EXTENSIONS OF REMARKS

UNITED STATES MUST BOLSTER MERCHANT MARINE

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HUNGATE. Mr. Speaker, while the debate goes on about women being assigned along with men to sea duty, the recent bestowal of an admiral's title on one of Missouri's and our Nation's great ladies should bring a quick end to any question of women's rights to the high seas. Mrs. LEONOR K. SULLIVAN, chairman of the House Merchant Marine and Fisheries Committee, and my distinguished colleague from Missouri, was selected to receive the Admiral of the Ocean Sea Award by the United Seamen's Service.

I would like to call the attention of my colleagues to the following article and editorial from the St. Louis Globe-Democrat of December 17 and 18, 1973, respectively:

UNITED STATES MUST BOLSTER MERCHANT MARINE, REPRESENTATIVE SULLIVAN WARNS

WASHINGTON.—The United States is in the frightening position of depending on foreign ships to carry 94 percent of its international trade, Rep. Leonor K. Sullivan (Dem.), St. Louis, has warned.

This vulnerability must be reversed, she said, by revival and expansion of the American merchant marine, which in turn will come through "hard accommodations" by maritime management and labor.

Mrs. Sullivan, as chairman of the House Merchant Marine Committee, was selected to receive the AOTOS award by United Seamen's Service, an industry organization.

The award carries the rank of Admiral of the Ocean Sea and is for outstanding contributions to the American merchant marine. She is the first member of Congress to be so honored.

The symbol of the award is a silver statue of Christopher Columbus, the only seaman to be given the rank of Admiral of the Ocean Sea.

In her acceptance speech at the award ceremony in New York, Mrs. Sullivan said the United States is risking "international blackmail in carrying less than 6 percent of its own foreign commerce."

"The suddenness of the energy crisis brings home to us the precarious position of the American economy when we depend, for even a small share of essential needs, on the personal whim or nationalistic zealousness of leaders of autocratic regimes," she said.

"If we are in such pervasive economic dislocation because of an arbitrary shutoff of 6 or 11 or 17 or whatever percent it is of our oil needs by the concerted action of a few small nations. Where would we be if the 94 percent of the ocean shipping we use were to be suddenly withdrawn or sharply curtailed for political or other reasons?"

ADMIRAL SULLIVAN SOUNDS WARNING

If the Navy Department were on the ball, it would offer Congresswoman Leonor K. Sullivan of St. Louis a direct commission as admiral and let her run the merchant marine program, a Navy responsibility in time of war and a loosely affiliated fleet in time of peace.

Ms. Sullivan is so well versed in merchant marine affairs that no one could challenge the selection.

Although the Navy isn't likely to do this, the United Seaman's Service has given her an award which carries the rank of Admiral of the Ocean Sea. The award by the industry organization, given for outstanding contributions to the American merchant marine, is the first to a member of Congress.

As chairman of the House Merchant Marine Committee, Mrs. Sullivan has been vociferous in warning of the dangers the United States faces in allowing its merchant marine to deteriorate to the point where it now handles only 6 per cent of our own foreign commerce. To some extent the slide has been halted by passage in 1970 of President Nixon's 10-year, $4 billion program to build an anticipated 300 efficient new ships, but even this step may be too little, too late.

As the St. Louis Democrat points out, it is folly for the United States, which is responsible for about one-third of world trade, to have to rely on "the personal whim of nationalistic zealousness of leaders of autocratic regimes" for "even a small share of essential needs." If we think the oil embargo is bad, she said, it is minor compared to what could happen with a shipping boycott.

The United States must depend upon its own cargo and passenger fleet in time of war, and it should depend upon its own shipping resources in time of peace. This country was once the world leader in shipping, but now it has fallen to a dismal sixth place, while Russia, for one, has tripled its merchant fleet in the past dozen years.

Congresswoman Sullivan's warning should be heeded by her colleagues, and by all Americans.

Mrs. Sullivan, Globe-Democrat Woman of Achievement, richly deserves the title Admiral of the Ocean Sea, and she appears to be discoverer of the fountain of youth as well. Lee Sullivan has served the people of Missouri in Congress for 21 years, but she gets younger and lovelier looking with each term.

Mrs. SULLIVAN, the first Member of Congress to receive this award, is to be commended for her great contribution to the merchant marine industry and to all of us who benefit from her efforts in furthering worldwide shipping.

GOOD MAN TO CALL IT QUITS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. DERWINSKI. Mr. Speaker, the retirement of many of Illinois' outstanding Members has already been announced, including one of my distinguished colleagues, and my great friend and political neighbor, HAROLD R. COLLIER.

At the time, HAROLD announced his retirement, a number of publications serving the district he has so ably represented for 18 years, took the time to call to the attention of its readers, HAROLD'S outstanding record.

In his column, Editor Paul Coffman of the Star-Sentinel Newspapers, who has known HAROLD throughout his political career, personally thanked HAROLD COLLIER for the service be has performed to his constituents:

THE WAY IT LOOKS TO ME: GOOD MAN TO CALL IT QUITS

(By Paul D. Coffman)

Congressman Harold R. Collier of the Sixth District of Illinois has announced that he will not seek reelection to the office of U.S. Representative in 1974. Congressman Collier will have completed nine two-year terms in the house upon his retirement.

In my opinion, Congressman Collier has performed yeoman service on behalf of the residents of our West Suburban area and his presence as our representative in national matters will be sorely missed by his constituents.

Although a lifelong Republican, Congressman Collier has represented all of the residents of his district in a non-partisan manner and has always made himself available at all times to discuss legislation and even personal problems of those whom he represents.

Congressman Collier has stated that "shuffling back and forth between Washington and Illinois for eighteen years" has been a long time, and we thoroughly agree with him. We do feel, however, that the sacrifices he has made on our behalf should be rewarding to such a dedicated man.

The congressman has stated that he would like to spend his remaining active years in the private, rather than the public sector, and we wish him well in whatever pursuit he wishes to follow.

To those of us in the print media, who have grown to know Congressman Collier over the years, we have found him to be one of the most cooperative persons we have chanced to meet in public life. No matter how busy he might be, he has always been willing to take the time to discuss government matters which have been of importance to his constituents.

I would like to personally thank Congressman Collier for his eighteen years of public service and feel that I am reflecting the thoughts of the thousands of citizens in the Sixth District who have returned him to office for 9 consecutive terms. Finding a replacement for such a devoted man will take quite a bit of doing.

A GOOD MAN

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. BYRON. Mr. Speaker, recently my good friend, Charles Francis Wilding, was presented the Eastern Montgomery-Kensington-Wheaton Democratic Club "Citizen of the Year" award. The award, a silver cup, was presented by Selig Freedman, president of the club.

Charles Francis Wilding has contributed many years of service to the Democratic Party in Montgomery County as well as his efforts as columnist for the Suburban Record. I want to join his many friends in congratulating him for this achievement, and I would like to share with my colleagues an editorial from the Suburban Record:

A GOOD MAN

We were pleased to learn that the Eastern Montgomery-Kensington-Wheaton Democratic Club had recently honored Suburban

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Record Democratic columnist Charles Francis Wilding as its "Citizen of the Year."

By the very nature of the political opinion writing field into which Wilding has dared to venture, he has not pleased all of the people all of the time; it is even possible that he has pleased some of the people none of the time. But we know he has a large readership and we are confident that even among those who disagree with him most often there is an underlying respect for his fairness.

The side of Wilding which only the Record could know about is his conscientiousness in coming forth with his column every week in every year—and year after year. We know he has not missed a column deadline in the last 10 years and only once during a number of prior years.

Not only has he been dependable from the deadline point of view, but he has always been considerate about informing the editor when there was the need to change the submission schedule by even an hour or two.

You are a good man, Charlie Francis, and we are happy to share that knowledge with the Eastern Montgomery-Kensington-Wheaton Democratic Club.

NEW "CAR POOL" CATCHES ON

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. FRENZEL. Mr. Speaker, a recent article in the Christian Science Monitor did a good job of highlighting the excellent promotional work being done by the transit officials in the Twin Cities to encourage bus ridership.

While the Metropolitan Transit Commission's particular promotional techniques may not be right for every city, they illustrate the point that public transit must become far more market oriented if it is to make substantial increases in ridership.

The Metropolitan Transit Commission has succeeded in turning transit patronage around. Hopefully more cities will get the message and become more aggressive in selling their transit product.

The article follows:

NEW BUS—PARDON, CAR POOL—CATCHES ON—SUBURBANITES LURED TO TWIN CITIES BUSES WITH NEW IMAGE—PAINTED TO LOOK LIKE CARS

(By Michael W. Fedo)

MINNEAPOLIS.—More people like accountant Eric Wilson are riding the bus here these days—and the fuel crisis is not the only reason.

Early last week, Mr. Wilson hung a "for sale" sign on his 1972 Mustang and stopped driving 16 miles each morning from his home in suburban Burnsville to his office in downtown Minneapolis.

He claims he no longer needs the second car since he has joined "The Greater Metropolitan Car Pool," which now carries him to and from work.

This newly conceived "car pool" is becoming a Twin Cities euphemism for bus. The Metropolitan Transit Commission (MTC) bus formerly was an anathema to middle- and upper income people here, where automobile usage is the highest per capita in the country, and where more money per family is spent on cars than on food.

The Greater Metropolitan Car Pool, a slogan coined by a local advertising agency in an attempt to woo Twin Cities drivers from their cars and into buses, is creating a new image of the bus and its potential riders.

Buses here are painted to look like cars. Some have the classic Duesenberg painted on the sides. Others have station wagons or Volkswagens. The gimmick, according to Frank Kroncke, a spokesman for the agency handling the campaign, is that bus riders still can have "their" car, while riding the bus.

Doubtless the fuel shortage has contributed to increased ridership here, but significantly, many professionals say they are no longer embarrassed to be seen riding the bus.

"I really didn't relish the idea of not driving," Mr. Wilson said. "I'd commuted for 11 years, and didn't like the traffic snarls and noxious fumes, but I still felt I had freedom with the car. I guess I could have taken the bus before, but like a lot of other people, I assumed buses were for the poor, the old, or the handicapped.

NEIGHBOR RODE BUS

"I started using the bus because I saw a neighbor riding one. He owns his own business and there are three cars in his family. Anyway, seeing him ride the bus helped me get rid of the stigma attached to them. Now I wouldn't go back to driving—fuel shortage or not. It's more convenient and cheaper by bus."

While riders have increased on several Twin Cities runs in recent weeks, other metropolitan companies report little noticeable increases.

Mr. Kroncke says this is due to the negative attitude most Americans have toward public mass transit and buses in particular.

"People with good jobs, especially, are concerned about losing status if they ride a bus," he says. "The guy riding the bus is on the skids, they think. Market research shows this time and again. What our agency has done is simply to try and upgrade the image of the bus and the rider."

TV CAMPAIGN

The television campaign geared to undermine the commuter's love affair with his car has been under-way for several weeks.

Commercials show executives, suburban housewives, and dancing girls singing the praises of the Greater Metropolitan Car Pool, and providing the audience with the phone number where information concerning stops and schedules may be obtained.

Says an MTC spokesman. "We don't hate cars. We just think the public would be happier riding one of ours."

A public corporation since 1970, the MTC has gone beyond advertising promotions, initiated with a "we're getting there," campaign, which told bus patrons new buses would be arriving with more comfortable seating and more convenient schedules and that expanded service could be expected.

ROUTE MILES DOUBLED

The MTC has moved into the suburbs and doubled its route miles to almost 2,400. Several express buses run from suburbs along normally crowded freeways and soon will be given preference over automobiles. Cars will be metered according to traffic load and not allowed on certain entrance ramps until the the existing load diminishes.

Harry Springer, general manager of the MTC says, "It's difficult to know exactly how effective advertising has been in getting more people to ride the bus, but it had to have made some inroads. It has certainly helped form public opinion about bus service."

Another company official maintains that changing the image of the bus can turn mass transit around.

THE NEW YORK YEARLY MEETING OF THE RELIGIOUS SOCIETY OF FRIENDS CALLS FOR THE IMPEACHMENT OF RICHARD M. NIXON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. RANGEL. Mr. Speaker, in parliamentary organizations, the political party in power is always subject to a vote of confidence whenever its administration of the government is considered unacceptable to a large segment of the people it represents. If the party in power fails to pass the vote then immediately the government is dissolved and new elections are held.

The American counterpart to the parliamentary vote of confidence is impeachment. The use of impeachment as a political tool to oust the opposition administration has, fortunately, not taken place in the development of American government. The spirit of cooperation that has developed between the opposing political parties has always been one of the strong glues that has bonded America into a strong Republic.

In the case of President Nixon, however, this longstanding spirit of cooperation has many Members of Congress convinced that they cannot impeach the President. We must not forget why the Founding Fathers of this Nation put this procedure into the Constitution—they foresaw the failings of humanity that might one day overtake the Nation's Chief Executive. It is now time for this House, as the representatives of the people, to accept our constitutional responsibility to move forward with impeachment proceedings to determine if President Nixon should be charged with impeachable crimes and removed from office.

In support of this call to constitutional responsibility I am submitting a humble appeal issued at the New York yearly meeting of the Religious Society of Friends:

MINUTE ON THE IMPEACHMENT OF RICHARD M. NIXON

It is fundamental to the Friends testimony that we speak out against injustice and the corruption of power in government; that we be active in the struggle to maintain in government men of honesty, integrity, and good will; and that we do these in the spirit of conciliation and humility.

Richard Nixon and members of his Administration have indulged in acts which render them suspect of betrayal of our democracy. We believe that the American people bear responsibility in the present corruption, for it is the responsibility of all—the leaders and the people—to make representative government work.

We therefore ask that the House of Representatives proceed with the impeachment of Richard Nixon in the belief that by so doing the House will be fulfilling its obligation to the democratic process as embodied in the Constitution, to the Presidency, and to the American people.

We of the Religious Society of Friends pray that this course of action will be a step toward resolving the present dilemma of

Richard Nixon and will strengthen representative government. We seek that of God in everyone, and the will of God in all areas of life.

Approved by the Legislative Committee (Walter Ludwig, Chairman) New York Yearly Meeting of the Religious Society of Friends (Quakers)* December 1, 1973.

CODES AT U.S. ACADEMIES TERMED ILLEGAL

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. YOUNG of Georgia. Mr. Speaker, the New York Times carried an article on December 16 regarding a study of the five U.S. military academies' codes of conduct, honor, and ethics.

One very disturbing conclusion is that the academy codes, in many cases, violate the constitutional rights of the cadets.

The article raises serious questions that deserve the attention of Congress, especially when one understands that, as the article points out, as many as 85 percent of the Nation's highest ranking officers in the Army and Navy are academy graduates. If in fact the academies are indoctrinating our military leaders to the extent that in the name of "patriotism" they can accept a Mylai massacre, or rationalize the use of chemical warfare on innocent civilians, or excuse any inhumane military practices as protection of our national security, then, my colleagues, it is indeed our responsibility to initiate some action that brings the conduct, honor, and ethics codes of the U.S. military academies within the boundaries of the Constitution.

Mr. Speaker, because of the seriousness of its implications and because of its timeliness in light of the involvement of all my distinguished colleagues at this time in the nomination of young men to the academies, I am inserting the text of the article in the RECORD:

MILITARY CODES TERMED ILLEGAL—STUDY DECLARES ALL FIVE U.S. SERVICE SCHOOLS VIOLATE CADETS' LEGAL RIGHTS

(By James Feron)

A two-year study of legal practices at the nation's five military academies has found what are alleged to be extensive violations of constitutional guarantees in maintaining conduct, honor and ethics codes.

Soon to be published by the New York University School of Law, the survey cites hundreds of examples of cadets being deprived of the due process of law in seeking to defend themselves against disciplinary charges.

According to the study, made by a 26-year-old graduate of the Air Force Academy, the examples include unfair expulsion, high attrition rates and, most serious, the fostering of a contempt for the law that leads to justification of "undesirable military practices."

An alleged disdain for "legal technicalities," such as lack of sufficient evidence, is combined with an exaggerated sense of honor and integrity to produce an attitude of moral superiority, the study says.

FIVE ACADEMIES STUDIED

This, in turn, enables the nation's highest-ranking officers, 85 per cent of whom in the Army and Navy are academy graduates, "to accept a Mylai massacre or 14 months of secret bombing, of Cambodia as protection of the nation," according to Capt. Michael T. Rose, the author of the report. Captain Rose is currently assigned to the judge advocate general's office at McGuire Air Force Base in New Jersey.

"What the honor code really does is inculcate values that are socially undesirable," Captain Rose said in an interview. "Military honor has traditionally bound the officer corps together, but it has been redefined to contain a super loyalty that forbids any deviation from the norm."

The survey explores the nature of adjudicatory systems at the nation's five service academies: the United States Military Academy, West Point, N.Y.; the Air Force Academy, Colorado Springs; the United States Naval Academy, Annapolis, Md.; the Coast Guard Academy, New London, Conn., and the Merchant Marine Academy, Kings Point, L.I.

THREE SYSTEMS ANALYZED

Captain Rose visited each academy twice, and with the help of other editors of The Law Review and law students, some of whom also were academy graduates, compiled the documentation listed in 1,300 footnotes.

Although the study analyzes all three systems—conduct, administered by the officers, and honor and ethics, controlled by the cadets themselves—it is the honor code as practiced at West Point and the Air Force Academy that receives most of the attention.

Captain Rose argues that because the cadets are under military control they are entitled to the constitutional protection of due process. The academies say cadet codes are administrative and part of a separate jurisdiction.

The counter-argument, as offered in the study, is that academy officials have created the systems, support them and are therefore responsible for them. Court decisions over the years have supported both points of view and new rulings can be expected with the litigation that the survey is expected to provoke.

UNIFORM CODE CITED

Captain Rose says that cadets often are deprived of many legal safeguards, such as rights to counsel, to confront witnesses and to cross-examine, when they are being accused of an honor violation—lying, stealing or cheating (and, at the Air Force Academy and West Point, toleration of these offenses.)

The academies, he adds, will impose four and five times the maximum punishment allowed by the Uniform Code of Military Justice, which sets a limit of 60 days' restriction without a court-martial, for violation of the conduct code.

Cadets, similarly, are punished for alleged offenses committed while on leave—civil authorities normally handle such offenses—in violation of a jurisdictional statute that sets limits on such prosecution.

The cadets also are subject to double jeopardy, denied equal protection, prosecuted for insubstantive offenses, such as sitting in a parked car, and subjected to pressures intended to thwart their rights to appeal.

The "silence," or shunning of West Point cadets in alleged violation of the honor code, was recently discontinued following disclosure by the New York Times of the case of Cadet James J. Pelosi. Captain Rose's study analyzes the legal aspects of the case of Cadet Pelosi, who had been found guilty of completing an answer on a quiz after the order to stop writing.

Although the cadet denied the charge and produced witnesses on his behalf, and although the case was dismissed by the academy's superintendent, the silence was instituted. It continued for a year and a half, until his graduation in June this year.

This ostracism—physical as well as social—had been imposed by the cadet honor committee after the superintendent, Lieut. Gen. William A. Knowlton, ordered Cadet Pelosi returned to the corps in good standing.

"The silence is a blatant example of cadets learning that no matter what the law requires, if their personal value judgment dictates otherwise, the law can be ignored," Captain Rose said.

A dramatic example of the procedural aspects of the honor system at the Air Force Academy was uncovered by Captain Rose during a cheating scandal in 1971. Within 48 hours after the initial discovery of large-scale cheating, the honor board conducted 40 honor hearings, 39 of which resulted in separation from the academy.

One of the former cadets, now an enlisted man due to be discharged from the Air Force next May, provided this account of how the investigation was conducted:

"They got us up at 0300 hours, isolated us, refused to let me sit down, stood me facing the corner, refused to give me a blanket. The honor committee interrogated us continuously, refused any phone calls, did not advise us of our rights, refused to inform me of my charges. . . .

"During the first hour or so the wing commander had me in a brace [exaggerated posture of attention], screaming at me from approximately three inches in front of my face. He lied, saying [another] cadet had 'spilled the beans on me' and that another group would 'crack me' with their interrogation methods."

Violations differ from academy to academy, Captain Rose said. The sea academies, he added, were more tolerant than the Air Force and West Point, although there were exceptions.

The solution, Captain Rose says, is codification of the honor and ethics codes, having honor boards bound by precedents and adopting procedures developed by qualified lawyers in accordance with constitutional requirements. The Congress, he added, must initiate these moves because the academies, highly inbred, are unable to do so.

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 60

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. HARRINGTON. Mr. Speaker, again the abundance of guns in our society has resulted in another senseless death. Today, I am inserting into the RECORD from the December 18 New York Times the text of an article about a man who shot two of his neighbors to death in front of their house, because of a dispute over the raking of leaves. I am convinced that strict regulations on the sale of guns would prevent many of these tragic killings.

The text of the article follows:

COUPLE SLAIN BY NEIGHBOR IN A LEAF-RAKING DISPUTE

CHICAGO, December 17.—A 35-year-old man shot his two neighbors to death in front of their townhouse yesterday in a dispute over raking leaves, the police said.

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*Constituent Meetings: New York, Northern New Jersey, Southwest Connecticut, and Western Vermont.

Harry Curtis, 35 years old, was jailed on charges of murdering his neighbors, Clyde Steele, 30, and his wife, Ruth Steele, 27.

After the shootings, the police said Mr. Curtis barricaded himself in his own townhouse, but surrendered minutes later without a shot being fired.

REMARKS OF GEN. ROBERT J. DIXON

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. DOWNING. Mr. Speaker, on November 16 of this year, it was my privilege to be present at the U.S. Air Force Association chapter dinner at the Langley Air Force Base, Va. I found the remarks Gen. Robert J. Dixon, commander, Tactical Air Command, made at that time most interesting and I am pleased to make them available to my learned colleagues so that they may have the opportunity to profit from them as I have:

REMARKS BY GEN. ROBERT J. DIXON, COMMANDER, TACTICAL AIR COMMAND, AT LANGLEY AFA CHAPTER DINNER, LANGLEY AFB, VA., NOVEMBER 16, 1973.

This is surely a gala night at Langley:

I see out there a real and heart-warming gathering of the clan—those who have come from a distance in time—others from distance in space—and some from both time ago and far away.

I sense in the gathering a purpose, a message—an upswell—and of course, a warm welcome to my family and to me. We are touched by your presence—and Tactical Air Command is honored.

In that context, let me say at the outset that the Langley Chapter of the Air Force Association deserves the highest praise for the remarkable progress it has made since its organization in 1964. Mr. Fowler—Tom—you and your predecessors, and the many who have labored so diligently through the years to give the Langley chapter the national prestige it enjoys, are to be congratulated.

This is one kind of the broad, vigorous, imaginative support the whole Air Force must have if the United States is to maintain the air power necessary to insure our security.

Your role is indispensable in this process and you clearly know it and do it.

When Tom Fowler asked me to say a few words tonight, he suggested that I express my views on the future of tactical air power. I am delighted to do so—very briefly—but I owe you the compliment of not doing so in a narrow tactical air command sense, but rather in the framework of the larger future of your Air Force.

In a recent speech General George Brown, our Air Force Chief of Staff, put our overall task in clear perspective. He emphasized the vital importance of the Air Force mission as it relates to the defense of this nation and our security commitments around the world.

"This mission," he said, "means that the deterrence of war rides in the cockpits of our aircraft and dwells in the control rooms of our missile force. It means that wherever and whenever conflict might occur, the Air Force must be qualitatively second to none. It means the Air Force must be prepared to act in concert with Allied Air, Army and Navy forces in the sky, on land, and at sea.

"Finally, our mission means that the freedom, the security and welfare of America and other free nations around the world depend on the Air Force to a greater extent than is generally realized. That is the Air Force mission as I view it: Broad in scope, complex in execution, and absolutely essential."

In that capsule, General Brown charted the future for the Air Force—stressing the awesome responsibility we have as we meet our obligations with diminishing resources.

Those who may be skeptical about our "diminishing resources" need to look hard at the record to understand.

Twenty years ago, 59 cents of every budget dollar was spent on defense; this year we are spending 30 cents for national defense.

A similar shift has occurred in manpower. Twenty years ago, half of all government workers—local, State and Federal—were employed by the Department of Defense. Today, there are almost four times as many government employees in other agencies than in defense—including our uniformed personnel. Now I don't mean we ought to get more money or more people in government—I do mean we are using less.

Which means, of course, that we must—and we can—continue to maintain adequate defense forces with reduced resources. It means better management by every individual in the defense establishment; now, especially, in the use of energy. And although defense accounts for a small portion of energy consumption—2.4 per cent of the total energy consumed in the United States—and 3.6 per cent of national petroleum consumption—we consider conservation of all energy resources a priority responsibility for all of our people.

Although austerity cannot be a crutch—and we do not complain—this is clearly a big challenge and it must be met.

Now, with that larger scene as a backdrop, let me speak of the future of tactical air power. While, as the commander of Tactical Air Command, the present is my first concern, you know that we inherit our past—and you know that the future begins today, every day. Let me capsule Tactical Air Command's past, present and future to give you a reference point.

Very few people, in or out of the Air Force, remember that in the late 1950's Tactical Air Command was a very small organization, comprising about 50,000 personnel and only 11 fighter, reconnaissance and airlift wings. Its main function was to train combat aircrews and units to support our overseas air forces. Its resources were limited and aging. But in 1961, the situation changed dramatically, with greater emphasis on Tactical Air and Tactical Air Command.

That year tactical air command became a component of a newly established unified command at MacDill Air Force Base in Florida, now known as the United States Readiness Command. That same year, tactical air command responded to the Berlin crisis, quickly deploying recalled reserve fighter and reconnaissance units to Germany.

The following year—1962—tactical air command planned and executed the response to the Cuban contingency. Tactical air command, in fact, supplied much of the evidence of the Russian missile sites that led to their removal.

I don't think it is necessary for me to dwell on the history of tactical air command's contributions to the Southeast Asia conflict. Suffice it to say that tactical air command weapons, manpower and professionalism made American tactical air power a visible, living instrument of national policy.

And, I deliberately add here, tactical air command performed brilliantly over the past five years under the superb leadership of General Spike Momyer, whose dedication to tactical air operations coincided with an era of great progress in tactical air power.

We had the opportunity to see the results of past training when we recently deployed three squadrons, consisting of 72 aircraft to Thailand in three days. The day the last squadron arrived in Thailand, we flew our first combat mission. All aircraft arrived as scheduled to include the airlift support that hauled 665 tons of equipment and 1572 support personnel.

It's interesting to use the history of the same tactical fighter wing to measure the progress that has been made through the years in the deployment of tactical aircraft. During World War II, the same tactical fighter wing embarked from the port of New York, crossing the Atlantic to England. After departing the United States, 39 days transpired before the wing flew its first combat mission. By comparison, this unit, 29 years later, departed the United States on 10 October 1972 flew half way around the world to a Royal Thai Air Force Base, and 39 days later, had flown a total of 1892 combat sorties.

Fighter pilots do great—but they don't do it alone—we've got to be proud of the support provided by tactical air command airlift and military airlift command who moved this unit en masse, the strategic air command tankers who provided air-to-air refueling, the technology, the research, and the American industrial competence that gave us the trained people, aircraft, and weapons for this extraordinary feat. Not least, but most, we've got to credit the citizens, and their Congress, who gave us the wherewithal.

More recently, as you know, the Air Force was called upon to respond to a national decision to provide material support to Israel—support designed to bring about a cease-fire and to stabilize the Middle East. Tactical Air Command was very much involved in that historic mission.

Within 16 hours after the word "go," the first eight Tactical Air Command F–4 Phantoms were airborne and on their way to Israel. They completed the 5680-mile nonstop flight in slightly more than eleven hours, requiring a number of in-flight refuelings from Strategic Air Command KC–135 tankers. The remaining F–4's followed quickly behind in a superb demonstration of the rapid, global ability of land-based Tactical Air to get where it's needed.

I might add here that the C–130's we provided reacted with superb responsiveness—all of our C–130's, loaded, arrived within 12 hours of the first delivery—and with the same degree of professionalism by our people that is the hallmark of the Air Force.

All of these actions, from Southeast Asia to the Middle East, are measures of Tactical Air Command's growth—in responsiveness and in resources—over recent years.

Today, Tactical Air Command is authorized slightly more than 95,000 people and we operate more than 2,000 aircraft. Our capital investment is valued at more than 9 billion dollars and our annual operating budget is approximately one-and-a-quarter billion dollars. This is substantial growth over the past ten years—growth that reflects the hard reality of need—National need.

As I look to our future, my crystal ball is no clearer than yours. You and I can hope—but we cannot delude ourselves into relaxing.

While a head-on confrontation between the United States and another major power is unlikely, we simply have to keep the forces to discourage this and/or to meet lesser conflicts. This includes the support of our allies, to the degree determined by national policy.

In this context I am convinced and I hope you are convinced that tactical air power is a tremendously important and absolutely vital element of our defense structure in the years ahead. Tactical air command is the spearhead of fast, mobile readiness. The more there are pressures to withdraw our overseas forces, the more we must have a reasonable—and adequate—reservoir of tactical air command forces—including our reserve resources—equipped, trained and poised for de-

ployment to any corner of the world within a matter of hours.

This is not to imply that tactical air command bears sole responsibility, naval forces play a vital role; marine and army forces are also essential.

I will not go into a detailed discussion of the hardware and special capabilities we need to enable us to meet our obligations. As most of you know, we are struggling to acquire better means—the F–15, the airborne warning and control system, the A–10, the advanced medium short takeoff transport, and improved command and control systems. We must keep pushing to increase the momentum for change and progress. In fact we must run hard to stay in place—and no races are won in place.

We cannot, under any circumstances, rest on our laurels comforted by past achievements and learning old lessons instead of new. We have to learn the right lessons from Vietnam and from the Middle East war—we have to face up to NATO problems and tomorrow's world.

In the case of tactical air power, the burden will rest on tactical air command shoulders—the shoulders of a group of the finest and most professionally skilled and dedicated people the Air Force has ever known.

But, we just cannot do it alone.

We must have—and earn—the understanding and support of the American public. We must somehow tear down any barriers that exist between the civilian and military communities in this country—whether real or imaginary. We must be more articulate, more realistic and more deserving of respect. It is a hard and vital task. With your help—the help of the Air Force Association and other friends—I am confident we can do it—and do it well.

Listen for a second to how our secretary, Dr. John McLucas, sees it:

"I think I have cause for optimism when I stand here . . . after the end of perhaps one of the most divisive wars in our nation's history, when the military was held in low esteem—the Air Force received at least its share of criticism—and tell you that working without a draft, we are meeting our recruiting goals 100 per cent, with 95 per cent high school graduates.

Doesn't that tell you that we're doing something right? Doesn't it tell you that the American people still have a large reservoir of respect for the military in general and the Air Force in particular? Doesn't it tell us the Air Force emphasis on offering our people a good education and a skill which they can use outside the Air Force is a policy which pays off for the Air Force and for the country? Doesn't it say that perhaps we should get off the defensive once in a while and go out and tell our story to the American people?"

I hope you say yes to these questions, because I do.

In those words, Dr. McLucas has taken off the wraps—you can bet that Tactical Air Command is going to be seen and heard, in balance with the United States Air Force, in this process.

WE NEED A NEW MINIMUM WAGE BILL

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. ERLENBORN. Mr. Speaker, Christmas is almost upon us, and Christmas never fails to bring to mind Charles Dickens' immortal "Christmas Carol" the familiar tale of Ebenezer Scrooge, the miserly meany who kept Bob Cratchett working almost every day of the year in order to make ends meet. He had a change of heart, however, when the Ghosts of Christmas Past, Present, and Future impressed their truths upon him.

Not a believer in ghosts, I, nevertheless, cannot help but hope that the Spirit of Christmas will bring a change of heart to the present-day Meany who, like Scrooge, compels today's Bob Cratchetts to continue working at bare minimum wages because he insists on his own version of a minimum wage bill.

If the Spirit of Christmas reaches George Meany, a passable bill will be at the top of his list of New York's resolutions.

ALFRED S. MILLS: A CITIZEN WHO CARES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. RANGEL. Mr. Speaker, every once in a while there is found a person who is working quietly and effectively for those less fortunate than himself. Such a man is Alfred S. Mills, chairman of the New York Bank for Savings. Without any fanfare or publicity he has involved himself and his bank in the development and building of 11 housing projects with 643 dwelling units and 3-day care centers which have replaced run down tenements in the upper Park Avenue area or New York. His original investment and idea continues to work for another four projects which are under construction and are the basis for eight more projects which are in the preliminary stages of planning. The community has complete control over the whole process.

The New York Daily News recently published a fine article on this warmhearted man which I hope will be read by all of us for the benefit of its example of what one man can do for other people:

ONLY HUMAN: A NEW KEY FOR THE BANKER

(By Sidney Fields)

Alfred S. Mills once had the rather naive notion of buying old, abandoned and gutted tenements and building some decent houses in their place, an unlikely notion for a banker.

But he learned quickly that no matter how noble his intentions it wasn't all that simple. To begin with, when he told the FHA and City housing people, "I want to build some houses in Harlem," they asked, "Where's your land? Where are your plans?" Then he discovered that the people who lived in the area knew what they needed; he didn't. The only way to find out was to go to them and work with them.

"Not through subordinates," said Mills in his office at the New York Bank for Savings. "If it was to succeed the top man has to be involved." He got involved. He still is.

Mills is chairman and chief officer of the bank, which has assets of $2.8 billion. It's the oldest savings bank in the state, founded in 1819 by a group calling themselves "The Society for the Prevention of Pauperism," whose first office was the old alms house, behind the present City Hall.

A BEGINNING

So far Mills has helped erect 11 projects with 643 dwelling units plus three day care centers. "It's a beginning," he said, and he's frank about his motives. "We're not doing this for charity. We're part of the city. We must keep it a good place to live in. That's good for all of us."

