that he would be reappointed, assuming good performance as a judge. The reappointment procedure we have established assures that those attorneys who do decide to leave the private practice for the bench will do so with the knowledge that they may continue in that service and not be excluded from reappointment for reasons that do not reflect upon their judicial temperament and qualifications.

D.C. BUDGET AND APPROPRIATIONS

The conference report retains a sound financial management system for all the District of Columbia government operations as provided in the House passed bill. Financial management in the District of Columbia is unusually complex because of the District's unique relationship with the Federal Government and its responsibility for a combination of State, county, and municipal functions. The financial provisions of the conference report preserve Congresses complete role in the review and appropriation of the entire District budget, and mandates improvements in the budgets formulation, approval and execution.

First, the report retains a comprehensive program budget system for both operating and capital outlay activities of the new city government. The Mayor is responsible for the preparation and submission to the Council of a balanced budget consisting of seven documents.

First, a detailed budget for the next fiscal year which provides the basis for revenue measures and appropriations;

Second, a budget message and supporting financial and statistical material;

Third, a multiyear plan which places annual expenditure and revenue plans in the context of past experience and future plans and requires analysis of major program changes, anticipated revenue gaps, salary increases, pension plans, and debt service requirements;

Fourth, a multiyear capital improvement plan which identifies all projects on a full funding basis, requires coordination with land use plans, and assures that capital projects which are funded will not result in financial burdens in excess of the debt ceiling imposed by Congress;

Fifth, a program performance report which compares actual performance against budget plans and includes status, of efforts to comply with the reports of the District of Columbia Auditor and the Comptroller General of the United States;

Sixth, an issue analysis statement providing in depth consideration of issues

identified during budget deliberations of the previous year; and

Seventh, a summary to be distributed to the general public.

Taken together these documents and the planning required to produce them will provide the District of Columbia, the President and the Congress with an excellent budgeting system which identifies both broad program analysis and detailed line-item expenditures. A sound budgeting system cannot, of course, guarantee good decisions. But a sound system, especially one which provides for full public disclosure of information, increases substantially the probability of good decisions.

The report also retains very definite standards to assure soundness of the budget execution process. Since more than 60 percent of the District of Columbia's operating expenditures are for employee salaries and benefits, a most important standard contained in section 447 requires the Mayor to maintain consistency between the budget, accounting, and personnel systems. Employees can only be hired according to allotments in balanced budgets approved by the Council.

Legal and proper expenditure of all District funds is also safeguarded through three separate audits in the House-passed version and retained in Conference. First, the Mayor's office conducts an internal audit of all accounts, operations and agency records to verify that bills paid are in fact legal transactions. Second, there is created an Office of the District of Columbia Auditor. The Auditor is selected and approved by the Council and conducts on an ongoing basis a thorough review of all the city's accounts and operations. The Auditor/Council relationship is modeled after the GAO/Congress relationship. Third, the report authorizes an independent annual audit by the General Accounting Office of the accounts and operations of the District to determine if programs are being conducted in an efficient and effective manner and in line with the purposes for which the moneys were appropriated. Such an audit by GAO would, of course, include the proper expenditure of the Federal payment to the District. GAO will submit its audit reports to the Congress, the Mayor, and the Council and the Mayor is required within a 90-day time limit to respond to this report. In the program performance statement of the budget the Mayor is also required annually to indicate progress being made to comply with audit reports.

FEDERAL PAYMENT

The conference report retains complete congressional approval over the Federal payment. Let me stress that there is nothing automatic about the Federal payment process authorized in the conference substitute. A full and complete annual review and recommendation by the President, the Office of Management and Budget, the House and Senate Appropriations Committees, and Congress is required under section 603.

The report retains a meaningful and logical method for establishing and

maintaining an adequate, equitable Federal payment level. We retained those provisions in the House bill identifying nine key elements to be used in determining the costs and benefits to the District in its role as the Nation's Capital. These elements, which include such factors as the relative tax burden on District of Columbia residents, shall be taken into consideration by the Mayor in requesting a Federal payment amount. The Mayor must submit the request to the Council for its approval or modification. In accordance with the Budget and Accounting Act, the Mayor then must submit this request to the President for review and revision and the President transmits it to Congress.

The conference substitute authorizes the Federal payment at the following levels: \$230 million in fiscal year 1975, \$254 million in 1976, \$280 million in 1977, and \$300 million in 1978 and each year thereafter. These amounts reflect a compromise between the House bill authorized amount and the amount that would have been generated under the Senate provisions.

DISTRICT'S BORROWING AUTHORITY

The conference report retains provisions authorizing the District to borrow on a long-term basis to pay for congressionally approved capital projects, to meet cash-flow emergencies, and to issue revenue bonds for projects which would be self-financing. There are five points I believe essential to sound borrowing legislation which are preserved in the conference report.

First, no municipality should be allowed to accrue debts beyond its capability to repay these debts. The substitute retains a strict but workable limit on the District's borrowings, requiring that the principal and interest to be paid out in any one year on all outstanding bonds plus those bonds proposed to be issued cannot exceed 14 percent of the estimated current year revenues of the city. RLA, NCHA, and D.C. Stadium bonds are not included. The procedure for calculating the limitation is explicitly set forth step-by-step in the report. We have been advised that the 14-percent limitation will be sufficient to finance all of the city's capital improvement projects and is comparable to borrowing revenue ratios in other municipalities.

Second, procedures should be established to assure that a city can repay those bonds which it is legally permitted to issue. The conference report guarantees such repayment. The full faith and credit of the District is pledged to pay the principal and interest on both bonds and notes. The District is authorized when necessary to levy a special tax which, together with other District revenues available for this purpose is sufficient to retire the bonds as they come due. These moneys are set aside in a separate fund audited by GAO. As a final safeguard, if the sinking fund is insufficient, the annual Federal payment to the District must first be used to make up the deficit. I want to point out that nothing in the borrowing provisions or in any part of the Conference Report eliminates the city's responsibility to repay

all outstanding loans from the U.S. Treasury.

Third, an optional referendum by the voters of the city on the issuance of such bonds is provided.

Fourth, bonds should be issued at a reasonable cost to the taxpayers, and should not have to be sold at unduly high interest rates. We have assured that District bonds, like bonds of other municipalities are exempt for Federal and D.C. tax purposes. The tax status of municipal bonds greatly affects both their salability and long-term costs.

Finally, capital improvement projects which can be self-financing, should not be financed by bonds paid from general tax revenues. To avoid this, the conference adopted the House provision authorizing the District to issue revenue bonds to finance construction and rehabilitation in the areas of housing, health, education, recreation, commercial, and industrial development. These bonds, are self-financing, that is the revenues from the buildings and activities so financed are sufficient to pay the costs of the borrowings and do not constitute a debt of the city.

ADVISORY NEIGHBORHOOD COUNCILS

The conference report provides that a public referendum shall be held at the time of the Charter referendum to determine if procedures should be established to set up Advisory Neighborhood Councils. If the referendum measure is adopted, the Council is required to divide the District into areas for Neighborhood Councils, to advise the Council on planning, streets, recreation, social services, health, safety, sanitation, and review zoning changes and licenses. Expenses of such Neighborhood Councils are to be paid by a levy of 1 cent per \$100 of assessed valuation of real property in the District.

NATIONAL CAPITAL SERVICE AREA

The conference report adopts the House provision with amendments to insure, among others, that all Federal and District laws applicable to the area would continue in force and effect and that such laws are amendable by the appropriate authorities. We have also provided that citizens who live in the area can continue to vote in the local elections. Additionally, the report makes certain that all private property and District government buildings and parking lots are excluded from the service area.

I want to stress that the new service director's duties are designed to supplement and not supplant existing structures and officials.

It is our view that he would act to supply services only in those cases where existing police, fire, sanitation, and streets maintenance services are inadequate in the service area.

HOLDING OFFICE IN THE DISTRICT

The conference also adopted the provision which provides that no person otherwise qualified to hold the office of Mayor or member of the Council shall be disqualified from being a candidate for such office because of employment in the competitive or excepted service of the United States. I hastily add that this is

a terribly limited and circumscribed provision. It would only authorize an exemption during the specific period that an employee is a candidate. Clearly, it would not authorize U.S. employees to engage in political participation and management in support of a candidate for these local offices.

BOARD OF ELECTIONS

The House provision is adopted to provide that no more than two of the three members of the Board of Elections, all of whom are appointed by the Mayor with Council consent, shall be of the same political party.

PUBLIC MEETINGS

Also retained was the House provision requiring all District of Columbia government meetings and hearings in which official action is to be taken shall be open to the public with transcripts made available at a reasonable cost.

As chairman of the conference committee, I wish to commend the conferees and staff who exhibited not only judgment and patience in determining the best provisions of the House and Senate versions of this bill, but also dedication to the principles behind this bill.

During the course of the conference, questions have been advanced regarding whether the present Office of Commissioner of the District of Columbia comes within the purview of the Hatch Act. It is my view and the view of the conferees that under section 732(d)(4) of title 5 of the United States Code, the Hatch Act does not apply to Commissioners of the District of Columbia or their successors under Reorganization Plan No. 3 of 1967. Specifically, the Office of Commissioner of the District of Columbia would not be under the scope of the Hatch Act.

With Senate and House action on the conference report expected on December 12, I feel confident that this historic legislation will become law by the end of this year.

DOES CONGRESS REALLY DO WHAT THE PEOPLE WANT?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. WYMAN. Mr. Speaker, a lot of people these days claim Congress does not really do the public bidding. In fact they contend Congress is insensitive to what the people really want.

I do not think this is the case—provided Congress is informed as to what a majority of people in the varying congressional districts around the Nation, really want. If Congress is sure, there is only a question of how long the legislative process requires.

One thing the people of this country really want is an end to the requirement that seat belts in the 1974 cars must be fastened before the car owner and operator can start his car. This is not only a darned nuisance, but it is downright dangerous in so many demonstrable ways that people wonder what kind of a gov-

ernment they have that can impose such a ridiculous requirement on them.

It is said that Congress gave the Department of Transportation the authority to impose such a thing is some kind of an enabling act. This is arguable. But whether it gave the power or not it is a cinch that Congress itself would never have imposed such a requirement on the motoring public.

It is past time Congress proved to the people that it is truly responsive to public wishes, and it can do this in the case of the so-called electronic seat-belt-ignition interlock by promptly passing my bill that would merely stop DOT from continuing such a nuisance. This has nothing to do with whether or not seat belts should be mandatory. This question is for State legislatures and it will be handled by them.

But seat belts should not be tied into automobile ignition systems. This is not only costly but it is dangerous as well.

In this connection I urge a careful reading of columnist Vic Gold's interesting writing in yesterday's Washington Star-News:

BUCKLED IN THE SEAT BY BIG MOTHER

It was a scene out of a Three Stooges two-reeler, as co-produced by Ralph Nader and Big Mother, who operates under the name of the National Safety Belt Usage Conference: Three grown men scrambling around, across and over the front seat of one of those dangerous 1974 model horseless carriages, futilely wrestling with a network of elusive buckles and straps.

Laugh, I could have died. Except that I was one of the stooges and in a hurry to get someplace. Sure, I appreciated Big Mother's solicitous concern for my safety. Put your galoshes on, Son, you may catch cold. Fasten your safety belt, Son, you may get killed. But there's a limit.

Well, anyway, Curley and Moe were frantically trying to match two odd buckles with one odd strap. And come to think of it, I was the klutz with two straps and one buckle, hanging from the ceiling. The strap, not me. Whatever, there was no end of sight-and-sound gags. The light on the dash-board glared red. The buzzer hummed. And—biggest gag of all—Moe, the rental car expert

sent in to solve our problem, was no more adept at unraveling Big Mother's buckle-and-belt puzzle than were his frustrated customers.

By now, Curley and I were running late for the appointment that had brought us to town in the first place. One hour to fly 300 miles, 20 minutes trying to move a rented car out of the terminal. With an older model we could have just taken off with the buzzer humming. Not now, though. This year, Big Mother has arranged a super-improved model guaranteed to make you wear those galoshes.

Priorities, priorities. While the country was literally running out of gas, Congress was concerned with the question of how we kids took care of ourselves on highways which, it turns out, we're hardly going to be traveling anyway. Capitol Hill's answer, we know, was the Big Mother Safety Belt Act, the full force of which is just being realized.

Now, in case you haven't yet slipped behind the wheel of one of Big Mother's newest 1974 models, prepare yourself for a shock. Well, not quite a shock. They haven't gone that far yet. Though I have little doubt, the way things are moving, that in celebration of our 200th anniversary of freedom all 1976 models will be equipped to send voltage into the naughty hand that dares turn an ignition key without first strapping its owner into his vehicle, like a member of the 101st Airborne preparing for a drop over wartime France.

As of now, however, prepare yourself only for (1) that hum; (2) that dashboard reminder; and, oh, yes, (3) the car won't start. That's right, brother. No belt, no go.

Ah, you're saying to yourself, but I'll find a way. I'll beat the system by fastening the belts to the cushions, just as I've done in past years. You think so, Curley? Well, think again.

Because the National Safety Belt Usage Conference met here in Washington last week—along about the same hour I was wrestling with those two belts. And what do you know? Big Mother is devising ways to make what's already mandatory under federal law even more mandatory under state law. How? By making non-usage of her safety-belts an act subject to criminal penalty.

Now understand, despite my mechanical klutzery, I'm not unmindful of the carnage brought on by misuse of those dangerous horseless carriages over the years. My argu-

ment certainly isn't with highway safety. Or even some form of safety-belt for those who want it.

But if I'm any judge of my fellow American non-stooges, Big Motherism in the safety-belt field has now gone too far. If state legislatures follow Big Mother's advice on those criminal penalties, it will make for the biggest nation of lawbreakers since Al Capone was ensconced in his beltless black limo. In any event, however, given the 1974 models, a revolt against Big Mother's mandate is probable anyway.