But it's unusual for him. He's an upper caste Brahmin, who went to Philips Exeter prep and Princeton. His father, a lawyer, became head of a bank and a Judge of the N.J. Superior Court. Mills was born in Morristown, N.J., began his real schooling as a mortgage clerk for Prudential Insurance and got to be one of its mortgage appraisers before he came to the New York Bank for Savings to straighten out all the problems generated by the big depression. The bank held a lot of real estate and $100 million in mortgages that were in arrears or excessive in relation to the property covered.

It took him four years to straighten all that out. In between he was in the World War II Navy, commanding a convoy subchaser and an LST at Omaha Beach on D Day. He came out with a Bronze Star, the rank of Lt. Cmdr., and returned to the Bank.

He's 64 now, tall, soft-spoken, slightly rumpled, and looks more like a silver-haired schoolteacher eager to get back to his grandchildren. He has nine. One granddaughter was graduated from Philips Exeter and just entered Princeton. His two sons, Edward and Alfred are business executives, his daughter, Mrs. Henrietta Mead is studying urban affairs at Vassar, a passionate interest of Mills.

"It stems from a lifelong concern with the city's future," he said. "I believe that there are people in depressed areas who deserve the help, encouragement and cooperation of anyone in a position to give it to them."

He recalled with open admiration the first two he worked with, housewives, Mrs. Margaret Jenkins and Mrs. Mary Iemma, a working widow. The ladies formed the Upper Park Avenue Community Association to change the face of their neighborhood, 117th to 124th Streets between Park and Lexington Avenues and needed a mere $578,000 mortgage to convert three miserable tenements into one livable building. Mills arranged it and advanced the money for the plans and architects fees. UPAC approved the plans, the contractor, the size of the rooms and even the color of the paint.

"We bought the land," Mills said, "but the key was the people I worked with. It's a good feeling to know I'm among friends when I'm with them. The key is always the people."

Mortgages for the first 11 projects came to $18.2 million, all paid back when it was turned over to permanent investors and the City Housing Administration. Mills conceived that ingenious idea so the original "seed" money could continue working. It sure is. Another four projects with 562 dwelling units are now under construction; two more with 109 units will soon be started; and plans are ready for six others with 2,628 units, plus three more day care centers.

BUILT BY BLACKS

Black architects plan them and black contractors build them. UPAC's first project was the first apartment house built by Fred Eversley. "He's now the biggest black contractor in the country," Mills said. "What's more important, he's a good friend."

He must be aware that there are other serious urban problems besides housing: drug addiction, crime, education.

"I am. But I decided to concentrate on what I know something about and that's housing."

But privately and quietly he has a hand in the other problems. He's treasurer of the National Urban Coalition, a director of the Community Service Society and the Protestant Welfare Agency. In the bank he's moved minority members into the officers rank, and

Cornelius McDougald, one of the five Harlem residents who advise him on minority affairs, is a board member of the bank.

His proudest moment came when UPAC named one of its buildings. The Alfred S. Mills House. A nice thumbprint on time.

"I'd rather have it there than anywhere else," he said.

IS PROFIT A DIRTY WORD?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. DERWINSKI. Mr. Speaker, a front page article in the News, a publication serving Harvey, Dolton, Riverdale, and South Holland, Ill., written by its editor, Michael O'Hearn, concerns the subject of energy crisis and the oil industry. Mr. O'Hearn conducted an interview with general manager, George Masolgites of the Harvey, Ill., Atlantic-Richfield Research and Engineering Center.

I believe that the article is not only timely and pertinent but also quite enlightening. I recommend it to all the Members, especially those who sound off on the subject of the energy crisis without doing some elementary research.

The article follows:

ASK A SILLY QUESTION—IS PROFIT A DIRTY WORD?

(By Michael O'Hearn)

United States Senator Adlai Stevenson has called for an investigation of the oil industry. Dillon Smith, a Chicago television executive charged an industry-government conspiracy concerning the energy crisis. He stated in his editorial that blaming the consumer for the shortage was not only ridiculous but also erroneous. Smith further stated that government tax breaks to the oil industry have gone to build refineries in Europe.

At the Atlantic-Richfield research and engineering center in Harvey general manager George Masolgites claims the reasons are much less sinister than the American public is being led to believe. Masolgites points out that the Chase-Manhattan Bank has published a couple of very informative booklets outlining the causes of an energy crisis.

"The incentives are just not there to dig for new sources, or to build new refineries. The price of crude oil has been government controlled at the well head."

Masolgites pointed out that federal and state taxes account for a major portion the consumer pays per gallon at his station.

"Gasoline has been a convenient whipping boy for more and more tax load with the government more than any other party feeling a cheap supply of energy was inexhaustible. Looking at these figures (George had several booklets on his desk) you can see we have a large amount of oil discovered, but haven't been able to dig for it yet due to lack of capital. The Alaskan pipeline is a good example of the lack of concern energy has meant to the American government and people."

Masolgites feels the American people have been led down a garden path when it comes to ecology.

"We have a huge supply of coal in this country, but we are not allowed to touch it. Oil shale can be recovered from the ranges of Colorado to supply this nation with oil for years to come, but the cost to extract the oil from the rock is more than Americans have been willing to pay. The American people can not allow a foreign government to dictate our energy needs. We're going to have to become self-sufficient with energy, but the American people are going to have to face the fact that energy costs money."

What kind of changes do you expect to come out of this crisis?

"Small cars are going to take over the highways of this country. Wiser use of energy is already taking place due to our present shortage, and that has got to be good."

A tour of the facilities at ARCO provided me with a little more understanding of the kind of sophisticated research taking place in American industry. I asked George if we still led the world in technology.

"Right now we do. Japan is eagerly learning all they can from us. I've been over there twice this year. They're buying our technology constantly, and putting it to good use."

I asked about Venezuela's policy of price hikes on their oil which so far this year has totaled 11 increases.

"All the oil producing countries are wising up with regard to their price of oil. We've seen the last of cheap foreign oil."

Thornton Bradshaw, ARCO's president was a recent guest on the Dick Cavett show in which Barry Commoner and Ralph Nader matched wits with Secretary of the Interior Rogers Morton and Bradshaw. George was a little disappointed in the way the show progressed . . .

"I just wished I was there to answer some of those lightweight questions posed by Professor Commoner."

George Masolgites made a strong case for American capitalism. The word profit is not and should not become a dirty word in America. If the incentives are greater for the oil companies in other parts of the world than right here in the United States, it's time our leaders in Washington faced up to these new facts and started to do something about such a situation. This country became a world leader, the envy of the world, by its capitalistic economy. A profit is the crux of the whole system. Healthy thriving activity will go where profits are the greatest. Thornton Bradshaw made an eloquent appeal to the American people on the Cavett show declaring that the United States government has lagged in the leadership required to encourage the development of our own energy needs.

Chuck Welch of ARCO put it best when he said, "Remember when you knock an industry for wanting a reasonable return on investment, you're knocking the American way.

CANADA PROTECTS HERSELF

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. GAYDOS. Mr. Speaker, our neighbor to the north may be pointing the way for us in the needed protection of our industries and businesses from foreign takeovers.

As we are all aware, Canada long has had a problem concerning foreign investments there. Our own firms are deeply entrenched in that country. British capital had much to do with building Canada into a viable industrial state.

But now Canada wants to be more on its own. And Canadians, too, fear, as reports from Ottawa stress, that any marked increase now in foreign ownership will threaten their nation's independence and tend to dilute Canada's national character.

So Canada has new legislation being enacted to control foreign investments and the machinery for doing this is simply rigged. Hereafter, the Government will have veto power over efforts by foreign firms to start new businesses in Canada or to take over additional Canadian companies. Such plans will be screened by a government agency to determine if they will benefit Canada. If not, they won't be permitted.

Times magazine quotes Alastair Gillespie, minister of industry, as saying:

Now we're going to be more than a mere appendage of foreign corporate giants south of the border.

While the new Canadian action is aimed mainly at encroachment by U.S. investors, we also have a growing problem of the same order. The Japanese are steadily buying up companies here and building U.S. plants for their own big corporations which are in head-to-head competition with our firms, all with excess dollars obtained through their past favorable trade relations with us. So, too, are Europeans with their hoards of those notorious "Eurodollars" piled up from our giveaway programs and the multibillion dollar injection of U.S. tax money into their economies by our NATO forces stationed there.

I am a sponsor of legislation here to do for our country what the Canadians are doing for theirs—legislation to limit and control foreign investments in the overall interest and for the strict benefit for the American people. It is high time, certainly, that we act in this matter before we find outsiders so deep into our business affairs that we no longer will be in the driver's seat. Canada is not the only country looking out for itself these days. The United States is alone in taking the idealistic global view that the concerns of others are equal or superior to its own.

THE FUTURE OF THE REPUBLICAN PARTY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. CRANE. Mr. Speaker, there is much discussion at the present time about the future of the Republican Party. The American people are clearly dismayed about the evidence of the abuse of power by some in Washington, and their faith not only in the Republican Party but in our political system itself is in a state of disarray.

The Republican Party must make it clear that it condemns the unfortunate activities which have come to be known by the collective term of "Watergate." Our party has long been in the forefront of opposing the centralization of executive power, which was an essential element of every Democratic administration since the New Deal. Now, it should be plain to all Americans that our fear of centralized power was justified.

There is some danger that the public disaffection with the men responsible for Watergate will cause some in our polit-

ical arena to seek to change the clearcut mandate of the 1972 election. That election gave the American people the unique opportunity to choose between a philosophy of limited government and national strength and a policy of national weakness, redistribution of wealth, and blatant statism. The candidate who advocated the latter policies carried only a single State. The American people made it clear that they had rejected his program.

It is true that the Republican administration has, in a number of instances, veered away from that platform and program. It has imposed wage and price controls, it has signed the SALT agreements, and it has encouraged East-West trade. I, and many other Republicans, have expressed disagreement with these digressions from our party's principles. The fact remains, however, that the traditional principles of our party are the ones the American people overwhelmingly supported in the last election. To the extent that we remain true to those principles, to that extent we will merit the continued support of the majority of voters.

In a recent speech concerning the future of the Republican Party, Senator JAMES L. BUCKLEY, of New York, noted that:

Faced with that clear choice, the majority of the American people in 1972 overwhelmingly chose the Republican approach to solving our Nation's problems. Americans chose decentralization and a return of power to the people and the states and the communities rather than the ever-increasing centralization of power in Washington. They chose peace with honor in Vietnam rather than the kind of peace achieved through begging on our knees. They chose Republican fiscal responsibility to Democratic big spending. They chose a strong military to drastic cuts in the military budget.

Senator BUCKLEY declared that:

Nothing has happened in the intervening period, nothing that has come out of Watergate, in any way distorts or negates that mandate.

Senator BUCKLEY said:

The Republican Party will become a majority party when Republicans realize that their strength lies in political principles and not in various charismatic figures or slick public relations contrivances.

I wish to share with my colleagues the text of the address by Senator JAMES L. BUCKLEY to the Winnebago County Republican Committee in Rockford, Ill., on "The Future of the Republican Party" and insert it into the RECORD at this time:

BUCKLEY SPEAKS ON FUTURE OF REPUBLICAN PARTY; SAYS GOP HAS ITS OWN ENERGY CRISIS

Declaring there is "a kind of energy crisis in the Republican Party," Senator James L. Buckley tonight announced that he would take on a new responsibility in the years ahead to speak out and explain "what the real issues are and what we as Republicans can do about them."

Sen. Buckley said that Republicans cannot sit back and "wait for some political messiah to solve our party's problems."

He said that the Republican Party will become a majority party when Republicans realize their strength lies in political principles and not in various charismatic figures or slick public relations contrivances.

The 50-year-old Conservative-Republican Senator from New York addressed a fund-raising dinner of the Winnebago County Republican Committee in Rockford, Illinois on "The Future of the Republican Party."

Tomorrow night (Thursday, December 6) he will repeat his theme before a fund-raising dinner of the Wisconsin State Republican Committee in Milwaukee, Wisconsin.

Sen. Buckley, who as a member of the Senate Interior Committee has spent considerable time in recent months concentrating on the energy crisis, said:

"I think I can say that I recognize an energy problem when I see one. I mention this only to point out that it appears to me there is a kind of energy crisis in the Republican party today and it is one that cannot be met by merely turning down thermostats.

"Each Republican has to speak out wherever he or she may have the opportunity," Sen. Buckley told the gathering and added:

"I plan to do that in the coming years as often as I can and I urge all of you and all Republicans everywhere to join me."

He said his task of speaking out on the "complex truth" of the important issues of the day has been made difficult "by the events of the past year, by the bias of the media and by our minority status." But he urged that it is a "task that must be completed not just for the party but for the country."

The text of Sen. Buckley's speech follows:

Tonight I want to talk to you about some problems we Republicans seem to be facing and how we might go about solving them.

Let me begin by saying I am a member of the Senate Interior and Insular Affairs Committee and I have spent considerable time in recent months concentrating on the energy crisis. I think I can say that I recognize an energy problem when I see one. I mention this only to point out that it appears to me there is a kind of energy crisis in the Republican Party today and it is one that cannot be met by merely turning down thermostats.

Slightly more than one year ago, President Nixon was reelected by a landslide. He received an overwhleming 61% of the popular vote; his popular vote plurality was over eighteen million, by far the largest in American history. There was widespread comment in the press that we were about to witness an emerging Republican majority.

Yet only three weeks ago, George Gallup told a meeting of Republican Governors that Republican candidates in 1974 would probably attract so low a vote that President Nixon could lose his power even to sustain a veto. Pollster Lou Harris has found that our party has fallen so sharply that we are already a third party, lagging behind even the percentage of voters who regard themselves as Independents. In recent gubernatorial elections in New Jersey and Virginia, Republicans stayed away from the polls to an alarming degree.

Mr. Gallup has even more bad news. The essential Democratic element of what was in 1972 termed the "emerging Republican majority" is drifting back to the Democrats. Whatever you may call them—peripheral urban ethnics, urban conservatives, or blue-collar workers—today they would, according to Gallup, vote far more overwhelmingly Democratic than they did in 1972. A recent headline tells the story: "New Majority Seen Drifting to Democrats."

The precipitous decline in the fortunes of the Republican Party is a fact of life. While it is necessary and useful to point out the obvious fact that the Republican Party as such had no connection with Watergate, it is idle to speculate on what might have been if Watergate had never occurred. Our task now is to look at things clearly, to recognize both our real strengths and our weaknesses and to do what a political party should do: bring our message to the people. At the risk of being accused of Pollyanna-ism, I venture to suggest that despite the recent pessimistic predictions, the future of the Republican Party, given certain conditions, can be very bright.

At this point some of you might be thinking that I am embarked upon a pep-talk, the kind of locker-room oration inspirational football coaches give at half-time to teams that are losing by three touchdowns. Let me assure you that it is not my purpose to play the role of a political Knute Rockne. I can think of no worse service to our party than to gloss over unpleasant facts and engage in soothing fantasies. No, what I have to say is based on my observations of the realities of where we stand. I believe that, despite recent unpleasantness, the Republican party stands on rock-solid political principles, and that on this foundation Republicans can—and will—build a new majority. But this will take the time and effort—and the energy—of every Republican. I mean by this not merely those usually spoken of as "party spokesmen" but each individual in the party. My task and your task is to bring before our fellow citizens the complex truth about the really important issues of the day. It is a task made difficult by the events of the past year, by the bias of the media and by our minority status. But it is a task that must be successfully completed, not just for the party but for the country. For the Republican party alone has the foundation of solid philosophic principles upon which to continue to build the kind of country most Americans want.

There are many in the media and in the other party who would like Americans to forget the fact that the election of 1972 was one of the most clear-cut choices ever to confront the American people. The Presidential Election was not just between two men but between two clearly identifiable political philosophies.

I don't want to get into a semantic tangle concerning what those philosophies might be called. Some might say that it was Conservatism versus Liberalism. Others might say it was a struggle between the forces of decentralization and those of centralization. Whatever the name of the philosophies involved, one thing is clear: the President was clearly identified with the kind of political philosophy that has been historically associated with the Republican party and Senator McGovern was just as clearly identified as being the spokesman for the philosophical principles of the Democratic party.

Faced with that clear choice, the majority of the American people in 1972 overwhelmingly chose the Republican approach to solving our nation's problems. Americans chose decentralization and a return of power to the people and the states and the communities rather than the ever-increasing centralization of power in Washington. They chose peace with honor in Vietnam rather than the kind of peace achieved through begging on our knees. They chose Republican fiscal responsibility to Democratic big spending. They chose a strong military to drastic cuts in the military budget. They chose to keep the control of local schools in their own hands and not in the grasping hands of Washington bureaucrats. In short, the majority of the voters overwhelmingly chose Republican principles.

Now here is the essential fact: nothing that has happened in the intervening period, nothing that has come out of Watergate, in any way distorts or negates that mandate.

In fact, a recent survey taken by the Senate Subcommittee on Inter-Governmental Relations confirms what most observers have intuitively concluded: the American people agree with the basic Republican principle that government close to the people is best.

The report of the Subcommittee states, and I quote:

"The public underscores its belief in shared governmental responsibilities with an overwhelming endorsement of two policy propositions:

"(1) State and local governments should be strengthened; and

"(2) The Federal government should have power taken away from it."

On nine problems of major concern to Americans, those polled chose non-federal government solutions in seven times. Seventy-two percent say they trust state and local government and private organizations to handle problems of health care for the family as against eighteen percent favoring the Federal government approach in this area. Sixty-six percent chose those same non-Federal government groups to handle problems of help for the elderly. Sixty-one percent said that local government should be made stronger—and forty-two percent said government should have power taken away.

Ladies and Gentlemen, I suggest that these figures are not the sort to warm the hearts of big-government, big-spending Democrats whose fiscal and bureaucratic excesses created the big government syndrome we now endure.

Yet because of the power of incumbency and political habit, the Congress today is still dominated by the big government syndrome that an over-regulated, over-taxed public is coming to reject. In the Congress today, only the Republican minority consistently fights for those policies and principles for which an overwhelming majority of Americans voted for a year ago. Let me illustrate: . . .

It is clear that instead of spending time looking for scapegoats or casting stones, each of us should concentrate our energies on closing the gap between the public's obvious approval of Republican principles and the public's lack of identification with the party that espouses these principles.

Let us not delude ourselves that it will be an easy job. We have to struggle against the reluctance of the media to concentrate on any political story that cannot be dramatized or sensationalized. We have to combat the widespread disillusionment with politics in general that has been one of the terrible legacies of the Watergate affair.

Republicans in positions of responsibility must be prepared to live by their principles, if their party is to regain its credibility. We must abandon political expediency and stand by the often hard position that in the longer run will prove to be and will be seen to be the right position.

The months immediately ahead will give us ample opportunity to test our mettle. I mentioned earlier that I serve on the Interior Committee. In that capacity, I have listened to endless hours of testimony on every facet of our snowballing energy problems. The one inescapable conclusion to be drawn from all that I have heard is that our current shortages are largely self-inflicted. They have resulted from governmental intervention in the workings of the marketplace. Nowhere is this more clinically demonstrable than in the case of natural gas. In 1954, when the Federal Power Commission first began to regulate the wellhead price of natural gas committed to interstate pipelines, we had a vigorous natural gas industry that was developing reserves at a rate faster than they were being consumed.

The result is a classic demonstration of what happens when government attempts to control the price structure. Despite the facts that geologists estimate we have enough gas yet to be found and developed in this country to supply our needs for one hundred years at current levels of consumption, by 1972 potential gas customers in more than twenty-one states were denied service. The waiting list in Chicago in 1971 included the following potential customers: 14,000 residences; 2,000 businesses; and 800 industrial users. The list is far larger today.

By holding the price of natural gas to less than half the price it would take to make it economically feasible for natural gas producers to develop gas fields for sales in inter-state commerce, the FPC in the name of consumerism has condemned consumers in Illinois and New York to do without the most desirable form of energy at any rate.

In the meantime, because intrastate sales are exempt from regulation, three major producing states—Louisiana, Texas and Oklahoma—are currently experiencing vigorous exploration, and natural gas is being sold in a free, competitive market to customers within each state at prices substantially higher than the FPC permits for sale to an interstate pipeline.

It is easy for politicians from consumer states to play games with their constituents and promise that the line will be held on the price of commodities in short supply. The inevitable result of such a policy is to guarantee that those shortages will become chronic. Republicans know better. They know that the market-place and the pricing mechanism is the most effective method for allocating resources and encouraging new sources of supply to meet demand. This is why the only sound policy, the only Republican policy, the only one that will meet the needs of states like Illinois and New York is to abolish FPC price controls on new gas committed to interstate markets. I ask all of you here tonight, all Republicans in Illinois to join me in working to free producers to find the resources needed to meet our needs.

Another hard one involves the specter of gasoline rationing. Oh yes, it is politically easy to say that the government will take charge and assure equity. Anyone whose memory reaches back to the early 1940's will understand the horrors of rationing. They will remember the Black Markets, the bootleg gasoline, the hordes of regulators, the counterfeiting of ration coupons, the guidelines and regulations, and the lying and cheating. The Congressional mania for regulation is nevertheless pressing on with Pavlovian zeal for government rationing of gasoline. Such a move was only narrowly averted a week or so ago in the Senate, but irresistible forces seem to be building to achieve what the Wall Street Journal has described as the "best political solution and the worst economic one."

Walter Heller, Chairman of the Council of Economic Advisors under the Kennedy and Johnson Administrations, has suggested that a fifteen to twenty percent increase in the price of gasoline would decrease consumption by ten percent—more than the estimated seven percent shortfall in gasoline predicted for the coming year. Yet rather than simply allowing the price mechanism to equitably provide gasoline to those who need it most while encouraging all to conserve, the Democrats would saddle us all with yet another legion of bureaucrats. Rationing is not a solution to the energy shortage—it is an expression of the very point of view that created this mess in the first place.

If we are to restore confidence in the Republican party and Republican positions we, public officials as well as workers in the political vineyards, must be willing to point out the hard truths, and to do so consistently.

I have been a Senator for three years. Looking back in midpassage, I see that I have engaged in two major duties. I have attended to my Senatorial responsibilities on the Floor and in Committee. And I have attended to the problems of the people of New York State whom it is my privilege to represent. I plan to continue working in both these areas for the years to come.

But I understand now that I have another responsibility, and that is to help spread these truths, to help the American public gain a better understanding of the major issues that face them. I'm here tonight to tell you that I intend to take on this new responsibility and to ask that each one of you join me in this task. Each Republican has to speak out wherever and whenever he or she may have the opportunity, and explain what the real issues are and what we as Republicans intend to do about them. I plan to do that in the coming years as often as I can, and I urge all of you and all Republicans everywhere to join me. Remember: in debates on the real issues confronting America, Republicans have nothing to lose and everything to gain.

As Republicans, we are the inheritors of political principles that have helped to create the greatest, most prosperous, most politically free nation in all history. As Republicans we know from experience that reliance on the free market—the essential economic tool—is far superior to reliance on big government spending and intervention—the major Democratic economic tool. We know from experience that government close to the people is best. We know from experience that in a world of increasing tension only a strong defense can guarantee peace. We know that centralized government poses the greatest threat to individual freedom. And we know the American people agree with us.

Therefore, each Republican must now see himself not just as a party member, but as a party spokesman. We simply cannot afford to sit back and wait for some political messiah to solve our party's—or our nation's—problems. We will become a majority only when we realize that our strength lies in our political principles and not in various charismatic figures or slick public relations contrivances. If you seek the future of the Republican party, look into your own heart and mind: what you find there will determine the future of the party for a generation.

As we approach a New Year, then, Republicans have every reason to do so with hope and confidence.

In order to help clarify what I think we must do in the year to come and beyond, let me offer, a bit early perhaps, the following New Year's resolutions for Republicans:

Let each of us resolve to bring the Republican message to the American people wherever and whenever we can. This is not a time to hide our light under a bushel. This is a time to speak out on the issues of the economy and energy and peace in the world. This is a time to show our fellow Americans that we are proud of our party and confident of its ability to serve all of the American people.

Let us resolve to apply Republican principles to the problems confronting America. It is pointless, for example, to pay lip service to the idea of faith in free enterprise and then demand economic controls. It is scandalous to speak the rhetoric of fiscal responsibility and then support superfluous programs, that will either produce inflationary deficits or require still heavier taxation. Let us practice what we preach, lest we wake up one day and find out that the American people are no longer listening.

Let us resolve to tell the American people the cold, hard facts about the realities of international affairs. Let us seek detente but let us also recognize that we mean one thing by detent while the Russians and the Chinese mean something else. While we seek a relaxation of tensions, let us also remember to keep our powder dry.

Let us resolve as Republicans to bring our message to those who traditionally have had

other political allegiances. We know that we can attract Americans of every age and background. I know from my own experience in New York in 1970 that traditionally Democratic voters will align themselves with the candidate, regardless of party, who represents the values they embrace.

Let us resolve, finally, always and everywhere to adhere to our principles.

A VISION OF PEACE IN THE MIDDLE EAST

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. HAMILTON. Mr. Speaker, one of the most important, first ingredients needed in building a structure of real peace in the Middle East will be to create a new psychology in the region—a way of thinking about problems that reflects a vision of a better tomorrow, a mood that things can be improved and that compromises can be reached which will not force any party to forego vital interests.

In recent days, a few writers observing the Middle East scene have reflected such a vision of peace. Arie Eliav, a member of the Israeli Knesset and former Secretary General of the Labour Party, is one of them. In a December 15 New York Times article, he imparts considerable wisdom on the issues of peace in the Mideast. I commend his remarks to my colleagues:

WHEN PEACE COMES TO THE MIDDLE EAST

(By Arie Eliav)

JERUSALEM.—I believe that peace will come to Israel and her Arab neighbors in the present generation.

Is it possible that we have reached one of the last stations along the terrible path of affliction trodden by our people for the last two thousand years, and that we are now on the road to life and redemption? It is emphatically possible.

We must look ahead. Military victory is ours in yet another dreadful war that the Arabs forced upon us. Israel's armed forces have once more confounded the designs of those Arabs who seek to destroy us.

I believe that there are other Arabs, especially among those living in our midst and our immediate neighborhood, who, like ourselves, are sick and tired of slaughter and who desire to be reconciled to our existence as a people and a state within their world. I believe that now more than ever, in the twilight of war, without for one moment desisting from strengthening our armed forces, we must issue a declaration of peace to today's enemies, who will be tomorrow's neighbors.

We must tell the great Egyptian people without yet budging one inch that in return for a real peace—negotiations, the signing of a peace agreement, mutual guarantees and stages of implementation, the establishment of relations, development of trade, tourism and cultural relations—for such a peace we shall restore Egyptian sovereignty over Sinai, stage by stage, after negotiations and as part of an interim settlement, along with the complete demilitarization of the peninsula, under joint Egypto-Israeli supervision, and with an Israeli presence at the Straits.

We must turn to the Palestinian Arabs and to Jordan, where the root of the conflict lies, and say that in return for real peace we will share with them the inheritance of our forefathers—this Israel—from sea to desert, on both sides of the Jordan River.

We must be prepared to negotiate with their legitimate representatives so as to create a basis for a state, or perhaps states, of their own, consisting of the land east of the Jordan River and most of the area of the West Bank and the Gaza strip, the latter two being demilitarized under joint supervision.

Together we must find a special solution for Jerusalem, so that the city may continue as the undivided capital of Israel, while at the same time furnishing the Arabs a corridor to their holy places. We must offer to help find imaginative solutions for the settlement of the Arab refugees in territories that will be restored to them once peace is established.

We must turn to the Syrians and offer in return for real peace to divide the Golan, and, after negotiations, to proceed to the stage-by-stage settlement of their (Syrian) refugees, demilitarization and joint supervision of the parts restored.

I know a declaration of this sort is not yet going to bring peace or an immediate settlement, and that there is still a long way ahead. But I do believe it will serve to dispel the tension prevailing in the Middle East. A declaration of this sort neither requires nor necessitates any retreat from any position we now hold; and it will not materialize unless we have partners among the Arabs who are prepared to conduct negotiations with us, without any victorious trumpetings but with the mutual respect of proud peoples.

I believe that while maintaining Israel's friendship with the United States we can begin to think of renewed and improved relations between us and the Soviet Union. In the future, as the processes of peace begin, we shall also be able to reach various arrangements with the Soviet Union for the large-scale immigration of Jews from that country.

When settlements begin to prevail, I envision an age of peace for Israel that she has never known before.

When that age comes, we shall be at leisure to attend to our truly great tasks. While maintaining a deterrent and unconventional army, we shall devote our energies to the upbuilding of a Jewish society, setting an example of justice, equality and dignity. I believe that Israel will one day be a spiritual center for the entire Jewish people, and a medical and scientific center for the entire world. It will export the know-how needed by the developing world in the fields of health, food and water production. Israel will re-establish its ties and relations with Africa and Asia. It will send brigades of engineers and divisions of doctors to every part of the world where they might be needed.

All this will not happen at a single stroke. But it is on such a vision of peace that we must educate the finest of our sons, the soldiers of the Yom Kippur War. Then they will be well aware of what they are fighting for and why they are at this moment standing near Damascus and in the outskirts of Suez.

CONGRESS OF THE HUNGARIAN ASSOCIATION OF CLEVELAND

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. MINSHALL of Ohio. Mr. Speaker, the Hungarian Association of Cleveland at its 13th annual congress this year, under the able leadership of Dr. John B. Nadas, has adopted the following memorandum, which is also endorsed by the American Hungarian Federation of which it is an active member:

The material follows:

HUNGARIAN ASSOCIATION,
Cleveland, Ohio, December 19, 1973.

Hon. RICHARD M. NIXON,
President of the United States, the White House, Washington, D.C.

DEAR PRESIDENT NIXON: Enclosed you will find a memorandum accepted by our annual Congress at Cleveland on November 26, 1973.

Our Congress is attended by prominent American Hungarian intellectuals and artists both from the United States and Canada and also by some intellectuals and artists of Hungarian descent from Western Europe and Australia.

We would greatly appreciate if the thoughts and concepts contained in the memorandum would strike a positive chord in charting the course of American policies toward Hungary and East Central Europe.

Wishing you Godspeed in your responsible and difficult efforts to secure world peace, we are with best wishes for a merry Christmas and a happy New Year.

Respectfully yours,

DR. JANOS NADAS,
President.

MEMORANDUM

(1) The Congress of the Hungarian Association is greatly concerned about the continued presence of Soviet occupation forces in Hungary. The presence of the Red Army in Hungary is not authorized by covenants freely entered into by the Hungarian people and its government.

The 1947 Peace Treaty with the Allied and Associated Powers provided expressly for the withdrawal of Soviet forces 90 days after the ratification of the Austrian State Treaty. Between 1956 and 1962 the United Nations General Assembly requested in twelve resolutions adopted by ⅔ majority votes, the withdrawal of Soviet forces from Hungary. The May 27, 1957 Soviet-Hungarian Agreement on the Provisional Stationing of Soviet Forces in Hungary was signed by a Hungarian government imposed upon the Hungarian people by direct Soviet military intervention, a government which, even according to Socialist legal theory, failed to attain authorization from a Parliament at that date.

We are appalled by the May 14, 1973 compromise at the Vienna preliminary conference on MBFR. The compromise excluded Hungarian territory from the zone of mutual forces reductions and reduced Hungary to an observer status at the main conference. This was done despite the fact that Hungary serves as an important depot and glacis for Soviet forces both toward Central Europe and the Middle East. The recent Middle East crisis, during which Soviet airborne troops were concentrated in Hungarian airfields in anticipation of their use in Egypt clearly demonstrates the dangerous implication of continued Soviet presence in Hungary to the West, and the United States in particular.

Since the compromise was a temporary one, we trust that the United States Government will utilize all the diplomtaic means at its disposal at the present main conference at Vienna to achieve the withdrawal of Soviet forces in Hungary in coming agreements.

(2) The Congress is also concerned about the indirect, but eminently effective constraints on the sovereignty of Hungary and on her freedom to conduct an independent foreign policy. Hungary today is completely dependent upon Soviet goodwill, militarily as well as economically and politically.

We trust that the United States Government, both by means of bilateral diplomacy and by its efforts within the framework of the Geneva CSCE Conference will promote the restoration of full sovereignty and a free

foreign and foreign trade policy by the Hungarian nation and its government.

(3) The Congress recalls that the Peace Treaties after World War I and II were concluded in the atmosphere of postwar hysteria and caused great damage to Hungary. More than 3½ million Magyars now live in the neighboring countries as without any plebiscites minorities, and if the emigres of 1945 and 1956 are added to this total, one out of every three Magyar lives abroad. We hope for the understanding of our Government of the dire consequences of these treaties for these people and we trust that whenever the opportunity arises, our Government will work for the alleviation of these injustices.

(4) The Congress is appalled by the absence of free elections and political constraints still in force upon the freedoms of speech, assembly and religion in Hungary. It requests our Government to promote in its bilateral diplomacy and at the CSCE conference the widest extension of democratic principles in Hungary.

(5) The Congress feels deep solidarity with Hungarians in Hungary the neighboring states of East Central Europe and other states. It calls upon our Government to submit positive proposals at the CSCE Conference in order to achieve a guarantee under international law for human rights and cultural, religious and educational autonomy of these minorities.

(6) Education and culture are the twin pillars of the development of any nation and/or any ethnic group. The Congress expresses its opinion that such development is only fully possible if not limited by state frontiers and suggests free cultural and educational exchange without concommitant political, ideological and nationality considerations.

In doing so, it calls upon our Government to submit detailed proposals on the freedom of cultural and educational exchanges for majority and minority nations in Europe, to be guaranteed under international law at the CSCE conference. This principle is already operative in Europe since 1955. Cultural and educational freedom, in the opinion of the Congress, included also the official use of the minority language.

REPORTS SAY NO SHORTAGE OF FUEL

HON. EDWARD YOUNG

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. YOUNG of South Carolina. Mr. Speaker, we believe that the energy crisis in this country can be settled by the free enterprise system. We get reports that oil tankers are sitting in the harbors waiting to unload; they cannot unload because all the tanks are filled with fuel. We get reports that additional tanks are being manufactured so that more people can hoard fuel. There is a direct parallel between this energy crisis and the beef crisis. The beef crisis found empty shelves, the hoarding of beef in freezers that had been purchased, cattlemen keeping their cattle on the farm. When the Cost of Living Council released controls on the beef industry, meat filled the shelves again, the price of beef came down, and there was no shortage of beef.