Indeed, I predict we can look forward to a boom in bootleg used-car sales. Everyone looking for those vintage pre-'74 models. You remember, the kind that would actually start.

Oh, as for the last reel of that Three Stooges comedy. We finally worked it out. Gave the rental car back and took a cab, arriving only 10 minutes late. But don't laugh, brother. You could be next. Ask not for whom that buzzer hums. It hums for thee.

GERALD R. FORD

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. STUDDS. Mr. Speaker, yesterday, during the debate on the confirmation of Mr. Ford, I took the House floor to release the results of a question on the Vice Presidency from a special newsletter questionnaire that I mailed to every home in the 12th Congressional District of Massachusetts. Today I include the results of the entire questionnaire on the crisis concerning the Presidency and Vice Presidency in the Record at this point so my colleagues might see the response of nearly 34,000 of my constituents.

It might be of interest to the Members to know that the 12th Massachusetts District is the only one in the State carried by the President in 1972.

The material follows:

[In percent]

Question	South Shore	Cape and islands	Greater New Bedford	District total	Question	South Shore	Cape and islands	Greater New Bedford	District total
THE PRESIDENCY					THE VICE PRESIDENCY				
1. With which of the following 3 statements do you most closely agree?					3. In my opinion President Nixon is doing:				
(a) There is no doubt in my mind that the President is guilty of "high crimes and misdemeanors;" he should be impeached at once.	40.9	31.3	41.2	37.1	(a) An excellent job.	11.4	20.1	13.0	15.3
(b) I am not certain whether or not the President is guilty of "high crimes and misdemeanors," but sufficient questions have been raised to justify an inquiry by the House of Representatives.	39.4	35.6	36.1	37.0	(b) A good job.	13.0	20.1	14.7	16.3
(c) I believe the President has been unfairly maligned, and I see no reason for an inquiry by the House of Representatives.	19.7	33.1	22.7	25.9	(c) A fair job.	16.1	13.3	15.4	14.8
2. With which of the following 3 statements do you most closely agree?					(d) A poor job.	59.5	46.5	56.9	53.6
(a) I believe that the Congress ought to establish a Special Prosecutor of the executive branch.	75.9	61.7	73.1	69.4	4. The President has my respect and trust:				
(b) I believe that a Special Prosecutor appointed by the President can do the job that has to be done.	13.3	22.5	14.2	17.2	Agree.	25.5	39.8	28.9	32.1
(c) I see no need for a Special Prosecutor at all.	10.8	15.8	12.7	13.4	Disagree.	74.5	60.2	71.1	67.9
					5. President Nixon no longer commands the respect and trust of the American people and should therefore resign.				
					(a) Agree.	64.8	50.6	63.0	58.7
					(b) Disagree.	35.2	49.4	37.0	41.3
					THE VICE PRESIDENCY				
					1. Which of the following is closer to your view?				
					(a) I believe that the Congress should take no action on Mr. Ford's nomination until President Nixon has either been found innocent or has been removed from office.	30.9	21.0	32.1	27.3
					(b) I believe the Congress should proceed as rapidly as possible, to vote on the nomination of Mr. Ford.	69.1	79.0	67.9	72.7
					2. If the vote were taken today, I would like you, as my Congressman, to vote:				
					(a) For Mr. Ford.	69.9	80.7	71.5	74.7
					(b) Against Mr. Ford.	30.1	19.3	28.5	25.3
					Percentage of questionnaires mailed by region.	35.3	33.5	31.2	100
					Percentage of responses received by region.	33.0	39.6	27.4	100
					Total responses: 33,721.				

COMPOSITION OF DISTRICT BY REGIONS

South Shore: Towns of Cohasset, Weymouth, Carver, Duxbury, Hanover, Hingham, Hull, Kingston, Marshfield, Norwell, Pembroke, Plymouth, Plympton, Rockland, and Scituate.

Cape Cod and the Islands: Counties of Barnstable, Dukes and Nantucket.

Greater New Bedford: The City of New Bedford and the Towns of Acushnet, Dartmouth, Fairhaven, Marion, Mattapoisett, Rochester and Wareham.

WAR POWERS ACT DOES NOT GRANT PRESIDENT AUTHORITY FOR REINTERVENTION IN INDOCHINA

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. ZABLOCKI. Mr. Speaker, it was reassuring to hear Secretary of State Henry Kissinger note in his press conference yesterday the results of a legal review which concluded that the War Powers Act does not supersede existing legislation thereby allegedly providing the President with a legal basis for ordering a resumption of bombing in Indochina. His remarks were in reference to recent media reports of an administration review on the question. It is interesting to note that these reports were attributed, as usual, to those faceless men known in the press as "authoritative administration sources."

What they contended, in short, was that the War Powers Act, of which I was pleased to be chief sponsor in the House, may have paved the way for possible U.S. reinvolverment in Indochina by "fuzzing" the legal mandate of the Church-Case amendment to the recently passed military procurement bill. In effect, they argued that the War Powers Act may be interpreted to permit circumvention of the prohibition on all military action in Indochina prescribed by the Church-Case provision of Public Law 93-50.

Such a contention is absurd and patently false. One need only reread the President's own veto message of the War Powers resolution to see how this line of reasoning represents a complete turnaround. In the veto message the President argued that:

The legislation would take away, by a mere legislative act, authorities which the President has properly exercised under the Constitution for almost 200 years.

If, as alleged only 1 month ago, it would strip the President of power, how could it now be interpreted as giving him power?

Further, before being deflated by Dr. Kissinger, this administration trial balloon seemed to suggest that the War Powers measure in some way "repealed" or modified by implication the earlier-enacted Church-Case amendment.

The added absurdity of that view—and others—is demonstrated in a report which I requested on this matter from the American Law Division of the Library of Congress, a copy of which I wish to make a part of these remarks.

Mr. Speaker, the language of the act itself, as well as a complete and specific legislative history on the point, clearly denies any implication that the act would expand Presidential authority previously limited. I refer, of course, to section 8(d) (2) which states specifically that nothing in the resolution "shall be construed as granting any authority to the President."

Further, as our colleague the gentleman from Ohio (Mr. WHALEN) pointed out the other day during the discussion of the conference report on S. 1443, the Foreign Assistance Act of 1973, section 30 prohibits the use of funds authorized or appropriated under the act or any other law to finance military or paramilitary operations by the United States in or over Vietnam, Laos, or Cambodia.

Therefore I submit, Mr. Speaker, the administration's suggestion that it has "back door" authority to resume bombing in Cambodia as a result of the enactment of the War Powers Act is wishful thinking.

The record is clear: the President does not have authority to resume bombing over Cambodia or to resume military activity in or over Vietnam, Laos, and Cambodia.

In support of this position I include and recommend to the careful reading of my colleagues the memorandum on this question from the American Law Division of the Library of Congress together with a related article from the New York Times of November 30:

From: American Law Division.

Subject: War Powers Resolution Interpretation.

This is in response to your request for evaluation of the statements recently attributed to persons in the executive branch to the effect that in enacting the War Powers Resolution, H.J. Res. 542, Congress may well have removed the limitations imposed on the President's discretion by prior amendments to appropriations acts, P.L. 93-50 and 93-52, prohibiting action in Indochina. The thought presumably is that the War Powers Resolution by recognizing the legality of presidential actions for 60 days in the absence of congressional action modifies the specific restriction of the earlier amendments to appropriations acts.

For three reasons, it can be said that the contention is without merit.

First, the ordinary rules of statutory construction do not favor repeals or modifications by implications. Conflicts must be direct and unavoidable so that the two laws are impossible of complementary construction. That conflict is lacking if the War Powers Resolution and the Indochina amendments are compared, but this point need not be pursued in light of the other two reasons.

Second, Congress has reenacted the earlier amendments by legislation passed concurrently with the overriding of the veto of the War Powers Resolution. Thus, P.L. 93-155, which became law November 16, nine days after the War Powers Resolution became law, provides in sec. 806: "Notwithstanding any other provision of law, upon enactment of this Act, no funds heretofore or hereafter appropriated may be obligated or expended to finance the involvement of United States military forces in hostilities in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia, unless specifically authorized hereafter by the Congress."

Third, the War Powers Resolution itself specifically denies any implication that its

enactment would expand presidential authority previously limited. In sec. 8(d), it is provided:

(2) shall be construed as granting any authority to the President with respect to the introduction of United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances which authority he would not have had in the absence of this joint resolution.

JOHNNY H. KILLIAN,
Assistant Chief,
American Law Division.

A NEW BOMBING QUESTION IS STUDIED

(By Leslie H. Gelb)

WASHINGTON, Nov. 29.—The State Department has been examining whether President Nixon could legally order a resumption of United States bombing in Indochina should North Vietnam begin a major offensive in violation of the Vietnam cease-fire agreement.

Several Administration sources said that this review had led them to believe that the President might be able to invoke the recently enacted war-powers legislation, which gives him authority to deploy United States forces in combat abroad for 60 days without Congressional authorization, to circumvent other legislation that forbids all American military action in Indochina.

That measure referring to Indochina is an amendment sponsored by Senators Frank Church, Democrat of Idaho, and Clifford P. Case, Republican of New Jersey, attached to a recently passed military procurement authorization bill.

Meanwhile, for more than a month, the Administration has been quietly alerting members of Congress to what it has described as the likelihood of a new North Vietnamese attack. In hand also at the Pentagon are contingency plans providing for air support to South Vietnamese forces and the bombing of targets in North Vietnam.

While these moves could be viewed as precautionary measures, a high State Department source hinted that they might be part of a strategy designed to deter any North Vietnamese attack. Certain key members of the Nixon Administration, he said, want Hanoi's leaders to "think twice" before flagrantly violating the cease-fire accord.

FULBRIGHT ASKS OF RUMORS

Administration sources have pointed to some legal ironies in the war-powers situation.

The Congress that passed the war-powers bill Nov. 7 over the President's veto, they say, may have paved the way for reinvolverment in Vietnam itself. The President who vetoed the measure as an encroachment on his Constitutional prerogatives as Commander in Chief may have been granted, in their view, the legal basis for reintervention otherwise denied to him.

The issue was raised today by Senator J. W. Fulbright, Democrat of Arkansas and chairman of the Senate Foreign Relations Committee, in the confirmations hearings of Robert S. Ingersoll as Assistant Secretary of State for East Asia and Pacific Affairs.

Mr. Fulbright asked whether rumors he had heard were true that the Administration might feel free despite Congressional restrictions to resume bombing in Indochina. Mr. Ingersoll, who is Ambassador to Japan, replied that he was not clear on the legal points and then added:

"My own feeling is that, should there be an attack, we would have to reassess our position and discuss it with the Congress."

Several Senators intimately involved in these issues agreed, when asked in interviews, that the war-powers bill might have

fuzzed the legal mandate of the Church-Case Amendment prohibiting all military action in Indochina.

Those interviewed—Senators Fulbright, Church, Case and Jacob K. Javits, Republican of New York—said they felt, * * * ban on reinvolvement would stand up in the courts and that political imperatives would make it almost impossible for the President to order reintervention without Senate approval.

**"FIVE ON THE BLACK HAND SIDE"—
A MOVIE MIRROR ON THE HUMAN
EXPERIENCE**

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. RANGEL. Mr. Speaker, last Tuesday at the American Film Institute Theater at the Kennedy Center I had a unique movie experience. I had the pleasure of seeing the new "Five On The Black Hand Side" which is based on the off-Broadway hit of the same title by Charlie Russel, who also wrote the screenplay of the film.

"Five On The Black Hand Side," directed by Oscar Williams and coproduced by Brock Peters and Michael Tolan, is the story of a black family with problems—simply that. The family is composed of human beings trying to cope with life, not superheroes or drug fiends, or revolutionaries, or other of the black stereotypes we have come to expect in the new group of films produced largely, it seems, to make money from the large segment of the movie-going public that is black.

A lot of us have been staying home, however, because these exploitation films offer little for the soul. Now, with "Five On The Black Hand Side," it is time to return to the movies for a moving, realistic experience.

"Five On The Black Hand Side" is a movie that offers a warm and humorous portrayal of a black, urban, middle-class family whose principal concerns are such basic, contemporary problems as the generation gap, women's lib, and ethnic consciousness. You do not have to be black to enjoy the film, but as a black you will recognize a great deal that is a part of you and a part of the black experience. Yet, ultimately, the film addresses the human experience. While some of the situations in the film may have a special racial significance, most of its drama, humor, and conflicts have a universal relevance and one can empathize with the characters, regardless of race.

This is a film for the entire family. It first presents, and then seeks to resolve, some of the most urgent problems of the modern family. In addressing these problems, Charlie Russell uses wit and humor without abdicating his deep concern for people involved in the daily struggle for urban survival.

"Five On The Black Hand Side" is a story that has the power to restore a little of one's faith in the ability of human beings to work out the knottiest of conflicts with understanding and love. In

fact, the power of love is undoubtedly the film's central theme; that and beauty, the beauty of life as revealed by the self-realization one experiences as one views the film.

IMPEACHMENT: MUCH HEAT, LITTLE LIGHT, ON THE QUESTIONS CONCERNED

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. BRAY. Mr. Speaker, as did many other Members recently, I received a large amount of mail, phone calls, and wires taking one side or the other on impeachment of the President.

In November I wrote a special newsletter trying to bring out some facts and observations that had been ignored or overlooked, and putting the matter into its proper perspective.

The report follows:

(NOTE: I have never given so much space to a regular newsletter but the topic this time simply demands extensive treatment to a degree that could not be covered with a shorter version.)

"The President should be impeached." "The President should resign." "Ford's nomination should be withdrawn, the President should resign, and a special election held."

As of this date those are the three most prevalent and popular recommendations; there are some others, but they are relatively minor and do not deserve mention here. Now, what I intend to go into is not the defense of the President as a man, or of what he did. After all, what he is charged with and accused is basically a matter for our legal process to determine. I have always felt an elected Federal official had no business at all injecting himself into something that may well wind up before the bench. Granted, it would be up to the House to vote impeachment, and the Senate to try it. But, regardless of the clamor from certain quarters, I can say with certainty right now that this prospect is so far away from the Congress as to be, for all practical purposes, totally nil. And I will go into the "why" of this later on.