We would like to advocate a 90-day trial moratorium on all controls on the oil industry. The 90-day period would put us beyond the winter months and at that time we would have an understanding of how this system would work. We may feel it necessary then to extend further the moratorium. This would mean removing all trade restrictions by the Federal Trade Commission and the Cost of Living Council. During the debate on the floor of the House, it was pointed out that wells had been capped, and wells were not being pumped simply because they were not operating in a free market.

We feel that the free enterprise system has made this Nation great. The free enterprise system worked in the beef industry; the free enterprise system can work in the oil and fuel industry. Mr. Speaker, we ask for the chance to let this industry operate without bureaucratic interference.

THE DOWNFALL OF SALVADOR ALLENDE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. HARRINGTON. Mr. Speaker, there has been much discussion of the events in Chile that led to the military overthrow of the Allende regime. The following article by Dieter Kroner, South American correspondent of the Neue Zurcher Seitung, a Swiss publication, is one which dispassionately and fairly analyzes the reasons for Allende's overthrow. I would like to insert it in the RECORD at this time for the information of my colleagues:

THE DOWNFALL OF SALVADOR ALLENDE

(By Dieter Kroner)

Salvador Allende failed not only as president but as politician—for the only thing that counts in politics is success. The idea that "it had to happen this way" is naturally being uttered today all too lightly by those who from the outset, and more secretly than openly, desired the failure of Chile's "road to socialism." Such a statement is far too simplistic and makes the wish (which has now been fulfilled) father to the thought. The left too, and particularly the extreme left, now accuse the late Chilean president of failure in their own terms. And there are those, some motivated by understandable emotions and others by political opportunism, who would puff up the image of the unfortunate Allende into that of a martyr, a victim of the dark machinations of international capitalism.

The conditions for success, or at least partial success, could hardly have been better. They were, of course, by no means ideal, but during the first half of his brief period in office Allende masterfully set about improving them. The causes of the ultimate fiasco must thus be sought not only in the admittedly deliberate obstructionism of the opposition, but even more in the ideological and tactical disunity of the left and a complete misestimation of the actual power relationships.

It was thanks to the deeply rooted democratic consciousness of the Chilean people and the traditional political neutrality of the country's armed forces that Allende was able to come to power at all. His election victory, on the basis of a chance plurality of about 36% of the vote, led at first to a state of shock, and the final months of the Frei government threatened to degenerate into a dangerous state of chaos. A small group, gripped not by paralysis but by panic, launched the spectacular attempt to kidnap General Schneider, then Supreme Commander of the army, in order to provoke a military intervention and thus prevent the wheel of history from turning. The attempted blackmail failed and the armed forces maintained their discipline. But the general, who during the critical days after Allende's election victory continued to insist on the doctrine of political neutrality by the military leadership, died as a result of the wound sustained during his abduction.

Fearful of a split in his Christian Democratic Party, President Frei relinquished his ambivalent attitude and decided to throw his weight behind the country's traditional political fair play; in Congress, where Allende's Popular Front had only a minority, the Christian Democrats tipped the scales in favor of Allende's victory. This was in keeping with the Chilean custom—for which, however, there is no compelling legal necessity—of giving parliamentary approval to the candidate winning a plurality of the vote.

By constitutionally anchoring guarantees of freedom which up to then had been safeguarded at best by common law, the new president gave proof of his democratic orientation, which no one had seriously called into question. For their part the Christian Democrats, who had remained the strongest party in the country despite the election defeat of their presidential candidate Radomiro Tomic, believed that they were thus secure against the accusation of having opened the floodgates to totalitarian Marxism.

Under the influence of Tomic, the outlines of whose election program had been nearly identical with that of Allende's *Unidad Popular*, collaboration between the new government and the Christian Democrats seemed by no means impossible, especially since Frei's party, during its six years in power, had had ample experience of the consequences of an obstructive opposition. This period of relative political harmony reached its visible climax in July 1971 with unanimous congressional approval of the nationalization of the country's large copper mines. The National Party, which represented the right wing of the opposition, seemed at first paralyzed before the specter of Marxism; it was only later, but then with marked decisiveness, that it was to regain its full capacity to act.

In the early months Allende, who was thus relieved of some of the burden of inter-party political maneuvering, concentrated largely on the armed forces and on preparations for communal elections. The first nationwide test election, held in April 1971, brought the new regime respectable gains, but Allende still failed to clear the 50% hurdle and so continued to bear the stigma of representing only a minority of the people, a situation which was amply exploited by the opposition. Nevertheless the government had shown that since taking office it had begun to gain support at grass roots level. In the many subsequent parliamentary by-elections, however, the *Unidad Popular* failed to gain any new ground, with both camps successfully defending their percentage of the vote.

At the same time Allende showed great skill in gaining the sympathy or at least the benign neutrality of the military, a success to which the right-wing opposition made a substantial contribution through its sometimes massive campaign of defamation against the armed forces. Allende took advantage of every opportunity to praise the military for their loyalty to the constitution. He appeared at all important military ceremonies and in every major speech expressed his reverence for General Schneider, who had "given his life for the democratic traditions of the country." Allende did not do anything

to alter the top military leadership and confirmed General Schneider, despite the fact that the appointment had been made by President Frei. General Prats, who remained as Supreme Army Commander until 18 days before the coup, became one of Allende's principal supporters.

Economic successes, reflected in spectacular growth rates for domestic production, reinforced the political consolidation. During Allende's first year in office Chile experienced a boom which, at least optically, seemed to lead its economy out of years of stagnation. An initial massive wage increase, followed up by rigorous price controls, suddenly created an enormous spurt in consumer demand, and after initial hesitation private enterprise responded with an equally strong increase in production and range of goods. But the end of the boom could be foreseen. The existing reserve capacity of the country's industries was soon exhausted and, faced with the Damocles' sword of nationalization or illegal occupation by the workers, business circles had no interest in undertaking new investments. Even during the first so-called "golden year" gross investments dropped drastically and soon the economy's growth rates began to dwindle.

Developments were even graver in agriculture, where an agrarian reform which deteriorated increasingly into arbitrariness completely paralyzed broad areas of production. The supply situation grew steadily worse. After the synthetic freezing of prices an explosive inflationary spiral suddenly burst forth which, coupled with hoarding purchases stimulated largely by fear, created a black market which threatened to totally choke off normal channels of supply and distribution.

It was primarily the politicians who were disturbed by the deterioration of the economic situation, which could no longer be masked. The masses, on the other hand, seemed to accept with incredible calmness the increasingly chaotic supply situation, which forced many people to spend most of their time standing in line in front of shops whose shelves were virtually empty. Last October, when the first major strike of truckers and retail merchants led to an almost complete collapse of supply lines, a dense network of self-help organizations sprang up with the support of the government and the aid of countless volunteers and kept the chaos within somewhat bearable limits. To the surprise and amazement of even the *Unidad Popular*, the parliamentary elections of last March again yielded favorable results for the regime; the governing parties even managed to gain a few seats, but without endangering the absolute majority of the two opposition parties in both chambers of Chile's legislature.

The election also yielded no resolution of the conflict which was then openly being carried out between the coalition parties. Allende's Socialists, urging a more radical course, did only slightly better than the pragmatic Communists who repeatedly tried in vain to persuade Allende to compromise with the Christian Democrats and the military. At the same time the opposition felt stymied and disillusion set in among rightist factions. Shortly before the amateurish attempt at a coup by Colonel Souper last June, the conviction seemed widely held in leading opposition circles that the regime could no longer be ousted by democratic means.

The conflict between the government and the opposition assumed harsher forms, with the confrontation increasingly shifting away from democratic institutions and political parties to fighting in the streets, subversion and political murder. When the radical rightist paramilitary organization *Patria y Libertad* (Fatherland and Liberty) went underground this past summer in order to topple the Allende government with the weapons of murder and violence, the situation had reached a point of "no exit."

To an increasing degree Chile's political parties, both right and left, saw themselves forced into a peripheral position. The Congress, the heart of the expression of democratic will, was no longer in a position to enforce its decisions. The three branches of government—the legislature and judiciary in the hands of the opposition, and the structurally strong executive in the hands of the *Unidad Popular*—were in a state of stalemate. Into the inevitably resulting power vacuum, new forces flowed from both the right and the left.

The middle class, which suffered the most under Allende's regime, more and more turned away from the traditional political parties from which it could no longer expect any genuine assistance. The result was the creation of a movement known as *Gremialismo*, which used a number of existing middle-class professional organizations to take direct action against the regime. The strength of this new movement, which for tactical reasons never revealed a visible top-echelon leadership, was fully recognized by the politicians only last October, when truckers, retail merchants, bank workers, doctors and engineers declared a well-organized strike campaign which drove the government to the edge of the abyss. The Christian Democrats found themselves outmaneuvered and forced to support the strike against their will, although it was aimed at toppling a legal government by undemocratic means. They also faced the danger of losing leadership of the opposition camp to the National Party, whose concept of the corporate state was in many respects congruent with that of *Patria y Libertad* and *Gremialismo*.

The professional, middle-class movement on the anti-Marxist side was balanced on the left by the systematic organization of the masses. While Allende and his coalition partners pushed on down their road to socialism within the framework of existing legislation, at least formally, the extreme left was never prepared to accept this path. Often called upon to cooperate, it deliberately remained outside the government camp and built up a dense network of cells among the workers, the rural population and in the slums. But it never aroused much of an echo among the masses; in elections to student and worker committees the radical left had to content itself with a very small percentage of the vote.

But its preparatory work paid dividends during the great October crisis, when the *Movimiento de Izquierda Revolucionario* (MIR) quickly assumed leadership of the newly created self-help organizations and, together with the radicalized part of the governing Socialists, organized the mass occupations of factories. So-called *cordones industriales* were systematically established around the capital and other major urban agglomerations, surrounding the cities like belts and controlling not only factory production but also the access roads into these centers. Thus, with the knowledge and tacit consent of the government, a state within the state had been created which operated outside the reach of legal government power and had already established its own judicial organs. Like the Christian Democrats to the right, the Communists, facing decimation by extremists in their own camp, were late to recognize the incursion into their own domain. The *cordones industriales* quickly became a far more active instrument than the traditional, Communist-dominated trade unions.

The division of the country took on the most extreme forms. The economy, schools and universities, the administrative apparatus, were all paralyzed by the daily political conflicts and power struggles. The seed of class hatred had sprouted. The armed forces were the only government institution which remained intact. The specter of civil war, masterfully conjured by Allende as a means of exerting tactical pressure, threatened to materialize. It was evident that, should the military finally be drawn into the "class struggle," a civil war of Spanish dimensions would be unavoidable. The MIR and the hotheads within the government coalition on the one hand, and right-wing radicals on the other, were determined to push on regardless of the bloody consequences.

Allende's position first became completely hopeless when the split began to spread to the armed forces and left-wing extremism threatened to steamroller the country's democratic institutions. Up to then the president had consistently refused to take up a clear position in the now-evident ideological conflict within his heterogeneous coalition. This attitude not only forced him into a dangerous and ultimately fatal immobility, it also endangered his final goal as well as that which had been achieved so far. There is no telling whether he failed to offer resistance to left-wing extremism out of loyalty to his principles or whether his passivity resulted merely from a mis-estimation of the actual conditions of power in the country. The truth will doubtless remain a secret of history.

Allende's indecisiveness, which he tried to mask during his final months by means of a hectic shifting of ministers intended to demonstrate a dynamism in government, robbed the so-called legalists at the head of the military of the last remnants of their influence. General Prats and Generals Pickering and Sepúlveda, who had been labelled "Allendists," resigned. Even their apparent sympathy for the socialist cause had its limits. They stuck to military discipline and, according to all available reports, did not let themselves be lured into attempting the intervention for which the leftists were obviously hoping. Until nearly the end, however, a political way out of the crisis remained open to Allende which, for whatever reasons he may have had, he failed to take advantage of. The arrangement between the moderate wing of Allende's coalition, particularly the Communists, and the Christian Democrats—an arrangement strongly supported by the military—did not materialize. Its precondition would have been a "freezing" of the revolution. Thus the possible solutions were reduced to either civil war or a putsch. Allende, a full-blooded politician, pushed the situation to a non-political resolution.

Whether or not Allende violated Chile's constitution is now rather an academic question. Presumably he could be convicted of this only by the strictest legalistic standards. But there is no denying that he violated the unity of spirit and letter of the law in applying legislation and the constitution, and for the most part hid behind a formal legalism in pushing through his structural reforms. Above all he deliberately refrained from carrying out his constitutional mandate to insure that existing legislation and the decisions of the courts were observed. Chile's military did not make its move in order to punish Allende for his legal violations; they have more fundamental and realistic motives with which to justify their decision.

The political scene in Chile has not grown clearer because of the coup. In fact, it is more obscure than ever. The country's wounds are deep and they affect not only a small minority. For the time being a political solution seems virtually out of the question. And there is hardly any likelihood that the soldiers will quickly return to their barracks, as has been the case in Chile's relatively rare military interventions in the past. Much will depend upon where the military leaders stand ideologically. But whether direct or indirect, in all probability Chile will not be able to do without the political presence of the military for some time to come.

NEA AND EDUCATION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. ASHBROOK. Mr. Speaker, the National Education Association, originally formed as a professional association of teachers, has taken on all the trappings of a union. NEA President Helen Wise has stated flatly:

Let's face it, we're a union and have been for quite a while.

As part of this transformation, the NEA has become deeply involved in politics. It is actively working for the election of officials and the passage of legislation at all levels of government.

The goals and increasing militancy of the NEA are spelled out in an article by Solveig Eggerz in the November 24 issue of Human Events. The following is an excerpt from that article:

THE LABOR CRISIS IN EDUCATION—THE NATIONAL EDUCATION ASSOCIATION—NEA HAS A STRANGLEHOLD ON THE NATION'S TEACHERS

(By Solveig Eggerz)

What might be the most appropriate way to start another year of low achievement in the public schools? A teacher strike, of course. "We are the biggest potential striking force in this country and we are determined to control the direction of education," boasted Catherine Barrett, outgoing president of the National Education Association (NEA) recently.

Like a teachers union official's dream come true, strikes broke out in Michigan, Ohio, Wisconsin and Pennsylvania this fall, putting 500,000 students out of school. Statistics show a continuing upward curve in NEA teacher militancy as "teacher power" replaces an almost forgotten concern with the quality of education.

Last year's 145 strikes marked a 63 per cent increase over the previous year's teacher work stoppages. The NEA was responsible for 112 of those strikes while the "real" union, the American Federation of Teachers (AFT), caused 23 strikes through its locals. Merged AFT–NEA unions caused the rest.

Prior to 1967–68 the term "strike" was not part of NEA vocabulary. Emerging militancy expressed itself in the imposition of "sanctions" or NEA-mandated boycotts by teachers of school districts which didn't cough up the demanded pay hike. Thus when Florida Gov. Claude Kirk Jr. refused to raise teachers' salaries in 1967, the NEA told its members to boycott Florida schools. Failure to do so could lead to expulsion from the NEA.

In 1968 the first statewide teachers' strike in the nation was called by the Florida Education Association with NEA support. In 1961–62 the NEA reported only one teacher work stoppage, but by 1968–69 the number of NEA-ordered strikes rose to 107, as compared with the AFT's 23.

Today the NEA's primary goals are definitely not of a scholastic nature. They include: increased federal aid—making the federal government responsible for at least one-third of education expenditures, a big leap from the present 7.8 per cent; the placement of "friends of education" in political office; the passage of a collective bargaining bill for public employes. The pot of gold at the end of this rainbow of goals appears to be an unlimited reservoir of funds for teachers at a time when teachers are in surplus.

The increase in teacher strikes might lead one to assume that teachers are in progressively dire straits financially. The exact opposite is true. Since 1966 average teacher salaries have increased by about 8 per cent annually, one-third faster than salaries in general. When teacher salaries are figured as if teachers worked a 12-month year, they average in the $9,000-a-year category, the equivalent of starting salaries for men in industry and more than the beginning business administrators or liberal arts graduate is paid by industry. Teacher salaries have increased by 90 per cent during the same time that industry raised salaries by 74 per cent.

MILITANT STANCE

The NEA's switch to militancy and the use of hardline union tactics puts the 1.4 million NEA members in the same league with the 400,000-member AFL–CIO-affiliated AFT, long noted for raucous gatherings and violence-prone strikes. At this moment the only difference between the two groups appears to be that while both are grasping for more funds than most legislatures can bear, the NEA continues an interest in controlling the substance of education.

While the NEA meddles with textbooks, content, the AFT goes for carving out more minor comforts for teachers such as excusing them from playground supervision. Both unions are milking school districts of every penny they can get and then lobbying for federal aid to provide what the local area lacks in funds. Both NEA and AFT argue that higher teacher salaries will somehow benefit children.

Weary taxpayers don't agree and their disenchantment with the idea of more funds for less performance can be measured by the pocketbook. In 1965 almost 80 per cent of school-bond referendums for elementary and secondary public schools were approved by taxpayers. In 1972 only 47 per cent were.

During the past decade the NEA's entry into politics has included not only support for germane legislation but all-out backing for political candidates. "The NEA has helped to get the education 'train' started and the NEA will work to see that it never gets stopped," wrote the *NEA Journal* prophetically, following passage of the 1965 Elementary and Secondary Education Act. Much of the NEA's political activity has been through political action groups. For instance:

The Emergency Committee for Full Funding of Education Programs, formed in 1969 with the NEA as a key group, persuaded the House of Representatives to add $894.5 million to the President's budget, half of which went toward that dubious reservoir of education funds—"impact aid."

CAPE (Coalition of American Public Employes) was formed to circumvent the ban on union political activity and is channeling its energies into lobbying for HR 8677, the Public Employes Relations Act, which would permit public employes to strike against the public.

In addition to the NEA, CAPE includes the American Federation of State, County and Municipal Employees, the International Association of Firefighters and the National Association of Internal Revenue Employes. A cause of some chagrin to the AFT, which hopes to merge with the NEA, is the rumor that CAPE may become a union, which would make it the biggest public employes' union in the world. This could create a stranglehold on public services.

NEA-PACE is a political action fund formed last year to permit NEA to fund political elections without violating the 1925 Federal Corrupt Practices Act, a circumvention that has the same effect on elections as the law seeks to prohibit. NEA-PACE made its debut in the 1972 elections by supporting 184 national races. Of the 1965 NEA-supported House candidates, 128 won. Thirteen of the 19 candidates supported for the Senate won, which Catherine Barrett called "clear evidence that teachers have become activists in the political process."

Despite an almost even political division by party among NEA members, most NEA-supported candidates were Democrats. Many are key figures in education committees on Capitol Hill such as Sen. Claiborne Pell (D.-R.I.), who heads the Senate Education subcommittee.

Said Pell at the NEA convention in Portland, Ore., last July: "Before teachers began to help me, I was a 2-to-1 underdog. My election is a victory for teacher power." NEA's Rhode Island local and its political action committee, RIPACE, received an award at the convention for "outstanding political activity in the cause of quality education."

The American School Board Journal reports that teacher union political funds are providing strong support for school board candidates in grassroots elections as well. "In California," says the *Journal*, "teacher union-backed candidates won local school board office in 60 per cent of the 114 elections they entered. The political arm of the California Teachers Association, the Association for Better Citizenship, contributed more than $100,000 to 258 candidates, who won 152 board seats." The *Journal* points to the union's attempt to impress the state legislature with teacher political muscle in the hope of pressing through a collective bargaining bill.

Zealous political activity on the part of the NEA caused raised eyebrows in the late '60s with regard to the NEA's tax-exempt classification under Section 501(C)(3) of the Internal Revenue Code, which applies largely to foundations organized for religious, charitable, scientific, literary or education purposes. As a result, the NEA's tax-exempt status was changed to 501(C)(6), which applies to business leagues, and thereby lost its right to charitable deduction on contributions. As the NEA steps up its collective bargaining practices, it might be more appropriate to change its tax-exempt status to 501(C)(5), which is that of labor unions.

"Let's face it, we're a union and have been for quite a while," said incoming NEA President Helen Wise, a social studies teacher from Pennsylvania, at the Portland convention, and she reiterated her predecessor's interest in a "war chest" of funds for the 1976 election. Sounding like a fusion of George Meany and a welfare rights leader, Wise said further:

"In the meantime, we will continue to drive for a federal collective bargaining law for public employes and for a substantial increase in the federal share of the total public school dollar expenditure. To show the politicians and the White House we mean business, we'll put teachers on the Capitol steps if we must. If it is necessary to mount a march on every state capitol, we will do it."

SENATOR SAM J. ERVIN, JR.

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. MIZELL. Mr. Speaker, today the distinguished senior Senator from North Carolina, Senator SAM J. ERVIN, JR., announced that he would be retiring at the end of his current term, in January 1975.

Senator ERVIN has served his State and his country with dedication and distinction for more than half a century.

While the Senator and I have had our honest differences on some issues of public policy, I hold nothing but the highest respect for him personally, and I have

always appreciated his kindness and his thoughtfulness toward me.

Though it is a sad occasion to see a long and distinguished career in public service come to an end, Mrs. Mizell and I wish Senator and Mrs. ERVIN much happiness and fulfillment as they return to North Carolina and home.

A TIMELY THOUGHT

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. PATTEN. Mr. Speaker, at a time when the U.S.S.R. is continuing to increase its military strength and presence in many areas of the world and when the Arab countries are practicing oil blackmail and toying with the European economy, the need for a strong and unified NATO is more than ever necessary.

The News Tribune, a major newspaper in the 15th Congressional District, carried a timely lead editorial on the importance of the role of NATO and its support by the United States. A strong American participation in NATO makes for a strong NATO. I recommend this editorial to my colleagues who I think will find it very thought provoking.

[From the Woodbridge (N.J.) News Tribune, Dec. 13, 1973]

WHAT IS RUSSIA UP TO?

A lesson from the past was underlined by Joseph A. Luns, secretary-general of the North Atlantic Treaty Organization (NATO) in an address before the opening session of NATO foreign ministers in Brussels.

He warned the alliance that "the Soviets may be talking softly but they are still carrying a big stick."

He recalled the years before World War II when, "then, as now, a country was piling up armaments while signing non-aggression pacts. But those whose ideological views were opposed to Nazism were also most reluctant to draw the necessary lessons."

Referring to the Russian military buildup and a weakening of NATO ties in Europe as a result of the Arab-induced oil shortages, Luns appealed for unity of purpose and strength within the NATO organization.

"If the balance of conventional strength is upset," he warned, "and if the direct involvement of the United States in European defense is reduced, the day is brought closer when the Russians might be tempted to believe that the dangers of military adventures are not as high as in the past."

The remarks were intended for those in this country and elsewhere who would reduce the strength of American forces or their own in Europe while at the same time curtailing military expenditures in general.

Pointing to Rusisa's massive efforts in the opposite direction, Luns said "countries do not equip themselves with vast armaments and devote enormous resources to the acquisition of immense military strength if they do not contemplate exploiting it."

The warning was explicit and the lesson should be clear.

WHITE HOUSE NATIVITY SCENE

HON. WALTER E. POWELL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. POWELL of Ohio. Mr. Speaker, I would like to take this opportunity to express my dismay at a recent decision by the U.S. Court of Appeals for the District of Columbia. The court ruled that the Nativity scene which traditionally appears on the Ellipse behind the White House during the annual National Pageant of Peace at Christmas, could no longer be financed by the National Park Service. The court held that the erection of the Nativity scene on park grounds constituted a breach of the doctrine of separation of church and state, which is required by the first amendment to the Constitution.

In my view, the court has made a shocking and regrettable misinterpretation of the fundamental precepts of the Constitution. The establishment of a Nativity scene on the White House Ellipse in no way infringes on the right of any individual to exercise his religious freedom. The presence of the Nativity scene coerces no one to subscribe to a religious faith to which he does not agree.

Notwithstanding the views of many individuals who would like to see every vestige of the Nation's religious heritage expunged from its traditional observances, it must be pointed out that the Christian heritage has played a strong and fundamental role in both the founding of our country and in its historical development.

The erection of the Nativity scene on the White House Ellipse merely takes cognizance of that heritage. Only a very distorted view of the language of the first amendment and the intent of the framers of the Bill of Rights could have led to the unfortunate decision of the Federal appeals court.

FINANCIAL STATEMENT OF REPRESENTATIVE ELWOOD H. HILLIS

HON. ELWOOD HILLIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. HILLIS. Mr. Speaker, when I made the decision to run for public office, I also made the decision to make myself responsible to the public I was elected to represent. I respect the public's right to know more fully the person they choose to elect as their representative. In keeping with this personal belief, I am submitting a copy of my personal financial statement:

ELWOOD H. HILLIS—UNAUDITED FINANCIAL STATEMENTS, DECEMBER 31, 1972

ACCOUNTANT'S COMMENTS

The accompanying Balance Sheet of Elwood H. Hillis as of December 31, 1972 and the related statement of Cost and Market Values of Investments for the period then ended were not audited by us and accordingly we do not express an opinion on them.

JASPER W. KENDALL.

OCTOBER 26, 1973.

ELWOOD H. HILLIS, UNAUDITED BALANCE SHEET, DEC. 31, 1972

	Cost	Depreciation	Net value	
Assets:				
Current assets:				
Cash on demand deposit				$11.70
Union Bank & Trust Co., escrow account				677.66
Accounts and loans receivable				9,896.98
Investment in stocks and bonds, stated at cost (estimated market value, $683,578):				
Ralph Golightly, Inc. (preferred stock and bonds)				4,500.00
Indiana public school bonds				8,493.70
Central Leasing Co.				12,000.00
Hillis Enterprises				50,318.23
Union Bank & Trust Co. (2,000 shares of capital stock)				14,056.50
Union Carbide Corp. (1,102 shares of common stock)				28,633.66
Elwood H. Hillis Trust (9,400 shares of common stock, Union Carbide)				32,743.02
All other				1,602.41
Subtotal				152,347.52
Total, current assets				162,933.86
Fixed assets:				
Residences and land	$140,949.84		$140,949.84	
Office furniture and equipment	16,317.11	$11,778.28	4,538.83	
Airplane engine overhaul (leased)	11,145.77	7,120.91	4,024.86	
Automobiles and boat	19,840.34	1,000.00	18,840.34	
Total	188,253.06	19,899.19	168,353.87	168,353.87
Other assets: Investment in congressional retirement and life insurance plans				7,273.23
Total assets				338,560.96

ELWOOD H. HILLIS, UNAUDITED BALANCE SHEET, DEC. 31, 1972—Continued

Liabilities and net worth:	
Liabilities:	
Notes payable	$68,583.26
Real estate mortgage notes payable	28,651.00
Consumer finance notes payable	1,758.81
Accounts payable	5,129.06
Total liabilities	104,122.13
Net worth	234,438.83
Total liabilities and net worth	338,560.96

FUELS RECYCLING AT ANNISTON ARMY DEPOT IN ALABAMA

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. NICHOLS. Mr. Speaker, throughout the Nation Americans are realizing that the oil shortages are real and not contrived. Men and women in all parts of the country are using their ingenuity to develop techniques of saving and conserving our precious energy supplies.

In Alabama, there is a group of men at one of America's finest Army depots, the Anniston Army Depot, who started a conservation process more than a month before the oil embargoes started.

These men, Mr. Joel Douglas Pelham, depot chemist, Mr. Harold C. Wisener, quality inspector, Mr. K. V. Liphan, quality inspector, and Mr. Clifton Bourg, Jr., value engineer manager, all Federal employees at the Anniston Army Depot, began the project as a cost reduction method by reclaiming contaminated fuels from vehicles sent to the Alabama installation. Since beginning the reclamation process on September 12, the Anniston Army Depot has saved 94,000 gallons of petroleum fuels at a savings to the American people of $18,583.

I would like to submit to the CONGRESSIONAL RECORD the Anniston Army Depot's report on this project and hope that all Members of Congress will take note of the outstanding work that is being done by Col. Robert L. Bergquist, commanding officer, Anniston Army Depot, and his energy-conscious personnel. The report follows:

THE ANNISTON ARMY DEPOT TAKES ACTION TO SAVE MONEY, TIME, EFFORT, AND FUEL

The Anniston Army Depot is saving a lot of dollars in all categories. In support of saving fuels, the Depot obtained three fuel separators and during the period 12 September through 12 December, 1973, has saved 94,000 gallons of gasoline. The process of purifying the fuels provides for reuse in heating and vehicle operation at the Depot.

Prior to the present procedure, diesel fuel and gasoline was drained from the vehicles which had been returned to the Depot for rebuild and from rebuilt vehicles after test operations. The drained fuel from these vehicles was stored in storage tanks and sold as contaminated fuels through the Property Disposal activity. The contaminated fuels could not be reused in combat vehicles due to inadequate filtering equipment.

The Depot Value Engineering Manager, Mr. Cliff Bourg, began research for high quality filtering equipment and found the required items through Department of Defense excess materiel listings. The idea of purifying contaminated fuels for reuse in depot operations was coordinated between Mr. Bourg, Mr. Harold C. Wisener, quality inspector, Mr. K. V. Liphan, quality inspector, and Mr. Douglas Pelham.

JAMES J. ROWLEY—35 YEARS OF FAITHFUL PUBLIC SERVICE

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. ROONEY of New York. Mr. Speaker, it was with deep regret that I read of the decision of James J. Rowley to retire as Director of the U.S. Secret Service after 35 years of matchless service to his country and to six Presidents of the United States. It was the rare good fortune of our Government to have secured the remarkable talents and outstanding ability of a man of as high a caliber as Jim Rowley.

Jim joined the Secret Service in 1938 after 1 year as an FBI agent. His talents, skill and good judgment soon earned him a transfer to Washington and to the job of protecting the life of the President of the United States.

During the years of World War II Jim Rowley made many trips with President Franklin D. Roosevelt and was responsible not only for his protection but also for all of the painstaking security operations necessary during President Roosevelt's many trips overseas.

Under President Harry S Truman, Jim Rowley was made special agent in charge of the protection of the President. He accompanied President Truman to the Potsdam Conference. In addition, he went with President Dwight D. Eisenhower to Korea.

His promotion to the Directorship of the U.S. Secret Service was made by President John F. Kennedy on September 1, 1961. After the tragedy of the death of President Kennedy, Jim initiated an extensive reorganization and expansion of the role of the Secret Service. He also helped initiate the Federal Law Enforcement Training Center and the Executive Protection Service.

During his long and illustrious career, Mr. Speaker, Jim Rowley won many honors and awards, including the Outstanding Federal Government Employee Award from the National Civil Service League, the United States Treasury Exceptional Service Award, and the Presidential Distinguished Federal Civilian Service Award.

It was with deep regret that I saw Jim step down as the Director of the Secret Service. It was a post he filled well and honorably under six Presidents of these United States. We shall miss him in the Government service but we are all better off both as individuals and as a country that Jim Rowley chose to serve his country as his life's work.

IN PRAISE OF AMERICA

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. CARTER. Mr. Speaker, too often, too many people fail to see the basic and good qualities of our Nation. I believe that is a mistake to forget the long history of good will and understanding that the United States has exhibited. The free world has depended heavily on our strength and ability to face serious crises, and our Nation has built a superior record in the recognition of responsibility toward the needs of others.

I feel that the following editorial provides an interesting view on this subject:

IN PRAISE OF AMERICA

NOTE.—The following editorial was broadcast over Toronto radio by commentator Gordon Sinclair.

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

Germany, Japan and, to a lesser extent, Britain and Italy were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions in debts.

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

I was there. I saw it.

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

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

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

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

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

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

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Pennsylvania Railroad and the

New York Central went broke, nobody loaned them an old caboose. Both are still broke.

I can name you 5,000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble? I don't think there was outside help even during the San Francisco earthquake.

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

I hope Canada is not one of these.

IMPEACHMENT

HON. SAMUEL H. YOUNG

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. YOUNG of Illinois. Mr. Speaker, Members of the House are fully aware, as was Alexander Hamilton, that the issue of Presidential impeachment is a mixed one of politics and legality.

Impeachments, as Hamilton noted in Federalist No. 65, published in the New York Packet on March 7, 1788, involve offenses "of a nature which may with peculiar propriety be denominated political (sic), as they relate chiefly to injuries done immediately to the society itself."

Hamilton continued:

The prosecution of them, for this reason, will seldom fail 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 on 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 demonstration of innocense or guilt.

Mr. Speaker, I commend to my colleagues a more up-to-date newspaper article on this same subject and dealing with a current situation. It is an article by Mr. George Anastaplo, a lecturer in the liberal arts at the University of Chicago and published in the University's campus newspaper, the Maroon, on November 30. On December 9, it was reprinted by the Chicago Sun-Times.

Mr. Anastaplo's approach to the issue is philosophical. It is by no means one favorable to the incumbent President. His thesis is that we may be going too far, that we may be "playing with fire" on the impeachment issue because in his opinion it is not good for the country.

Since Mr. Anastaplo's views present a somewhat different perspective on Presidential impeachment than the majority of those being offered, I insert the article for the benefit of my colleagues.

The article follows:

IMPEACHMENT IS PLAYING WITH FIRE

(By George Anastaplo)

I believe it unlikely, despite all the agitation of this subject we have had, that Mr. Nixon will ever be impeached by the present House of Representatives. I am confident, moreover, that if he should happen to be impeached by the House, he cannot readily be convicted by the Senate on the curiously flimsy (yet genuinely disquieting) evidence now available. But I am also confident that further available revelations of executive misconduct in recent years can revive serious impeachment talk from time to time. Both partisanship and curiosity can keep the pot boiling through 1974. What, then, is the best way for us to proceed now?

Is this not the time, before civil discord shakes the country even more than it has already, for the leaders of Congress and the executive (with the support of the responsible press) to settle the prolonged crisis which has been generated by the unseemly Watergate exposures? Should it not be kept in mind, in the interests of moderation, that the harm done to this country by the acknowledged conduct (especially with respect to foreign policy) of the last four Democratic administrations in Washington has been no less serious than the harm done by the criminal conspirators of the present Republican administration? That is, should we not restore among ourselves a sense of proportion about what the Nixon administration has and has not done and, even more important, about what it can reasonably be expected to do hereafter?

I believe there are, in our present circumstances, three prudential courses of action to choose among. That is, domestic tranquility seems to me to require, well before the end of January 1974, one of these three settlements of a constitutional crisis which is both nightmarish and ludicrous: (1) the removal of Mr. Nixon from office, or (2) his resignation for the good both of the country and of himself, or (3) the firm and announced determination by all our principal political leaders to close accounts on the 1972 presidential campaign and to let bygones be bygones.

Immediate removal of the President from office requires more efficiency, self-assurance and toughness than Congress seems capable of at this time, unless much more evidence than is likely to be available should be brought forward to implicate Mr. Nixon personally in "bribery, or other high crimes and misdemeanors," or unless he should become so disturbed as to make his removal appear obviously necessary to everyone with whom he comes into contact.

Resignation would be, of course, the simplest of the three prudent settlements I have listed. But this action may be more self-sacrificing than Mr. Nixon is capable of—unless he should become even more depressed than he has sometimes appeared to have been in recent months. Were Mr. Nixon selfless enough to resign for the good of the country, it might be argued by his more cynical critics, there would never have developed around the White House the grasping attitudes which have spawned the present general distrust of the President. I, however, do not consider his resignation unthinkable. Certainly, he could well resign if he should happen to be impeached by the House of Representatives.

But since we cannot count on Congress acting expeditiously or on Mr. Nixon conveniently resigning, the third course I have suggested (that of "closing accounts") seems to me the most sensible for the country to rely upon. It is a course which does lie within the capacities both of Congress and of informed citizens to pursue responsibly in the present circumstances. Indeed, it is a course which utilizes those political skills of self-restraint and compromise which seasoned politicians are good at.

Thus, it seems to me prudent to propose at this time, Congress should, with all deliberate speed, terminate its public investigations of the 1972 campaign and permit the Department of Justice to return to its normal functions. Public speculation about possible impeachment should be firmly discouraged. This means that Mr. Nixon should be tacitly granted an amnesty of sorts, an amnesty which both recognizes his abilities and his foreign policy contributions and guards against his character and his domestic shortcomings. He should be allowed, that is, to finish the remainder of his term "on probation." By early 1975 we and a chastened President will already be looking ahead to the election and inauguration of a new Chief Executive.

It is salutary to remind ourselves that the immediate causes of trouble for the Nixon administration have not been its financial shenanigans and farcical burglaries but rather the subsequent ill-conceived official attempts to conceal the ramifications of such criminal misbehavior. (Does not this mean that unless an administration is in the position to proceed as effectively as President Johnson's seems to have been in covering up the ramifications of the Bobby Baker scandal, it is far safer not to try at all?)

I am reminded, by the crowd of incompetents around Mr. Nixon at the time of the Watergate burglary, of the crowd of incompetents around Mr. Kennedy at the time of the Bay of Pigs invasion. That Kennedy crowd exhibited the reckless side of Democratic crusading. This Nixon crowd exhibited the seamy side of Republican law-and-ordering.

We continue to pay a high price for the 1961 Bay of Pigs debacle. Indeed, was not the 1972 Watergate burglary team itself, with its dedicated Cuban-American participants and with its absurd campaigns against subversion, rooted in the 1961 debacle? It should be emphasized, on the other hand, that little damage would have been done to the country by the amateur efforts of the Nixon crowd if they had never been exposed. Perhaps, however, this chance exposure can be somewhat helpful if it induces us both to cut a long-exalted presidency down to constitutional size and to reform our overly-permissive election laws. These corrections we see some signs of already, as well as the resurrection of an independent Department of Justice. That being so, we should quit while we are still ahead—before our politics become truly desperate and nasty.

Desperation may already be evident in Mr. Nixon's erratic reversals with respect to the release of the White House tapes—those mischievous tapes which (for all the fuss which have been made about them) are not likely to do much more than confirm our worst suspicions about the way Richard Nixon has always conducted his political affairs. Has not the self-righteous Nixon administration been sufficiently exposed, humiliated and even crippled? Do we dare continue to play with fire?

Responsible leaders of the country (in government and out) should, it seems to me, make some such appeal as this to American public opinion:

"We play with fire if we use, or appear to use, the courts and congressional committees to second-guess the American electorate, especially when its verdict is as massive as it was in the 1972 election. That election, we should remember, concluded with about as honest a count as any we have had in recent years, despite the misguided efforts of the overfinanced and underbrained Committee to Reelect the President. It is likely to be suspected and hence resented, when public passions cool, that the implacable critics of Mr. Nixon eagerly exploited one last chance to 'get' him. Mr. Nixon is indeed a man who makes it easy (if not even fashionable) to dislike him. The depth of the animus against him is reflected in the fact that not even a spectacular Mideast war or the unprecedented disgrace of a vice-president can long keep presidential scandals out of the headlines. But the temptation to settle old scores with Mr. Nixon should be resisted, lest new

and even more serious grievances be created with which we will all have to live for a generation.

"We play with fire if we ever establish in this country the precedent of using a Congress dominated by one political party to undermine by plausible threats of impeachment an administration of another party. We should be careful, that is, not to stumble into a de facto parliamentary form of government, a constitutional arrangement which requires that the executive retain the 'confidence' of the legislature. There are for us advantages in having fixed terms of office, especially as protection for those presidents who are obliged to sacrifice popular support while pursuing the common good. (The experience of President Lincoln in disciplining his generals comes to mind, as does that of President Truman after he fired the temporarily popular but clearly insubordinate General Douglas MacArthur.) That is, we don't have, nor are we likely to develop soon, the pervasive social checks on a volatile public opinion which are needed to make parliamentary government work responsibly.

"We play with fire if we allow our television-heightened taste for theatrical excesses to influence our politics. We the people are on the verge of believing that nothing is significant if it is not outlandish. Are we compensating ourselves, by staged experiments in impeachment, for the boring character both of the 1972 election and of the Nixon administration? And, even more important, are we using a dramatic hounding of the President as a means of purging ourselves of the killing we should never have permitted in Vietnam? However that may be, we should moderate our fevered public discussion and thereby make less likely any recourse to foolish measures aboard or at home by a desperate President or by his indignant critics.

"In short, the fire which threatens to get out of hand should be deliberately covered up and smothered, lest unrelenting political warfare and demagogic manipulation of the Constitution become routine among us."

This is, it seems to me, the sort of public appeal that responsible leaders, with the concurrence of a repentant President, should make to the mature citizens of this country—an appeal which recognizes shortcomings and mistakes and, if need be, even corruption in high places. Impeachment, it should never be forgotten, is not intended primarily to punish past misdeeds but to prevent future misgovernment. The political health of the country always depends on sensible Congressional determinations as to which (if any) "high crimes and misdemeanors" should be taken seriously for impeachment purposes.

The time to have talked seriously about presidential impeachment, I should add, was during our ruinous involvement in the Vietnam war, not after a President's secretary of state has been awarded the Nobel peace prize. There is, after all, a limit to how seriously such crimes as burglary should be taken, even when they have been aggravated by an attempted obstruction of justice.

I should also add that everyone who is concerned about the sanctity of the rule of law among us should be reassured that there will be, within the five-year period provided by the statute of limitations, time enough when a new administration takes charge in January 1977 to expose and indict any unpunished criminals of the 1972 presidential campaign. In the meantime, much more than enough has already happened (without the need for actual impeachment) to impress upon presidents, present and future, that the laws of the land are not to be trifled with. However that may be, a responsible public should be concerned both about the moral fitness of its leaders and about a measured response to revelations of moral failings.

Thus, it should be recognized that there may be, in the current demands for investigation and impeachment, a considerable amount of silliness and self-indulgence, if not even hysteria. There may be as well too much of the political paranoia which has, for a quarter of a century, corrupted the crowd around Mr. Nixon. Some of Mr. Nixon's crowd have long seen foreign subversion lurking behind every domestic dissenter. Some of his critics, on the other hand, now manage to see an incipient dictator even in a president who is very much on the run. Both camps of extremists should be counselled, along with the American people and the American press, to "take it easy"—a most salutary prescription for the perpetuation of constitutionalism in the United States.

FINAL ACTION, BEFORE ADJOURNMENT, ON SOCIAL SECURITY BENEFIT INCREASES AND OTHER PRIORITY MEASURES IS IMPERATIVE IN THE NATIONAL INTEREST

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. DONOHUE. Mr. Speaker, on the eve of ending this first session of the 93d Congress, there are innumerable measures still waiting upon final legislative action, and they are all, of course, of real importance.

However, if the time element makes it physically impossible to process every pending bill, I most earnestly believe that we should and I hope that we will unite in concentrating our efforts for the completion of action on those bills that obviously and tremendously affect the basic spiritual morale and material welfare of the average American individual and family.

In this regard, I would particularly mention, among others, the imperative urgency of finalizing our action upon such pending measures as those designed to grant an immediate social security increase to the economically harassed millions of our citizens trying to exist on fixed incomes; to overcome the afflictions of our short- and long-range energy crisis by creating a special Federal Energy Administration, insuring against unconscionable profiteering by oil suppliers and making certain that energy conservation sacrifices will be equally imposed upon each individual and every segment in our society; to establish a comprehensive employment program with expanded and extended unemployment insurance compensation and providing retraining and relocation costs to avoid the real personal and family tragedy of widespread unemployment resulting from the energy crisis, military base closings and other causes; and also to effect the operating reorganization of the several bankrupt railroads involved in providing essential rail passenger and freight services to the millions of people in our Northeast section of the country.

Mr. Speaker, these are some of the priority, fundamental measures that I believe are imperative to the retention and the strengthening of our national unity and stability during this historical emergency period, and I sincerely hope that any thought of adjournment will be suspended until and unless the Congress, in seasonal good spirit and good will, completes action on them in the national interest.

THE PRICE OF INDEPENDENCE

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. LONG of Maryland. Mr. Speaker, on September 25, I addressed my colleagues suggesting that if we move quickly and wisely, the United States need never be at the mercy of black oil blackmail. My position has been that the United States should never let other nations shape U.S. foreign policy.

I submit the following article by Joseph Alsop, published in the Washington Post, December 17, on the subject of the significant interrelationship between total independence in energy and drawbacks to rationing:

THE PRICE OF INDEPENDENCE

(By Joseph Alsop)

The sharpness of the energy bind has just been uncomfortably dramatized by the price of $17.40 a barrel recently bid for good quality Iranian crude oil. To show what this means, remember how it was just two years ago.

At that time, other government experts said it was a sign of madness, when the two U.S officials who were right about energy, Jack Bridges, then of the joint Atomic Energy Commission, and James Akin, now U.S. ambassador to Saudi Arabia, predicted a future price of more than $5 a barrel for Arabian crude! The astonishing bid for Iranian crude therefore means that things are likely to get a lot worse, before they get much better.

To be sure, that dazzling negotiator, Secretary of State Henry A. Kissinger, has a hole-card which he has no doubt played for all it was worth on his arduous travels. Only he, as representative of the United States, can possibly offer the Arabs anything like an acceptable settlement with Israel. To do so, even Kissinger will have to deal with Israel on the rule of "an ultimatum a day keeps the doctor away."

With the Arabs, therefore, Dr. Kissinger can say, and no doubt has said in effect, "if you want a settlement with Israel, you have got to come to me. There is no use coming to me, until I am not being asked to negotiate under duress. Until the oil boycott is ended, I shall be under duress. So if you really want a settlement, you must first end the oil boycott."

This approach just may work, which would mean an earlier end than most people expect to the acute phase symbolized by the recent Iranian oil price! It is known that King Faisal of Saudi Arabia is not unsympathetic to Dr. Kissinger's arguments, although Faisal cannot easily change his stand except in concert with other Arabs such as the Kuwaitis. But it is a good sign that the hot-headed and doctrinaire Algerians said they would restore diplomatic relations with the United States after Dr. Kissinger's visit there.

Meanwhile, however, the United States has had a harsh and salutary lesson. This reporter was publicly mocked a good many months ago for saying that an energy crisis

was bound to come eventually, and adding that this country's actual independence and freedom of action would depend on dealing boldly with the crisis. The crisis came sooner than was anticipated, and it has proved the point about national independence to the hilt. We are now being subjected to oil blackmail, in fact.

The blackmail is much, much uglier, moreover, than is generally supposed. The states of the Arabian peninsula, with no serious military power of their own, would never have dared to seize the rest of the world by the throat, and to squeeze with all their might, if they did not have external protection. That external protection, unmentioned but always there, is the heavily superior Soviet naval power in the Red Sea-Indian Ocean-Persian Gulf area.

This makes such counter-measures as economic blockade of the Arabian peninsula wholly impractical. Down the road, moreover, if Dr. Kissinger gets his Mideast settlement, the first consequence will be the reopening of the Suez Canal. Thereby, Soviet naval supply lines to the Red Sea-Indian Ocean-Persian Gulf area will be shortened from 11,000 miles to 2,000 miles.

The U.S. naval staff therefore predicts that with the canal re-opened, Soviet naval power in the area will be promptly multiplied by at least four. Instead of 20 vessels on station, there will be 80. So the little, unpopulated, powerless Arab states that own the main oil resources, will spend their nights and days staring down the throats of rows of missile launchers on Soviet cruisers.

In short, there is a lot more to the problem of national independence, posed for the United States by the energy crisis, than now appears on the surface. This is one reason for opposition to rationing. Significantly, rationing is also opposed by the wise chairman of the House Ways and Means Committee, Rep. Wilbur Mills (D-Ark.).

The fact is that high energy prices are positively desired by Chairman Mills, and also by the new and able energy boss of the Nixon administration, Deputy Secretary of the Treasurer William Simon. Paying high energy prices will be a grating way of facing the music in this country, which has always been accustomed to abnormally low energy prices. But it is still the only possible road to national self-dependence in energy, and therefore to avoidance of any threat to national independence.

We need high prices of the sort that would come from a guaranteed price of $10 a barrel for crude oil. Such prices are necessary, in turn, in order to induce the capital investments of up to $100 billion over 10 years that are required for full exploitation of oil shale, coal gasification and so on and on. And if this is the only sure way to national independence, it is better to pay up and look pleasant.

YOUTH ADVISORY COUNCIL

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. SYMINGTON. Mr. Speaker, 3 years ago I formed a youth advisory council to serve me in my congressional district of St. Louis County consisting of one student from each high school in the district. During this council's existence, several important and relevant reports have been produced covering a range of legislation before the Congress. At the beginning of the 1973-74 youth council, this past September, I presented to the council, for their review, two pieces of legislation: H.R. 1807, the House Runaway Youth Act, and S. 645, the Senate Runaway Youth Act, sponsored by Senator BAYH.

I submitted these bills for the council's review, and the Subcommittee on Juvenile Justice has just completed a report on their opinion of these two bills. I present their findings to you with pride in the intelligence and dedication with which they have addressed the questions.

The material follows:

JUVENILE JUSTICE COMMITTEE: COMPARISON REPORT ON H.R. 1807 AND S. 645

FINDINGS AND RECOMMENDATIONS

While these two bills deal with the same problem, Runaway youth, we found several major differences in both policy and funding. The following are our findings and recommendations concerning specific points covered in these two bills.

1. Concerning H.R. 1807, Title I, we find it inappropriate to assign authority for making grants for runaway youth reporting services to the Administrator of the Law Enforcement Assistance Administration. This diversity in funding, we feel, can lead only to confusion. We agree with S. 645, which assigns authority for grants to both Runaway Houses and Reporting services to the Secretary of Health, Education and Welfare.

2. Concerning appropriations of funds, we find that the funding of H.R. 1807, which provides $2,000,000 for each year (1974, 1975, and 1976) for Runaway Houses, and $2,000,000 for reporting, is entirely inequitable. The Runaway House should be the principal object of planning and funding under this bill.

The funding provided under S. 645 is, while rather vague, somewhat more acceptable. It provides $10,000,000 for each year (1974, 1975, and 1976) with no provisions for allotment to the two separate programs, Runaway Houses and Reporting services.

3. We agree with provisions in both bills which provide for aftercare, once the runaway has left the care of the Runaway House.

4. We find that the provision in S. 645 requiring that each Runaway House have a maximum capacity of no more than 20 children is unnecessary. In certain areas in which the runaway problem is great and facilities for runaways are not sufficient, this number may serve to lock out youths who need counselling.

5. Concerning that part of Section 102(b) which provides "that records maintained on individual runaways shall not be disclosed without parental consent to anyone other than another agency compiling statistical records or a governmental agency involved in the disposition of criminal charges against an individual runaway," we question whether sole responsibility for disclosing these records should rest with the parent; and while we agree that there should be some provision for protecting these records, we feel that the runaway himself should have a voice in whether these records should be disclosed.

6. While both bills provide for a study to be made by the Secretary of Health, Education and Welfare to determine the problems, needs, and methods of dealing with runaways, only S. 645 provides that records gathered for the study shall not be disclosed to any individual or agency.

7. We find that requirements under H.R. 1807, which provide that Runaway Houses must contact authorities to determine if a runaway is being sought by law enforcement agencies within 48 hours, and which require that the runaway under 18 must contact his parents within 36 hours, are reasonable and necessary. Such requirements are not set forth in S. 645.

8. One addition which we feel should be studied is a provision for some kind of communications system between Runaway Houses. Such a system would aid in exchanging information on runaways who might have been to other Houses, and also would assist in exchanging new methods being used by a Runaway House.

In conclusion, we find the Senate Bill 645 to be a more acceptable program. Both the provisions for Runaway Houses and other services for runaways, as well as the funding for these programs, are much more serviceable.

Although neither bill is entirely free from discrepancies, we find that S. 645 is basically sound, and if certain minor problems are eliminated, the bill will adequately fill the pressing need for runaway facilities.

ADDENDUM

To gain further insight to these bills, we interviewed Mr. Joseph Palozolla, Director of the Youth Emergency Service, who has studied H.R. 1807 and S. 645, and as the operator of a facility such as would be financed in the Runaway Youth Acts, he has developed definite opinions on the provisions of these bills.

On almost all points, Mr. Palozolla feels that the Senate bill deals with the problem of runaways much more effectively. The House bill, he feels, just doesn't seem to have the fate of the runaway as its primary interest.

In the matter of funding, he feels that allocating equal amounts for Runaway Houses and reporting services, as is done in H.R. 1807, is entirely inequitable. In fact, he questions the need for any reporting service at all, as described in these bills. By handing out two million dollars for reporting services, he said, the bill isn't dealing with the problem.

Also pertaining to funding, Mr. Palozolla agreed with our Committee that by assigning some of the fund allocating responsibility to the Law Enforcement Assistance Administration, H.R. 1807 is only adding to the bureaucracy which will be handling the money. "I see no reason to fund anything through LEAA," he said. He also said that 10,000,000 dollars is a more realistic figure in dealing with the runaway problem.

Mr. Palozolla said that he was against any requirement for the Runaway Houses to report all runaways to the authorities. He feels that if the runaway knows that the police will be told where he is as soon as he walks in the door, he probably won't come in at all. He does, however, agree that all runaways should attempt to contact their parents within 36 hours, as required in the House bill.

In conclusion, he said that he would favor passage of S. 645, but that any bill which placed the restrictions on individual Houses such as H.R. 1807 did, would not be acceptable to him, and if such a bill were passed, his house would probably not even apply for funds.

COMING OF VARIOUS ENERGY SHORTAGES

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. WOLFF. Mr. Speaker, with the coming of various energy shortages in areas across the country, there can be little doubt of the need to develop a

strong, Federal energy policy. Herbert P. Becker, P.E., has drawn up a comprehensive statement about setting goals for efficient energy consumption. The statement draws on his experience in energy systems engineering, and I would like to place the following summary of his statement in the RECORD for the attention of my colleagues:

A COMPREHENSIVE SUMMARY OF A STATEMENT ON THE URGENT NEED FOR A NATIONAL APPROACH TO THE ENERGY CRISIS

The shortage of clean energy mandates consideration of a strong, Federal Department of Energy with full, legislative authorization to establish and enforce a national energy policy that would set goals for the sources and consumption of energy; set guidelines for desirable and attainable energy consumption levels in all applications; devise legislation for achieving such goals through economic inducements and restraints; finance its activities through an Energy Fund, with revenue generated from, (1) an equitable balancing of energy costs throughout the nation, and between the small and large-block users, (2) rational penaltes, surcharges and taxes against recalcitrant decision-makers who manufacture, design, purchase, produce, apply and operate the energy hardware and systems which waste energy.

Rather than depend upon the groups and individuals affecting the energy problem, to seek their own, self-interested solutions, which may or may not coincide with those of the public at large, this national agency would coordinate a broad policy in the national interest to penalize waste and reward conservation, with a minimum of repression against freedom of action. Any existing situations which tend to perpetuate waste and indiscriminate use of energy would be modified to make such actions economically unattractive, while choices which move in the direction of the desirable goals would be broadened by appropriate economic inducements.

Legislation would be structured from a philosophy of energy conservation and pollution control affecting the supplier, producer and consumer of energy, throughout all sectors of commerce and industry. Statutes governing Utilities, rate schedules and taxes would be modified to reduce or eliminate those characteristics which encourage undesirable action.

Proposed treatment of restraints and inducements include:

1. Revise tax laws to eliminate property taxes on higher capital investments required for energy-saving systems; reduce tax rates on operating cost savings (profits) accrued from same; reduce allowable deductions on operating costs of wasteful systems; raise investment credits and depreciation rates on energy-saving systems and lower them on wasters.

2. Allocate cleaner fossil fuels on a national basis more generously to savers and regulate curtailment of wasters.

3. Eliminate waste in low-energy cost localities by surcharge on inequitably low rates in areas which are geographically favored.

4. Modify mortgage laws for investments on saver-systems by increasing the portion which can be financed, subsidizing costs, and reducing interest rates by government guarantee.

5. Reduce or eliminate the savings to the Purchaser for equipment or systems with high initial and ongoing energy consumption and short life, by surcharge or excise tax. On these inferior products, mandate & police "Truth in Advertising".

6. Structure laws, taxes and rate schedules to eliminate systems which transfer excessively high energy consumption burdens from Landlord to Tenant and encourage those which minimize the combined usage of Landlord and Tenant.

7. Structure inducement benefits to permit Engineering and Architectural Designers to optimize energy designs without suffering loss of fee.

8. Modify the philosophy and structure of energy rate schedules so that:

(a) Plus or minus rate adjustments may be selectively applied to wasters and savers respectively, instead of employing across-the-board increases in all energy rates.

(b) Avoid regressive rate increases for lower income groups.

(c) Permit higher Utility profits for energy sales based upon substantially higher energy conversion efficiency than is normal, but reduce profit formulae for those based on wasteful practices.

(d) Mandate new schedules which encourage private users to optimize fuel conservation without penalizing an acceptable Utility profit margin for special stand-by or auxiliary services.

9. On a National basis, co-ordinate the expertise of all professional and trade groups concerned with energy to establish acceptable guidelines for reasonable energy consumption in all applications of science, commerce and industry.

It is felt that these steps, taken in time, can alleviate the energy shortage on a current basis, and lengthen the lead time our researchers need to evolve new and practical energy sources, with minimum detriment to our environment and the least disruption to economic growth, life style and a free economy. Much dialogue is required on the concept proposed to enhance its validity as a solution acceptable to the entire public, despite its tone of federal interference.

ENERGY AND DEFENSE INDUSTRY PROTECTION ACT

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. MOSS. Mr. Speaker, I am introducing today the Energy and Defense Industry Protection Act. This legislation is designed to prevent control by foreign persons of American companies engaged in the energy and defense industries.

In recent months we have witnessed an increasing number of takeovers of American companies by foreign persons. This situation can probably be traced to the devaluations of the dollar and the decline in prices on our Nation's stock markets.

I am concerned with the possibility of American companies engaged in vital industries being taken over by foreign persons. My bill attempts to deal with this by prohibiting foreign persons from owning, either directly or indirectly, 10 percent or more of such companies voting securities.

I intend for this bill to be a vehicle for hearings on this topic. It is my hope that the uSbcommittee on Commerce and Finance, which I chair, will be able to hold such hearings during the second session of the 93d Congress. It would be my intention to solicit the widest possible comment and to give all interested persons every reasonable opportunity to appear and testify.

SOVIET JEWS AND IRISH NATIONALISTS: PRISONERS OF CONSCIENCE

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. MOAKLEY. Mr. Speaker, out of my profound concern for the basic human rights of all peoples, I wish to bring to the attention of my colleagues the similarity of the tragic plight of both Soviet Jews and Irish nationalists at the present time.

It is my fervent hope that these "Prisoners of Conscience" as my constituent, Fred Burns O'Brien, so aptly describes them, will soon be accorded the full justice and dignity guaranteed them by international covenants and due them by all tenets of civilized society.

The following article states the case in such compelling terms that I am pleased to share it with both Members of Congress and the American people:

SOVIET JEWS AND IRISH NATIONALISTS: PRISONERS OF CONSCIENCE

(By Fred Burns O'Brien)

The basis of a democratic political system is the foundation, firmly entrenched, that each individual has the right to express his or her views publicly regardless of its content, even if it is deemed in derogation of the existing government. To have less than complete political rights is surely a breeding ground for violent confrontation. A political conscience might take a variety of forms, but it is housed within the confines of sound democratic principles that are permitted expression for the consumption and digestion of the beholding public.

Violence in Ireland is the direct consequence of a rejection of full implementation of demands for equality in the area of civil, human and political rights which generally encompasses the full spectrum of social interaction. The civil rights campaign was transposed to a more violent effort by an abject refusal of legitimate authorities to comprehend the necessity of immediate change. It was this same authority that catapulted the peaceful demonstration into armed revolt against the repressive statelet. Civil rights demands were of necessity transubstantiated into a demand for self-determination where the people themselves could institute a resolve for their own problems independent of an outside factor (Britain) that could only offer an imposed solution, whereby, irrespective of its motive, bears of the fact alone that it is an outside force of a foreign element seeking a foreign solution to an Irish domestic problem.

In a similar fashion, the struggle of Soviet Jews had commenced as a civil rights struggle in the same vein as that of the Irish but with a different final demand to effect justice. It is entirely possible that the demands of Soviet Jews may yet result in violent confrontation if their political exhortations are ignored.

As Soviet citizens, the Jewish community—a minority group liken to many others

in Russia—is allegedly allotted the same rights as other citizens, but in practical application their rights are denied by those designated to implement such guarantees. Soviet law embraces the guarantee that all national groups are entitled to their own culture, language and traditions. This is deemed as a necessity due to the conglomeration of national groups that comprise the multi-national Soviet Union. To impose a Soviet culture would be unacceptable and impractical to such an array of diverse peoples and it was further concluded that all groups, save the Jews (in practice, not law), would be granted minority group social-autonomy within the massive Soviet society. The abrogation of these inherent rights of Soviet citizens in the instance of the Jewish minority group is a violation of the Soviet Constitution and the international covenants of human rights.

The Jewish crime is in requesting the right to emigrate to Israel and when this was denied them, they spoke out in political demonstration for which they have been harassed and incarcerated. The Irish crime is the desire for self-determination and the reunification of their nation, for which pursuit they have been interned without charge or trial.

Russian Jews ask only for rights awarded other citizens and they are denied, just as the Nationalists are denied equity within the Northern Irish society. The end result for the Jews is to seek to emigrate to Israel, because there would be no basis for self-determination within the present structure of the Soviet Union. Instead, they exercise the right under the Universal Declaration of Human Rights which states: "Everyone has the right to leave any country, including his own, and to return to his country." The Irish and Jews both sought civil rights and were rewarded negatively, coercing present courses of action as being of last resort. While the Jews emigrate to Israel, the Irish Nationalists demand self-determination in order to seek their national destiny.

In both cases of reference, the majority denied the minority the rights guaranteed both internationally and domestically. In the two instances, the peoples sought by peaceful means to effect a rectification and upon this failure resorted to more drastic measures. For pursuing political equity, the Irish and Jews alike were imprisoned for their thoughts of challenging, not legality, but raw authority and the power structure itself. There are no crimes involved in these situations, only political crimes as defined in a completely self-serving manner by those with the reins of authority.

The Soviet Union and Northern Ireland are by no means democracies, but they both purport to entertain all citizens as equal, though this is selective equality. A jew is treated like all Jews collectively and an Irish Nationalist like other Irish Nationalists and within these select confines there is equality; however, in the broader spectrum of society as a whole, there is group equality, but there is also the placement of one group over another in a ladder of equality. Structurally, there are barriers between classes of national or religious and political groupings whereby one is favored over the other(s) by reason of the dictates of the given power structure.

The Jew and the Nationalist are incarcerated for expressing political views that weigh heavily upon their conscience. This is morally and legally wrong by definition of equitable law and must be, in fact has been, rejected in its entirety by interested parties. No one should be imprisoned for his or her political beliefs or definition of social existence in political terms, but it happens continuously and must be curtailed for the protection of future generations.

But for the Irish Nationalists and Soviet Jews, the crisis has gone beyond the point of rectification, and far more serious alternatives have been incorporated into the situations. Those in Soviet prisons and British concentration camps are suffering indignities for their thoughts in a political context and are not the real criminals, whereas, the authorities demanding the incarceration of these political defendants embrace criminal actions.

Political imprisonment for crimes of thought and conscience evidence the weakness of a system or government that cannot survive the truth regardless of its detriment. A solid and just government can bear any tempest and survive if it encourages dissidents to make known their dissent and is prepared to act equitably in instances of clear abuse.

WILL THE REAL STOCKOWNERS PLEASE STAND UP (SO WE CAN FIND OUT WHO YOU ARE)?

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, one of the many problems corporations have is identifying the real holders of their corporate issue.

This might not seem like much of a problem, but it is when one realizes that many small shareholders prefer to keep their stock in their broker's name, an activity encouraged by brokerage houses to cut down on their own paperwork.

Thus when a corporation contacts its shareholders it must communicate through various second-party brokerage houses.

This time-consuming and wasteful practice is the cause for growing concern among corporations seeking to increase dialog between stockowners and themselves.

A recent Business Week article carried the following note:

Union Electric Corporation of Carnegie, Pa., was so concerned about the problem that it commissioned a nationwide study and presented it to the Securities and Exchange Commission. The study, now being reviewed by the SEC, shows that of the 17% of all corporate stock now held in street names, as many as 68% of the actual owners are not getting reports and other information in a timely fashion.

The article, which I will put into the RECORD for the information of my colleagues, discusses some legislative remedies for the problem which the Congress should consider:

THE SILENCE IMPOSED BY STREET NAMES

In a move to simplify its bookkeeping, Tyler Corp., a diversified Dallas-based trucking and manufacturing company, last month offered to pay cash bonuses to holders of 20 shares or less of its common stock if they would turn the stock back to the company within 30 days. But the company expects that as many as 25% of its shareholders will not get the word in time because their stock is listed in a broker's "street name."

Tyler's frustration in trying to communicate with its stockholders is increasingly shared by other corporations, large and small. The problem is that since brokers refuse to divulge client lists, which they consider proprietary information, companies must rely on the already overworked brokers' back offices to pass along to stockholders all manner of important things—proxy statements, dividends, quarterly and annual reports, and, in Tyler's case, a special exchange offer. Companies are increasingly complaining that the brokers are falling down on the job.

Union Electric Steel Corp. of Carnegie, Pa., was so concerned about the problem that it commissioned a nationwide study and presented it to the Securities & Exchange Commission. The study, now being reviewed by the SEC, shows that of the 17% of all corporate stock now held in street names, as many as 68% of the actual owners are not getting reports and other information in a timely fashion.

PAPERWORK

The problem of communicating with the "real" stockholder is not new. Brokers encourage customers to keep their stock in the broker's name to cut down on Wall Street's massive paper work, which has crushed many a mismanaged firm to death. And many customers prefer the anonymity as well as the convenience of keeping their stock with a broker in a street name.

But at a time when many stockholders grumble about poor stock performance and stingy dividends, and as SEC disclosure rules grow more demanding, corporate managers are finding plenty of good reasons to want direct communication with all their stockholders. A big Midwest appliance manufacturer worries that the growing proportion of street names will make takeover attempts more difficult to spot, even though any holder of 5% or more of a company's stock is legally required to inform the SEC that he is making such a move.

International Multifoods Corp., a Minneapolis-based diversified food processor and restaurant chain operator, has a two-year program to woo "the mom and pop shareholder"—for example, by making its annual report more readable. The company also offers to mail copies of its "10 K" annual report filed with the SEC, perhaps the most useful source of information about any company. But in the last six months, street name holdings of the stock have increased nearly 12%. Thus, because of the costs involved, the company's offer does not extend to shares that are held in street names.

LUNCH DATES

Giant companies such as RCA Corp. spend $50,000 a year or more just to maintain special staffs that work only with brokerage back offices to get information to street name shareholders. "It also pays to take the head proxy clerks out to lunch once in a while," confides one corporate secretary. "When they have the big crush of proxies to mail out at annual report time, you know your stuff will go out first." And big brokers such as Merrill Lynch have invested heavily in computers and automatic labeling and envelope stuffing machines.

But a great many companies, it appears, are not getting the kind of service they want. For this reason, securities reform bills in Congress include provisions ordering the SEC to study the whole question of street name and nominee holdings and the impact of such practices on corporate stockholder communications.

Thus far no solutions are at hand, but two ideas are considered front runners. One would require brokers to give stockholders lists to companies under safeguards that would prevent a broker's competitors from seeing the names. The other idea, which many brokers favor, is to have companies

"spread out" the closing dates of their fiscal years so that brokers are not deluged with work each spring.

TACHOGRAPH WILL HELP MONITOR FUEL SHORTAGE

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. FINDLEY. Mr. Speaker, on November 15, I introduced the Bus and Truck Safety Act of 1973. This bill would require each truck and bus under the jurisdiction of the Interstate Commerce Commission to be equipped with a tachograph, a recording instrument which provides a permanent record by chart of speed in miles per hour, distance traveled, and the number and duration of stops, as well as other pertinent information.