Voices of reason—we do have them—to date the best capsule comment I have seen was in a column called "The Instant Hysteria Syndrome" written by Ben Cole, long-time Washington correspondent for the Indianapolis Star, which appeared on the editorial page of that paper on October 31, 1973. From Ben Cole's column:

"The four-day hubbub over President Nixon's shakeup of the Justice Department ought to inspire some reflections on the instant hysteria syndrome in modern America . . . what is important is the suddenness with which the obviously tempestuous White House action stirred national emotions—and the manner in which they were aroused. . . . Without taking up the merits of the President's actions, it is possible to see a great danger in the abruptness of the reaction. It was as though the whole United States with its teeming millions were a little town. All at once there ran a report that a dire crime had been committed. Who's the culprit? Then word spread that it was the mysterious person living alone on the edge of town.

"All it took was one resonant voice crying, 'The rope!' and off galloped the townsmen, no longer possessed of reason but transformed into a mob . . ."

The initial flood of letters to my office

immediately after the Cox-Richardson-Ruckelshaus affair, admittedly, were about 15 to 1 for impeachment of the President, or, at the very least, urging me to demand he resign. I've seen this phenomenon before; I can well understand how it upset a lot of people, for a lot of reasons, and I am not impugning anyone's motives for writing what they did. After all, that's what I'm here for: to get the views of the constituents.

But I've also noted, before, that the initial reaction, regardless of the percentage demanding this, that, or t'other, is invariably bound to be turned, slowly but surely, to, as I write, a bit over half against impeachment against resignation, and—this is significant—saying, wearily, and with some desperation: "Let's get on with making this country work!" And the percentage against resignation or impeachment is steadily rising.

First, let's take up the calls for resignation. They are based on the thesis that the President has lost his credibility with the country and he can no longer govern.

Oh, can't he? He has so far (as of November 7, 1973) vetoed nine measures; eight of them were sustained; on November 7 he lost, by a very narrow margin, his veto of the war powers bill (I voted to sustain his veto). Now, we are talking about resignation, but this bit about sustenance of vetoes shades over into impeachment. The American Civil Liberties Union has started beating the impeachment drums but no less than Senator George McGovern himself lectured one of their meetings, telling them bluntly (and truthfully) that if Congress would not override his vetoes it was ridiculous to talk about impeachment. Very true; with a score of eight out of nine sustained, it is still true.

Well the White House is now working on a new budget, which must be submitted in January. As this is written, Secretary of State Kissinger is on a sweeping, world-wide tour to try and hold together the shaky Middle East cease-fire, which has great promise.

This last calls up one very good reason indeed why Richard Nixon should remain in the White House. He is, indisputably, a world leader, with the respect (if not affection or anything else) of the heads of state of the major powers with which we must deal. I do not say this is derogation of anyone who might succeed him under circumstances of resignation, nor of impeachment, but they simply would not have the same holds. Indeed, the circumstances under which they took office (again, no fault imputed to them; it would not be of their doing) would work against them. We would find ourselves with some problems that, difficult as they are, would be much more so. This country must deal with the major powers—the Soviet Union and Communist China in particular. A new President, coming in if his predecessor left under a cloud, would be looked upon as fair game. This is simply the way power politics works.

Richard Willson, writing in the Washington, D.C. Star/News of November 7, 1973, arguing against a Nixon resignation, closed his column with these words:

"Certain circumstances can be imagined in which the President might find it impossible to continue. If the Republican leadership demanded his resignation, of which there is no sign, he would be hard pressed.

"But the demand for his resignation from hostile partisan sources and from publications he does not respect—and in the ferocious terms which have been used—merely serves to bring home to him that resignation would be equal to acknowledgement of a guilt which he denies."

Incidentally, Willson noted earlier that "The case against Nixon has not yet been made on a legal basis."

And the Indianapolis, Indiana, NEWS, on November 9, 1973:

" . . . We find this concerted demand for resignation not only curious but preposterous."

ous. It is true that the Watergate mess is bad, though we may doubt the suggestion of TIME that it is incomparably the worst thing that has ever happened in American political history. . . .

"... The critics don't like Nixon, but their chances of impeaching him are problematical at best. An orchestrated demand for his resignation avoids the legal difficulty and gets the job done anyway. . . .

"Under our political process, Nixon's critics have the right to push for impeachment if they wish—though on the state of evidence we doubt that they can get it. The 'resignation' uproar is an effort to shove him out of office without the bother of proving that he should go."

The idea about a special election (provided for in the Constitution, incidentally, Article II, Sec. 1, if there is a vacancy in both President and Vice President categories) belongs in some cloud-cuckoo-land, surrounded with heavy quantities of boo-smoke, and concocted with much heat and very little light. That is so far removed from reality that it isn't even worth considering.

"Impeachment" is a term being very carelessly used, with, except for a few remote voices, practically no consideration given to what it means in its historical context, what the Founding Fathers thought of it, their own reservations, how it has been utilized in the past, and what it could possibly do to the country.

The House impeaches; it takes a majority vote. The Senate holds the trial and needs a 2/3 vote to convict; the Chief Justice presides. Article I, Section 3, clause 7 of the Constitution:

"Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law."

Article II, Section 4:

"The President, Vice President and all civil Officers of the United States shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors."

A bit of amplification is in order: the first quote merely means that whomever is convicted by the Senate is kicked out of office. He is still subject to action by the courts. But Article II—"all civil Officers"—this means diplomats, Cabinet members, Federal judges, District Attorneys—Congressional Quarterly, the authoritative but unofficial weekly, says it is "a political action, couched in legal terminology, directed against a ranking official of the Federal Government."

CQ goes on to note that since 1789 there have been only around 50 impeachment attempts made in the House. Of these only 12 were voted, and got to the Senate. Of these 12, two were tossed out for lack of jurisdiction (one Senator, in 1799; Senators and Representatives are not subject to impeachment) and one Secretary of War, in 1876; he was acquitted primarily because the Senate questioned its authority to try him, as he had resigned from office several months before the trial.) There were six acquittals and four convictions; all the convictions were of Federal judges. Indeed, 33 of the almost 50 cases going to the House concerned Federal judges.

Now, there have been, in our almost two hundred years as a Republic, quite literally thousands of civil officials eligible to be impeached. The fact that only ten have been impeached, eight tried, and four convicted, brings us to a very, very low percentage. It is impossible to estimate, but it is so low as to make it almost negligible, as far as the process getting through Congress is concerned, unless the evidence (and I mean evidence, not partisan political charges or

sometimes stirred by emotions or disappointment or disgust over what may have been questionable decisions when it comes to judgment and timing) is overwhelming.

Judgment and timing. In making decisions, As Hamlet would say, "Ah, there's the rub!"

I have served in the U.S. House of Representatives under five Presidents, including Richard M. Nixon, and have had occasion (as has a large part of the country) to question their judgment and timing. Truman: seizure of the steel industry (held unconstitutional by the Supreme Court) plus some aspects of his conduct of the Korean War. Eisenhower: the U-2 incident, and his "apology" to Khrushchev. Kennedy: Berlin Crisis and Bay of Pigs—both brought us close to war. Let me interject a brief footnote here; to indicate the political boobyism floating around today, the charge that Nixon instigated the Middle East conflict to take attention away from his domestic problems was probably one of the most senseless I have heard in years. It was denounced by no less than the House Democratic Majority Leader, Congressman "Tip" O'Neill, of Massachusetts. (For that matter, after Fort Sumter was fired upon in 1861, William Seward, Lincoln's Secretary of State, wanted to declare war on France and Spain to weld the Union together again!) Lyndon Johnson: his conduct of the Vietnam War, lack of full commitment, and hedging on taking firm measures which very probably could have ended it much sooner. Richard Nixon: at the time of the Richardson-Ruckelshaus-Cox affair, I said the President had a perfect right to fire anyone at any time, for his own reason. This is true; it cannot be disputed. But I did say there was a question of judgment and timing.

I do not see, in any of the above, grounds for impeachment of any of those Presidents.

The argument still goes on over Andrew Johnson. A recent book argues that Johnson actually deserved to be impeached. This runs, of course, quite counter to the other side (the author of the new book is, probably, a minority of one) but it just illustrates my point: the whole topic is, basically, quite nebulous. You can make almost whatever you want out of it.

Just what did the Founding Fathers of our Nation think? They were admittedly, not always right, but considering we have existed as a Republic for two hundred years, there must have been some pretty good thinking and advice emanating from them.

For openers, Alexander Hamilton, in No. 65 of *The Federalist Papers*, which appeared in the *New York Packet*, Friday, March 7, 1788. Hamilton and John Jay and James Madison, arguing for adoption of the Constitution, were the authors of what we know as *The Federalist Papers*. Time has shown they were not always right in what they said, but they did leave some very worthwhile eternal truths and cautions. Hamilton on impeachment is a good example; he foresaw some real dangers and warned about them:

"The prosecution (of impeachable offenses) . . . will seldom fall to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused. In many cases it will connect itself with the pre-existing factions, and will enlist all their animosities, partialities, influence, and interest on one side or the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt."

"The delicacy and magnitude of a trust which so deeply concerns the political reputation and existence of every man engaged in the administration of public affairs speak for themselves. The difficulty of placing it rightly, in a government resting entirely on the basis of periodical elections, will as read-

ily be perceived, when it is considered that the most conspicuous characters in it will, from that circumstance, be too often the leaders or the tools of the most cunning or the most numerous faction, and on this account, can hardly be expected to possess the requisite neutrality towards those whose conduct may be the subject of scrutiny. . . ."

Thomas Jefferson, when Vice President, pointed out that "... history show, that in England, impeachment has been an engine more of passion than of justice."

Raoul Berger, Professor at Harvard Law School, notes in his book *Impeachment: The Constitutional Problems* (the newest and best on the topic) that "From the text of the Constitution there emerges a leading purpose: partisan passions should no longer give rise to political executions."

Mary Clarke, in her *Parliamentary Privilege in the American Colonies* (cited often by Berger in his book) says: impeachment was: "... essentially a political weapon" going back to 1386.

Berger, again: "... Johnson's (Andrew Johnson's) trial serves as a frightening reminder that in the hands of a passion-driven Congress the process may bring down the very pillars of our constitutional system. To one who considers that impeachment may yet have an important role to play, the record is a sobering admonition against light-hearted resort to removal of the President. . . ."

Kelly and Harbison, in their *The American Constitution: Its Origin and Development* (also cited by Berger): Many analysts "have concluded that had impeachment proved successful as a weapon to remove a politically unacceptable President, the precedent would have been established for the removal of any President refusing persistently to cooperate with Congress. . . ."

Again, to repeat, it is not a simple thing: James Bryce, in his *The American Commonwealth*: "It is like a hundred-ton gun which needs complex machinery to bring it into position, an enormous charge of powder to fire it, and a large mark to aim at."

Woodrow Wilson, in *Congressional Government*: "it requires something like passion to set them agoing; and nothing short of the grossest offenses against the plain law of the land will suffice to give them speed and effectiveness. . . ."

How about the time element? In the First Congress, John Vining, noting that in England the impeachment trial of Warren Hastings was then taking place, had this to say: impeachment is "insufficient to secure the public safety . . . With what difficulty was that prosecution carried on! What a length of time did it take to determine!" In this, Madison, Elias Boudinot, Thomas Hartley and Peter Sylvester, all delegates to the First Congress, concurred. Vining went on to note that impeachment was "circuitous," "dilatatory and inefficient," "what delays and uncertainties. . . ."

When Federal District Judge Halsted Ritter was tried by the Senate in 1936, Congressman Chauncey W. Reed said that Senators should not "be required to set aside their legislative duties, paralyzing for weeks the law-making function. . . ." And, in an edition of the *Texas Law Review* of 1942, Professor J. W. Moore wrote (speaking of impeachment of judges; the argument holds good for anyone): "it is absurd to think that large national interests during the war . . . must wait upon the trial of Judge X."

Again, during Judge Ritter's trial in 1936: Congressman John Robison: "Anyone who has been a Member of that body knows it is humanly impossible to have all the Senators present all the time for a period of 10 days, 2 weeks or more, sitting as a jury. If they did, momentous and pressing interests of the Nation . . . would suffer."

Congressman Reed, quoted above, also said: "The Senate is composed of busy men

who cannot and will not divest themselves of the time they must necessarily devote to their lawmaking activities and concentrate, analyze and digest the intricate testimony. . . ."

There is also the nagging question of double jeopardy, which is specifically prohibited in the Fifth Amendment to the Constitution: ". . . nor shall any person be subject to the same offense to be twice put in jeopardy of life or limb. . . ."

Does this, possibly, conflict with Article I, Section 3, Clause 7? What would the courts say? To date, in our history, no one impeached and removed from office has been indicted and tried in court for the offenses that led to his impeachment and removal. Would this, indeed, be double jeopardy—was unconstitutional as anything any President has ever done, or even been accused of?

Let's also keep something in mind. When we talk about impeachment of a President, we talk not only of a man but of an institution that, undeniably, has a certain mystique for the great majority of our citizens. At the time of Andrew Johnson's impeachment, Senator William P. Fessenden, of Maine (w.l.o. voted to acquit) made this observation:

"In the case of an elective Chief Magistrate of a great and powerful people, living under a written Constitution, there is much more at stake in such a proceeding than the fate of the individual. The office of President is one of the great coordinate branches of the government. . . . Anything which conduces to weaken its hold upon the respect of the people, to break down the barriers which surround it, to make it the more sport of temporary majorities, tends to the great injury of our government, and inflicts a wound upon constitutional liberty. It is evident, then . . . that the offence for which a Chief Magistrate is removed from office, and the power intrusted to him by the people transferred to other hands . . . should be of such a character to commend itself at once to the minds of all right thinking men as, beyond all question, an adequate cause. It should be free from the taint of party; leave no reasonable ground of suspicion upon the motives of those who inflict the penalty, and address itself to the country and the civilized world as a measure justly called for by the gravity of the crime and the necessity for its punishment. Anything less than this . . . would . . . shake the faith of the friends of constitutional liberty in the permanency of our free institutions and the capacity of man for self-government. . . ."

Words to be pondered, as well as these, from James Bryce's *The American Commonwealth*, written in 1888, Bryce was English, but historians regard him as one of the best and keenest observers of our national scene and character: this comes from the chapter "National Characteristics as Moulding Public Opinion".

"(Americans) are proud of their history and of their Constitution . . . they do not seek change for the sake of change, because the nations that do this exist only in the fancy of alarmist philosophers. . . . Americans . . . are no doubt ready to listen to suggestions from any quarter. They do not consider that an institution is justified by its existence, but admit everything to be matter for criticism. . . . Americans . . . are like a tree whose pendulous shoots quiver and rustle with the lightest breeze, while its roots enfold the rock with a grasp which storms cannot loosen. . . ."

The President has been accused—but not by due process of law as we know it in this country. The President has been indicted—but not by due process of law as we know it in this country. The President has been tried—but not by due process of law as we know it in this country. The President has been found guilty—but not by due process of law as we know it in this country. The

President has been convicted—but not by due process of law as we know it in this country.

My oath as a Member of the House of Representatives binds me "to support this Constitution." Under the Constitution, there is "due process of law," and a man is innocent until proven guilty.

Even Presidents have that right.

EULOGY ON JOSEPH MURTAUGH

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. ROGERS. Mr. Speaker, it is my sad duty to inform my colleagues of the death earlier this week of Joe Murtaugh, a man who dedicated his life to his country through public service for nearly 40 years.

Most of my colleagues who know Joe Murtaugh realize his contributions in the area of health, both from inside and outside the Government.

Mr. Murtaugh entered the Federal service in 1935 as a junior statistician in the Works Progress Administration. Subsequently, he served as chief of the operating states program of the National Youth Administration. During the war, he served in the Office of the Surgeon General of the Army developing data on the utilization of Army medical facilities in the Zone of the Interior.

After a brief postwar service in the United Nations Relief and Rehabilitation Administration, Mr. Murtaugh joined the Public Health Service in 1947 as Director of Statistical Analysis and Special Studies in the Bureau of Medical Services. He was later appointed Assistant Director Officer of the Bureau and received an outstanding performance citation for his role in the transfer of the Indian health program from the Department of the Interior to the Public Health Service.

Early in 1956, Mr. Murtaugh was appointed to the staff of the Office of the Director of the National Institute of Health initially as Assistant Chief of the Office of Research Planning. In 1961, Mr. Murtaugh was appointed Director of Planning at NIH in which post he served until his retirement from Federal service in 1968.

During his 12 years at NIH, Mr. Murtaugh contributed significantly to the major administrative decisions and policy development associated with the emergence of NIH as the Nation's, if not the world's, greatest medical research institution. For his service at NIH, Mr. Murtaugh was awarded both the Superior Service and Distinguished Service Awards of the Department of Health, Education, and Welfare. Upon retirement from the Federal Government, Mr. Murtaugh was appointed Executive Secretary of the Board of Medicine of the National Academy of Sciences and participated in resolving the issues surrounding the creation of the Institute of Medicine, now the principal instrument of the NAS dealing with medical and health related policy matters.

In March 1970, Mr. Murtaugh was appointed the first Director of the Department of Planning and Policy Development of the Association of American Medical Colleges. In that capacity he was instrumental in developing programs aimed at expanding the national commitment to increase medical educational opportunities to meet the health needs of the American people.

It has been my pleasure and privilege to work with Joe Murtaugh for many years. Those who knew him will miss him. And many thousands of Americans who did not have that opportunity will miss his leadership. My wife and I extend our sympathy to Mrs. Murtaugh and his family.

THE RUSSIANS ARE COMING

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. ASHBROOK. Mr. Speaker, the rush to the Soviet Union by American businessmen with the encouragement of the U.S. Government has been gaining momentum. I have been discussing some of these "deals" in the Congress and speeches throughout the country.

Unknown to many is that the Soviet Union has plans to sell a larger amount of goods in the United States. American labor organizations have long held a position of opposition toward trade with the Soviet Union due to a number of reasons. One of these is the total lack of any right to organize into free unions in the Soviet Union. Unions are completely creatures of the state who serve as organizations to keep the workers in line. For the Soviet commissar the labor union is simply one more device to maintain total Communist control.

In addition, the Soviets rely on slave labor to make many things. The House Internal Security Committee has held extensive hearings on such slave labor. In many of his works Solzhenitsyn has also graphically portrayed the evils of the Soviet slave labor.

With the above in mind, the following item from the Weekly Labor Forecast and Review takes on added significance:

THE RUSSIANS ARE COMING—WITH TRACTORS

American farmers may soon be plowing ground with Russian-built tractors for the growing of American wheat to sell to the Russians. This likelihood of Soviet-manufactured products further displacing U.S. manufactured products at home is to take place regardless of the current trade bill's special benefits to the Russians.

A company in Canada which sells tractors imported from Russia is planning to move into the U.S. market next year. The company, Belarus Sales, is American-owned. In partnership with Belarus Equipment of Canada, which is Soviet-owned, it already is selling Russian-built tractors in Canada. Belarus Sales figures that its planned move to Milwaukee in 1974 will put it within reach of the bulk of the \$8.5 billion U.S. market for farm machinery.

Belarus is not the only company with the idea of selling tractors made by Communist bloc countries in the U.S. Auto-Tractor,

which is a Rumanian product, is joining with the Canadian province of Saskatchewan to build a tractor assembly plant there from which it hopes to invade the U.S. tractor market.

NASA ENGINEERS TURN TO WINDMILLS IN CRISIS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the Cleveland Press of Thursday, November 15, 1973, carries a significant article on the contributions of the National Aeronautics and Space Administration in investigating the problems of our energy crisis. This informative article by aviation writer Charles Tracy outlines the significant work being done at the NASA Lewis Research Center to harness solar energy and develop a prototype windmill to provide pollution-free power.

Because of the significance of this article, I am including it in the record for the benefit of my colleagues and the general public:

NASA ENGINEERS TURN TO WINDMILLS IN CRISIS

(By Charles Tracy)

Water warmed by the sun and windmills turned by the wind are systems being studied today by Cleveland space engineers to solve the electrical energy crisis facing the nation.

They've been busy developing the best ways to use these energy producing ideas for more than a year at NASA's Lewis Research Center here and predict that practical, economical systems for home and commercial use are in sight.

In test cells used to develop spaceships they have assembled an ingenious collection of electric lights to simulate the brightness and power of the sun.

"We can make sunrise, high noon, a hot day in Arizona or a typical Cleveland cloudy day in November," said Robert Ragsdale, assistant chief in the power applications branch headed by Lloyd Shure.

Into the solar intensity created in the laboratory are put various solar collectors, which are flat sheets of metal covered by glass and containing small tubes with water flowing through them.

The water heated to several hundred degrees, would then be circulated through baseboard radiators of a home to provide heat or used to operate a gas refrigerator for air conditioning.

"Solar energy is very promising. If we used only 7% of the land area in the U.S. for such solar collectors, we could produce enough electric power to meet the national needs of 1985," said another NASA engineer.

The greatest thing about it, he added, is that no fuel of any kind is burned and therefore absolutely no air pollution is created.

In Japan such solar water heaters are installed on the roofs of many homes of labor-class Japanese in the outskirts of Tokyo.

What do the people do when there's no sun?

"The idea is to store hot water in big underground tanks when there's lot of sun to make it hot, then use it on the days there is no sun," said Ragsdale.

His studies indicate water can be stored for six days without sun.

"There's no question about the solar energy

business. It works. We're trying to develop greater efficiency and cut the cost to make it an economical, practical system," he said.

Right now a solar collector is 30% efficient, cost \$5 to \$20 a square foot. The Lewis goal is 50% efficiency at \$2 a square foot.

One engineer said big windmills may be built around the country to operate power plants. They also would be 100% pollution free.

A prototype windmill is being designed at Lewis and will be built during the next year at Plum Brook near Sandusky to apply new technology of a machine that has been around for centuries. It will be a one megawatt size.

The \$250,000 research program is being shared by NASA and the National Science Foundation.

The government of Puerto Rico requested design of a windmill for power generation on the island, NASA engineers said.

Solar cells like those on Skylab now in Earth orbit, are very expensive to make, they said. Such cells also are only 12% to 14% efficient and could not be improved for economic use in commercial applications, they said.

A TRIBUTE TO THE HONORABLE THOMAS A. PELLY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. ROONEY of New York. Mr. Speaker, I am sure that all of the Members of the House of Representatives were as shocked and as deeply grieved as I was to learn of the recent passing of former Representative Thomas M. Pelly of Washington State. Since Tom Pelly finished his long and successful political career at the end of the last Congress, I am sure that most of the Members of the present House had the honor and privilege both to know and to serve with him.

Tom Pelly was a dedicated man who heeded the call of public service after completing a very successful first career in business. In his first career Tom rose from messenger to assistant trust officer with a Seattle bank. He then became manager and later president of a large stationery and book concern where he remained until his election to the Congress in 1952. As president of the concern he became the first person to win the national stationers Charles Garvin Award for a treatise on budget accounting.

He was also well known in the Seattle area for his civic mindedness. He was president of the Seattle Chamber of Commerce from 1949 to 1951 and had served as president of the Seattle Symphony and as a member of the board of the Seattle Art Museum. He was also active in the Washington Committee on State Government and the Washington State Development Association.

Mr. Speaker, Tom's passing was a loss to all of us. He will long be remembered by all those who knew, respected, and admired him both as a Congressman and public servant and as a good and trusted friend. To his lovely wife and family the Rooneys extend their deepest sympathy during this hour of their great loss and sorrow.

TAKING A LOOK AT "OPERATION CANDOR"

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. YOUNG of Georgia. Mr. Speaker, in the Wall Street Journal for December 7, White House correspondent Fred L. Zimmerman looks closely at the President's "Operation Candor," the slogan designed to reassure the Nation that there will be "full disclosure" of all Watergate scandal material.

Mr. Zimmerman concludes that "Operation Candor" so far "mainly has been a public-relations exercise." He writes that Richard Nixon has not yet disclosed any new information of substance, that White House spokesmen have refused to confirm Mr. Nixon's reported promises to disclose specific material, and that the special Watergate prosecutor, Leon Jaworski, has not been able to get several Watergate-related documents that have been requested repeatedly.

As Mr. Zimmerman observes, there is a wide gap between the appearance of "Operation Candor" and the reality of continuing secrecy and deception at the White House.

The article follows:

TAKING A LOOK AT "OPERATION CANDOR"

(By Fred L. Zimmerman)

WASHINGTON.—The gap between appearance and reality at the White House remains as wide as ever.

For weeks, President Nixon and his aides have been promising "full disclosure" of all Watergate material. In fact, nothing of substance has been disclosed.

For weeks, the President and his aides have been saying that the Watergate tapes eventually would establish "beyond question" that Mr. Nixon is innocent of wrongdoing. In fact, so much of them now turns out to be either blank or nonexistent that what's left has become practically worthless as a means of proving anything.

For months, the President and his aides have been saying that a new era of openness has dawned as a result of Watergate's excesses. In fact, this singularly traumatic episode in the history of the presidency hasn't produced any fundamental change at all in day-to-day operations of the Nixon White House.

The "full-disclosure" phase of Mr. Nixon's long-running Watergate counterattack began a few weeks ago with a series of private meetings with politicians. He's met with Republican governors and with both Republicans and friendly Democrats from Congress. The counterattack has included several public appearances before friendly crowds, in Washington and in the South, and a televised question-and-answer session with newspaper editors.

Politicians emerging from the private sessions have been generally enthusiastic about Mr. Nixon's presentations. Beyond that, they have told reporters of a variety of steps the President has promised them he would take to clear up Watergate. These have included making public a complete audit of his personal finances, releasing his income-tax returns, and making public the Watergate tapes.

Nevertheless, two facts stand out: As far as anyone knows, Mr. Nixon hasn't yet disclosed any new information of substance

during "Operation Candor." Additionally, White House spokesmen have refused to confirm any of his reported promises to disclose specific material.

Meanwhile, despite Mr. Nixon's public pledge to cooperate fully with special Watergate prosecutor Leon Jaworski, the President still hasn't furnished to Mr. Jaworski several Watergate-related documents that have been requested repeatedly for months.

SOME LIMITED SUCCESS

From the President's standpoint, however, "Operation Candor" has had some limited success. For one thing, the private meetings he's been having have resulted in widespread expressions of public support from Republican politicians. Some of them simply may be flattered that the President—at long last—is inviting them to the White House and is seeming to take them into his confidence. Others may be genuinely convinced that the President does intend to lay all the Watergate evidence before the public.

In image terms, the beleaguered President also has been helped a bit by the friendly receptions he's had at some of his recent public appearances. While the cheering crowds looked good on television, however, they can hardly be considered representative of the public at large. Mr. Nixon is picking his audiences carefully, and White House advance men have worked hard at drumming up big shows of public support.

Beyond that, orchestrated expressions of support are of little help to Mr. Nixon in resolving the big issues of Watergate. One of these remains, as has been the case for months, the Watergate tapes. Originally, the question was whether the President would refuse to comply with a court order to turn over nine subpoenaed tapes. Following his decision to comply, events have shifted attention to an issue as potentially damaging to Mr. Nixon as his noncompliance would have been: Did somebody at the White House intentionally destroy some of the Watergate tapes?