Experience in foreign countries where the tachograph is mandatory equipment shows clearly that these devices promote speed control, serve as a warning to drivers, and provide accurate records for owners, drivers, and law enforcement agencies. Several States already have such laws or are considering them. Bills have been introduced to require tachographs on buses in Connecticut, Massachusetts, and Rhode Island. A bill to require the use of tachographs on other vehicles in addition to buses was introduced in New York.

I am hopeful that hearings can be held on this bill and the Congress will enact it at an early date for several reasons.

Of primary concern to everyone is the urgent necessity to conserve our precious energy supplies. The House and Senate have passed bills setting a national speed limit of no more than 55 miles per hour for all vehicles. Enforcement of that standard will be left to State and local officials.

The tachograph will make enforcement much more uniform. It will make it quite unlikely that the giants of the highways—trucks and buses—will violate the new speed law and jeopardize the lives of passengers and other motorists alike.

A recent article in the Washington Star indicates that such violations are widespread among truckers and almost impossible to combat. Through the use of a secret and largely illegal network of citizen's band radios in the cabs of trucks, many have secured virtual immunity from speeding and overweight arrests.

Key codewords are exchanged by as many as 25 percent of the truckers on our Nation's highways, thereby informing each other of the locations of police vehicles, speedtraps, and law enforcement officials.

The bare statistics on truck accidents show the dangers involved. According to the National Safety Council, in 1972 alone there were approximately 3,500,000 big-rig accidents that killed 5,500 persons and caused $6 billion in property damage.

Obviously, it is hard enough for a truck to stop when it is traveling the legal speed limit. When it is speeding, it is even more difficult, and it is less likely that it will be able to stop with safety.

Text of newsstory follows:

RADIO CHATTER OK'S TRUCKS' HIGHBALLING

How many times have the big trailer trucks thundered by at 70-plus m.p.h. on major turnpike straightaways to leave motorists wondering how they get away with it?

How they get away with it, according to Pennsylvania State police, is through a secret and largely illegal net of citizen's band radios in the cabs of the trucks. The radios tell truckers where the law is—and where he is not.

Exchanging key code words over the radios, truckers know when police are not around and can roar down the highway as fast—and as overweight—as they please.

Key words include "Smokey the Bear," referring to state policemen, "chicken coops," for weighing stations, and "c'mon and run," meaning the coast is clear.

Estimates of the number of truckers equipped with radios vary upward from the federal government's 25 percent. There are no accurate figures because most truckers don't obtain the required federal license.

One new owner of a citizen's band radio is state police Cpl. Gary Mysel.

As he sat in his patrol car on the shoulder of Interstate 81 near Harrisburg, a group of tractor-trailers passed. Seconds later, the radio came alive.

"Smokey the Bear's sittin' near exit 28. He's in a plain wrapper (unmarked car)," it barked.

"Within five minutes they'll know 20 miles in both directions that we're sitting here," explained Cpl. Edward Fraser, Mysel's partner. Truckers hummed by at the legal speed for the next 30 minutes.

Officers say the two-way network gives truckers virtual immunity to speeding and overweight arrests. It had become a national highway safety problem before speed limits were lowered because of the energy crisis.

The network also helps explain what has long been a mystery to the average motorist: How can those trucks keep barrelling along at 70 miles per and never seem to get stopped by police?

"Now watch this," says Mysel as he drove the patrol car well away from the highway.

Picking up the microphone from his citizen's band radio and speaking in his best truckdriver voice, he broadcasts:

"I'm out here near exit 28 and Smokey's nowhere in sight. C'mon and run, C'mon, c'mon."

Minutes later, the rigs whiz by at well over the 55 m.p.h. limit.

"This is their free ticket," Fraser says of the radios. "The only truckers we get are the ones who don't have radios, or have them turned off."

No one has yet found an effective way to thwart the truckers' system.

The report on the truck drivers operation was developed by reporters for the Philadelphia Inquirer.

POLICE OFFICER IS HONORED FOR BRAVERY

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. HASTINGS. Mr. Speaker, I should like to pay tribute to a young police officer from my district, who recently was awarded the Salamanca, N.Y., Police Department Medal of Honor for bravery.

The award was presented to Officer Timothy Jackson for rescuing a woman, trapped in her automobile which had plunged into the Allegany River. In the best tradition of the thousands of police officers throughout the Nation daily serving their communities, Officer Jackson entered the icy stream, removed the woman and performed mouth-to-mouth resuscitation until she regained consciousness.

Officer Jackson, married and the father of two children received scores of other honors from his community as well as a special letter of commendation from FBI Director Clarence Kelley.

In receiving the Medal of Honor, it was typical of Officer Jackson to say:

In honoring me, they have also honored each and every member of this department.

I insert in the RECORD an article which gives an account of the Medal of Honor presentation and why Officer Jackson is so deserving of it.

The article follows:

PRESENT "MEDAL OF HONOR" TO SALAMANCA POLICE HERO

SALAMANCA.—City police paid tribute Saturday to Patrolman Timothy Jackson, whose heroism saved the life of Mrs. Wesley Fisher of Bradford, on November 6.

In a brief ceremony at the Coachman's Inn, Sgt. Perry Barrett, president of the Seneca Police Club of Salamanca awarded the 26-year old rookie policeman an engraved, bronze Medal of Honor on behalf of his fellow policemen in recognition of the valor he displayed "above and beyond the call of duty."

The medal, which hung from a wide band of green satin ribbon, was accompanied by a matching green bar or "ribbon"—highest awards for distinction that the Police Department can bestow.

Jackson will be permitted to wear the bar on his uniform every day, beginning this week, Police Chief John R. Kowalski told the Times Herald. It is the only such recognition ever given a policeman in this city.

Accepting the awards and a certificate in honor of his heroism, Patrolman Jackson said that ever since the near-tragic mishap occurred early last month, he has heard many expressions of appreciation from citizens of Salamanca for services performed routinely by all members of the Police Department.

Kiwanis members, Rotarians and other residents, Jackson said, have told him that the events of November 6 have provided citizens here with an opportunity to appreciate the police, and to publicly recognize the entire department for their work.

"In honoring me, they have also honored each and every member of this department," the young hero told his fellow police officers, city officials and their wives at the dinner Saturday.

"I am glad that I was able to help Mrs. Fisher, but I am certain that any policeman on the force could have done what I did."

Police Chief Kowalski read a letter from Clarence Kelley, director of the Federal Bureau of Investigation in Washington, DC, which praised Jackson for his prompt response, and for his concern for the life of another individual.

"My associates join me in extending our congratulations to you for your outstanding performance. We trust your career as a police officer will be rewarding in the future, and that you will continue to be an example to all law enforcement officers . . . in our profession," Mr. Kelly wrote.

Chief Kowalski also read a letter from C. William Baker, clerk of the Cattaraugus County Legislatire, enclosing Resolution 404

of Nov. 14, which commended the policeman for his bravery. The resolution had been presented by Legislators Carl E. Monkhouse of Allegany, Howard Peterson, Edward Nugent and Kenneth McClune of Salamanca, and approved by the Legislature.

James Griffiths and Marion Fisher of the Salamanca Police Commission presented Patrolman Jackson with certificates of recognition. Mr. Fisher on behalf of the Salamanca Moose Club, awarded Jackson a $100 check for the courage he displayed on Nov. 6. A letter of commendation from Sheriff Charles B. Hill was also read at the dinner.

Last week the policeman was the recipient of many citations, having been honored by the Kiwanis and Rotary Clubs, the County Civil Defense and Legislature.

Among those attending the dinner were policemen and their wives, members of the Common Council and Police Commission, and Mr. and Mrs. Wesley Fisher of Bradford.

Mrs. Fisher has said that she "always" wears her seat belt . . . but on the night of the accident, for some unexplained reason, she did not buckle it. She told Patrolman Jackson later that she also "always" locks her auto doors, and that on the night of Nov. 6, she failed to lock them.

If she had done either one of these things Nov. 6, it is doubtful whether Patrolman Jackson would have been able to save her life, police officers told the Times Herald.

PEANUT PROFITEERS—TAXPAYERS' BURDEN

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. BAKER. Mr. Speaker, in recent weeks, a bill has been introduced to revise the present peanut program. I have taken the time to look into this program and have been fascinated with some of the little publicized information concerning this peanut program.

I want to turn a spotlight today on peanut profiteering and the peanut profiteering industry.

Peanut profiteers are forcing stagnation on a potentially great agricultural industry in order to line their own pockets with Government money. They are ripping off the Federal Government to the tune of increasing millions of dollars each year.

And it is all perfectly legal. Not right—but legal. Not necessary—but legal. Not just—but legal.

The peanut profiteering industry neatly slips a pork barrel onto every peanut bag—then the profiteers divvy up the contents of the barrel, while the American taxpayer is left holding the sack.

Other farm programs have been evolving over the years, moving away from Government controls and subsidies, toward market expansion and free enterprise.

Not the peanut program. The peanut profiteers have stayed clamped to high subsidies like an unweaned child with a full set of teeth.

What is peanut profiteering? How and why does it exist? Who are the peanut profiteers?

Two provisions of the permanent legislation for peanuts are the basic flaws:

One is the provision setting a minimum national acreage allotment of 1.61-million acres. This is divvied up among allotment farmowners. If you do not have an allotment, do not bother to grow peanuts because a big penalty is imposed to make sure there is no profit in growing peanuts without an allotment.

No. 2 is the provision that says peanuts grown on allotment acres get Government price-support at no less than 75 percent of parity.

That is the picture; only allotment holders can grow peanuts, and their peanuts are guaranteed price-support at a high level.

Now, add another—and vital—fact. Farmers have made such good use of technology that since 1955 peanut yields have gone up an average of 70 pounds per acre each year. This means that while the national peanut acreage allotment cannot, by law, be cut below 1.61-million acres, farmers really only need about 1.1-million acres to grow all the peanuts that go into U.S. food.

On about half a million acres each year, peanuts are grown which the Government does not need but has to buy.

That is what peanut profiteering is all about—using every device possible to maintain this ridiculous position in which the Government pays for the production of too many peanuts.

Profiteering comes in because the support is so high that an allotment is a very valuable asset to own. If you have a peanut allotment, you can lease your allotment acres for more than $100 an allotment acre to some dirt farmer who really wants, or needs, to farm for a living—and you can live high off the pork barrel of peanut profiteering.

Just about 25,000 allotment farmowners deal off their allotments each year—by sale or lease—to someone who wants to grow peanuts; and both parties profit because of the Government guaranteed bonanza price for peanuts.

Some 40 years ago when allotments went into effect, they were meant to prevent excess production and give each farmer his fair share of the market. Well, they have not prevented excess production—and all sense of equity has long since been lost in the shuffle and scuffle of dealing in allotments as if they were blue-chip securities—as indeed they seem to be for the peanut profiteers.

Let us take the profiteering out of peanuts and put production back into the hands of young farmers who will grow peanuts for the market, not the Government.

A PROPER MOVE BY REPRESENTATIVE TREEN

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. HÉBERT. Mr. Speaker, my Republican colleague from Louisiana, the Honorable DAVID TREEN, has worked hard in behalf of the delegation for our fishermen.

As you know, Louisiana has many people who depend upon fishing for a livelihood, therefore the welfare of the industry is of vital concern to me and the rest of our State's delegation.

As dean of the Louisiana delegation, I want to commend DAVE TREEN for his efforts and in particular for his resolution expressing concern over the Nation's declining fishing industry which this House has approved.

It is best summed up by an editorial which appeared in the Baton Rouge Morning Advocate, which I include in the RECORD at this point:

A PROPER MOVE BY REPRESENTATIVE TREEN

In the light of more pressing affairs, the resolution approved by Congress at the behest of Rep. David Treen expressing concern over this nation's declining fishing industry may seem insignificant.

American fishermen have long been the underdog in the international quest for food from the sea and little attention has been paid to the fact that other nations sweep the waters off the United States coast clean through use of their highly developed technological skills.

Yet, as Treen noted, the industry does play a key role in the economy of the Louisiana coastal area and the same is true of other states along the Gulf of Mexico and the Atlantic and Pacific oceans.

Treen's resolution will not solve the problems of the American fishing industry, but it is, as he noted, a start toward at least doing something about them.

One of the first benefits from the resolution undoubtedly will come during the Law of the Sea Conference, now underway in New York.

If nothing else, the member nations of that conference can be advised that Congress is cognizant of the problems.

Just what can be done about them remains to be seen. There has been some talk of expanding the U.S. jurisdiction from the present 12 miles to 200, as other nations have extended their limits of "control." And there may be a request later for government subsidy of fishing fleets.

The communist nations have long subsidized such fleets. Russia has supplied Cuba with factory ships and trawlers so that nation can reap harvests from the Gulf of Mexico. Spain is currently building more ships for the island nation.

There is some sentiment that the United States cannot compete with the subsidized fleets. And there have been expressions in some quarters that the seas have been largely "fished out" and that it would be useless to expand the American fleet.

But insofar as can be determined, there has been no official establishment of the truth of these contentions.

Part of the plan, under Treen's resolution, is to hold hearings around the country in an effort to determine the true scope of the fishing industry's problem, then go back to Congress with proposed legislation to improve its stance.

The recommendation may be for subsidy. It may be for extending the jurisdictional limits. Or it may even be that, in order to ensure a continuing supply of fish, this nation turn to inland fish culture as China and Russia have done.

But, whatever the outcome, there will have been at least some effort made to perpetuate this little recognized, but valuable American industry.

Treen's resolution is not insignificant, either, to Louisiana or to the nation as a whole.

MRS. GORDON McLINTOCK

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. ROONEY of New York. Mr. Speaker, I was shocked and saddened at the death, a few months ago, of Mrs. Gordon McLintock, wife of Vice Adm. Gordon McLintock, Superintendent of the U.S. Merchant Marine Academy for nearly 23 years, until his retirement in 1970. I had known the admiral and Mrs. McLintock all of those years. She lived a wonderful life and she wove into the fabric of that life loyalty, dedication, concern and love of a most admirable quality and pattern.

Mrs. McLintock's death came a day before commencement exercises of the last class of midshipmen to have attended the academy while her husband was its chief. The couple had been invited by the class president "to share our joy" on that day, but news of Mrs. McLintock's death arrived instead at the campus where she had been instrumental in raising a large part of the construction money and helping design the interior and decor of the U.S. Merchant Marine Interfaith Memorial Chapel.

A warm, charming woman, Mrs. McLintock became well known for her works in Nassau County during her husband's tenure at Kings Point.

Along with Mrs. William Paley and Mrs. John Hay Whitney, she inaugurated the annual North Shore Hospital Ball at the Academy in 1950 and had been deeply involved in the building of the hospital.

She was active in the Women's Propeller Club, a group of wives of men in shipping, and in Snug Harbor, a home for aged mariners on Staten Island.

Mr. Speaker, Mrs. McLintock was a lovely lady who was very good and very kind to both me and my family over the many years that we have known each other. Some of the finest memories of the relationship was of Mrs. McLintock taking my daughter, Mary Ann, and her brothers to academy football games during the fall.

We shall all miss Mrs. McLintock very much, Mr. Speaker, for she was a most unusual and wonderful woman. To Admiral McLintock the Rooneys extend their deepest sympathy and prayers during this hour of his great loss.

Under the permission heretofore granted me I include for the attention of my colleagues and the numerous friends of Mrs. McLintock, the memorial service held at Fort Myer Chapel, Arlington, Va.

Present at the service and interment were leaders of the maritime industry, the educational world, the armed forces, and representatives from the embassies, and graduates, and condolences received included those from the Chairman of the Joint Chiefs of Staff Admiral Moorer and Mrs. Moorer. While there was no official representation from the academy a number of the staff, officers, faculty, enlisted men and former stewards whom she had loved also attended.

MEMORIAL SERVICE

Fort Myer Chapel, Arlington, Virginia, June 27, 1973.

The Service is held in loving memory of: Wynne Russell McLintock.

THE ORGAN PRELUDE

THE INVOCATION

Captain R. W. Radcliffe, CHC, USN.

Jesus said, "I am the resurrection and the life; he who believes in me, though he die, yet shall he live, and whosoever lives and believes in me shall never die." (John 11: 25–26)

The eternal God is your dwelling place, and underneath are the everlasting arms. (Deuteronomy 33: 27a)

The Lord is my light and my salvation; whom shall I fear? The Lord is the stronghold of my life; of whom shall I be afraid? (Psalm 27: 1)

HYMN

America the Beautiful

O beautiful for spacious skies, for amber waves of grain,
For purple mountain majesties above the fruited plain!
America! America! God shed His grace on thee,
And crown thy good with brotherhood
From sea to shining sea!—Amen.

THE EULOGY

Captain Joshua Goldberg, CHC, USN (RET).

Delivered at her Funeral Service at the National Cemetery, Arlington, where she has the honor to be interred among all the great heroes of America.

Dear Gordon, dear sister Margaret and dear friends—

It is not easy to encompass in a few words at this parting service the full meaning of Wynne McLintock's life, its place in her family circle and its impact on her happy and tender life with Gordon, with whom she walked hand in hand and heart with heart to the very end of her mortal existence.

I shall permit myself to voice only a few points of her radiant personality. As a child, her sister Margaret tells me, Wynne was called in the family "Winsome Winnie." How charming and appropriate!

Later, as a senior girl at Dame Allen's School, Newcastle upon Tyne, she was voted "the most popular girl in the school" and crowned Queen Winnie at a lovely ceremony of flowers.

And "Winsome Winnie" grew up, when we met and learned to know her, into a Lady in the grand manner—a truly Grand Lady.

She came to us from the British Isles—the cradle of our culture—and brought blessings to our land. She cherished it and always prayed that our lucid banner ever shine as a symbol of the dignity and sacredness of the human personality.

The freshly blooming heather brought yesterday from Scotland by Captain and Mrs. Dry, and placed in her casket, unites her symbolically in death with her native land from which she carried so many precious gifts of mind and spirit to us.

Wherever Wynne moved she scattered around her serene graciousness. The hospitality in her home was infectious. Whoever found himself under her roof had the joyous privilege of feeling the warm spirit of the incomparable hostess. To be at the McLintocks' was to be and feel at home!

As Chaplain in the Third Naval District, I had the opportunity for some twenty years to observe Wynne at Gordon's side as his helpmate and life companion, guiding together the destiny of the United States Merchant Marine Academy, which, under her devoted stewardship has gained world-wide reputation and recognition.

Wherever American Merchant Marine Officers man our ships their hearts stir with fond memories of and affection for our departed Wynne—The First Lady of the Academy.

Her deep and abiding love for the midshipmen who studied and graduated from this unique institution is well known to them and how richly she contributed to every facet of the Academy's life not sparing her health even to the breaking point.

Wynne was not only winsome, a Lady in manner and thought, and dedicated to her husband's career, she was also deeply religious.

She was a main inspiration and deeply involved in the building of the majestic and beautiful chapel on the campus of the Academy—a veritable footstool to God's Eternal Throne. She worked tirelessly for the erection of this Sanctuary to glorify God's name and to serve as inspiration to worshippers within, and as a reminder to every passerby and passing ships that spiritual vitality has been woven into the fabric of the U.S. Merchant Marine Academy.

What a woman of sweetness and valor!

Now, Death has summoned our beloved Wynne. Our souls cry out unto Thee, O Lord, "What is man?" Is he the creature of dust, whose destiny is but to return to the dust from which he came?

The ancient sage has taught us, "The spirit of man is the lamp of the Lord." Not even the darkness of death can extinguish God's light, which He has kindled in the sanctuary of Wynne's soul. Therefore, O Lord, we thank Thee in this solemn hour for that which was deathless in the life of our cherished Wynne McLintock, and which is now revealed to us in all its beauty.

For her love that united us in life and which death cannot sever; for her companionship which we shared along life's path, and which still continues through the tenderness of memory; for the gifts of her heart and mind which brought us joy and happiness and now have become a precious heritage of the spirit: for all these and more, we give Thee our praise.

Grant us, O Lord, the strength of all the generations who in the face of bereavement proclaimed: The Lord hath given, the Lord hath taken away; blessed be the name of the Lord.

Our Eternal God and Father, send Thy angels from above to lift tenderly heavenward this precious soul. Dearest Wynne go thy way for the Lord hath called thee. Go thy way and may the Lord be with thee. May thy righteousness go before thee and the glory of the Lord receive thee.

Rest in Peace!

THE TWENTY-THIRD PSALM

Dominus regit me

The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures:

And leadeth me beside the still waters.

He restoreth my soul: he leadeth me in the paths of righteousness for his name's sake.

Yea, though I walk through the valley of the shadow of death,

I will fear no evil: for thou art with me; thy rod and thy staff they comfort me.

Thou prepareth a table before me in the presence of mine enemies: thou anointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life; and I will dwell in the house of the Lord for ever.

THE GOSPEL ACCORDING TO ST. JOHN, 14: 1–6

Let not your heart be troubled: ye believe in God, believe also in me.

In my Father's house are many mansions: if it were not so, I would have told you. I go to prepare a place for you.

And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also.

And whither I go ye know, and the way ye know.

Thomas saith unto him, Lord, we know not whither thou goest; and how can we know the way?

Jesus saith unto him, I am the way, the truth, and the life: no man cometh unto the Father, but by me.

HYMN

Faith of Our Fathers

Faith of our fathers living still,
In spite of dungeon, fire, and sword,
O how our hearts beat high with joy,
Whene'er we hear that glorious word:
Faith of our fathers, holy faith!
We will be true to thee till death.—Amen.

THE PRAYERS

Captain R. W. Radcliffe, CHC, USN.

Almighty God, with whom live the spirits of those who depart in the Lord, and with whom the souls of the faithful after death are in strength and gladness: We give our grateful thanks for the good example of your servant, Wynne, who, having finished her course in faith, does now rest from her labor. We pray to you that as a God of infinite compassion you will look down in tender love and pity upon your servant. In the stillness of our hearts we entreat for her your sustaining grace. Be her stay, her strength, and her shield, that trusting in you, she may feel your presence and, in the assurance of your love, be delivered out of her distress and sorrow. Through Jesus Christ our Lord. Amen.

Now the laborer's task is o'er
Now the battle day is past
Father in your gracious keeping.
Leave we now your servant sleeping.

Unto him who is able to keep you from falling and to present you faultless before his throne with exceeding joy, to the only wise God, our saviour, be honor, glory, dominion and power now and forevermore. Amen.

THE LORD'S PRAYER

(In unison)

HYMN

Eternal Father

Eternal Father, strong to save
Whose arm hath bound the restless wave,
Who biddest the mighty ocean deep
Its own appointed limits keep:
O hear us when we cry to thee
For those in peril on the sea!

*Lord stand beside the men who sail
Our Merchant Ships in storm and gale,
In peace and war their watch they keep
On every sea, on thy vast deep.
Be with them Lord by night and day,
For Merchant Mariners we pray.

THE BENEDICTION

Captain Theodore C. Herrmann, CHC, USN.

"And now, Wynne, unto God's gracious mercy and protection we commit you.

May the Lord bless you and keep you.

The Lord make his face to shine upon you, and be gracious unto you.

The Lord lift up his countenance upon you, and give you peace, both now and evermore. Amen.

THE ORGAN POSTLUDE

GRAVESIDE SERVICE

Captain R. W. Radcliffe, CHC, USN.

Our help is in the name of the Lord, who made heaven and earth. (Psalm 124: 8)

Say to them that are of a fearful heart, "Be strong, fear not! Behold your God will come and save you." (Isaiah 35: 4)

The steadfast love of the Lord is from everlasting to everlasting upon those who fear him, and his righteousness unto children's children. (Psalm 103: 17)

Forasmuch as the spirit of Wynne McLintock has entered into the life immortal, we therefore commit her body to its resting, but her spirit we commend to God, remembering how Jesus said upon his cross, "Father, into thy hands I commend my spirit."

Blessed are the dead who die in the Lord from henceforth: Yea, saith the Spirit, that they may rest from their labors; and their works do follow them.

Wynne Russell McLintock, beloved wife of Vice Admiral Gordon McLintock, former Superintendent of the United States Merchant Marine Academy, was born in Newcastle upon Tyne, England, the daughter of Captain John Russell Kidner of the British Merchant Navy, and Mrs. Kidner, and became an American citizen upon her marriage.

Loved throughout the world and affectionately remembered by so many of the midshipmen she served at Kings Point.

The richest gifts of nature and of grace adorned her mind and heart.

She was as the morning star in the midst of a cloud,

And as the moon at the full:

As the sun shining upon the temple of the Most High,

And as the rainbow giving light in the bright clouds:

And as the flower of roses in the spring of the year.

*Second verse composed by Wynne McLintock, 27 Feb. 1968.

CHILD BATTLES WITH HIMSELF

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. HELSTOSKI. Mr. Speaker, diabetes is a surprisingly widespread, though little understood disease that presently affects nearly 6 million Americans. Diabetes is a metabolic disorder occurring in individuals with a hereditary predisposition to the disease, and scientists have not been able to determine the precise genetic defect which causes diabetes.

The most obvious characteristic of the disease is the patient's inability to metabolize carbohydrates properly. Metabolism, used within this context, refers to the breakdown of food substances into energy-releasing or storable forms. Carbohydrates, which include sugars and starches, are generally acknowledged to be the body's primary source of energy.

There are two basic forms of diabetes—juvenile diabetes and maturity-onset diabetes. Juvenile diabetes is generally considered to be the most severe form of the disease and its onset occurs early in life.

Many tragic complications may arise as a result of prolonged diabetes. These include disorders of the nervous system, gangrene, cerebral hemorrhage, hardening of the arteries, coronary disease, stroke, heart attack, renal problems, and blindness.

The Library of Congress estimates that by 1975, 1 in every 25 persons will be diabetic. Today, 30 million people throughout the world are affected by the disease.

Mr. Speaker, these facts clearly underscore the need for an expanded research and treatment program. In addition, I have received letters from many constituents who either have children afflicted with the disease or have it themselves, asking that we provide additional funds to fight diabetes.

A variety of bills designed to aid those who have the disease are presently before Congress. I have sponsored one of these, H.R. 6193—National Diabetes Act—which would expand the authority of the National Institute of Arthritis, Metabolism, and Digestive Diseases in order to advance the national attack on diabetes. Hearings have been held on this bill and other similar legislation, and presently it is pending before the House Commerce Committee Subcommittee on Public Health and Environment.

Mr. Speaker, in addition, today I would like to share an article with my colleagues which appeared November 29 in the Washington Post. The article, entitled "Child Battles With Himself; Learns to Control Diabetes," is a first person account by Richard A. Kasschau of life as a young diabetic. I call this article to the attention of my colleagues, because I believe Mr. Kasschau succeeds in providing additional insight into the rough life most diabetics face.

The article follows:

CHILD BATTLES WITH HIMSELF; LEARNS TO CONTROL DIABETES

(By Richard A. Kasschau)

This story is published to reflect another side of the disease of diabetes in the wake of widespread reaction to the account two weeks ago of William Gibson White's chilling early experiences with a diabetic child. Diabetes is one of the most serious diseases that strike Americans and, compared to some others—heart disease, cancer—is a mystery to the unaffected public. We hope that the combination of this account and White's, while still not telling the whole story of diabetes, will advance education about the disease.

I was eating like a horse ("as if each bite was the last straw!" to quote my father). I gradually started getting up for what became nightly trips to the bathroom, and all the while I was losing weight. On a Friday in May, 1951, my parents were finally moved to contact the family doctor, and his first reaction was to curtail my consumption of strawberries with sugar. That was my first contact with diabetes, a contact that has been maintained now more or less successfully for 22 years.

Diabetes entered my life at the end of fifth grade. Not even out of elementary school, and already a significant challenge: Was I to control my diabetes or was it to control me? My initial reaction was quite negative, but a father who was an engineer and a mother who was willing to learn were quickly to conspire to insure the result.

I was placed in the hospital the following Monday for a four-day period of adjustment to stabilize my condition and approximate the insulin dosage and diet I would require. The nurses educated me about insulin, diet and exercise and educated my parents about insulin reactions, prohibited foods and how to give injections.

Because of the seriousness with which my parents approached the condition, I became increasingly disturbed about my diabetes and gradually more rebellious. I didn't want to play with other boys, and increasingly I didn't want to assume responsibility for managing my diabetes. Testing the urine was fun for the first two weeks: Would the results be blue (good), green (OK, but you can do better), or yellowish-orange ("What did you snitch from the cookie jar?"). But I quick tired of the necessary routine.

I was sent to the first year of the Tennessee Camp for Diabetic Children (TCDC) just outside Chattanooga in August, 1952. The camp was the turning point in my response to life's challenge. Aside from one episode in the fall of 1952, when I became completely fed up with giving myself my own injection, but finally did so under stern injunction from my father, I have given myself an injection unhesitatingly every morning for 21-plus years.

For the next five years, I returned each summer to TCDC as a camper. The next two years I went back as a junior counselor; the following two as a senior counselor in charge of 8 to 10 diabetic boys.

After nine years as camper and counselor I returned as an assistant in the camp infirmary for two years, and I finished my formal association with TCDC as assistant director of the camp during my last two years in college. I continue to support the camp with monetary contributions.

I finished graduate school and have since been employed as a professor at the University of South Carolina. Diabetes has been no hinderance at any time.

Watching the progress of research into the causes of diabetes over the years has been interesting. When asked each year at the diabetic camp, 50 to 60 of the 100 campers would indicate that they had a relative with diabetes. The apparent responsibility of inheritance as a causative factor has been widely confirmed. Beyond that the evidence is mixed, but generally negative. To attribute specific events with responsibility for "causing" diabetes is to indulge in potentially false reasoning. Night follows day, but it's not caused by day. Similarly, diabetes may follow "being dropped on the head" or "always eating candy," but there is very little evidence of cause.

More recently, the focus of research has been on a kind of hormonal imbalance. The solution may or may not be at hand, but the search continues.

Diabetic coma has been described to me many times: It results from consistent neglect usually covering a period of many days, even weeks. Except in the instance of "brittle" diabetics such as the White case in last week's story, those few whose insulin-diet-exercise balance are extremely narrow and difficult to maintain, a coma is a very rare thing and neither I nor many of my diabetic friends have ever experienced it.

Insulin reaction is something else, which may result from too much insulin or exercise and/or too little to eat. One winter morning in Rochester, when I was in college, I awoke the morning after a very active day in an insulin reaction. I dressed quickly and set out for the dining hall, realizing only after I had gone about 30 feet in the snow that I had forgotten my shoes! With my shoes on, the insulin reaction was corrected by the first glass of orange juice.

I have learned a number of things down through the years, both from personal experience and as a result of dealing with several hundred diabetics and their parents while at the Tennessee Camp for Diabetic Children. Perhaps the worst problem most diabetic children have is over-reactive parents who are well-intentioned but misguided in their emotionalism.

As with so many things in life, diabetes yields to reasonable treatment on all fronts. Treat the condition with respect and understanding and the conditions will respond predictably; abuse it and it will abuse you. Every time you eat too much you're going to spill the excess sugar through your urine; every time you exercise too much without taking in sufficient food you will have an insulin reaction.

As a child, in fact through the 12th grade, my parents weighed all of my food as part of the necessary program of balanced intake of food and insulin. Many adolescents rebel over cigarettes or sex or drugs or drinks, but I rebelled over controlled dieting. I had so many secret trips to the corner drug store for food during high school, that I finally had to start adjusting my own insulin to compensate for the excess calories I was always consuming.

As I entered college the many years of watching food being weighed finally began to return dividends to me because I quickly realized I had unintentionally become an expert at estimating what bulk of food represented how many grams.

Judging amounts of food is easy, but juggling insulin is a nightmare: You plan for an active day and cut the dosage and then end up going to the movies. You plan an inactive day, increase the dosage and then end up skiing all day. You can't win, but you try to break even. By leaving the insulin dosage constant and then consuming additional food if your schedule of activities warrants it, control becomes much easier and much more susceptible to an hour-by-hour modification.

The key to control, both for the parents of diabetic children and also for the diabetics themselves is to watch behavior. Most diabetics know what it's like to be going into an insulin reaction (or "shock" as some extremists like to call it), but different types of insulin, if present in excess amounts, cause different types of insulin reactions, some perceptible by the diabetic and some not. Even perceiving an oncoming reaction is not always enough.

Last year in Columbia, S.C., I left my university office to conduct an interview across town. I needed a coke when I left, but knew there was a soft drink machine where I was going. When I got there I was late, so I figured I'd conduct the interview and then get the coke.

During the interview I started into the reaction, and by the time I had completed the interview I was focused only on getting back to the university. But, while driving back, I remembered I had a check to deposit and that my bank was only a couple of blocks out of the way.

I never made it. Recognizing I was no longer in full control of myself, I pulled the car over to the side of the street and was slumped against the car window for four hours before the police decided there might be need for action. The result? Overreaction: an ambulance was called ($25) and I was rushed to a local emergency ward and admitted (another $25), all for the want of a Coke or some orange juice, which was all I required once in the emergency ward.

Thirty minutes after entering I was fully competent to drive myself back to the university, suffering only embarrassment at my second contact with a hospital in 22 years.

The insulin reaction is a most unusual thing to experience, but also to watch. In some diabetics it is accompanied by profuse sweating, an apparent thickening of the tongue and increasing inability to carry on normal activities, verbal or physical.

It is easy to correct, requiring only food (preferably with high sugar content), but it is widely misunderstood as a phenomenon. Many view it as a seizure, which it most definitely is not. The only real danger to the diabetic and his friends is the very rare convulsive insulin reaction in which a diabetic could potentially damage himself or others during his convulsions. However, these are very unusual, involving only 1 to 2 per cent of all diabetics and then only occasionally.

A diabetic insulin reaction is almost never fatal and likewise extremely unlikely to harm anything but pride. If all else fails, since reactions are caused by the relatively short-lived overabundance of insulin, diabetics will typically pull out of insulin reactions unaided, although this may well take many hours.

The lesson is not a hard one to draw: Overreaction on the part of well-meaning, but ill-informed people is the major problem most diabetics, whose disease is under control, have to face. Enough of the diabetic's good friends and supervisors should be informed of the condition so that they may be of help in the situations where an insulin reaction is most likely to occur. But activity should never be curtailed either for or because of a diabetic, and food, drinks, and merriment should continue independent of the presence of a diabetic participant. Each diabetic generally has enough knowledge of himself and his condition to know what he can and what he can't do or eat.

I'll give you one hint: "If anyone ever uses diabetes as an excuse for not doing or eating anything (except sugar or sugar-coated food items) you have just experienced someone inappropriately using diabetes as an excuse rather than the challenge most of us accept it to be.

By the way, if anyone has strawberries . . .

Richard A. Kasschau is an associate professor of psychology at the University of South Carolina who is on leave in Washington this year working in the Educational Affairs Office of the American Psychological Association. He received his Ph.D. in psychology from the University of Tennessee in 1967.

OUR AMERICAN SYSTEM IS ESSENTIALLY SOUND

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, December 21, 1973

Mr. RANDOLPH. Mr. President, last June a Canadian radio commentator, Gordon Sinclair, was fed up with the constant harangue of hate against the United States, and attempted to set the record straight. He succeeded to the extent that his editorial commentary is well on its way to becoming a classic statement in defense of America.

Columnist Mario Rossi recently observed in the Syracuse Herald-American, that Sinclair's biting reminder of America's true greatness is "a rare and welcome exception to the growing ranks of those who seem to take perverse pleasure in disparaging the United States." The approaching holiday season promises to give us only a brief respite from the troubles that beset us; the continuing crises of energy shortages, inflation, Watergate, and other problems will not suddenly disappear.

Yet, in the words of a dear friend, O. G. (Red) Kennedy of Chicago:

Surely 80 percent or better of our laws, principles and our judicial and legislative systems are very sound—as is the free enterprise system.

Our challenge is to try to perform selective surgery on the parts of our system which need it—not destroy the whole system.

Mr. President, I feel that Mr. Sinclair's warm words of praise for America deserve the widest possible dissemination. I ask unanimous consent that the article by Columnist Rossi containing Mr. Sinclair's reassuring message be printed in the RECORD.

There being no objection, the article

was ordered to be printed in the RECORD as follows:

[From the Syracuse Herald-American, Nov. 25, 1973]

POST SCRIPTS: WELCOME VOICE

(By Mario Rossi)

At a time when American prestige seems to be at a low point in the world and many of our beneficiaries of yesteryear are turning their backs on us, an editorial statement by Gordon Sinclair, Toronto radio and television commentator, is commanding wide attention.

Sinclair is a rare—and welcome exception—to the growing ranks of those who seem to take perverse pleasure in disparaging the United States. He cites American greatness and generosity and expresses confidence we'll be "up there" again. Here's part of what he said in his now famous broadcast.

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

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

AMERICANS PROPPED IT UP

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

"I was there. I saw it.

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

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

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

"Come on, let's hear it!

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

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

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

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

MOON ACCOMPLISHMENTS CITED

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

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

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

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

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

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

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

REASSURING WORDS

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

"I hope Canada is not one of these."

With the season of Thanksgiving still upon us, those reassuring words give us something extra to be grateful for. They constitute encouragement and they seem to tell us that all of America's humanitarian striving in the nearly 200 years of its history have not been in vain.

True, Mr. Sinclair seems to be in the minority in the arena of world opinion. True, he is just one voice. But in time he must be joined by many others, for good, which is its own reward, cannot help but persevere. When we stand in the sun again we won't, of course, as Mr. Sinclair suggests, thumb our nose at other nations.

The reason?

That would be un-American.

MONOPOLIES BLAMED FOR FOOD INCREASE

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. MOAKLEY. Mr. Speaker, there is a growing concern in this country that we face a food crisis which may parallel or even surpass the energy crisis in gravity.

Documentation about this serious problem was provided recently at hearings conducted by the Monopoly Subcommittee of the Senate Select Committee on Small Business. I am including a pertinent article on the subject from the Boston Herald-American of December 11 which was furnished by a distinguished constituent and former town manager of Norwood, Mass. Mr. Walter Blasenak.

I am anxious to bring this to the attention of my colleagues because it is imperative that we act promptly and forcefully to prevent further food increases resulting from these monopolistic practices.

The article follows:

MONOPOLIES BLAMED FOR FOOD INCREASES

(By William Robbins)

WASHINGTON—An official of the Federal Trade Commission told a Senate subcommittee yesterday that monopolistic practices were a significant cause of recent increases in the costs of the nation's food.

"Food price increases are equivalent to a regressive tax which transfers income from the poor, the old, racial minorities and other persons on the bottom of the socio-economic ladder," said Russell C. Parker, assistant to the director of the Federal Trade Commission's Bureau of Economics. He added that "if that transfer of income is to holders of monopoly power it is particularly repugnant."

Parker backed up his testimony before the monopoly subcommittee of the Senate Select Committee on Small Business with extensive statistics from studies by the agency.

The hearing on "corporate giantism and food prices" also heard a call by A. C. Hoffman, a retired vice president of the Krafts Foods Company, for intervention by the government to stop monopolistic trends, as well as demands by the food action campaign, a coalition of consumer-oriented organizations, for both legislative and administrative action.

Jim Hightower, campaign coordinator, former Sen. Fred R. Harris (D.–Okla.) and Sen. James Abourezk (D.–S.D.) all asserted that increasing monopolistic power in the food industry threatened to create food problems even more serious than the current energy crisis.

Recalling that 50 large companies had owned half of all food manufacturing assets in 1965, Parker said that concentration had continued to increase to the point where "I estimate that the current 50 largest companies may account for close to 60 percent of total food manufacturing assets."

Those same companies receive a still higher percentage of profits, the economist said.

THE PROBLEMS OF THE U.S. FISHING INDUSTRY

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mrs. SULLIVAN. Mr. Speaker, a recent editorial in the St. Louis Globe Democrat highlights the deplorable condition of our U.S. fishing industry.

The editorial points out that foreign fishing vessels taking fish off our shores are on the increase; that the type of equipment used by some of these vessels is like a vacuum cleaner, sucking up everything that moves; that many of these offshore fisheries resources are being depleted; and that, as a result of these activities, our seafood prices are soaring.

Mr. Speaker, I insert this editorial in the RECORD at this point:

PREVENT EXTINCTION OF OCEAN FISH

It would enrage food shoppers to know they are paying double to quadruple the amount they should pay for seafood because Russia and other nations are catching our fish.

It would enrage sportsmen to know that bluefin tuna, swordfish, white, striped, and Atlantic and Pacific blue marlin face near-extinction because foreign trawlers are wiping out whole species off our shores.

The depletion of almost all fish life off our shores is no longer just possible, but probable. Our herring population is down 95 percent, and sea scallops, haddock, mackerel, cod, yellow tail flounder and others are now almost endangered species.

Why? Because Russia harvests one-half of the total catch off New England. Because Japanese "long-line" fishermen put out baited hooks on lines 50 miles long. Because Norwegian trawlers, and others, are often longer than a football field and are sea-going vacuum cleaners which sweep the seas clean of all fish life. Because foreign ships operate for months as complete processing plants.

But most of all, because the United States has a 12-mile fishing limit. Many countries have a 200-mile limit.

In the past, The Globe-Democrat has pushed for an international treaty to regulate catches and fishing territories. But the situation is now too grave to await such a conference.

Therefore, the United States should take the advice of the newly formed Salt Water International Fishing Treaties (SWIFT), a conservation organization spawned by executives of Field and Stream Magazine. SWIFT calls for setting a five-year 200-mile fishing

limit off American waters, limiting catches of tuna, and regulating the size by weight of each individual catch. It's time the United States protected its own continental waters—it's a cinch no other nation will.

Mr. Speaker, the members of my Committee on Merchant Marine and Fisheries are well aware of the problems enumerated in this editorial. We have been and will continue to take steps to alleviate this disastrous situation.

For instance, on December 4, 1973, the House passed legislation reported by my committee which declares the American lobster a creature of the Continental Shelf. This will make it unlawful for foreign vessels to take this species, thereby reserving this important resource—a fishery valued at approximately $35 million annually—for American fishermen only.

On the same day—by a rollcall vote of 405 to 0—the House passed a concurrent resolution reported by my committee declaring it a policy of Congress to support, protect, and enhance the coastal and offshore fisheries resources of the United States.

Another approach to resolving this problem that has been utilized lately is that of multilateral and bilateral agreements. We have worked out a number of these agreements with nations fishing off our coast, such as Russia, Japan, Poland, and, more recently, Rumania. Similar agreements should be entered into with other countries fishing in these waters, including East and West Germany, Bulgaria, Norway, Canada, Cuba, Spain, France, Greece, and Italy. My committee is on record urging the State Department to formulate such agreements at the earliest possible date. These agreements alone will not solve the problems of our declining fisheries. However, they do represent a step in the right direction and, if strengthened as they come up for renewal from time to time, they should assist considerably in the protection of our offshore resources.

Just recently, the State Department informed my committee that because of the United States firm stand at a recent meeting in Canada of the International Commission for the Northwest Atlantic Fisheries, agreement was reached on a 3-year program covering virtually all fisheries outside the U.S. 12-mile fisheries limit in the area from the Canadian border to North Carolina. Under the agreement, overall quotas will be reduced to allow the stocks to recover to a level which will produce the maximum sustainable yield. At the same time, individual allocations of these overall quotas will permit the United States to increase its catch and will decrease the allowable catch of foreign fleets.

Except for this resolute stand by our representatives, over-fishing would have continued in this area. The United States should take an equally firm stand with Japan regarding our Pacific salmon fishery.

Mr. Speaker, our coastal fisheries resources are in danger; corrective action is needed but the solution to this dilemma is complicated.

Our fishing industry, in general, supports the United States position recently advanced at the Law of the Sea Conference in Geneva which was held under the auspices of the United Nations Seabeds Committee. This position advocates coastal nation control over coastal species, coupled with a coastal nation preference to the fish based on that country's capacity to harvest. This right to control would extend to the full range of the species whether it is 13 miles, 213 miles, or more from shore. Also, the U.S. position advocates control by coastal nations of anadromous species—such as Atlantic and Pacific salmon—and international control over the species that are highly pelagic, such as tuna. This long-term approach should be vigorously pursued and, hopefully, it will provide the necessary controls to conserve these valuable resources of the sea.

In the meantime, certain segments of the U.S. fishing industry are urging the unilateral extension of our exclusive fisheries zone from 12 to 200 miles from shore as a means of protecting our fisheries resources. In fact, there are a number of bills pending before my committee to accomplish that purpose. The complexity of this issue, however, is demonstrated by the fact that our fishermen in the mid-Atlantic who fish off our coastal shores would be helped by such an extension; whereas, U.S. fishermen of the Gulf States and southern California who fish off the coasts of other countries would be severely damaged.

Mr. Speaker, my committee intends to do everything it can to help our U.S. fishermen and to preserve our fishery resources for the future. Each step, however, must be carefully weighed to assure that it does not do more harm than good. We will thoroughly investigate all proposed solutions. For instance, despite the alleged adverse effect the 200-mile legislation may have on some segments of our fishing industry, my committee plans to begin hearings on these bills in the next session of the 93d Congress.

All of the aforementioned concepts are sincerely proposed efforts to protect and conserve our coastal fisheries resources. Many problems confront us and solutions will not be easily found. They will require the wholehearted cooperation of industry, Government, and the consuming public. I am confident, however, that together we can and will meet these challenges and find workable solutions to our fisheries problems.

THE PROBLEMS OF INCENTIVES TO CONVERT FROM OIL TO COAL

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1973

Mr. HUBER. Mr. Speaker, last Friday, December 14, I introduced an amendment to the emergency energy bill that was then being debated. I did not call up the amendment because debate was severely limited. I did not think it wise to present such an important matter amid the chaos that prevailed late Friday evening and early Saturday morning. The energy bill already had far too many important amendments attached to it that were never properly discussed. I did not see the need for another in light of the fact that it would not receive the full consideration it deserved.

Nevertheless, I do want to discuss my proposal here, for I do not intend to give up on this matter. My amendment reads as follows:

AMENDMENT TO H.R. 11882

On page B after line 4, add the following new paragraph:

All existing electric generating plants with the exception of those operating in areas within which air quality is below the minimum standard set forth in the Clean Air Act (42 U.S.C. 1857 et seq.) are encouraged to install equipment for rapid conversion to coal and may account for the cost of such equipment as an operating expense rather than as a capital investment.

and renumber accordingly.

At that time, I also intended to comment upon how this measure would protect the consumer. I would now like to insert into the RECORD the remarks I would have made Friday if I had been able to present my amendment:

Mr. Speaker, the purpose of my amendment is to insure that the consumer will not be faced with rising utility costs due to the fuel conversion requirement contained in the energy bill. If we are going to force electric generating plants to convert to coal, then there should at least be some incentive, other than Government coercion, for them to do so. The way to provide this incentive is for us to allow these companies to account for the conversion as an operating expense rather than as a capital investment, as provided for in this amendment. By doing this we will insure that the cost of such conversion will not be passed on to the consumer.

Without this amendment consumer costs will rise even higher, and the persons who will suffer the most will be the people who can least afford it. The wealthy will be able to pay for the higher costs without too much difficulty, but if you want to put more and more lower income citizens out in the cold then just pass this bill without the proposed amendment.

It also seems to me that we have a certain moral obligation to offer this "operating expense" incentive for it was the Government that urged and pleaded with these electric generating plants to convert from coal originally. In my own State of Michigan, in the city of Detroit, the Misterski Power Plant just finished converting from coal to oil this year. This was done, despite the fact they did not want to do it, because of constant harassment from the Wayne County Air Pollution Control Board to comply with the Environmental Protection Agency's directives. Now oil is in short supply and the Government is going to have the gall to tell this company that they must convert back to coal. It is obvious to me that the EPA's left hand doesn't know what the right hand is doing.

It is unfortunate, too, that it will cost more and use up more fuel for this plant to convert back to coal. In fact, I am advised that it would be more economical and save more fuel if this plant was now allowed to continue to operate on oil. If this is what is happening in my district I am sure it is happening in others as well.

Last April I wrote the then Administrator of EPA, William Ruckelshaus and told him that it was my strong feeling that we were on a collision course on the matter of energy versus the environment. I then urged him to co-ordinate this matter more carefully so that the environmental changes did not too adversely affect the ability of industries to function. Obviously, if corrective action had been taken at that time it is pos-

sible that we would not be here today debating this measure.

NIXON TAPE AT PARTY DRAWS COURT REBUKE

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. NELSEN. Mr. Speaker, I take this opportunity to insert in the RECORD a story which appears in the Evening Star for this date, December 19, 1973, setting forth the circumstances wherein an attorney for consumer advocate Ralph Nader admitted before a U.S. District Judge William B. Jones that he had played a subpenaed tape at a Georgetown party at which a number of people were present.

The tape was apparently one of those subpenaed by the Nader organization in the legal fight with the Nixon administration over public contributions by the dairy industry. The newspaper account does not make it clear, but it was stated that it was understood by those who attended the party that they knew in advance that the tape would be played, which would clearly indicate, if true, that the attorney acted willfully and intentionally in disclosing this information.

The article indicates that the attorney may face disciplinary action by a legal grievance committee. My question is, Does not the action violate title 18, section 401, of the U.S. Criminal Code, wherein a U.S. judge has the power to punish contempt of its authority on the following three bases:

First, misbehavior of any of its officers in its presence or so near thereto as to obstruct the administration of justice;

Second, misbehavior of any of its officers in their official transactions; or

Third, disobedience or resistance to its lawful writ, process, order, rule, decree, or command.

The article follows:

NIXON TAPE AT PARTY DRAWS COURT REBUKE

(By Barry Kalb)

An attorney who played a White House tape at a party Monday night may face disciplinary action by a legal grievance committee.

William Dobrovir, an attorney for consumer advocate Ralph Nader, admitted today before U.S. District Judge William B. Jones that he had made "a very foolish mistake" in playing the tape at the Georgetown party.

Jones called it a "very serious" matter and suggested that if Justice Department attorneys feel Dobrovir committed a serious breach of legal ethics, the case should be referred to the Committee on Admissions and Grievances of the District of Columbia Bar Association.

The tape was one of those subpoenaed by a Nader organization in its legal fight with the Nixon administration over political contributions by the dairy industry. The tape was turned over to Dobrovir by the White House last week.

Justice Department Attorney Irwin Goldbloom told reporters after the brief hearing before Jones that he would consider the judge's suggestion.

One aspect of the incident remains in dispute. Dobrovir insisted he played the tape on the spur of the moment, but both Goldbloom and ABC news correspondent David Schoumacher, the reporter who first broke the story, said they understood that those who attended the party knew in advance that the tape would be played.

Dobrovir represents Nader and a number of consumer groups in a suit charging that the Nixon administration illegally raised federal milk subsidies in 1971 in return for what eventually amounted to some $422,500 in campaign donations from milk producers.

As part of the pre-trial investigation, Dobrovir subpoenaed a tape recording of a meeting of March 23, 1971, attended by President Nixon, several of his aides, and attorneys and representatives of the nation's three largest milk cooperatives—Associated Milk Producers, Inc., Mid American Dairymen, and Dairymen Inc.

Less than two weeks before that meeting, then-Secretary of Agriculture, Clifford Hardin, had refused to raise the subsidies.

But within days after the meeting, the administration reversed Hardin's decision and raised the subsidies. The extra profits to the milk producers resulting from this decision has been estimated at between $500 and $700 million.

The President has said that he raised the price supports under pressure by Congress.

Dobrovir said that he received the tape from Goldbloom last week, and emphasized that there were no outstanding judicial orders or claims of executive privilege that would dictate the tapes' being kept secret.

Dobrovir said that on Monday morning, with the help of a network correspondent—CBS correspondent Fred Graham said he was the one—he made two copies of the subpoenaed tape, and took one of them with him to play on his home tape recorder.

However, he said he stopped on the way at a party to which he had been invited and which was attended by himself and six other persons.

Dobrovir said he and the others were eating salami and chopped liver and having drinks when "I made a very foolish mistake, in the relaxation of the moment—I said I've got in my pocket . . . the hottest news item in town."

He said he took out his copy of the tape, and played "perhaps five minutes worth," but said it was very difficult to make out the conversation.

He admitted that when Schoumacher called him the next day to ask if he could hear the tape and mentioned that it had been played at the party the night before, he might have told Schoumacher, "Well, that was just for fun."

"I have a flip way of talking sometimes, which I certainly regret this time," Dobrovir told Jones.

Dobrovir said he has received a number of calls from reporters since Saturday asking if the tape would be made public, and he told them that in accordance with "my usual practice," it would be released to the press if and when it was filed in the court record.

Goldbloom asked Jones for a court order that would bar any use of pre-trial material for anything other than the case itself. Jones said he would sign such an order, but indicated that he would not keep any material filed in the record from being made public.

Jones said that while he considered the matter serious, he felt that to date Dobrovir had handled himself in a responsible manner. "I certainly accept Mr. Dobrovir's explanation, I'm quite satisfied that there will be no other occasion such as this," Jones said.

He also said he hoped the incident "will not in any way impede the progress that has recently been made in pre-trial discovery."

Dobrovir concluded his remarks to Jones by saying, "I realize I've made a very foolish mistake. I hope I've learned." He insisted that none of his clients in the case knew in advance that he was going to play the tape at the party.

The hostess for the party, an employe of a foundation-funded study group, objected to the characterization of the gathering in some news reports as a cocktail party.

"It was six close friends sitting around the fireplace eating salami," said the hostess, who preferred that her name not be used. "It was a very sedate kind of drop-by, because I think my Christmas tree is groovy. I just called them and asked them to stop by after work."

TESTIMONY OF RUSSELL D. HEMENWAY, NATIONAL DIRECTOR OF NCEC ON PROPOSED CONSTITUTIONAL AMENDMENT

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. DRINAN. Mr. Speaker, this morning, before the Senate Judiciary Committee's Subcommittee on Constitutional Amendments, Mr. Russell D. Hemenway, National Director of the National Committee for an Effective Congress, testified on behalf of H.R. 630. This amendment, proposed by Senator BAYH and myself, proposes to lower the age for eligibility for election to the Senate and the House from 30 to 27 and 25 to 22 years, respectively.

Mr. Hemenway's testimony was an excellent addition, and his support is welcome for the proposed amendment.

I attach here also the testimony of Mr. Karl Rove, the national chairman of the College Republican National Committee, the Student Auxiliary of the Republican Party. Mr. Rove will, hopefully, testify before the House Judiciary Committee's Subcommittee on Constitutional Rights which will hold hearings on this matter after the recess, at the beginning of the next session. I commend the following testimony to the attention of my colleagues:

TESTIMONY OF KARL ROVE

DEAR MR. CHAIRMAN: My name is Karl Rove and I serve as Chairman of the College Republican National Committee, the student auxiliary of the Republican Party. The College Republican movement, organized in all fifty states on over 1,000 campuses, is the nation's largest student political group with over 150,000 members. From its ranks have come many of the young leaders of the Republican Party including Congressman Bill Steiger of Wisconsin, a former national chairman.

I appreciate the opportunity to testify today in support of S.J. Resolution 5, which proposes a Constitutional Amendment to lower the age of eligibility for the House of Representatives from 25 to 22 and the age of eligibility for the United States Senate from 30 to 27.

Unlike other portions of the Constitution, the age clauses did not inspire lengthy exchanges in the Constitutional Convention of 1787 or THE FEDERALIST essayist published in the New York papers during 1787–1788.

The only direct reference to the age requirement came on June 22, 1787, during action by the Constitutional Convention on a resolution dealing with the House of Representatives.

George Mason of Virginia, after whom my college, George Mason University, is named, proposed an amendment adding "twenty-five years of age as a qualification for the members of the first branch." In the records of the Convention, Mason is quoted as saying that he "thought it absurd that a man today should not be permitted by the law to make a bargain for himself, and tomorrow should be authorized to manage the affairs of a great nation.

It was the more extraordinary as every man carried with him in his own experience a scale for measuring the deficiency of young politicians; since he would if interrogated be obliged to declare that his political opinions at the age of 21 were too crude and erroneous to merit an influence on public measures. It had been said that Congress had proved a good school for our young men. It might be so for anything he knew but if it were, he chose that they should bear the expense of their own education.

Mason was answered by George Wilson, who argued that he "was against abridging the rights of election in any shape. It was the same thing whether this were done by disqualifying the objects of choice, or the persons choosing. The motion tended to damp the efforts of genius, and of laudable ambition. There was no more reason for incapacitating youth than age, when the requisite qualifications were found."

Mason's amendment was carried that same day by a vote of seven states to three with one, New York, divided.

There is no discussion at all concerning the age requirement of thirty for membership in the Senate.

The Federalist Papers contain only a few oblique references to the necessity of a high degree of maturity in the representatives of the people.

Mason's arguments have not stood the test of time. Where once the legal age of majority—the ability to enter into contractual agreements and be classified as an adult in legal proceedings—was almost uniformly pegged in state statutes at twenty-one years or more, today only nine states have a legal age of majority greater than 18. This coupled with the recent enfranchisement of 18, 19, and 20 year olds, is a general recognition that America's young are mature enough to shoulder the burdens of citizenship.

It seems strange at the same time we are extending the franchise and lowering the age of majority because of a recognition of the maturity of young people, that the Constitutional age requirements for Congress are retained. The retention of these requirements is a further abridgement of the "rights of election" that Wilson referred to.

The Constitutional Amendment proposed by Senate Joint Resolution 5 would be a signal that the Constitution is not an arbitrary document, constructed for a time and a set of circumstances long past, but instead capable of rational change.

STATEMENT OF RUSSELL D. HEMENWAY

MR. CHAIRMAN: The National Committee for an Effective Congress is pleased to have been invited to testify before the Senate Subcommittee on Constitutional Amendments on a measure of particular merit. S. J. 5, the resolution which proposes a Constitutional Amendment to lower the minimum age requirement for Senators and Congressmen by three years, is consistent with a philosophy of government which our Committee has advocated and endorsed for many years. That is, that the interests of the American people are best served by a legislature that is continually refreshed by new ideas and responsive to the constant change which permeates our modern society. If enacted, we believe that the current measure could do much to bring increased vitality to Congress and our national deliberations.

History leaves scant information on the origins of our Constitution's present minimum age requirements. The very brevity of the record, however, gives some insight into the Founding Fathers' thinking on this issue.

The Virginia Plan as offered to the Constitutional Convention in 1787 by Edmund Randolph left room for age requirements to be prescribed for Congressmen, Senators and the President, but no specific ages were mentioned in that document. Rather, three blank spaces were left for the delegates to consider. There seems to have been no precedent for age requirements for all three offices. The Virginia Constitution of 1776, on which much of the Virginia Plan was predicated, had a minimum age requirement of 25 for that state's Senators and none at all for its Representatives. The concept of an age requirement for members of "the most numerous branch" seems to have originated in the deliberations of the Virginia delegates prior to the Convention and of those deliberations, no record remains.

The issue came to the floor of the Convention late in the afternoon of Tuesday, June 12, 1787. Resolved into a Committee of the Whole, the delegates had been in continuous session for three weeks, laboring with the ponderous questions of bicameralism and a national versus a federal structure. Age requirements for legislators apparently was a subject of relatively low priority, almost a last minute detail to be dispensed with quickly so that the Committee of the Whole could report out the revised Virginia Plan to the full convention the next day.

Madison reports that the first motion to be introduced was on the issue question of "The words requiring members of ye 1st branch to be the age of —— years." With *no* debate and over the dissenting vote of a single state (Maryland), this provision was overwhelmingly *struck down*. The delegates then moved directly to the question of Senatorial age and again *with no debate* inserted the minimum age of thirty.

Some ten days later the issue was reintroduced with a motion to fix the minimum age for Congressmen at 25. George Mason of Virginia, himself one of the oldest delegates, spoke briefly in favor of the motion pointing out that all men—in reflection—see their own younger years as lacking in wisdom and maturity. George Wilson, in dissent, argued that by passing the provision the country would deny to itself the energies and opinions of younger men and noted several examples of individuals younger than 25 who had made significant impact on the course of history.

This short but curiously modern sounding debate was resolved in Mason's favor—though it might be noted here he never signed the finished document. On a vote of 7 to 4 the minimum age of 25 years for Congressmen was inserted into the Constitution.

We review this chronology of events in order to draw three conclusions:

First, the subject of minimum age requirements was a subsidiary and not a primary concern of the Constitutional Convention. There was little or no debate devoted to the subject and the votes reflect far from unanimous opinion.

Second, the five year graduations from 25 to 30 and 35 which appear to have such internal logic and consistency were never proposed as a package, but were each arrived at separately.

Third, it was the Senatorial age of 30 which was arrived at first and which most concerned the delegates. This is completely understandable in light of the then prevailing concept of the Senate's future role. The upper body was to represent the States' interests in juxtaposition to those of the people. Patterned on the English House of Lords and the earlier Senates of Greece and Rome, the upper body was expected to be a council of noble and powerful elders whose wisdom would restrain and check the actions of the more numerous branch. This concept of a near-oligarchical system reflects the fact that the 18th century mind feared pure democracy nearly as much as it feared monarchy.

Our history since has proved this fear to be unfounded. With increasing faith in our noble experiment, the American people have passed amendment after amendment which reflect constantly growing reliance on the wisdom of the people regardless of their race, sex, station in society and, most recently, their age. Seven of the 26 Amendments to our Constitution, one quarter of the total, have served to broaden the base of democracy. The 17th Amendment greatly modified that earlier view of the Senate and the 14th, 15th, 19th, and 23rd, 24th, and 25th Amendments struck down the archaic poll tax and extended suffrage to members of all races, women, residents of the District of Columbia, and 18-year-olds. And each extension of the suffrage has been followed by similar extensions of representation in our national legislature. One could hardly argue that the resulting infusion of opinion from varying elements of our society has been anything but beneficial.

Accordingly, the NCEC would like to go on record in support of the currently proposed amendment as an appropriate further step in an historical progression which has proven eminently successful. By extending the vote to 18-year-olds the country demonstrated its overwhelming willingness to incorporate the judgments of its younger citizens. We can find no evidence that that trust has been misplaced. Nor can we find any evidence to support the view that the inclusion of younger persons in our national councils would somehow prove a detriment.

It will be argued that persons of less than 25 and 30 years do not possess the wisdom, judgment and maturity to hold a place in Congressional deliberations. This argument used by George Mason 200 years ago, and indeed as old as time itself, is, I feel, the only argument that can be brought against this proposed amendment. But I would submit it is neither a compelling, nor even a particularly relevant one.

The terms "wisdom," "judgment," and "maturity" are as ambiguous and defiant of definition as any in the English language. Yet doubtless much of the testimony from this witness chair will be concerned with their definition and application to young American citizens. Moreover, the great weight of evidence that will be drawn from sociologists, anthropologists, psychologists, and other scientists whose task it is to quantify the word "maturity" will undeniably indicate that people today mature faster both mentally and physically and are better educated than ever before. That data was persuasive in the case of the 18-year-old Amendment, and is equally as relevant and persuasive now.

In the same vein, it will be noted that the median age of all Americans has now fallen to 25 years of age. Can it be said that we have a truly democratic representation of national views if we have no representatives below this age?

Finally, it will be rightly pointed out that society may yet come to grief in the hands of the aged as quickly as in the hands of the youthful. The older person may indeed have more seasoned wisdom, but the younger has perhaps the more inquisitive and flexible mind, greater energy and a devotion to ideals and idealism which in recent months we have found to have been in sadly short supply. One need only look at the record of Congress in recent years to note the especially notable contributions of many freshmen members and other young Congressmen and Senators.

The Committee for an Effective Congress

by all means wishes to pursue this issue to the extreme. No one is suggesting that an entire generation be elected to the halls of Congress. What we do hope is that those individuals who are perceived by the electorate to best represent the views of that particular constituency *not* be denied election merely on the basis of the current age restrictions. Over the past 25 years, the NCEC has met with, endorsed, supported, and worked with hundreds of candidates for the House and Senate of all ages and political affiliations. We assert unequivocally that there are men and women across this country who regardless of their age are fully qualified to represent the public's views. Nevertheless, were there only *one* man or woman "under age," and the electorate in *its* wisdom found him or her adequate for the job, should that person be denied the chance to serve? We feel the answer must be no.

An oligarchy elects those wiser or more powerful than the electorate; a democracy elects representatives from its own ranks. Our history has been one of constant discovery of that larger wisdom. This seems to us to be a good time to take yet a further step on that road of self-discovery and we support the proposed Amendment with the hope that it will be swiftly enacted.

WHEN WILL THE U.N. ACT?

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. WOLFF. Mr. Speaker, the latest tragic news of Arab guerrilla massacres of unarmed civilians reminds us in the starkest terms that elements of the Arab world simply do not believe in the settlement of serious international problems by any method other than murder and terror. This is certainly not a new development by any means, but it again raises the very serious concern of the absolute lack of action by the United Nations on this problem. The international organization, which is purportedly dedicated to the enhancement of civilized discourse among nations, has not taken one step in the direction of condemning, censuring, or controlling the outrageous activities of the Arab guerrillas or the states that permit their training and planning within their borders.

When will the United Nations act? Do we have to wait until all air travelers and all diplomats are in constant terror? And when will the United States insist upon the U.N. taking responsibility?

Below is a chronology of the long series of acts of terror perpetrated by the terrorists, followed by an editorial which appeared in this morning's New York Daily News.

The articles follow:

ARAB TERRORISM: A CHRONOLOGY

1968

July 23—El Al airliner hijacked en route from Rome. Landed in Algiers.

December 26—El Al airliner attacked at Athens Airport. One Israeli citizen killed.

1969

February 18—El Al airliner attacked in Zurich. One pilot killed and another wounded.

May 22—An attempt on David Ben-Gurion's life, thwarted, while he was in Copenhagen.

August 17—An incendiary bomb thrown into Jewish-owned Marks and Spencer chain store in London.

August 18—An act of sabotage perpetrated in the Israeli Tourist Office in Copenhagen.

August 23—Sabotage act carried out against Jewish children's school in Teheran.

August 25—Bomb thrown into Zim Israel Shipping Lines office in London. A female employee wounded.

August 29—TWA airliner hijacked to Damascus. Two Israeli passengers were held prisoners in Syria for many months.

September 8—Hand grenades thrown into Israeli embassies in The Hague and in Berne, and into El Al office in Brussels.

November 9—Time-bomb discovered at Jewish community center in Berlin.

November 27—Hand grenade thrown into El Al office in Athens. A Greek child killed and two Greek civilians wounded.

December 21—Attempt to hijack airliner in Athens.

1970

February 10—El Al airliner attacked in Munich. An Israeli citizen killed and eight wounded.

February 13— Jewish home for the aged set afire in Germany. Seven aged persons killed and others wounded.

February 21—Forty-seven passengers and crew of Swissair airliner died when the plane blew up in mid-air, en route from Zurich to Lod. There were 13 Israeli citizens among the dead.

February 21—An Austrian airlines plane was miraculously saved from similar fate, when an explosive charge went off while it was in flight. The plane landed safely in Vienna.

February 22—Lufthansa jumbo airliner hijacked and landed in Aden.

May 4—Terrorists opened fire in Israel Embassy in the capital of Paraguay, killing the wife of the Embassy secretary and wounding a female employee.

September 6—Three passenger airliners of Pan American, TWA and BOAC hijacked with 400 passengers. The first was blown up in Cairo and the other two landed at Zarka, Jordan.

September 6—Abortive attempt to hijack an El Al airliner en route from Amsterdam to New York. A steward was wounded.

September 9—A BOAC plane—en route from Bahrein to London—was forced to land at Zarka, Jordan.

1971

June 11—Terrorist speedboat fired upon and damaged an Israel-bound Liberian tanker sailing into the Red Sea.

November 28—Wasfi el Tel, Premier of Jordan, was gunned down and killed by terrorists in a Cairo hotel.

1972

February 6—Gas tanks sabotaged in Holland.