The legal findings, of course, must be made by Judge John Sirica, who has been taking testimony for several days. But in political terms it seems evident by now that as a body of evidence the tapes have been so compromised, whether by accident or otherwise, that they can no longer be of much use to President Nixon in clearing himself. Even if what's left of the tapes lacks any evidence that he was involved in Watergate or its cover-up, a large segment of the public presumably will always suspect that the missing conversations might have shown otherwise.

One of the oddest aspects of the Watergate affair has been its almost total lack of impact on the style or attitudes of Mr. Nixon and his top aides. When the Watergate dam burst last spring, there were some highly visible personnel changes, of course. The President got rid of his two top aides, H. R. Haldeman and John Ehrlichman, who for four years had blocked access to the Oval Office while tightly controlling much of the bureaucracy.

With a lot of hoopla and promise, Mr. Nixon then brought into the White House some savvy old pros, men with good political instincts and plenty of entree on Capitol Hill: Bryce Harlow, John Connally, Melvin Laird.

Back then, winds of wholesome change seemed to blow through the White House. Mistakes had been made, but lessons had been learned. A consensus suddenly seemed to emerge at the top: There had been too much secrecy and public deception, too little consultation with Congress, too much insulation of the President, too much arrogance and heavy-handedness in dealing with Congress and the bureaucracy. All that is going to change, aides promised; things are going to open up around here.

But months later it's clear that almost

nothing fundamental has changed. There are some new players but the team is running the same old plays, and there's scant evidence that any lessons were learned after all.

Secrecy persists, about matters as important as the contents of the tapes to as trivial as the President's weekend travel plans. Deception continues. Numerous misleading statements can be found, for instance, in the President's hour-long session with newspaper editors. He said, for example, that the law on political donations had been changed and donors therefore weren't aware last year that corporate contributions were illegal; in fact, such contributions have been illegal since 1925. He said he had "voluntarily waived privilege" regarding the Watergate tapes, although what he actually did was turn them over to Judge Sirica in compliance with two court decisions, rather than appeal the matter to the Supreme Court.

There's been little, if any, additional consultation with Congress. Mr. Nixon's recent private sessions can't be considered as consultations according to most accounts of them. Participants say he's delivered fairly pat speeches about his foreign policy achievements, the Middle East war and the energy crisis, and then has promised in vague terms that he was going to make "full disclosure" of Watergate material. Genuine give-and-take has been rare.

PRESIDENT STILL INSULATED

And certainly one feature of the pre-Watergate White House that hasn't changed is the insulation of the President. In the old days, Mr. Nixon rarely had face-to-face policy meetings with anyone other than three men: Henry Kissinger, H. R. Haldeman and John Ehrlichman. These days, it's still mainly three men: Henry Kissinger, Press Secretary Ronald Ziegler, and Chief of Staff Alexander Haig. Gone is John Connally, who reportedly had too much of a tendency to tell Mr. Nixon things he didn't like to hear. Still around but lacking much of a voice in key policy decisions are Bryce Harlow and Melvin Laird, both of whom are saying they're about to leave. It's questionable whether new Vice President Gerald Ford will have much of a policy-making role.

As well as anything, the continued presence of Ronald Ziegler on the White House staff, plus his changing role and stature, effectively symbolize the lack of meaningful change.

Mr. Ziegler was the President's daily spokesman throughout the Watergate affair, the man who originally dismissed it as a "third-rate burglary," the man who denied Watergate charges for months and branded newspaper stories revealing new scandals as "shabby journalism" and "character assassination." He also is the man who declared last April that all prior White House statements on Watergate were "inoperative."

Since then, however, he's been elevated to the rank of presidential assistant, spends as much time with the President as anyone, and can be seen just at the President's right nearly every time Mr. Nixon has appeared on television in recent months to assure the public that he wants "to get all the truth out" about Watergate. Strangely, Mr. Ziegler retains the title of Press Secretary—even though he hardly ever briefs the press any more and even refuses requests for interviews.

President Nixon presumably still has time to reverse course. He evidently intends in the next few weeks to issue detailed statements on various aspects of the scandal, and perhaps these will clear up questions rather than repeat old assertions or raise new questions. But so far, "Operation Candor" mainly has been a public-relations exercise, and one that comes at a time when the public is running out of patience with White House PR.

WANTED: A PUBLIC WORKS PROGRAM TO REDUCE UNEMPLOYMENT CAUSED BY ENERGY CRISIS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. BLATNIK. Mr. Speaker, on Wednesday of this week Arthur Burns, Chairman of the Federal Reserve Board, testified before the House Banking and Currency Committee. The basic thrust of this testimony was that "the economic outlook has worsened and become clouded" as a result of the energy crisis.

Dr. Burns further pointed out that there is little the Federal Reserve Board can do to soften the blow of unemployment because "the shortage we have is a shortage of oil, not a shortage of money. Therefore, monetary devices can have a very limited usefulness in this situation."

The Washington Post report on Dr. Burns' testimony then went on to state that:

Fed (sic) officials are known to believe that the Nixon Administration should be planning measures to cope with a probable rise in unemployment, including the development of a shelf of public works projects.

Mr. Speaker, it is almost grimly ironic to recall that legislation to build this shelf of job-producing public works projects was vetoed by the President in 1971 and 1972. It is even more disheartening to see the administration proceeding with their plans to terminate this year the only program we have to provide employment quickly to communities hurt by sudden loss of jobs. I am referring, of course, to the special impact aid made available through the programs of the Economic Development Administration.

Mr. Speaker, recent House Public Works Committee hearings and studies strongly support the Federal Reserve Board's conclusion, although regrettably there is no evidence that the administration has even begun to consider the use of public works projects to help provide employment for the people who will surely lose their jobs because of fuel shortages in the coming months. There is nothing even to suggest that studies are underway to provide good information on the industries or regions of the country that will be most affected.

A few days ago, for example, there was a prediction from a University of Connecticut labor expert that 150,000 people would lose their jobs in New England in the next 6 months as a result of the energy crisis. Nationally, forecasts of unemployment next summer range all the way from 5 percent to 14.7 percent, but no one can be confident about any of these predictions until definitive administration fuel allocation policies are developed.

In his 1971 veto of the Accelerated Public Works Act the President stated:

I agree that our present economic development programs should be extended while the Congress is considering my revenue-sharing proposals. But most importantly, the

Congress must act immediately to insure that there is no gap in service to the people of Appalachia and in the economically depressed areas served by EDA.

These words of 2 years ago have a peculiarly hollow ring now. We know that no replacements for the Economic Development Administration programs are yet in operation. The result is that the administration is neither proposing nor even considering any measures to help communities adjust to the enormous problems of dwindling energy supplies or jobs through permanent, long-range national investments in the public facilities that are essential to orderly growth and development. The hearings of the House Public Works Committee in 1971 found that it is possible to put people to work on public works projects within 3 months. The record shows that this approach is a most effective way of alleviating the hardships caused by rising unemployment—far more productive than sharply increasing welfare payments, and unemployment benefits.

The articles follow:

[From the Washington Post, Dec. 6, 1973]
FED CAN'T EASE CRISIS, BURNS TELLS CONGRESS
(By Hobart Rowen)

Federal Reserve Chairman Arthur F. Burns told a congressional committee yesterday that "the economic outlook has worsened and become clouded" as a result of the energy crisis, but that there is little that the central bank can do to soften the blow.

In testimony before the House banking and currency subcommittee on international finance, Burns said that "the situation in which we find ourselves is obviously very difficult, but I believe it is manageable."

Reminded by Rep. Andrew Young (D-Ga.) that the Fed "normally" would relax a tight money policy to deal with the threat of unemployment, Burns responded:

"The shortage we have is a shortage of oil, not a shortage of money. Therefore, monetary devices can have a very limited usefulness in this situation."

Fed officials are known to believe that the Nixon administration should be planning measures to cope with a probable rise in unemployment, including the development of a shelf of public works projects.

In other aspects of wideranging testimony on international and domestic economic affairs, Burns also:

Revealed for the first time that the "basic" U.S. balance of payments—the total of all current international transactions and long-term capital flows—was in large surplus for the third quarter, the first such surplus since 1969. The dollar once again is "a respected currency in financial circles," the Fed chairman added.

Predicted that "in time," U.S. citizens will be allowed once again to own and hold gold, but only after higher priorities in monetary reform had been accomplished. Decisions on gold sales by the U.S. and other governments, he added, will be made "in due course."

Warned against "unrealistic expectations" on monetary reform, which he said would be an evolutionary process, not one "to be implemented in its entirety some morning" after a final meeting of key ministers.

Promised that the U.S. might find it "feasible" because of the dollar's strength "to move forward over the coming months with an orderly reduction" of restraints on capital outflows.

On the domestic side, Burns stressed the reality that passenger car use of gasoline and home heating oil requirements would have

to be reduced to avoid a serious economic crisis.

"At best," he said, "a prolonged economic embargo on Arabian oil shipments to the United States will result in some economic dislocation next year."

He termed the overall situation "manageable," with a gradual shift to non-oil energy resources, and with the help of "other adjustments to be made in the thousands by ingenious businessmen across the land."

At the same time, the Fed chairman insisted, inflation remains a great danger, posing an "extremely difficult task" for economic policy. The nation, he said, must still work toward "regaining price stability, while at the same time minimizing the risks of any extensive weakening in economic activity."

In response to questions by Rep. Henry S. Reuss (D-Wisc.), Burns denied that any agreement had been made by the U.S. at a meeting of finance ministers in the French Loire Valley two weeks ago to "peg" the dollar rate around the level set by the February devaluation.

He acknowledged that "at one time or another," various ministers have suggested that the February rates were fair. "But there is a general willingness in view of oil uncertainties," he volunteered, "to test the markets, rather than characterizing this or that set of rates as equilibrating rates."

But he said the time had come for countries holding \$70 billion in dollar reserves to sell some of them, at a gradual pace, inasmuch as the dollar has become stronger.

Later on, asked to state his position on "floating" vs. fixed currency relationships, Burns said:

"I would look forward to a return to a par value system for most countries, with floating as an option, and wider margins than those set by Bretton Woods. I think in the long run, parities with wider margins would serve the world better than floating rates, especially if there is a decline in world economic activity. If there is a decline, floating will cause some difficulties and political problems."

Burns declined to make any specific forecast for economic growth next year, but Fed staff projections are reported to be fairly close to administration estimates, which predict about 1 per cent real growth after allowing for the impact of energy shortages. In 1973, the economy is growing at a 6 per cent rate.

Burns pointed out that rising gas and oil prices would not only increase the inflationary problem at home, but would affect short-term prospects for the balance of payments.

Thus, even if the Arab boycott cuts imports by 3 million barrels of oil a day, he said, the spectacular boost in prices would mean that payments for 1974 oil imports "would probably exceed by a wide margin the \$8 billion paid in 1973." Some of this outflow, however, would find its way back to the U.S.

HIGHWAY BUDGET

SACRAMENTO.—The energy crisis may force the cutback of as much as \$250 million in California's \$930 million annual highway budget.

James A. Moe, head of the state's transportation department, said that reduced revenues because of the energy crisis and slashed federal funding may force cuts of as many as 3,500 persons in the department's 17,600-member staff.

JOB LOSS OF 150,000 SEEN

BOSTON, Dec. 4.—About 150,000 persons will lose their jobs in New England in the next six months as a result of the energy crisis, a University of Connecticut labor expert said today.

NICHOLAS JOHNSON, ON LEAVING
FEDERAL SERVICE AFTER 10
YEARS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. DINGELL. Mr. Speaker, on December 5, 1973, Nicholas Johnson will be leaving the Federal Government after more than 10 years of dedicated staunchly independent and committed service to his country. Beginning at the remarkably young age of 29, Nick was appointed Maritime Administrator by Lyndon Johnson. He served with distinction in that capacity until 1966 when he was appointed to the Federal Communications Commission where he has served for the past 7½ years.

Rarely has a Federal administrative official shown such undiminished zeal and independence over a 10-year span of Government service. Rarely has a Federal Commissioner so consistently and intelligently articulated the needs and interests of the public. Rarely has an official of Government so frequently shunned the cloaks of self-protective secrecy to bare the weaknesses and inadequacies of the Federal bureaucracy. Rarely has a Federal employee spoken with such revealing candor to House and Senate investigative and legislative committees.

In this age of turmoil when the integrity, independence, and commitment of public servants is so often questioned, the governmental life and times of Nicholas Johnson serve as a reminder that, with courage, government officials can be responsive to the commonweal.

A brief outline of Nick's life and accomplishments follows:

Nick was born in Iowa where he was involved in virtually every school sport and activity. He organized a student council in fourth grade; lobbied his city council for a swimming pool in junior high; was the only student elected student body president as a junior—and then reelected. The Iowa Bar Association voted him a citizenship prize. His fellow students elected him president of the Iowa Association of Student Councils. He served a 3-year term as national president of the 500,000-member YMCA high school organization—Hi-Y—the youngest member of the national YMCA board of directors, and its representative to National Council of Churches organizations.

In college, at the University of Texas, Nick earned his Phi Beta Kappa key, and was an editor of his law review—while holding down part-time jobs to pay his way, and serving as a Democratic precinct chairman.

After graduating from law school, Nick held two of the law's most prestigious jobs: Clerkships with U.S. Supreme Court Justice Hugo L. Black and U.S. Court of Appeals Chief Judge John R. Brown. Then, as a member of the University of California's outstanding law

faculty, he took leave for experience with Dean Acheson's Washington law firm, Covington & Burling.

Nick was one of President Lyndon B. Johnson's first administrative appointments. At 29, Nick was the youngest Maritime Administrator since President Kennedy's father, Joseph P. Kennedy, in 1936. He had responsibility for about \$500 million a year in merchant shipping and shipbuilding programs, worldwide offices, and 2,500 employees. In addition, he had responsibility as Director of the War Shipping Administration, and carried three-star admiral rank—as he was also Commandant of the Maritime Service and responsible for the 4-year Merchant Marine Academy at Kings Point.