February 8—Engine plant blown up in Hamburg.

February 22—Oil pipeline sabotaged near Hamburg.

April 29—Letter-bomb sent to Israel Pavilion at German exhibition.

August 5—Oil storage tanks blown up in Trieste.

August 16—Explosion in the luggage compartment of El Al airliner after takeoff from Rome.

September 5—Eleven Israeli participants in the Munich Olympic Games murdered.

September 19—Economic adviser to Israel Embassy in London killed in the explosion of a letter-bomb. The Embassy received three additional letter-bombs, mailed from Holland. Letter-bombs mailed to Israel Embassies in Paris, Geneva, Montreal, New York, Vienna, Washington and Ottawa.

September 20—Letter-bomb sent to Israel Embassy in Brussels. Bomb explosion at Buenos Aires synagogue.

September 21—Letter-bombs sent to Israel Embassies in Kinshasa, Buenos Aires and Phnom Penh.

October 4—Letter-bomb received at offices of the H.I.A.S., Jewish welfare organization.

October 10—Letter-bomb to two Jews in Rhodesia and to a woman heading the Hadassah organization in New York.

October 13—Bomb discovered at El Al offices in Paris.

October 14—Letter-bomb addressed from Malaysia exploded in New York, wounding a local post office worker.

October 17—Bomb discovered at the entrance to a Rotterdam office building, housing the agency of Zim Israel Shipping Lines.

October 29—Lufthansa plane hijacked en route from Lebanon to Turkey and flown to Yugoslavia. The airliner was released in Munich.

October 31—Letter-bomb received at Israel Embassy in Nigeria.

November 4—Letter-bomb to Zionist youth club in Frankfurt.

November 11—Five letter-bombs to Israeli delegation and to Jewish organizations in Geneva. Fourteen letter-bombs in the period of November 1–11 to Jewish addresses and organizations in Britain, one of them severely wounding a Jewish merchant.

November 21—Four letter-bombs discovered in Toronto, two of them addressed to Jews.

December—Terrorist group uncovered in Greece. Planned to arrive by ship at Haifa on a suicide mission. The terrorists came from Lebanon. Terrorist arrested in London in possession of weapons and explosives, which he planned to use against an Israel embassy in Scandinavia.

December 28—Six members of the Israeli diplomatic mission to Bangkok kidnapped and held as hostages. They were released after 19 hours; the kidnappers flew to Cairo.

1973

January 9—Bomb explosion in front of Jewish Agency in Paris. Terrorist group disembarked from S.S. Messapia in Cyprus, planning to carry out sabotage acts in Haifa. The terrorists flew from Cyprus to Beirut.

January 24—Letter-bomb mailed to Israel consul in Santiago, Chile, wounding police handling it.

January 25—Letter-bomb sent to rabbi in Montreal discovered at Montreal Airport.

January 31—Three terrorists detained in Vienna on January 20 and three others arrested at the Austro-Italian border. All six had travelled from Beirut planning to attack Jewish immigrants from the U.S.S.R.

February 7—Arab terrorists attempted to hijack a train carrying Soviet Jewish emigrants in Austria.

March 1—Murder by Arab terrorists of U.S. and Belgian diplomats in Khartoum.

March 3—Attack in Beirut harbor on Cypriot vessel carrying Christian pilgrims to the Holy Land.

March 6—Attempts to blow up an El Al terminal and Israeli bank offices in New York.

March 12—Murder of Israeli businessman in Cyprus.

March 15—Attempt to blow up the Israeli Embassy in Paris.

March 20—Attempted terror operation at Rome Airport.

April 20—Explosive experts uncovered and dismantled a letter-bomb sent to the Israeli Ambassador in Bolivia.

April 27—An Italian employee of El Al in Rome shot to death by an Arab terrorist.

May 2—Two Arab terrorists opened fire on Dutch police who tried to check their papers.

May 8—Attempt to machine-gun the Israeli Embassy in Paris.

May—Arab terrorists threatened British businessmen with violence unless they paid blackmail money to the "Palestine People's Fighting Fund."

July 1—Col. Yosef Alon, Israeli air and naval attache in Washington, shot to death in front of his home.

July 19—Attempt to blow up El Al offices in Athens.

July 20—A Japanese Air Lines jumbo jet with 143 persons on board hijacked.

August 5—A gunfire and grenade attack by Arab terrorists at Athens Airport killed three persons and left 55 wounded.

September 6—Three Arab terrorists seeking the release of a fellow terrorist, imprisoned in Khartoum after the murders of one Belgian and two American diplomats, seized the Saudi Arabian Embassy in Paris taking 11 hostages, including five Arab diplomats, and threatened to execute one or more of the hostages or blow up the Embassy. Italian police arrested four Arabs near the Rome airport. The terrorists had ultra-modern ground-to-air missile launchers and intended to shoot down an Israeli El Al airliner on its stopover at the Fiumicino Airport.

September 7—Black September terrorists responsible for an explosion at the West Berlin Radio and Television Fair. The explosion rocked the exhibit of a West German firm promoting Israeli products and blasted a hole in the exhibition floor, shattered windows and destroyed electronic equipment on the shelves.

September 30—Two Arab terrorists seized four hostages on the Moscow-Vienna express—three Soviet Jews on their way to Israel and an Austrian customs officials—and forced the Austrian government to yield to terrorist demands that it restrict transit through its territory for Jewish emigrants from the U.S.S.R. and close down the transit center at Schoenau Castle near Vienna.

[From the New York Daily News, Dec. 19, 1973]

A MURDEROUS BAND

Arab terrorists bombed and machine-gunned an American airliner in Rome on Monday, hijacked a German plane and, after stops in Greece and Syria, finally gave up in Kuwait.

The trail of carnage these savages left in their wake set a new record in senseless, cold blooded butchery.

This horror to end horrors occurred just about a week after the United Nations General Assembly, for the umpteenth time in the last five years, pushed aside consideration of international action against terrorism. The excuse this year was lack of time.

How long should it take the supposed conscience of mankind to work up a righteous rage over wanton murder? Either the UN lacks the guts to take a stand, or the dominant Third World forces that rule the Assembly secretly condone terrorist outrages that they publicly condemn.

The Assembly has just voted to recess instead of adjourn the present session so that members will be on call for long-range kibbitzing of the Geneva conference.

Instead of moping around waiting for opportunities to posture and speechify, the members should turn their full attention to the scourge of terrorism.

Let's at least force a vote on stern retribution for international outlaws. Then the world can see who stands for law and order and who sides with kill-crazy terrorists.

If the Assembly can't do that, it ought to redesign the UN's blue-and-white symbol in more appropriate colors—like blood red or glaring yellow.

PHILLIP CARL KAZANJIAN NAMED "OUTSTANDING LAW STUDENT IN CALIFORNIA FOR 1973"

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. DANIELSON. Mr. Speaker, I would like to bring to my colleagues' attention the extraordinary achievements of a young Californian, Phillip Carl Kazanjian, who has recently been selected as the "Outstanding Law Student in California for 1973." Mr. Kazanjian was chosen by the California Law Student Association from more than 16,000 law students attending California law schools. I think that after learning a little more of Mr. Kazanjian's successes, you will agree with me that the law students made a wise choice.

Few young people have accomplished as much as Phillip Kazanjian has in so few years. While a student at Lincoln University Law School in San Francisco, he was editor-in-chief of the Lincoln Law Review, president of the Student Bar Association, and editor of the Amicus Curiae, the law school news journal. He was also a member of the Lincoln Law Honor Society. Despite all these activities, Mr. Kazanjian had time while a law student to become recognized as one of the Nation's leading authorities on legal education, law and youth. He has had articles published in the American Bar Association Journal, the California Trial Lawyers Association Journal, the Student Lawyer Journal, and the Town Hall Reporter.

Mr. Kazanjian has been active outside of law school as well. On the State level, he has participated as a commissioner on the California Attorney General's Commission on Community-Police Relations and as president of the California Law Student Association. Nationally, he has served as chairman of the 1972 annual meeting of the American Bar Association Law Student Division, as a delegate to the American Bar Association's Young Lawyers Section, and in 1971 as governor of the Ninth Judicial Circuit, representing more than 18,000 students attending 43 law schools in five Western States.

Mr. Kazanjian has received numerous honors for his amazing list of accomplishments. He is the only law student in the Nation to be honored twice with the American Bar Association Law Student Division's Gold Key Award for his contributions to the legal profession. He was commended by the California Assembly and Senate in 1971 and named Lincoln University's "Man of the Year" in 1972. Twice he was a recipient of the American Jurisprudence Award for excellence in scholarship. Upon graduating from Lincoln University Law School in July, 1973, Phillip Kazanjian was honored by the California Senate "on assembling perhaps the most outstanding record of accomplishment ever attained by a law student."

The honors that have been showered on Phillip Kazanjian in recognition of his achievements leave no doubt that he has concentrated on putting his extraordinary talents to the best possible use. His efforts thus far deserve our congratulations, our admiration, and our respect. I predict that he will make an outstanding contribution to his chosen profession in the years to come.

ENVIRONMENTAL CONCERN

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. BROTZMAN. Mr. Speaker, nearly 4 years ago I first proposed that the House of Representatives reorganize itself to the task of eliminating environmental degradation in the United States. To this end, I proposed the establishment of a standing Committee on the Environment with jurisdiction to consider legislation on the subjects of air pollution, water pollution, solid waste disposal, noise pollution, herbicide and pesticide abuse, and weather modification. By the end of the 92d Congress, 215 of the Members of Congress were cosponsors of this proposal. Now, I am pleased to note, the Select Committee on Committees has recommended the establishment of a standing Committee on Energy and Environment with jurisdiction over the areas generally specified in my original resolution.

Changes in the structure of this institution take place in a deliberate and evolutionary fashion; and rightly so. The constant realignment of the committee structure to meet the exigencies of the day would retard our ability to enact sound legislation. With regard to the environment, the House of Representatives can claim, with some pride, to have addressed the major pollution problems endemic to this industrial-technological age. I do claim, however, that some of these problems currently are under the scrutiny, irregularly, of two, three, and even four different committees, a situation which is neither efficient nor conducive to the coordinated leadership which the Nation and world so desperately need for the environmental quality crusade.

Consequently, Mr. Speaker, I heartily applaud the thrust of the Select Committee on Committees' recommendations relative to the Committee on Energy and Environment. A single standing committee would have numerous advantages over the present approach to environmental problems. Its members would be chiefly concerned with the subject of environmental degradation. They would have the benefit of a professional staff whose chief efforts would be directed to environmental matters. Especially important they could view our environmental problems from a broad prespective, taking care to not attack one form of pollution by generating another of greater magnitude. Moreover, a standing committee would have the obvious

advantage of the ability to provide enabling legislation and funding.

I also approve of the Select Committee's recommendation that the new committee have jurisdiction over energy matters. It is my view that a conserving attitude toward our environment and its natural resources can go hand in hand with efficient, economical use of fuel. While the Nation's current energy dilemma will require more mining and burning of coal, more construction of refineries and pipelines, more offshore drilling and experimental mining, these measures can be carried out with a minimum of expense to the environment. Again, however, it is incumbent on the Congress to provide a mechanism that cuts through the jurisdictional quagmire which prevents concerted action.

We are not talking in terms of a few years or even a decade of environmental therapy, Mr. Speaker. It may well take 100 years or more of research and applied science to restore clean air, with a proper balance of carbon dioxide and oxygen. Or to rescue bodies of water such as Lake Erie, San Francisco Bay, and the Potomac River from their current status as open sewers. Or to learn how to dispose of our solid wastes and our chemical and radiological poisons without having them turn up to bedevil our children and grandchildren like Biblical plagues. Or to learn how to control insect and plant pests without killing our wildlife and upsetting our ecological balances.

I ask my colleagues, then, to carefully consider the Committee on Committees' report on "Committee Structure and Procedures of the House of Representatives." We must now take advantage of the momentum of support which has developed since the original introduction of my proposal before the effective capacity to produce answers to the earth's environmental problems is lost. The early consideration of the Select Committee's working draft will enable us to fulfill our obligation to leave the Earth, its atmosphere and waters in better condition than we found them.

THE ESTABLISHMENT OF A FEDERAL ZOOLOGICAL AND AQUARIUM BOARD

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. WHITEHURST. Mr. Speaker, today I am introducing legislation to provide badly needed assistance to our Nation's zoos and aquariums. This bill establishes a Federal Zoological and Aquarium Board, consisting of 17 members representing both Government and private groups knowledgeable regarding the needs of zoos and aquariums. The Board is authorized to determine standards for the accreditation of zoos and aquariums, and it will also provide assistance through direct project grants and loan guarantees to help zoos and aquariums improve their facilities in order to meet these standards. In addition, the Board will sponsor pilot projects which will serve as models for high national standards.

This bill is the product of substantial consultation with many representatives of zoos, aquariums, and zoological organizations, as well as private citizens. Senator MARK HATFIELD and his staff have also provided invaluable assistance and cooperation in the development of this legislation. Indeed, Senator HATFIELD has introduced a companion bill, S. 2774, in that body.

As what we like to call civilization expands into more and more wilderness areas, zoos may well become the last refuge of many vanishing species. It is incumbent upon us to see that zoos and aquariums are maintained so that these creatures receive the best possible care.

Consequently, I urge that the Congress act quickly to pass this measure.

VOLUNTEER DEVELOPMENT CORPS AT WORK

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, as you recall, in December Congress approved a thorough-going reorientation of U.S. foreign assistance aimed at—

Sharing American technical expertise,

Food production, rural development and nutrition,

Maximum use of the private sector, including cooperatives, and

Undertakings that governments and organizations in the developing countries request.

I was very pleased, therefore, when my constituents, Mr. and Mrs. Francis J. Zehren of Sheboygan, reported to me December 13 on their return from Costa Rica. For what they have done with a few of the dollars we authorized and appropriated for the Agency for International Development seems directly in line with the policies Congress established in the Foreign Assistance Act of 1973.

Late last summer, a dairymen's cooperative in San Isidro, Costa Rica, asked Volunteer Development Corps, a private organization U.S. cooperatives have established, to help get its new milk pasteurizing and bottling plant in operation. The co-op is Cooperativa Agropecuaria de Coronado, 10 miles outside San Jose.

VDC's president, David W. Angevine, asked Truman Torgerson of Manitowoc, general manager of Lake-to-Lake Dairy Cooperative, which operates five milk processing plants in our area, to recommend for the assignment someone qualified who might be able to volunteer his services. Mr. Torgerson recommended Mr. Zehren, Lake-to-Lakes plant coordinator, and offered to grant him leave with pay if Mr. Zehren wished to volunteer his services. Mr. Zehren agreed to do so.

When the Costa Rica co-op received its plant equipment in early November, Mr. and Mrs. Zehren followed. VDC paid their travel, lodging, and meals. The Costa Rica co-op provided Mr. Zehren's in-country transportation, an interpreter, and secretarial help in preparing his report and recommendations to the Costa Rica co-op's manager.

Mr. Zehren spent 6 weeks in Costa Rica. He helped the co-op's staff place the equipment, connect it, and begin operating it efficiently. The co-op, Mr. Zehren tells me, has chosen its equipment well. The plant can process a half-million pounds of milk a day, which is about what the co-op's members now produce. Its building and production line can be readily expanded when this becomes necessary.

Eighty-five dairymen own the co-op. Some of them have 2 cows; others have 60 or 70. Until it built this plant, the co-op has functioned as bargaining agent for its members with milk processors in San Jose.

Mr. Zehren's recommendations were very simple. In the plant itself, he recommended the co-op buy one additional piece of laboratory equipment, costing about $20, establish proper records to control product inventories, and improve sanitary facilities for plant employees.

To improve the quality of milk received at the plant, Mr. Zehren recommended that members install cooling equipment on their farms. He feels that perhaps half the members have large enough herds, can afford joint ownership of cooling equipment centrally located on another member's farm. He also suggested a system of monetary and nonmonetary rewards for premium producers.

Mr. Zehren believes the Costa Rica co-op will act on his recommendations. The co-op's manager, Octavio Barquero Alvarado, is an experienced businessman, and he has assembled a competent staff. Mr. and Mrs. Zehren are expecting Senor and Senora Barquero to visit them in Sheboygan next summer.

I was amazed at how little this all cost. Lake-to-Lake Dairy Cooperative provided the essential ingredient—Mr. Zehren's services for 6 weeks. VDC spent $3,500 for the Zehren's travel and living expenses. The Costa Rica co-op provided perhaps $1,000 worth of services to Mr. Zehren.

U.S. cooperatives organized VDC 3½ years ago to provide short-term volunteer, technical help to cooperatives and Government agencies responsible for developing cooperatives overseas. U.S. co-ops provided VDC's basic financing, and AID has five times granted VDC project and operating funds, totaling $425,000. VDC has two persons on its staff, and its 41st volunteer left the United States in December. Four others are ready to go in January.

These volunteers have undertaken a great variety of short-term assignments. They have trained credit union fieldmen and rural development specialists. They have established data gathering systems, recommended accounting systems, determined the feasibility of importing bulk fertilizer, milling rice, and processing soybeans for human consumption. They

have helped Government agencies plan cooperative development on a national scale. They have worked with farmers' co-ops, handicraft marketing co-ops, housing co-ops, consumer co-ops, credit co-ops, transport co-ops, fishermen's co-ops, and workers' co-ops. They have helped overhaul feed mills and redesign production lines for prefabricated homes, and furniture. They have served in Latin America, Africa, Southeast Asia, and the West Indies.

The list of persons who have gone to the developing countries as VDC volunteers is most impressive. It includes presidents, vice presidents, and general managers of some of the largest co-ops in the United States—Farmland Industries in Kansas City, Tri-Valley Growers in San Francisco, Agway in Syracuse, Dairylea in New York City—as well as those who, like Mr. Zehren, have more specialized skills. Some are recently retired. Some are mid-career professionals.

I am especially impressed that each VDC project is based on the application of a co-op or Government agency in a developing country for specific assistance and on its agreement to commit some of its own resources. The co-op or agency overseas is, it seems to me, in the best position to know if it needs help and to know what kind of help it needs. VDC does not try to substitute its own judgment, or the judgment of AID's mission in that country, or the judgment of some outside official.

I commend my constituent, Mr. Zehren for volunteering for this assignment and his general manager, Mr. Torgerson, for letting him go. And I commend his experience to the thoughtful consideration of my colleagues.

ONE MAN'S OPINION

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. SHOUP. Mr. Speaker, on December 10, KGVO–TV in Missoula, Mont., ran the following editorial which I commend to my colleagues for its candid view of the energy crisis:

ONE MAN'S OPINION, DECEMBER 10

The so-called "Energy Crisis" has become a forum for finger pointing and opportunism.

Environmentalists charge big business is using it as the "Ultimate Rip-Off." Big Business in turn blames the shortage on environmental groups for throwing too many legal roadblocks in the path of progress. News writers see easy copy—"The Energy Crisis" is something each of us has an interest in to one degree or another, therefore it is news. You, as a citizen, are told to stay home on weekends. At the same time it is suggested by newspaper advocates TV stations cut down your viewing time by shutting down earlier. Mention is not made of the amount of energy that might be saved should the newspapers cut back publishing one day a week. You are told not to use decorative lights on your Christmas tree. Yet little is said about all those lights in the house that go off when the Christmas tree lights go on.

Public officials are checked by reporters to see what kind of vehicle they are using to and from work—that makes good copy with little effort on the part of the reporter.

We seem to be in the midst of a national shoulder shrugging dilemma, It would seem news reporters should be doing some deeper digging—rather than devoting time to finger pointing, although it is a popular past time these days.

It is time to stop nit-picking and find the truth—that goes for the news media and the U.S. Government. Our government takes pride in its ability to flex its muscle, yet it can't force oil companies to open their books and lay-it-on-the-line. It required a group of irate truck drivers to *force* the government to investigate price gouging. I-R-S officials reported just today they did find more than one-fourth of the dealers checked, more than 8-hundred were checked, were indeed charging higher than allowed prices.

Our public officials seem to be shaking their collective heads and declaring there is indeed an energy crisis but they can't seem to agree among themselves to what extent.

What is clearly needed are some positives in this blurry world of negatives. Instead of finger pointing, issue forcing, buck passing, buck making, tisking and tasking, and all-out opportunistic game playing, why can't we demand some answers. Once those answers are found and clearly defined then, and only then, can reasonable solutions be offered. If there is an energy crisis and it is up to us as consumers to solve it we should be shown why it is our responsibility and not the responsibility of industry and government. There is no greater waste of energy than cause favoring decisions. That's one man's opinion.

HOME RULE AND THE LEGAL PROFESSION

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. BRECKINRIDGE. Mr. Speaker, a milestone was reached Monday when the House passed S. 1435, the District of Columbia home rule bill as reported by the conference committee on which I was honored to serve as a freshman member. Throughout this effort on the part of those who supported this measure to final fruition, the continuing support of the legal profession—as evidenced by telegrams from the presidents of the American Bar Association and the American Judicature Society—was strongly felt. I would refer you back to the RECORD of October 10 on page 33637 and that of October 13 on page 34124 at which points I inserted telegrams from Messrs. Chesterfield Smith and John S. Clark, presidents of the American Bar Association and the American Judicature Society, respectively, into the debate leading to passage of the House version of home rule which then went to conference.

At that time H.R. 9682 contained professionalizing the administration of justice by the establishment of both merit-selection and retention procedures through the creation of Nominating and Tenure Commissions composed of nine members each, insuring the appointment and reappointment of qualified judges to the Superior and Appellate Courts of the District of Columbia, based upon their abilities as jurists rather than political considerations.

Mr. Speaker, although the composition of these Commissions was somewhat altered in conference—by substituting the President of the United States for the Mayor of the city of Washington as the appointing authority, and providing for the appointment of two lay members to each Commission—I wish to emphasize the fact that the essential safeguards establishing in our Nation's Capital the principle of merit selection and retention of the judiciary has been propounded for all to see by S. 1435—a fact which the leaders of our country's legal profession will fully appreciate.

In recognition of their continuing support of this landmark legislation, which constituted a significant contribution to the granting of self-determination to the citizens of the District, I place in the RECORD at this time telegrams of final endorsement of S. 1435 which I received on Monday afternoon from presidents Clark and Smith:

I wish to reaffirm my support of S. 1435 as contained in Conference Report, 93–703.

JOHN S. CLARK,
President, American Judicature Society.

I wish to advise you of my continuing support of S. 1435 with modifications effected by Conference Report, 93–703.

CHESTERFIELD SMITH,
President, American Bar Association.

Mr. Speaker, as everyone in this House knows, we are experiencing a period of disenchantment with American political life; our people are questioning the relevance and durability of our governmental institutions no less than the motivation and integrity of our political leadership. Yet on Monday we participated, overwhelmingly, in the restoration of political power to the people of the city of Washington by the passage of the District of Columbia home rule bill.

To the extent that we continue to provide the people with representative government—which our Constitution demands, if such power is to remain legitimate—our people's faith in our democratic way of life will remain as a matter of course and as an antidote to the poisonous miasma of the Watergate.

MORE FOR THE MILITARY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. GAYDOS. Mr. Speaker, I was amazed and so, I suspect, were many other concerned Americans at the word from the Department of Defense that, despite the energy crisis, it will ask from $400 to $500 million more from this Congress to meet its fuel costs through next June.

The Pentagon, of course, blames the sharp increase in the prices being paid for petroleum products which it says has more than offset the economies made in our military operations. Flying time and ship "steaming" time have been cut back 20 percent worldwide, Rear Adm. Nathan Sonenshein, the Pentagon's energy task force chief, announced the other day.

But why only 20 percent? It seems to me that our bloated Military Establishment could do better when we consider that the major part of its present operations mission is of dubious worth to the

fuel-short American public. I refer to those armies stationed and kept in readiness in Europe and Korea and at other points outside our borders. We have yet to hear an acceptable explanation of why it remains the responsibility of our people to provide the defenses of others who have the resources to do so for themselves.

The word "readiness" has become the Pentagon excuse for every cost hike. Unless more is spent and less is saved we invite adverse effects on our military readiness. But I ask—readiness for what? President Nixon's recent alert in the Middle East situation—the only actual test of this readiness since our disastrous adventures in Indochina—now is generally condemned as having been provocative and unnecessary. Where else, then, is there an immediate danger, demanding full readiness?

Rather than voting more millions for the military, I would favor a lid on its fuel uses—one which would restrict it to the $2.5 billion now allocated for this purpose in its present budget. If the $2.5 billion is not enough to keep its forces in readiness in Europe and Korea, then let us bring them home. There is a growing feeling that this should be done even without the prod of a fuel shortage.

AN ENVIRONMENTAL COURT SYSTEM

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. MYERS. Mr. Speaker, in the Federal Water Pollution Control Act Amendments of 1972, the Congress requested the President, acting through the Department of Justice, to study the feasibility of structuring an environmental court system. That report was submitted this past October.

Professor George P. Smith, a member of the law school faculties at Georgetown and Catholic University, has written an article dealing with the need for an environmental court and the report, itself. He has written extensively and taught in the environmental field and served as special counsel to the late Winthrop Rockefeller, Governor of the State of Arkansas. He is National Cochairman of the Environmental Quality Committee of the Young Lawyers Section of the American Bar Association.

His article considers the problem area of consideration in an exceptionally balanced and straightforward manner. He suggests a simple and direct approach to resolving current difficulties in environmental litigation. For these reasons I would like to share that article with my colleagues:

DOES THE ENVIRONMENT NEED A COURT?

(By George P. Smith II)

In one of his last opinions, Mr. Justice Harlan commented that interstate pollution cases were so complex that they might well be beyond the Supreme Court's power to adjudicate.[1] Such intimations, coming at a time when many claim the American court system is allegedly skyrocketing, prompt the question of whether we need a new environmental court to handle cases in this specialized field.

By the Federal Water Pollution Control Act Amendments of 1972, Congress directed the Justice Department to study the feasibility of such a court.[2] Since then, this question has been researched by the department's Land and Natural Resources Division (which handles most environmental litigation[4]) in cooperation with 26 federal agencies and nine private organizations. Surprisingly, there are few unwavering supporters of Justice Harlan's position; [5] in fact, there is near unanimity against establishing such a new court.

Among the principal reasons set forth in opposition to the proposed court were: (1) Difficulty in defining the jurisdiction of an environmental court; (2) A belief that the broad range of issues involved in environmental litigation would defy the acquisition of "expertise" in environmental matters; (3) Fear that an environmental court would lack institutional strength to withstand the pressures likely to be focused upon it by special interest groups; (4) Preference for the outlook of "generalist" courts over the narrower view likely to be developed by a specialist court on environmental matters; (5) Belief that an environmental court would be less accessible to would-be litigants than the federal district courts; (6) Skepticism about an increase in environmental litigation of such magnitude as to warrant treatment as a separate body of law; and (7) Concern over the possibility that creation of an environmental court would lead to additional specialized courts and the fragmentation of the judicial system.[6]

SCIENTIFIC MASTERY

The central argument advanced in favor of establishing an environmental court or court system is that it is necessary for the courts to master, in a total sense, the scientific issues involved in a case in order to ensure that it is decided under the best possible circumstances.[7] On the other hand, it is generally regarded as sound practice for the attorneys of record to exert every effort to explain the issues of each case to the court in simple, direct language. Unintelligible jargon can only serve to obfuscate the pleadings and thus penalize the parties.[8]

Proponents of an environmental court also assert that greater uniformity in interpretation of environmental law would result under such a court system and that a greater degree of efficiency would be achieved in disposing of environmental litigation.[9] However, the district courts are accustomed to complex issues of law and to evaluating the testimony of experts in fields with which they are not familiar. There is nothing totally unique in the legal or technological complexity of environmental cases.[10]

Chief Judge William E. Steckler of the Southern District Federal Court in Indiana has suggested that if environmental case loads become a real burden on the court docket, the most direct way to deal with the problem would be to add more federal judges.[11] The judge also proposed that consideration be given to expanding the scope of review and basic powers of the United States Magistrates in order to tackle heavy environmental calendars where they might exist.[12]

Judge Harold Leventhal of the District of Columbia Court of Appeals, speaking against a separate environmental court system, stressed the need for administrative tribunals to become more sophisticated in their areas of technical expertise.[13] Most environmental cases are those of great moment with the court being asked to prevent an imminent action. Reflective consideration cannot be given; "think time" is in short supply. The lower court or administrative record must be complete and tightly organized in order to properly assist the reviewing court in deciding the appeal expeditiously.[14]

The National Environmental Policy Act and other notable federal statutes in air, water and noise, all euphemistically designated "environmental law" because they purportedly deal with the environment, are in reality an amalgam of legal principles rooted in administrative law, constitutional law, equity, corporations, evidence, procedure, legislation, natural resources, etc.[15] In addition, the issue of standing remains a threshold problem in every so-called, "environmental case."

ECOLOGICAL DECISIONS

The typical environmental issues which are presented in a case do not directly involve obscure matters of scientific theory or techniques. Rather, they are more commonly primary questions of evidence or of procedure. Such a typical question might be "What do the facts show the effect of a given factor (i.e., concentration of a pollutant, or use of a control method) to be on a variable (i.e., human health or the survival of certain form of wild life)."[16] In the final analysis, the court is invariably forced to balance the equities of the case in making its "ecological decision."

The most direct resolution of present uncertainties in this area is re-education of federal and state judges alike to the nuances of this new commercially packaged body of law, popularly termed "environmental law." At the state level, a popular vehicle for such an undertaking could be found in centers for judicial education patterned after the successful one created in Indiana by Indiana University's Indianapolis Law School.[17] Effective use of other forums such as the National College of the State Judiciary, the Federal Judicial Center, the Northern American Judges Association, the Institute for Court Management in Denver, the American Academy of Judicial Education, the American Judicature Society, state bar association continuing legal education programs, the American Bar Association, the National Association of Attorneys General, to name but a few of the more significant ones for training of both judges and lawyers in the parameters of environmental litigation should be encouraged and developed more fully.[18]

Judicial seminars are conducted annually by the various federal district judges and serve as yet another paradigm of how self-teaching techniques can be employed in educating the members of the bench to current judicial problems. In these seminars, judges teach judges—and sensitive scholars on the bench become equally effective teachers.[19] By educating the bench in this very simple, straightforward way, the bar will educate itself at the same time and thereby assure that the administration of justice in environmental litigation will be both expeditious and consistent with sound principles of due process as it is in every other field of the law.

FOOTNOTES

[1] Ohio v. Wyandotte Chemical Corp., 401 U.S. 493 (1971). *See also,* Boomer v. Atlantic Cement, 26 N.Y. 2d 219, 257 N.E. 2d 879 (1970), where the court held that, ". . . the judicial establishment is neither equipped in the limited nature of any judgement it can pronounce nor prepared to lay down and implement an effective policy for the elimination of air pollution. *See* Whitney, *The Case for Creating a Special Environmental Court System,* 14 WM. & MARY L. REV. 473 (1973).

[2] Professor Paul A. Freund of the Harvard Law School was chairman of a study group appointed by Chief Justice Burger—in his capacity as chairman of the Federal Judicial Center—to study the case load of the Supreme Court and to make necessary recommendations. The report was published in December 1972 and called principally for a new national court to screen all cases which are now filed directly with the Supreme

Court. *See* Freund, *Why We Need the National Court of Appeals*, 59 A.B.A.J. 247 (1973); Editorial Comment, *Help for the Court of Appeals*, 59 A.B.A.J. 51 (1973); Editorial Comment, *Three-Judge District Courts*, 59 A.B.A.J. 279 (1973). *See generally*, Cannon, *Can the Federal Judiciary Be an Innovative System?* PUB. AD. REV. at 74 (Jan./Feb. 1973).

The Chief Justice on March 20, 1973, appointed a 16-member Commission on Revision of the Federal Court Appellate System to study how the federal appellate courts can serve the system more efficiently, consistent with the fundamental concepts of fairness and due process. N.Y. Times, Mar. 21, 1973, at 28L, cols. 4-6. *See generally*, Burger, *The State of the Federal Judiciary*, 58 A.B.A.J. 1049 (1972).

Justices William O. Douglas and Potter Stewart together with former Chief Justice Earl Warren have expressed their doubts as to the need for establishing a new national court. *See* The Washington Post, Dec. 20, 1972, at 1, col. 6; Washington Evening Star and Daily News, March 28, 1973, at 4 A, cols. 2-3. *See also*, Gressman, *The National Court of Appeals: A Dissent*, 59 A.B.A.J. 253 (1973).

[3] Pub. L. No. 92-500, 86 Stat. 899.

[4] It is called upon to prosecute in criminal actions or sue in civil actions private citizens who violate environmental control laws and is responsible for the defense of Federal officials who are accused of attempting to conduct governmental programs in violation of statutes calculated to insure a better environment—especially the NEPA.

[5] "Environmental Court *Vel Non*," speech by Walter Kiechel Jr., Deputy Assistant Attorney General, Lands and Resource Division, U.S. Department of Justice, Conference on Environmental Law, Airlie House, in Warrenton, Virginia, April 27, 1973. These remarks are set out in 3 E.L.R. 50013 (May 1973). The actual Environmental Court Study Report was submitted to Congress around October 18, 1973.

[6] Kiechel, *supra*, note 5.

[7] Whitney, *supra*, note 1.

[8] *Supra*, note 5. David Sive in his speech, "National Environmental Policy—Present and Future," delivered at the Columbia University Law School in New York City, March 22, 1973, expressed his belief that if a separate environmental court system were to be established, the rather limited technical aspects of the problem area would be too severely magnified. He disapproved of a separate court for the environment.

[9] Whitney, *supra* note 1.

[10] Kiechel, *supra*, note 5.

[11] Interview with William E. Steckler, Chief Judge, United States District Court for the Southern District of Indiana in Indianapolis, April 13, 1973.

[12] *Id.*

[13] Speech, Conference on Environmental Law, Airlie House, Warrenton, Virginia, April 28, 1973.

See also Judge James L. Oakes of the Second Circuit Court of Appeals, *Developments in Environmental Law*, E.L.R. 50001 at 50012 (April, 1973) where he too expressed his opposition to establishing separate environmental courts.