At Maritime he also served the country well in foreign affairs. Nick was Chairman of the powerful NATO Planning Board for Ocean Shipping. He worked with the 83-nation international communications satellite organization Intelsat. He directed the international tour of the world's only nuclear-powered merchant ship, touring the Kings of the Scandinavian nations about the ship as a part of our atoms for peace program. As the Vietnam war widened in 1966, Nick left the FMA.

At the Federal Communications Commission, many of Nick's views of the public interest, as contained in carefully drawn and blistering dissents, in testimony before congressional committees and in speeches, articles, and books he has written, have consistently been adopted by the courts and are now the laws of the land. Nick has fought for lower telephone rates and improved service, for domestic satellite development, for cable television, for public broadcasting, for responsible commercial practices, for less violent and more constructive children's programming, for more public service broadcasts, for employment practices in the broadcast industry which conform to equal employment opportunity laws, and for the needs and interests of women, minorities, and all persons throughout the country who rely upon broadcast services as their major source of news and information.

During his tenure on the Commission Nick authored two successful books—"How To Talk Back to Your Television Set" and "Test Pattern for Living"—which set forth many of his views about broadcasting, Federal regulatory agencies, governments, life, and the times.

In 1967 the U.S. Jaycees selected the Ten Outstanding Young Men of America. One was FCC Commissioner Nick Johnson.

Later the New York Times reported college students were turning away from folk heroes like Jerry Rubin and Abbie Hoffman to more solid young leaders. One was Nick Johnson. Then the New Republic selected him as one of the first winners of its coveted Public Defender Award.

Newsweek did a study of the persons most often sought for university presidencies. One who ranked high was Nick Johnson.

PETROCRATS, ADVISORY COMMITTEES AND THE PUBLIC INTEREST

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. OBEY. Mr. Speaker, in testifying last week at the Federal advisory committee oversight hearings being conducted by Senator METCALF's Subcommittee on Budgeting, Management and Expenditures, I suggested that the open-meeting requirement of the Federal Advisory Committee Act takes on added importance now that we find ourselves confronting an energy crisis.

Over the months ahead, advisory committees composed of industry representatives, scientists and others will be making recommendations to the Federal Government about the steps it should take to resolve the crisis. Unless these panels hold open meetings, neither the press nor the public will have any idea what kind of advice is being offered. And if they do not know, consumer and public interest groups could well be deprived of a chance to respond before the Government makes final decisions based on that advice.

The basis for this suggestion was the number of industry-oriented advisory committees already in existence—the National Petroleum Council, with more than 100 members drawn from the oil and gas industries, the Emergency Petroleum Supply Committee, and so on—and Senator METCALF's disclosures 2 days earlier, on November 27, about what he called "oil's shadow government."

Referring to White House plans to partially activate the Emergency Petroleum and Gas Administration Executive Reserve and utilize approximately 250 oil and gas industry executives to assist in planning and administering emergency programs, Senator METCALF revealed that:

The EPGA has been a shadow government agency which, through Interior's Office of Oil and Gas, was maintained in standby readiness to mobilize and direct the Nation's petroleum and gas industries in the event of a national emergency.

The EPGA is composed principally of oil company officials. Its plan of action was developed by the National Petroleum Council, an industry advisory committee, and other oil company entities.

I believe it is important that we all know as much as possible about persons who conduct the affairs of Government. In this instance the administrators, for the most part, are not public officials seasoned by experience in civilian government. They are part of the oil industry. They will function with military officials who are also being brought into the program.

Mr. Speaker, the Senator was alerting us to the impending creation of a new class of Government officials I think we could properly characterize as "petrocrats." With petrocrats manning key Government posts and industry-oriented advisory committees commanding Government's ear, we would have the pros-

pect of industry carrying out its own advice.

Perhaps the prospect will not materialize. At any rate, the Federal Energy Office announced today in the Federal Register that it is establishing five new advisory committees to help it deal with the energy crisis, and it did so in a way that could set a tenor for openness.

The FEO published charters not only for a new Petroleum Industry Advisory Committee—Independent Sector—but for agriculture, business, consumer and environmental advisory committees as well. Each will meet about four times a year, and the latter four panels will draw their support services not from FEO but from other Federal agencies.

Mr. Speaker, depending on who is appointed to these panels, and assuming that they will hold open meetings in accordance with the Federal Advisory Committee Act, these new committees could serve the public interest as the Federal Government comes to grips with the energy crisis. I hope they will be constituted and administered in a way that maximizes their public interest potential.

The material from the Federal Register follows:

FEDERAL ENERGY OFFICE

ADVISORY COMMITTEES

Notice of establishment

This notice is published in accordance with the provisions of section 9(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463). Following consultation with the Office of Management and Budget, notice is hereby given that it is in the public interest to establish the following advisory committees. A description of the nature and purpose of these committees is contained in their charters which are published below.

Dated: December 5, 1973.

W. E. SIMON,

Administrator.

CHARTER—PETROLEUM INDUSTRY ADVISORY COMMITTEE (INDEPENDENT SECTOR)

1. *Objectives and scope of activities.* The objectives of the Petroleum Industry Advisory Committee (Independent Sector) are to advise the Administrator, Federal Energy Office (FEO) with respect to general petroleum aspects of interests and problems related to the policy and implementation of programs to meet the current national energy crisis.

2. *Committee tenure.* In view of the goals and purposes of the Committee, it will be expected to continue beyond the foreseeable future. However, its continuation will be subject to biennial review and renewed as required by section 14 of Pub. L. 92-463.

3. *Official to whom committee reports.* The Committee will report to the Administrator, Federal Energy Office.

4. *Support services.* Necessary support for the Committee will be furnished by the Federal Energy Office.

5. *Committee duties.* The duties of the Committee are solely advisory and are stated in paragraph 1 above.

6. *Estimated annual cost.* The estimated annual operating costs for the Committee are \$20,000 and involve approximately one-half man-years of staff support.

7. *Meetings.* The Committee will meet approximately four times a year.

8. *Termination date.* The Committee will terminate two years from date of this Charter, unless prior to that date renewal

action is taken by the Administrator, FEO, as described in paragraph 2 above.

9. *Determination.* Establishment of this Committee is determined to be in the public interest in connection with the performance of duties imposed on the Federal Energy Office by Executive Order No. 11748, dated December 4, 1973, which delegated to the Administrator, FEO, authority vested in the President by the Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159); section 203(a)(3) of the Economic Stabilization Act of 1970 (Pub. L. 91-379) as amended; and specified authorities under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), as amended.

CHARTER—AGRICULTURE ADVISORY COMMITTEE

1. *Objectives and scope of activities.* The objectives of the Agriculture Advisory Committee are to advise the Administrator, Federal Energy Office (FEO) with respect to general agricultural aspects of interests and problems related to the policy and implementation of programs to meet the current national energy crisis.

2. *Committee tenure.* In view of the goals and purposes of the Committee, it will be expected to continue beyond the foreseeable future. However, its continuation will be subject to biennial review and renewed as required by section 14 of Pub. L. 92-463.

3. *Official to whom Committee reports.* The Committee will report to the Administrator, Federal Energy Office.

4. *Support services.* Necessary support for the Committee will be furnished by the Department of Agriculture.

5. *Committee duties.* The duties of the Committee are solely advisory and are stated in paragraph 1 above.

6. *Estimated annual cost.* The estimated annual operating costs for the Committee are \$20,000 and involve approximately one-half man-years of staff support.

7. *Meetings.* The Committee will meet approximately four times a year.

8. *Termination date.* The Committee will terminate two years from date of this Charter, unless prior to that date renewal action is taken by the Administrator, FEO, as described in paragraph 2 above.

9. *Determination.* Establishment of this Committee is determined to be in the public interest in connection with the performance of duties imposed on the Federal Energy Office by Executive Order No. 11748, dated December 4, 1973, which delegated to the Administrator, FEO, authority vested in the President by the Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159); section 203(a)(3) of the Economic Stabilization Act of 1970 (Pub. L. 91-379) as amended; and specified authorities under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), as amended.

CHARTER—BUSINESS ADVISORY COMMITTEE

1. *Objectives and scope of activities.* The objectives of the Business Advisory Committee are to advise the Administrator, Federal Energy Office (FEO) with respect to general business aspects of interests and problems related to the policy and implementation of programs to meet the current national energy crisis.

2. *Committee tenure.* In view of the goals and purposes of the Committee, it will be expected to continue beyond the foreseeable future. However, its continuation will be subject to biennial review and renewed as required by section 14 of Pub. L. 92-463.

3. *Official to whom Committee reports.* The Committee will report to the Administrator, Federal Energy Office.

4. *Support services.* Necessary support for the Committee will be furnished by the Department of Commerce and the Small Business Administration.

5. *Committee duties.* The duties of the Committee are solely advisory and are stated in paragraph 1 above.

6. *Estimated annual cost.* The estimated annual operating costs for the Committee are \$20,000 and involve approximately one-half man-years of staff support.

7. *Meetings.* The Committee will meet approximately four times a year.

8. *Termination date.* The Committee will terminate two years from date of this Charter, unless prior to that date renewal action is taken by the Administrator, FEO, as described in paragraph 2 above.

9. *Determination.* Establishment of this Committee is determined to be in the public interest in connection with the performance of duties imposed on the Federal Energy Office by Executive Order No. 11748, dated December 4, 1973, which delegated to the Administrator, FEO, authority vested in the President by the Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159); section 203(a)(3) of the Economic Stabilization Act of 1970 (Pub. L. 91-379) as amended; and specified authorities under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), as amended.

CHARTER—CONSUMER ADVISORY COMMITTEE

1. *Objectives and scope of activities.* The objectives of the Consumer Advisory Committee are to advise the Administrator, Federal Energy Office (FEO) with respect to general consumer aspects of interests and problems related to the policy and implementation of programs to meet the current national energy crisis.

2. *Committee Tenure.* In view of the goals and purposes of the Committee, it will be expected to continue beyond the foreseeable future. However, its continuation will be subject to biennial review and renewed as required by section 14 of Pub. L. 92-463.

3. *Official to whom committee reports.* The Committee will report to the Administrator, Federal Energy Office.

4. *Support services.* Necessary support for the Committee will be furnished by the Department of Health, Education, and Welfare.

5. *Committee duties.* The duties of the Committee are solely advisory and are stated in paragraph 1 above.

6. *Estimated annual cost.* The estimated annual operating costs for the Committee are \$20,000 and involve approximately one-half man-years of staff support.

7. *Meetings.* The Committee will meet approximately four times a year.

8. *Termination date.* The Committee will terminate two years from date of this Charter, unless prior to that date renewal action is taken by the Administrator, FEO, as described in paragraph 2 above.

9. *Determination.* Establishment of this Committee is determined to be in the public interest in connection with the performance of duties imposed on the Federal Energy Office by Executive Order No. 11748, dated December 4, 1973, which delegated to the Administrator, FEO, authority vested in the President by the Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159); section 203(a)(3) of the Economic Stabilization Act of 1970 (Pub. L. 91-379) as amended; and specified authorities under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), as amended.

CHARTER—ENVIRONMENTAL ADVISORY COMMITTEE

1. *Objectives and scope of activities.* The objectives of the Environmental Advisory Committee are to advise the Administrator, Federal Energy Office (FEO) with respect to general environmental aspects of interests and problems related to the policy and implementation of programs to meet the current national energy crisis.

2. *Committee tenure.* In view of the goals and purposes of the Committee, it will be expected to continue beyond the foreseeable future. However, its continuation will be subject to biennial review and renewed as required by section 14 of Pub. L. 92-463.

3. *Official to whom committee reports.* The Committee will report to the Administrator, Federal Energy Office.

4. *Support services.* Necessary support for the Committee will be furnished by the Environmental Protection Agency and the Council on Environmental Quality.

5. *Committee duties.* The duties of the Committee are solely advisory and are stated in paragraph 1 above.

6. *Estimated annual cost.* The estimated annual operating costs for the Committee are \$20,000 and involve approximately one-half man-years of staff support.

7. *Meetings.* The Committee will meet approximately four times a year.

8. *Termination date.* The Committee will terminate two years from date of this Charter, unless prior to that date renewal action is taken by the Administrator, FEO, as described in paragraph 2 above.

9. *Determination.* Establishment of this Committee is determined to be in the public interest in connection with the performance of duties imposed on the Federal Energy Office by Executive Order No. 11748, dated December 4, 1973, which delegated to the Administrator, FEO, authority vested in the President by the Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159); section 203(a)(3) of the Economic Stabilization Act of 1970 (Pub. L. 91-379) as amended; and specified authorities under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), as amended.

[FR Doc. 73-26168 Filed 12-6-73; 10:24 am]

BILL KEATING—WISE AND CONSCIENTIOUS LEADER

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. HASTINGS. Mr. Speaker, come January, there will be a vacant seat in the House, which I know will be most difficult to fill.

I am speaking of the seat occupied so ably by Congressman WILLIAM J. KEATING, who is leaving our ranks at the end of this session to take up new responsibilities as president and chief executive officer of the Cincinnati Enquirer.

BILL KEATING came to the Congress in 1971 after an illustrious public career as a jurist and lawmaker in his home town of Cincinnati.

In the brief time he has spent in the Congress, his service has been marked by a dedication and distinction which pointed to a lofty future had he chosen to remain here.

But, BILL has heeded an equally important call and will now be serving the people as the leader of one of the Nation's influential newspapers with a readership of more than 200,000 daily.

I know he will bring to his new duties the same wisdom, judgment, and tireless energies which characterized his work in the Congress.

It has been my pleasure to serve with BILL on the House Task Forces on Drug

Abuse and Election Reform. On countless occasions his counsel and guidance steered us in the proper direction.

BILL was in the vanguard of election reform. I know one of his proudest achievements was the establishment in 1972 of the Election Information Clearinghouse to conduct studies on ways to improve the functioning and the integrity of the Federal electioneering process.

As a member of the House Judiciary Committee and the Select Committee on Crime, he has made many valuable contributions in the development of legislation.

I know Members from both sides of the aisle in the House regret BILL's departure. We will all remember and miss his quiet dignity, his wry humor, his conscientiousness, and his warm friendliness.

Along with my colleagues, I wish him and his family an abundance of success.

COMMONSENSE JUDGMENT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. DERWINSKI. Mr. Speaker, I believe that the House Interstate and Foreign Commerce Committee has exercised commonsense judgment in very thoroughly scrutinizing legislation inspired by the energy crisis. I trust that we will not enact and pass unwise legislation which will grant excess authority to the executive branch.

A very practical editorial commentary was carried by WGN Continental Broadcasting Co. of Chicago on November 29, on this subject. I believe that it reflects commonsense thinking.

The editorial comment follows:

[WGN editorial, Thursday, Nov. 29, 1973]

THE ENERGY CRISIS—No. 5

President Nixon has again called on the little people to do their share to conserve short oil supplies. In what White House spokesmen said was only the first in a series of continuing announcements, the President set forth a 10-point plan to narrow the petroleum gap.

Individuals will begin to feel the crunch within the next few weeks. Under authority the President will have when Congress passes emergency legislation, speed limits on highways will drop to 50 miles per hour for automobiles, 55 miles per hour for heavy trucks and buses. There will be a ban on Sunday sales of gasoline. And, outside residential ornamental lighting will be banned. Then on January first, supplies of home-heating oil will be reduced 15 per cent from 1972 levels.

To be sure, industry will also feel the pinch. Among other things, there will be a reduction in supplies of heating oil, cutbacks in jet-fuel allocations, and a curb on promotional lighting for businesses.

The President has called on each of us to voluntarily reduce energy consumption until he has the power to make reductions mandatory. Judging by those who have reduced their speed limit to 50 miles per hour, there has been little cooperation so far. We'd like to see more. We'd also like to see the President set an example, by limiting his air travel as much as is possible for our nation's leader.

There has been a lot of grumbling, grum-

bling that the oil companies are reaping giant profits, while the rest of us suffer. At this point, however there has been no substantial proof that the oil shortage is contrived. Despite a credibility gap existing between the President and the people, this is one area where we must rely on Mr. Nixon's knowledge and the knowledge of his energy advisors, to steer the country out of what could be a national energy and economic catastrophe.

GERALD FORD

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. COLLINS of Texas. Mr. Speaker, last night when we all joined in welcoming GERALD FORD as our new Vice President, we saw a unanimity of the spirit that we have not seen for a long time in these United States. Sitting on my Republican side of the aisle, it was heartwarming to see the enthusiasm and the sincerity of the welcome extended by my Democrat friends on the other side of the aisle. It meant so much to all of us to see one of our own Members move up to become the Vice President of the United States.

But it is more than the fact that he is one of our Members. The great strength of GERALD FORD lies in the fact that he has a strong feeling for and understanding of America. Where many Members spend much too much time in Washington, JERRY FORD is always visiting throughout the country. He has been time and again in most every city and State of this country. He knows the problems of the farmer. He understands what it takes to keep industry rolling. He knows the problems of the trucker, the man in a blue shirt, a white-collar worker, or an employee in a department store. In Congress today we realize more and more that what we are concerned with is more than laws. We are concerned with people, and we are concerned with the best way to build a greater America for the future.

When President Nixon was called on to name a new Vice President, he had many outstanding men from whom to choose. He had many great women to whom he could have turned. But when he made his final selection, God was looking over his shoulder when he suggested GERALD FORD. The strong support that has been evidenced in the Senate and the House is confirmation of the high regard and confidence that we all have in GERALD FORD.

We are going to find the Senate and the House working more closely together. We are going to find better and more effective legislation when GERALD FORD teams up with House Speaker CARL ALBERT, for the best in this congressional term lies ahead.

As I was leaving the ceremony last night, I heard a fine old lady with tears in her eyes say, "God bless JERRY FORD." And to this I would like to add: God bless JERRY FORD, and God bless America, because I believe God blessed America when we named JERRY FORD as our Vice President.

MORE ON "U.S.A. IN MINIATURE"

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. PARRIS. Mr. Speaker, my constituent, Mr. John R. Kanline, of Alexandria, is continuing in his efforts for the acceptance and approval of a project entitled "U.S.A. in Miniature." Mr. Kanline has been extremely diligent in this matter, and I applaud him for his efforts to make the Bicentennial celebration more enjoyable for all the visitors to our Nation's Capital. Under my leave to extend my remarks, I include Mr. Kanline's most recent correspondence in the RECORD:

NOVEMBER 25, 1973.

HON. STANFORD E. PARRIS,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PARRIS: You have been most encouraging in support of a Bicentennial proposal, "USA in Miniature", by including your helpful remarks and my descriptive material in the Congressional Record, both on August 3, p. E5356, and October 24, 1973, p. E6725. Your support is deeply appreciated in moving this proposal to acceptance and eventual accomplishment.

Please include this letter along with your appropriate remarks in order to keep the history and record of this project complete and to further the proposal.

Since your last remarks in the Record, the Washington Post has interviewed me and published an article on November 15, 1973, as follows:

AMERICA, SCALED DOWN, URGED FOR BICENTENNIAL (By Adam Shaw)

John Kanline admits he is a dreamer, and one of his recurring dreams is the creation of a "park depicting, in miniature form, America's greatest sights and achievements" to help celebrate the country's 200th birthday in 1976.

"Things like a mini-Statue of Liberty, a small Golden Gate bridge, the Grand Canyon, Mt. Rushmore, a great steel mill . . . things like that," Kanline says.

A recently retired State Department official, Kanline, 55, is also a realist. Almost.

"I don't know if I can bring it about. I've been working on getting people interested for a year. I still don't have all that much of a response," he says. "But sooner or later it will be done."

The idea for the park, which he says ought to be in Washington "because this is the nation's capital," came from a trip to Holland during which he saw Madurodam, a four-acre miniature park outside the Hague that highlights the Netherlands' past and present in miniature.

"The bicentennial is a good thing on which to hang the park project," which he says, would provide tourists with "a chance to see most of America's wonders all in one place before going out and seeing some of them for real."

Kanline says he thinks big businesses should provide most of the funding, with the government and philanthropic organizations kicking in the rest.

His own investment in trying to get his minipark underway has consisted of "a year of my time, postage stamps, and two long-distance telephone calls. I can't afford more than that," he says.

"It's a great opportunity for industry to advertise, tastefully," he says, adding that he has contacted 117 of the country's largest corporations, suggesting his idea.

"We're investigating it," said a spokesman for U.S. Steel.

"Never heard of him," said one for Coca-Cola.

"Interesting idea," said Gulf Oil's man. "But financially right now, we're not interested."

"The bicentennial people have pushed me away," Kanline complained.

"We get ideas by the bushel," said Jane Shay, senior program officer for Festival U.S.A., the national bicentennial organization, for "almost every suggested project."

"We just don't have the money," she added. "If someone comes to us and says here's the money and here's the data to back it up, we'll look at it."

Kanline knows he's fighting an uphill struggle, writing letters and making telephone calls from his kitchen table in Alexandria.

"But it's something America should have. Not an amusement park, but a historical, entertaining and educational thing all put together," he says. Madurodam, he says, has working windmills, airports, oil ports, a castle and historical scenes. "And it's a profit-making thing."

Kanline says he has drawn up no plans, built no models, and done no cost estimates because "I'm not qualified. I just want to spark the idea, and hope someone will pick up the ball and run with it."

"I've spent a year trying to get the idea across to the big corporations, the government and the media," he says. "Maybe it hasn't worked, but I don't want to believe that. Anyhow, I've got the time to keep trying."

"I'm still something of a boy," he adds, smiling from under a gray crew-cut. "Miniaturization fascinates me, as it has, I think, a lot of people. Look at Disney World, at the way men play with their sons' toy trains. . . .

"There's no money in it for me. I'd just like to look at life and say I've contributed something more than this," he says pointing at a retirement plaque from the State Department.

In addition, the Alexandria Gazette has sent a reporter to my home for a description of the proposal. Your interest and assistance has brought the media to my door and I hope with good results. I believe it to now be the most talked about Bicentennial proposal for the area.

What I fail to understand after a year's effort, and media and Congressional cooperation is why:

1. The Bicentennial Commission has not called in the Park Service, the U.S. Travel Service at Commerce, or the Smithsonian to discuss the proposal and its feasibility;

2. The U.S. Chamber of Commerce or the National Association of Manufacturers and other industry and agricultural associations have not brought this proposal to the attention of their memberships;

3. The philanthropic organizations have had no exchange on this proposal.

Since November, 1972, I have made 3 rounds of telephone calls to 125 major U.S. industries and associations and in most cases the response was enthusiastic. The media and the Congress have been receptive and helpful. To me, this is a test of what one small voice can accomplish in a democratic capitalistic society using the only available media at his command. Could the Park Service donate a small parcel of land? I believe that if each industry paid for its exhibit, the cost could be minimal, and would afford "tasteful advertising."

I firmly believe that a small 4 or 5 acre park depicting the major sights (modern and his-

torical, industrial and agricultural) of this great Nation with operating miniature railroads, ships, ports and plants and refineries would be entertaining and educational for adults and children. This could be a national monument dedicated to some worthwhile individual or cause.

With the vast wealth and resources of this great Nation, with its knowhow in industry and with outfits like Disney and Marriott, who have experience in creating dream parks, I am hopeful that USA in Miniature can be created in limited form with a few exhibits by our 200th birthday, and with additions from its own revenues in the years to follow.

Your interest and support continue to be deeply appreciated.

Sincerely,

JOHN R. KANLINE.

CRIME CONTROL NO. 13

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. LANDGREBE. Mr. Speaker, the 1973 Convention of the Young Women's Christian Association passed the following resolution on gun control:

That the YWCA of the USA support: Federal legislation providing for the licensing of all gun purchasers, users and owners and the registration of all firearms, including ammunition and all other of their component parts; and for the banning of the domestic production, sale and possession of all hand guns not suitable for such purposes as law enforcement, military and licensed guard use, sport shooting and hunting.

Mr. Speaker, I am quite surprised at this action of the YWCA simply because I should think that the members of this organization would be among the first to favor private ownership of guns simply because this organization represents one of the sections of the population that is most threatened by the criminal element in the country. But there is also another surprising thing about the passage of this resolution.

The YWCA is classified as a charity and receives money collected by the United Fund Campaigns. The YWCA has, by its resolution, made it clear that its energies and the money collected as charitable donations are going to be directed toward achievement of its goals of gun control. Thus anyone who contributes to a United Fund Campaign is thereby contributing to the political campaign of the YWCA favoring Government monopolization of guns. If a business operated in the same way that the YWCA is operating, its officers would be prosecuted for violations of numberless statutes against fraud and deceptive advertising. But apparently if an organization is labeled a charity it is not expected to conform to such a rigid code of ethics, which is rather peculiar for an organization that bears the title Christian.

I suggest that anyone who is concerned about gun control laws should stop contributing to both the United Fund and the YWCA until the YWCA reverses its position on gun control.

Continued support of organizations

which advocate such unconstitutional laws can only lead to a demise of our constitutional Republic.

EYES ON THE FIGLEAF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. WOLFF. Mr. Speaker, next week the House will be considering the critically important Emergency Security Assistance Act, providing \$2.2 billion in military assistance to Israel. To those who are concerned about the effect of this aid to Israel upon our current energy crisis, I recommend the following Wall Street Journal editorial which gives a very sober analysis of the Arabs' real interest in boycotting the U.S. I refer them specifically to the Journal's parting comment:

The idea that to crush Israel (the Arabs) would ignore their economic interests, or would turn charitable if Israel were sacrificed, strikes us as a view tinged with the romanticism which has so often forged the Western view of the Middle East.

The entire text of the editorial follows:

[From the Wall Street Journal, August 21, 1973]

EYES ON THE FIGLEAF

With the voluminous talk of the "energy crisis" and the eternal tension in the Middle East, a great deal of attention has been focused on the possibility that the U.S. may have to back away from its support of Israel because of its need for Arab oil. We often wonder whether the West isn't more obsessed with Israel than the Arabs are.

Some Arab nations have long made rhetoric about oil and Israel, of course, and the current concern arises because Saudi Arabia has started to join in. Lobbying for a more pro-Arab U.S. policy by Mobil and Standard Oil of California, two of the partners in Saudi Arabia's main oil consortium, apparently results from something King Faisal said to their executives. But we wonder just what the king said, and what he meant by it. Similar well-publicized remarks by his oil minister, Sheikh Ahmed Zaki Yamani, seemed on close examination to peter out into remarkably vague and mild statements. We wonder whether the whole issue is being kept in perspective.

Take, for example, the "energy crisis," which in fact is America's adjustment to becoming a larger-scale importer of oil like other industrial nations. Saudi Arabia, which sits on some 28 percent of the world's proven oil reserves, is of course a key factor in meeting future world demand. And the United States will need some Middle Eastern oil to meet its increasing demands. But even 10 years from now about half of American needs will be met domestically, and nearly half of the rest from elsewhere in the Western Hemisphere. Some of the remaining 25 percent to 30 percent will come from non-Arab lands such as Iran. Up to now, for instance, our largest supplier from the Eastern Hemisphere has been Nigeria.

As far as the Arab world is concerned, a renewed war with Israel would indeed endanger the flow of Persian Gulf oil. But this possibility seems to have blinded American opinion to the even more serious Middle East trouble spots that border directly on the oil

*Coca-Cola since recalls the contact of the writer.

fields. As an immediate source of an oil crisis, Arab-Israeli conflict ranks somewhere below Kurdish nationalism, the Iraqi-Kuwait confrontation over the islands of Babian and Warba, the Iraqi-Iranian dispute over the Shatt al Arab waterway, the Saudi tension with Abu Dhabi over the Buraimi Oasis, and the ethnic rebellion in the Dhofar province of Oman.

Arab politics might not even be as monolithic on Israel as many in the West seem to think. In spite of King Faisal's fear of the Jews, the Saudis have not forgotten that the 1967 war forced Egypt to withdraw its expeditionary force from the Yemen, from which it occasionally dropped gas bombs on Saudi border villages.

Rhetoric about Israel in fact often seems to be a "figleaf," as one Middle East bureaucrat puts it, for more pressing economic objectives. Saudi reluctance to increase oil production has its real origin in problems of absorbing oil revenues in a near-feudal economy. Yet the London-based International Institute for Strategic Studies says the answer favored by the Saudis and other Arabs is "a dream of transforming themselves from mere reservoirs into industrialized states, exploiting a combination of surplus capital and cheap energy in order to process oil and other goods for the world market." This dream needs cooperation from America, both as an outlet for investment money and for help creating a local petrochemical industry; the IISS remarks that industrialization depends on "assured export markets for oil products and other manufactures."

While Saudi Arabia may suffer pressure from more militant Arab lands, the militants themselves have their own economic interests. We hear reports that Iraq's oil boycott plan, for instance, would give Iraq an increased share of the market. Libya has nationalized American properties ostensibly over Israel, but it has nationalized British properties ostensibly over the Persian Gulf islands of Abu Musa, Greater Tunb and Lesser Tunb. It recently put production limits on Standard Oil of California despite California Standard's pro-Arab lobbying, suggesting that the real targets of the campaign are the oil companies that have not yet agreed to Libya's economic demands.

Egypt's President Anwar Sadat saluted one of Libya's nationalizations in a militant speech about beginning the battle against American interests in the Arab world. Two weeks before, he was inviting Exxon to explore for oil under a 30-year contract. Two weeks later, he was soliciting American bids for construction of a \$300 million Suez-Mediterranean pipeline.

The Arabs no doubt are tough customers to deal with, as are the Norwegians, the Ecuadorians, the Alaskans and almost anybody else who sits on oil. There may be serious troubles ahead if the Arab decide to forsake their development plans and sit on the oil instead. But the idea that to crush Israel they would ignore their economic interests, or would turn charitable if Israel were sacrificed, strikes us as a view tinged with the romanticism which has so often fogged the Western view of the Middle East.

BAN THE HANDGUN—IX

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. BINGHAM. Mr. Speaker, the absence of strict national gun controls, in my opinion, is responsible for the influx of out-of-State arsenals used by criminals to terrorize our streets.

The editorial printed below which appeared in the December 3 edition of the New York Post ably argues that the time for a major offensive against the gun racket is long overdue:

GUNS OVER NEW YORK

New and deadly evidence confirms earlier reports that this city has been invaded by rings of gun runners selling thousands of cheaply made cast-metal pistols—"Saturday night specials"—in a flourishing black market.

The latest bad news is contained in a study by the Treasury Dept.'s Bureau of Alcohol, Tobacco and Firearms which reveals that one gun ring alone transported 3600 such weapons into this area between February and October of last year. And that was one of many such operations.

Local police statistics show a direct correlation between these out-of-state arsenals and a high percentage of the pistols seized in New York crime episodes.

Access to illegally transported firearms is not the exclusive cause of crime in this city. But it is obviously a major contributing factor, and it is one about which something can be done swiftly and decisively.

As Mayor Lindsay and police officials have repeatedly pointed out, the illicit traffic is a product of the lax or nonexistent gun laws prevailing in large parts of the country; 31 states require no permit or license of any kind of purchase a handgun.

The effectiveness of New York City's stringent statute is grimly undermined by the national loopholes. Only drastic federal legislation offers a real answer. But President Nixon and most of the Congressional leadership continue to capitulate to the gun lobby even while periodically waging a rhetorical "war on crime." A major offensive against the gun racket is overdue.

HELP FOR CIVIL SERVICE RETIREES

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. CHAPPELL. Mr. Speaker, at the beginning of this session, I introduced a bill to provide for continual application of current basic pay scales to Federal civil service annuities. This bill provided a more substantial increase than does H.R. 9107 for our older retirees in that it equalized annuities for past retirees based on current pay scales. Although the committee did not report the bill which I introduced, by reporting H.R. 9107 they did affirm the need for action in this area.

Liberalization of civil service retirement laws and increases in Federal salaries in recent years have strengthened civil service retirement benefits. However, corresponding increases have not been reflected substantially in the annuities of our earlier retirees. The majority of these retirees do not have social security coverage and will not benefit from recent social security increases. The fact remains that many of these retirees are feeling the full impact of today's inflationary economy and are in dire need of a general annuity increase simply to meet daily living costs. In some cases, the annuity received by civil service retirees is much less than the

minimum received by those covered by social security, and the collation remains that the older the retiree, the lower the income.

Mr. Speaker, I urge the Members of this House to consider carefully the situation of many of our elder citizens on fixed incomes who must also try to some way meet the cost of living today. H.R. 9107 will be a great step toward equalizing earlier benefits with those received by today's retirees, and will be a great help to these senior citizens.

I urge its passage.

SENATOR JENNINGS RANDOLPH: A REAL PROPHET

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. MOLLOHAN. Mr. Speaker, there is a man in our midst in the Congress today who for nearly 15 years has been urging the adoption of a national energy policy. On August 18, 1959, this distinguished Member of the Senate introduced a resolution calling for creation of a Joint Committee on a National Fuels Policy.

On June 12, 1961, this same perceptive gentleman testified before the Senate Interior Committee and urged America to retain its self-sufficiency in meeting ever-growing energy needs. He said, in part:

The United States of America, the richest country the world has ever known, is, by its own complacency, gradually placing itself at the mercy of those it should most diligently guard against. By neglecting to apprise ourselves of the true, unbiased, realistic picture of our own energy wealth and stability, we are gambling with our country's future.

These prophetic words were spoken in the Halls of this very Capitol more than 12 years ago by my good friend and able colleague JENNINGS RANDOLPH, and the senior Senator from West Virginia.

Senator RANDOLPH, as we all know, is a highly capable veteran Member of the Senate who never ceases in his efforts to pursue legislation that will benefit America and all of her citizens. This country has profited many, many times from the persistent and decisive leadership.

The Wheeling News-Register, a paper in my district, recently documented Senator RANDOLPH's untiring efforts to steer this country toward a self-sufficient energy policy. The editorial, which follows, is a well-deserved tribute to a wise and forthright legislator. I am certain each of my colleagues will agree with the Wheeling News-Register that this Nation can no longer afford to ignore the wisdom of JENNINGS RANDOLPH.

The editorial follows:

SENATOR RANDOLPH THE "PROPHET"

No more prophetic statement relating to the current energy crisis ever was uttered than that by West Virginia's perceptive United States Senator Jennings Randolph on June 12, 1961.

Testifying before the Senate Interior Com-

mittee on that date, Senator Randolph spoke these words:

"Every year that passes, in which we become more and more dependent on foreign oil to buttress our national economy and security perhaps is one year nearer disaster. What makes this all the more tragic is that it is unnecessary. The United States of America, the richest country the world has ever known, is by its own complacency gradually placing itself at the mercy of those it should most diligently guard against. By neglecting to apprise ourselves of the true, unbiased, realistic picture of our own energy wealth and stability, we are gambling with our country's future."

"This nation has a foreign policy—a defense policy—a farm policy—and the beginnings of a transportation policy. All are necessary and of first importance. But not one of them is so basic to our national security and economy as would be a national policy in respect of those energy fuels that make all of them possible and without which, or lacking an abundant available supply of which, would render all other national policies impotent and would disarrange our country industrially, economically, and militarily."

Imagine that—12 years before the Nation suddenly discovered that it was faced with a critical energy problem, Senator Randolph spelled it all out. In fact even earlier on August 18, 1959 Senator Randolph introduced a resolution in the Senate calling for the creation of a Joint Committee on a National Fuels Policy. Ever since, he has persisted in trying to arouse successive administrations to the need for an overall energy policy to head off a fuel crunch which now has arrived.

It must be galling to Senator Randolph to hear the many warning statements by the "Johnnies-come-lately" to the energy scene these days, including President Nixon's attempt to blame the Congress for not facing up to the problem earlier.

As we noted last week it was the Nixon Administration that opposed Senator Randolph's move in July 1970 to create a National Commission on Fuels and Energy.

It is time that we heeded the advice of Sen. Randolph and set about formulating and establishing specific national energy goals and policy objectives. Whatever policy we have at the moment is the sum total of the product of more than 40 federal departments, agencies and regulatory commissions.

We find it difficult to forget the repeated denials by the Nixon Administration and the major oil companies that a petroleum shortage was looming, denials repudiated by last winter's mini-crisis in heating oil.

Then, last spring, the administration and the industry reluctantly acknowledged that further shortages might be expected, but shrugged these off as potentially no worse than a one or two per cent inconvenience.

It is not too late now for a full and frank disclosure of the facts surrounding our current energy predicament. Regardless of where President Nixon wants to assign blame we insist that the record show the efforts made by West Virginia's U.S. Senator Randolph to head off the troubles with which the nation now is confronted.

THOMAS M. PELLY

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. WYDLER. Mr. Speaker, I had the great pleasure of knowing Tom Pelly in the years that I have served in the

Congress. In the early days, he was a great opponent of something called backdoor spending, but what caught my eye was the manner in which he presented his case, which was always received with great respect by his fellow Members in the House.

I had the further pleasure of serving with Tom on the Science and Astronautics Committee and watching him in operation there. He was always most effective. Most important, of course, was the type of man that Tom Pelly was, and I can only say that he added much to the life of our country, and made my own life more pleasurable.

I will miss him.

TEENAGERS: AWARE, LESS PERMISSIVE

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 7, 1973

Mr. HANRAHAN. Mr. Speaker, anyone who has become weary of hearing about the "long-haired, spaced-out" youth of today should find refreshment in this interesting and enlightening article from the Christian Science Monitor. Aside from changing music and clothing fads, I do not think the current generation of youth is much different from any other generation; but if there is a difference, I believe the youth of today is more aware of our Nation's problems than any generation preceding. I am very proud of our young Americans, and I would like to submit the following article for the benefit of my colleagues:

[From the Christian Science Monitor, Dec. 4, 1973]

TEENAGERS: AWARE, LESS PERMISSIVE

CHICAGO.—U.S. teen-agers:

A radical group of unruly, agnostic long-hairs who like yoga and get high on pills? No, says a new poll of high school student leaders.

Instead, today's youth is politically and socially minded; they rate the economy and the environment as the two most pressing national problems; the majority favors traditional marriage; three-fourths say they have never used drugs, including marijuana.

A full 95 percent state they get along with their families, and most indicate they think they can communicate with adults, including their parents.

The poll of 26,000 high-school juniors and seniors, the largest independent poll ever taken of high-school leaders, was conducted this summer between June and August by Who's Who among American High School Students, a publication in Northfield, Ill.

PLANS FOR COLLEGE

The total of 153,000 teen-agers was listed in the 7th annual edition of Who's Who, and was selected for leadership in the fields of academics, school activities, community service, and athletics.

The opinions do not reflect the average student, since nearly all the participants have a "B" average or better and plan to go on to college.

In the political arena student leaders gave President Nixon a high rating for improved relations with China and the Soviet Union. They considered ending the Vietnam war and

withdrawal of troops a major accomplishment, but 52 percent thought the settlement could have been reached earlier.

Watergate: Although the poll was taken in mid-summer, just after the Ervin committee hearings got under way in the Senate, 7 out of 10 saw loss of public confidence in the President and weaknesses in our political structure.

SUBPOENAS FAVORED

Forty-five percent of the youth, at that time, thought the president should be subpoenaed to testify in court; 40 percent thought he should continue in office unimpeded; 4 percent favored impeachment; 4 percent thought he should be censured; and 7 percent had no opinion.

Showing a general disillusionment with government, one-half the students surveyed thought elected government officials were not living up to acceptable standards. A scant 19 percent considered elected officials persons of honor and integrity—an about-face from results of a similar poll in 1971.

A majority favored limiting individual and corporate campaign contributions to \$1,000 or less, while most thought all public officials should be required to disclose their sources of income.

With the prospect of fuel shortages for the winter already apparent, 6 out of 10 students felt the energy crisis could be attributed to poor government management of natural resources, producers holding back on fuel supplies to boost prices, and the public's overuse of energy resources.

PROBLEMS RECOGNIZED

Although they recognized the energy problems, only 43 percent said they would be willing to drive their cars less or to take other energy conservation steps. Two years ago in a similar poll, nearly twice as many students said they would be willing to make necessary sacrifices.

While attitudes toward women and their role in marriage are changing, students' opinions do not reflect radical changes regarding the institution of marriage. A full 83 percent favored the traditional form of marriage the same number indicated a definite interest in practicing birth control and stabilizing population levels.

Today's youth appear to be less permissive than students questioned four years ago. Seventy-two percent say they have never participated in sexual intercourse; only 60 percent replied similarly in 1970. Forty-one percent stated they did not approve of premarital intercourse under any circumstances, while 24 percent indicated they approved only if the couple intended to marry.

The incidence of drug use reported by the student leaders is infrequent, but the use of alcohol is increasing when compared to previous surveys.

Surprisingly, 72 percent reported they had never used marijuana, and over 91 percent of the students surveyed said they had never used any hard drugs. Only 3 percent said they approved of the use of hard drugs—heroin, LSD, speed, cocaine—and only 35 percent approved of the use of marijuana. However, a large majority said drugs were readily available in their high schools.

Only 27 percent said they had never used beer (compared to 34 percent two years ago). Some 38 percent responded that they had wine occasionally and 9 percent indicated they drank it regularly. The response for hard liquor: 29 percent occasionally, 5 percent regularly; for beer: 32 percent occasionally, 15 percent regularly.

The home still is an important bastion to teen-agers: One-half of the students discuss most of their close problems with family members; 68 percent indicated they intended to raise their own children in much the same way their parents brought them up.