[15] 42 U.S.C. §§ 4331-47 (1970)—NEPA; 42 U.S.C. § 1857 et seq. (1970)—AIR; 33 U.S.C. § 1151 et seq. (1970)—WATER; 42 U.S.C. § 1858 et seq. (1970)—NOISE. *See also*, 21 U.S.C. § 346 et seq. (1970)—PESTICIDES and 42 U.S.C. § 3251 et seq. (1970)—SOLID WASTE DISPOSAL.

[16] F. Grad, Environmental Law, Chapter 12 (1971); *supra* note 16.

[17] Res Gestae, IND. S. B. J. at 8 (Mar. 1972).

[18] The highly successful Seminar for Appellate Judges conducted at the New York University Law School by Dr. Robert A. Leflar, himself a former member of the Arkansas Supreme Court, serves as yet another example of an educational forum which could be adapted to consider specific problems of environmental litigation.

[19] Two articles by Chief Judge Steckler are illustrative of the "educating" process that is carried on by the judges themselves: *The Civil Jury Trial and Charge to the Jury* at 118 and *A System for Handling Jury Instructions* at 135—both found in PROCEEDINGS OF THE SEMINARS FOR NEWLY APPOINTED U.S. DISTRICT JUDGES (1963).

POVERTY: WOMEN AND CHILDREN LAST

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mrs. GRIFFITHS. Mr. Speaker, I insert in the RECORD the text of a presentation on the subject of female-headed families, poverty, and welfare. The presentation was given by Dr. Heather Ross of the Urban Institute at the third public welfare seminar organized by the Urban Institute for congressional and executive branch staff members. I believe my colleagues will find Dr. Ross' remarks thought-provoking. The issues she raises are interesting to me personally both as they relate to my sponsorship of the equal rights amendment and to the welfare study of the Subcommittee on Fiscal Policy, Joint Economic Committee, which I chair.

The presentation follows:

POVERTY: WOMEN AND CHILDREN LAST

(By Heather L. Ross, Senior Research Associate,[1] the Urban Institute)

There is nothing in the nature of economic progress which assures that all people will benefit equally. Indeed, one of the important functions of government policy is to correct major imbalances which occur when economic activity rewards some people much more than others. People who concern themselves with this kind of policy have been finding that, more and more, the key element which distinguishes who moves ahead in the economy and who does not is family structure. Husband-wife families are making progress in the white community and in the black community as well. But female-headed families are falling behind in both the black and the white communities. We can see the effects of these divergent trends by looking at the dramatic changes in the composition of the poverty population over the last decade. I want to talk tonight about what these changes have been, why they might be occurring, and what their implications are for public policy.

In 1960, there were 40 million poor persons. By 1972, this number had fallen to 24½ million poor persons. But virtually the entire decline was accounted for by persons in male-headed families. The number of poor persons in female-headed families rose by 867,000. This meant a substantial swing in the composition of poor families. In 1960, 29% of poor families were female-headed. By 1972, 43% were female-headed. If we focus further on families with children, the shift is even more dramatic. The majority of these families are now female-headed. And if we disaggregate further, by race, we find that 70% of nonwhite poor families with children are female-headed, while 43% of white poor families with children are female-headed.

Thus, the trend toward female-headed families is more pronounced in the nonwhite community, but it is nevertheless well underway in the white community as well. Table 1 should make the relationships a little clearer. It shows the proportion of poor families with children which are female-headed by race. Looking first at the left hand side, we see that about ¼ of poor white families with children were female-headed in 1960 and ¾ male-headed. Looking down the columns for subsequent years, we see that the proportion of female-headed increased steadily to 43% by 1972. Now looking at the right-hand side for nonwhite families, we see that about ⅓ of poor families with children were female-headed in 1960 and ⅔ male-headed. Again, reading down the columns, we find that almost 70% of these families were female-headed by 1972. Nonwhites have always had a higher proportion of poor families with children female-headed, as can easily be seen in the table. But, the pace at which the population of poor families with children has been tipping toward female-headedness is almost as rapid for whites as for nonwhites. When plotted on a graph, the upward slopes of the two lines are not far from parallel. So the trend toward female-headed families at low income is not exclusively a black phenomenon as many seem to have believed, and as earlier treatments of the subject like the 1965 Moynihan report implied.

(See table 1.)

TABLE 1.—POOR FAMILIES WITH CHILDREN BY RACE AND SEX OF HEAD, 1960-72

[In percent]

	White poor families with children>18		Nonwhite poor families with children>18	
	Female head	Male head	Female head	Male head
1960	24.5	75.5	34.9	65.1
1961	23.6	76.4	35.7	64.3
1962	24.7	75.3	39.5	60.5
1963	26.5	73.5	41.9	58.1
1964	25.4	74.6	39.9	60.1
1965	30.3	69.7	41.6	58.4
1966	33.5	66.5	45.5	54.5
1967	32.9	67.1	51.1	48.9
1968	36.4	63.6	57.0	43.0
1969	40.1	59.9	59.2	40.8
1970	40.1	59.9	62.3	37.7
1971	41.4	58.6	64.6	35.4
1972	43.3	56.7	69.0	31.0

The trend toward female-headed families is not preeminently a poverty phenomenon either. Table 2 shows poor female-headed family growth relative to total female-headed family growth. The left-hand column shows the number of poor female-headed families with children. Their number moved irregularly during the decade but started edging up significantly around 1969. The next column in the table shows the number of poor and near poor female-headed families with children, that is families with incomes up to 125% of the poverty line. Their number remained fairly stable during the 1960's but also began to increase at the end of the decade. The third column shows the total number of female-headed families with children at all income levels. This total number of female-headed families with children has been moving up much more rapidly than the number of poor female-headed families with children. In fact, it has been moving up over twice as fast, so that the great majority of

[1] These remarks were prepared for presentation to an Urban Institute Seminar on Public Welfare Policy. The work reported here was supported by grants from The Ford Foundation and the U.S. Department of Health, Education, and Welfare. The author thanks her colleagues at the Urban Institute, particularly Robert Harris, Anita MacIntosh and Belle Sawhill, for their helpful comments. Opinions expressed are those of the author and do not necessarily represent the views of the Urban Institute or its sponsors.

new female-headed families with children formed in this era were non-poor. The last column in the table shows the welfare caseload growth as measured by the number of female-headed families with children served each year by AFDC. It starts in the base year 1960 with an annual caseload size less than ½ the poverty population, but grows steadily, especially at the end of the period, and by 1971 totals almost 70% of all female-headed families with children.

(See table 2.)

TABLE 2.—TRENDS IN POVERTY, WELFARE, AND FEMALE FAMILY HEADSHIP, 1960–71

[Numbers in thousands]

	Number of poor female-headed families with children>18	Number of poor and near poor female-headed families with children>18	Total female-headed families with children>18	Annual female-headed family AFDC caseload
1960	1,476	1,742	2,621	692
1961	1,505	1,793	2,687	813
1962	1,613	1,874	2,701	844
1963	1,578	1,881	2,833	935
1964	1,439	1,776	2,895	1,020
1965	1,499	1,817	2,872	1,070
1966	1,410	1,756	2,993	1,139
1967	1,418	1,747	3,187	1,385
1968	1,469	1,842	3,271	1,509
1969	1,497	1,905	3,373	1,817
1970	1,680	2,067	3,814	2,460
1971	1,830	2,315	4,078	2,837

A few cautions are in order when interpreting the numbers in this table. First of all the family unit definitions for a welfare unit and for a female-headed family unit as measured by Census are different, with the former being broader than the latter. Secondly, the use of an annual caseload figure for AFDC gives a much higher caseload total than the monthly figure usually reported, since the annual number of units served is much higher than any average monthly total due to high caseload turnover. The figure does not mean that all poor and near poor female-headed families with children are presently receiving welfare, nor does it men that large numbers of relatively high income ineligible women are presently receiving it. What it does show is that the number of female-headed family units served by welfare over the period has risen dramatically, and that this number is now quite large relative to the total count of female-headed families measured by the Census Bureau.

There are three major factors to be cited in connection with this large welfare caseload growth. One is an increasing participation rate. The probability that a female-headed family with children which is eligible for welfare will actually be receiving it at any point in time has grown significantly, especially since 1967. This is the result of changes in both client and agency behavior, and is an important topic for analysis in its own right, but one which we will not have time to go into here. Work by Barbara Boland of The Urban Institute explores the magnitude and sources of this increasing participation rate for the period since 1967.[2]

The second factor is increasing coverage of female-headed families with children through raised income eligibility ceilings. As states have raised their welfare benefit levels over the 1960's, the incomes at which families can establish eligibility for welfare have gone up correspondingly, so that welfare coverage has extended higher and higher up the income distribution of female-headed families with children. The third factor is simply increased formation of female-headed families with children at low income. And the issue here, which we will come back to shortly, is what role, if any, welfare has played in this growth.

To sum up, what we have seen here is that female-headed families with children are on the increase at all income levels, with many more being formed who are nonpoor than are poor. But because the number of poor families who are male-headed has declined so significantly over the 1960's, the poverty population has come to be increasingly characterized by female-headed families. We have seen that this tipping toward female-headedness is going on almost as rapidly in the poor white community as in the poor black community.

TABLE 3.—COMPONENTS OF GROWTH IN THE NUMBER OF FEMALE-HEADED FAMILIES WITH CHILDREN LESS THAN 18, 1960–71[1]

[Numbers in thousands]

Number of female-headed families with children less than 18	White	Nonwhite
1960	1,191	448
1970	1,891	840
Total growth, 1960–70	700	392

Components of change	White		Nonwhite	
	Number	Percent	Number	Percent
Total	700	100	392	100
Living arrangements (EFHFC/DC+NFHFC/NC)	70	10	31	8
Presence of children (DC/D)	138	20	92	24
Marital dissolution (D/E)	161	23	59	15
Population growth (E+N)	174	25	61	16
Illegitimacy (NC/N)	63	9	82	21
Interaction	94	13	67	17

[1] Methodological note: Based on substituting 1970 values for each individual component into 1960 equation where:

$$FHFC = \frac{EFHFC}{DC} \cdot \frac{DC}{D} \cdot \frac{D}{E} \cdot E + \frac{NFHFC}{NC} \cdot \frac{NC}{N} \cdot N$$

(See appendix A for definitions and raw data from which these calculations were made.)

Source: 1960 and 1970 census (see appendix A).

Why are female-headed families with children increasing? This is an important question and a difficult one to answer. One way to get started on answering it is to break down the growth of female-headed families with children by its various demographic components. Is it marital disruption, illegitimacy, changes in housing patterns, or what that is contributing to this growth? Table 3 shows major components of growth which can be identified in published Census data, and their importance in contributing to the growth of female-headed families with children over the decade 1960 to 1970 for nonwhites and whites separately.

The total growth to be explained is 700,000 families for whites and 392,000 families for nonwhites. Part of this increase is due to population growth. More adult women would mean more women heading female-headed families with children even if the proportion of women heading such families had not changed. This is shown as "population growth" in the table. But the proportion of women heading families with children has changed for several reasons. One is marital disruption. With a significantly increasing divorce rate, the chances of a woman experiencing marital disruption have increased considerably. This tends to increase the number of female-headed families with children even if no other change occurs. This is shown as "marital dissolution" in the table.

But other changes are occurring. The probability that a woman who experiences marital disruption will have one or more children living with her has also increased considerably. This reflects more divorced women and fewer widows among the maritally disrupted population, younger ages of divorced women, and dropping childlessness among the population as a whole. It is shown in the table as "presence of children". Furthermore, the probability that a woman who has experienced marital disruption and has at least one child will set up her own household rather than doubling up with relatives has also increased. Similarly, unmarried women with children are more likely to have their own household. The joint effect of these undoublings is shown as "living arrangements". It reflects increasing economic ability to establish independent households plus a trend away from extended family living patterns throughout society.

Finally, the probability that an unmarried woman will have a child living with her has grown and this is shown as "illegitimacy". It reflects the increasing illegitimacy rates for first births of both whites and nonwhites. The "interaction" term shows the residual growth that is not explained by any one factor independently but rather by the joint effect of two or more of them operating in conjunction with one another.

Over the period 1960 to 1970, we see that the largest components in the growth of female-headed families for whites are population growth and marital disruption, with presence of children in disrupted marriages coming in a close third. Living arrangements and illegitimacy make only modest contributions to the total growth. These results on living arrangements run counter to arguments by other researchers that changed housing patterns are perhaps the most significant element in the recent growth of female-headed families with children. For nonwhites, it is the child-related components—illegitimacy and presence of children in disrupted marriages—which account for the lion's share of growth.

Contrasting the behavioral differences between whites and nonwhites it appears that the combination of marital dissolution and presence of children in disrupted marriages accounts for a similar percentage of growth for whites and nonwhites, but with a slight emphasis on increased dissolution for whites, and, to a greater degree, on increased presence of children for nonwhites. The major behavioral difference lies in the role of illegitimacy, with nonwhites showing a greater effect here despite the fact that the nonwhite illegitimacy rate peaked in the middle 1960's and has declined since, while the white rate continues to climb. This is apparently because illegitimacy declines for nonwhites are concentrated in other than first births, and because nonwhites are much more likely than whites to keep their illegitimate children rather than placing them for adoption.

Behavioral change of all kinds has clearly been more important for nonwhites than for whites. Simple population growth accounts for considerably less nonwhite growth than white over the period, even though the total population growth for nonwhites far exceeded that for whites during those years.

These tables provide a context for asking the important question of what role the welfare system has played in the growth of female-headed families with children. By restricting its benefits for the most part to these kinds of families, has welfare encouraged their formation, and has it done so through illegitimacy, through family splitting, through undoubling of families, or how?

The first point to note is the magnitude of the financial incentive to become female-

[2] See Barbara Boland, "Participation in the Aid to Families with Dependent Children Program (AFDC)," in the *Family, Poverty, and Welfare Programs: Factors Influencing Family Instability*, Paper No. 12 (Part I), Studies in Public Welfare. Prepared for the use of the Subcommittee on Fiscal Policy, Joint Economic Committee, U.S. Government Printing Office, Washington, D.C. 1973, pp. 139–179.

headed—that is, the dollar value associated with not living with the father of one's children and receiving welfare versus the value associated with living with him and forfeiting welfare. The trade-off between what low-skilled men can provide and what welfare can provide has been tipping over the last decade in favor of welfare, especially when the value of benefits tied to welfare status, such as medicaid coverage, are figured in too. It is relatively easy to calculate these trade-offs for different state welfare programs and different local labor markets, and this has been done recently by a number of analysts.

But determining the behavioral response to these trade-offs—that is, the way people actually act when confronted with these financial incentives—has proved very difficult. On illegitimacy, for example, some researchers have found that the birth rate is directly related to the size of available AFDC benefits for some groups of women. But most research has not found such a relationship, and no one has yet found statistical evidence that higher AFDC payments are related to higher illegitimacy, even though many people think this may be true.

On marital disruption the picture is also mixed. Some analysts have found that higher AFDC benefit levels mean higher proportions of ever-married women with children living as heads of households, and some have found that they do not. The bulk of the evidence supports the latter finding, but the most sophisticated recent work suggests the former.[3]

It should be noted that in the case of both illegitimacy and marital disruption, welfare could contribute to the total number of female-headed families by keeping people in that status as well as by putting them in that status. This could occur if women failed to marry or to remarry due to concern for losing welfare benefits. This is a particularly interesting aspect of the effect of welfare on family organization right now because the rules of the game in this area have recently been changed.

In 1968 the Supreme Court invalidated the man-in-the-house rule, and in 1970 it further ruled that in the case of a man assuming the role of spouse, including a non-adopting stepfather, no presumption could be made that the man was contributing any of his resources to the support of children in the family. Documentation of an actual flow of resources of some particular amount from the man to the children would have to be made before any adjustment in benefits to the children could be carried out.

Thus, welfare no longer discriminates against married people: it discriminates against natural parents. A woman can marry a man who is not the father of her children without any necessary loss in their benefits. The potential for significant change in the living arrangements of welfare families is evident here. Women will be able to marry and continue welfare coverage of their children. If the poor are at all sensitive to financial incentives structured into government programs one would expect some response to this rule change, and indeed this seems to have occurred. Stepfather cases in AFDC have grown appreciably since the court rulings, and are currently increasing half again as fast as the overall caseload.

Finally, on the issue of living arrangements, it seems likely that welfare has contributed to the Census count of female-headed families with children by providing recipient units with the resources needed to establish their own households rather than doubling up with relatives. But again the empirical evidence to make this case and to measure the magnitude of it has not been assembled.

The message from this discussion of welfare effects on female-headed families with children is that little is known conclusively about what these effects are, although there are considerable hints of several different influences that may be operating. Most of the work done in this area is recent and exploratory but a start is being made. In particular, the recently released Paper No. 12 (Parts I and II) in the series, *Studies in Public Welfare*, published by the Fiscal Policy Subcommittee of the Joint Economic Committee adds significantly to our knowledge. There is a definite need for continued work to raise our level of understanding and help in the design of improved social policy.

But what can we say now with the information we do have at hand about how policy should deal with the changing demography of poverty? Without waiting for more information, can we draw some conclusions about how policy should respond to increasing numbers of poor female-headed families with children? I would like to distinguish four strategies here. The first I will call broadened income maintenance eligibility. This could mean coverage of working poor families with children as in the Administration's Family Assistance Plan or it could mean broader coverage for families with or without children or universal income maintenance for all low income people. The major benefit of this policy would be aid to needy people who are making an effort at self-support but still have inadequate income. This would mean more equitable treatment of low income people, with its incentive counterpart of removing the penalty against marrying and living together with one's own spouse and children. The goal here would be a neutral policy which removed the penalty of the present AFDC system.

How to structure such a neutral program is a complex question. Different methods of defining a recipient unit and measuring its resources can have profound effects on the way people choose to group themselves. Considering people as individuals, as families, as households, or groups of persons legally responsible for each other will affect the costs and distribution of benefits of an income maintenance a stem, and also the way people live or appear to live.

But the question that I want to address here is not whether or how a neutral definition might be established, but how much regrouping or staying together of families that neutral policy would buy. The answer to this is probably not much. The trend toward marital instability is going forward in all segments of society, and among low income people, where instability is still most pronounced, the existence of an income transfer program could operate to sustain rather than retard this trend. Consider for example a program like the Family Assistance Plan in which the benefit reduction rate was 67%—that is, a 67 cent benefit loss for every dollar earned. If you add to that the benefit reductions which accompany rising income in other programs usch as food stamps, public housing, and medicaid, there's not much gain left to a family from having a man with earnings as part of their family unit. It will probably be more attractive for him to stay outside the family and have some informal income sharing arrangement which is difficult to spot, much as in the present situation. Also, results of the New Jersey income maintenance experiment, which paid welfare benefits to intact families with children, show that income maintenance did not lead to greater family stability among those getting benefits than among another group of similar people who were observed but not supported. The New Jersey results suggest that what people use money for is not to buy stability but to buy personal independence and the opportunity to move among different family relationships.

We need welfare reform of this broadening sort. But it is not a program which is likely to regroup families significantly and it is not a program which is, by itself, going to lead to more income for women and children who are already covered by welfare.

A second strategy is the Moynihan strategy, taken from his 1965 Labor Department report, *The Negro Family: The Case for National Action*. Although no explicit policy recommendation appears in the published document, there is a strong implication in the text that the key to dealing with female-headed families and poverty is improving the economic status of men so that they are better providers. This too is a good idea. Increased capacity for self support is the main chance for ending poverty. But the outcome of this for regrouping families or keeping them together is very uncertain. Divorce rates have increased over 60% since 1960, and reliance on men's earning power is no longer a very sure protection from poverty for women and children. Helping male teenagers to find work and earn a living wage has great value in its own right and may well encourage families to form, but it is no assurance that those families will stay together. And even if those males later form a new family, as the great majority of divorced men do, there will be a transitional period for women and children when an adequate income of their own is required. So again, this is good and necessary policy, but not sufficient to the task of keeping women and children out of poverty.

The third strategy I will call the income-by-right strategy. This is also a welfare approach, and in that it is similar to strategy number one, but it emphasizes making benefits more adequate for those currently covered rather than extending coverage to others. The argument here is that women have a right to traditional roles of full-time homemaker and mother and that they should not be denied those roles because they're poor or without a husband. In the case of illegitimacy or marital disruption, if the missing male parent does not provide adequate support, the state should step in and support women so they can stay home with their families.

This is an increasingly unpopular view, especially as women in the non-poverty segment of society are found more and more in the labor force while the labor force participation of low income women is dropping. The result is a growing rift between the poor and nonpoor. As the latter increase their labor force participation, the former go on welfare and reduce theirs. A comparison of the income distribution of female-headed families with children in 1967 to that in 1970 shows that between 1967 and 1970, while the total number of female-headed families with children increased by 16%, the number of female-headed families with children with no income other than Public Assistance increased by 30%, over twice as fast. Furthermore, those with income other than Public Assistance in the $1,000–$5,000 range, the range of earnings which many of these women with few skills might expect to get full-time or part-time in the labor market, actually declined.

This split in behavior is one of the elements leading to an increasing unpopularity of the AFDC program. That program is inadequate now, judged by the fact that over half its female-headed family recipients are still poor after receiving benefits. Thus many women and their families are not well provided for by welfare currently, but there is little hope for increasing benefits to them significantly through this mechanism.

This brings us to strategy four: full eco-

[3] See Marjorie Honig, "The Impact of Welfare Payment Levels on Family Stability," in Paper No. 12 (Part I), op. cit. pp. 37–53.

nomic independence for women. With the breakdown of traditional families where men have supported women and children, women need the economic capability to support themselves and to contribute to the support costs of their children. Developing this capability means several things. For one, it means a concerted attack on sex discrimination in the market. This means equal pay for equal work. A five-year panel study by the University of Michigan found that if women who headed families in economic need had been paid wages equal to the wages paid men of comparable skills and experience, 55% would have been nonpoor.

It also means an end to occupational discrimination which crowds women into low paying jobs. There is a great irony here. Women coming on welfare now are younger, healthier, have fewer children and a better education than any group before them, but the jobs they can get are being relegated more and more to the backwater of the economy. An example is clerical work, where many women are employed and where wages have risen much less rapidly than overall wages in the economy. The result is that women are opting for wefare rather than work in this lagging, low paid sector.

Another aspect is equal access to education, training and other institutions in our society—not for example the present priorities in the welfare Work Incentive Program which place men in training and employment first.

There are two final points to be made about this strategy. One is that some protection must be afforded to women for whom the rules of the game are being changed. They were raised to play a traditional role which is now slipping beyond their grasp, and they are ill-prepared for the new functions they must take on. This suggests a voluntary program which stresses opportunity in attracting women into the labor force, rather than a mandatory program which forces them to take the low level jobs they are currently rejecting.

The second point is that we must recognize that these efforts will make female-headed status much less undesirable by increasing the resources available to families headed by women. Women and children are certainly paying a heavy penalty now for living in female-headed families, even with AFDC. Is making these families more viable, and thus perhaps increasing their numbers, against the public interest? Some people have argued that it is. Here is Daniel Patrick Moynihan in a 1965 article in the magazine America.

"From the wild Irish slums of the 19th century eastern seaboard to the riot torn suburbs of Los Angeles, there is one unmistakable lesson in American history: a community that allows a large number of young men to grow up in broken families, dominated by women, never acquiring any stable relationship to male authority, never acquiring any set of rational expectations about the future—that community asks for and gets chaos. Crime, violence, unrest, disorder—most particularly the furious unrestrained lashing out at the whole social structure—that is not only to be expected; it is very near to inevitable. And it is richly deserved".

It was perhaps easy in 1965 to blame urban riots on female-headed families. But careful research since then has shown this accusation to be false. In the first place, it is clear that female-headed families are not totally devoid of male influence. But the second more important point is that it is not the lack of male influence or the limitation of having one versus two parents which is the problem, but the lack of economic resources of female-headed families with children. Moving to help women acquire these resources for themselves is the most direct solution to the problems which they face and which society faces with them. Once we have accomplished this, we will see how independent adults choose to group in families for their own satisfaction and joint well-being, and for the well-being of their children. This will be a good family policy.

So we have come down to our conclusion. We have seen that female-headed family growth is proceeding in all segments of society. We have seen that there are strong forces at work here which have been in operation for many years. We have seen several strategies which could contribute something worthwhile to the problems at hand, and there are others such as contraception and abortion and increased efforts to get male parents to support children which have not even been discussed here. But mostly what we have seen is that this is not an issue with a welfare solution. Welfare cannot bring families together or keep families together even if we wanted it to. It cannot provide adequate resources to women and children to keep them from falling behind the mainstream of progress in society. So the main chance for women, with or without children, is the same as for other disadvantaged people—improving their opportunity and capability to earn a decent living in the market that has offered them so little for so long.

APPENDIX A

DEFINITIONS AND DATA USED IN COMPONENTS OF CHANGE ANALYSIS

	1970		1960	
	Non-white	White	Non-white	White
EFHFC=Ever-married female headed families with own children<18 [1] (excludes subfamilies)	672	1,803	391	1,165
DC [2]=Women in disrupted marriages with own children≤18=VC+WC+SC+ (includes subfamilies)	754	2,055	489	1,418
VC [2]=Divorced women with own children<18	179	952	86	554
WC [2]=Widowed women with own children<18	168	603	133	530
SC [2]=Separated women with own children<18	407	500	270	334
V=Divorced women	414	2,559	249	1,609
W=Widowed women	1,078	8,463	954	6,908
S=Separated women	726	996	576	741
E=Ever-married women	5,795	53,825	5,362	47,225
NFHFC=Never-married female headed families with own children<18 (excludes subfamilies)	168	88	57	26
NC [2]=Never-married women with own children<18 (includes subfamilies)	277	144	73	32
N=Never-married women	2,327	15,048	1,511	10,815
D=Disrupted marriages=V+W+S	2,218	12,018	1,779	9,258
Total FHFC=EFHFC+NFHFC	840	1,891	448	1,191

[1] Excludes female-headed families where a woman was married and her husband was absent for reasons other than separation.

[2] Derived by adding female-headed families with children 18 and female-headed subfamilies in the appropriate marital status category.

Sources: 1970 Census of Population, Subject Reports, "Family Composition," PC(2)—4A, tables 20 and 25, and "Marital Status," PC(2)—4C, table 1. 1960 Census of Population, Subject Reports, "Families," PC(2)—4A, tables 6 and 21, and "Marital Status," PC(2)—4E, table 1.

THE PSYCHE AND THE SURGEON

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, on Friday a number of colleagues and I took a special order to discuss privacy issues that concern us as Members of Congress as well as discussing the need for a Select Committee on Privacy in the House as proposed in my House Resolution 633. In my speech, "The Failure of Congress To Deal With the Assault on Privacy," I referred to a number of relevant documents and articles that I was unable to include in the RECORD because of the two-page limit on material. Therefore, I indicated that I would enter these materials this week.

The first such installment is an excellent article that appeared in the September 30, 1973, issue of the New York Times magazine entitled "The Psyche and the Surgeon":

THE PSYCHE AND THE SURGEON

(By Lee Edson)

At 18, Julia stabbed an unknown girl who jostled her arm in a movie theater. Months later, she nearly killed a nurse in a mental hospital in a fit of rage over a minor incident. By the time she was referred by a psychiatrist to Dr. Vernon Mark, head of neurosurgery at Boston City Hospital, Julia was 21—a comely, musically inclined woman with a record of a dozen unprovoked assaults on acquaintances and strangers.

This much Dr. Mark knew: As an infant, Julia had suffered a severe attack of encephalitis, an inflammation of the brain. Several years later, she began to have epileptic seizures, including convulsions. Psychotherapy, drug therapy and electroshock treatments had been tried over the years, to no avail. As a last resort, Julia had been referred to Dr. Mark, one of the nation's leading experts in a demanding and ever-more-controversial specialty, psychosurgery. He performs operations on the brain, not only to remove diseased tissue, but to alleviate neurotic and psychotic symptoms—in short, to alter human behavior.

Initial examinations of Julia showed, not surprisingly, that she had brain wave patterns typical of an epileptic. But a special, newly developed X-ray technique disclosed a physical abnormality, a shrinkage of a portion of the brain in the vicinity of the amygdala, which has been described as the seat of the emotions. Through tiny holes drilled in Julia's skull, Mark implanted electrodes in her brain. The hairlike wires made it possible to continuously monitor electrical signals from her brain and to send bursts of stimulating current into the amygdala. Moreover, the process could be remotely controlled, so that Julia could move freely about her room in the hospital and could be observed from a position out of her sight.

Julia was seated quietly one day, playing a guitar, when suddenly the monitoring equipment picked up electrical activity from her brain typical of the onset of an epileptic seizure. Julia did not, however, go into convulsions. Instead, she bared her teeth, her face contorted in anger and she smashed the guitar to bits against the wall. Scientists had previously known that fits of uncontrollable rage sometimes accompanied certain forms of epilepsy, but this was the first time that the connection between disease and violent behavior had been experimentally demonstrated. Later, by electrically stimulating the amygdala, Mark was able to reproduce the same symptoms.

With the assent of Julia's parents, Mark proceeded to surgically remove a section of her right amygdala—guided by the results of the electric stimulation tests. In the traditional sense, the operation was far from an unqualified success. Much like psychosurgical operations in general, it could not cure Julia's underlying psychosis; the most Mark could hope for was a beneficial altera-

tion of her behavior patterns. And indeed, Mark says, Julia has had fewer epileptic seizures, and no uncontrollable rage episodes, in the five years since. She still exhibits abnormal anger occasionally, but she is no longer institutionalized—she can live at home, she sings in a church choir and she recently passed her high-school equivalency exam.

The treatment of Julia had its dramatic aspects, but none to match the uproar that followed in its wake. The case has become a cause célèbre, a focal point for the attacks of the critics of psychosurgery. Mark has been accused of changing Julia irrevocably into a "vegetable" who leads a wasted life. Some have described him as being a Clockwork Orange type who carries his patients screaming to surgery, who seeks to develop psychosurgery as a dehumanizing and dictatorial instrument for pacifying and controlling man's mind.

Recently, radical students picketed his hospital during a symposium on psychosurgery. They carried placards with such messages as: "Psychosurgery is Mutilation." "Stop Pithing [a reference to the procedure whereby frogs are paralyzed by running long pins or wires through their nervous system]." Frank Ervin, a psychiatrist who was co-author of the book "Violence and the Brain" with Mark, was the object of a similar outburst at the University of California at Los Angeles, where he has been seeking to set up a center for the study of violence.

The book, published in 1970, included a description of the case of Julia, with its use of electrodes in the brain to stimulate and monitor behavior. One interested reader was a former Ervin student in medical school, Michael Crichton, who proceeded to write the best-selling Frankensteinian novel "The Terminal Man," in which the brain of a violent epileptic is tied into and controlled by a computer. Aside from adding fuel to the controversy over phychosurgery, the novel led to a public identification of criminal violence (as exhibited by the main character) with epilepsy. The vast majority of epileptics do not display such behavior, as Crichton felt impelled to make clear in a disclaimer in the paperback edition of his work.

There is some irony in the fact that Mark has become such a storm center of the controversy, since he is generally viewed by his colleagues in the field as among the most cautious of psychosurgeons. There is further irony in the notoriety attached to his treatment of Julia, since surgery was actually performed on damaged tissue in the brain to treat the behavioral symptoms of a disease—epilepsy—generally conceded to have an organic cause. In the typical case of psychosurgery, there is no such evidence of observed brain pathology. But the controversy over the field is so heated, the issues are so emotionally charged, that no psychosurgeon can expect to escape a share of public, and professional, hostility.

Some of the questions raised by critics: Is current knowledge of brain function sufficient to justify such irreversible surgery? Are there adequate safeguards to ensure that psychosurgery is always, truly, the court of last resort—that all other possible therapies have been tried and failed? Doesn't surgery on patients in such institutions as prisons and mental hospitals raise the specter of indiscriminate operations to "pacify" those considered to be "dissidents" or discipline problems?

The debate over psychosurgery figured large in hearings on human experimentation conducted early this year by a Senate subcommittee chaired by Edward M. Kennedy. And the Senate bill that emerged calls for a national commission to examine the ethics of psychosurgery. At the hearings the battle lines were clearly drawn, including that between the neurosurgeons, with their emphasis on the biological underpinnings of mental illness, and those psychiatrists who emphasize the role of environment in determining abnormal behavior. But much interest focused on the work of one of the more controversial psychosurgeons, Dr. O. J. Andy of the University of Mississippi, and his operations on hyperactive, hard-to-manage institutionalized youngsters.

In one case, Dr. Andy removed a part of the brain of a 9-year-old hyperactive boy. The results of the first operation were not considered satisfactory, and several more such operations were performed. In the end, the boy's hyperactivity was ameliorated, and Dr. Andy believes the operation prevented the child's being kept under permanent sedation and restraint. But critics emphasize that the boy's intellectual capacity deteriorated after the operations, and that—since some important brain development continues through childhood—the youngster never got his chance to learn what nature might eventually have done for him. It is mainly because of this uncertainty that American doctors have shied away from using the scalpel in such cases, though operations on hyperactive children as young as 5 years are performed with regularity in Japan, Thailand and other nations.

In the United States today, the number of psychosurgical operations is estimated at 500 to 600 a year and appears to be on the increase, though no one has really accurate figures. They represent only a small fraction of the 38,000 brain operations performed each year, but they grow out of the same dramatic increase in scentific understanding of the function and structure of the three-and-a-half-pound pinkish-gray blob inside the skull that makes man what he is.

There are some 12 billion nerve cells in the brain, creating a fantastically complex network of chemical-electrical switches. But the whole is so highly organized into functional centers that it can receive millions of messages from the environment, process and evaluate them and respond almost instantly with appropriate behavioral orders to the muscles.

The brain sits on the spinal cord like a cabbage on a stalk, directing the body through a number of outposts. Start with the brain stem, which joins the upper end of the spinal cord to the rest of the brain. It contains the primitive core—400 million years old on the evolutionary scale—and has to do with such elementary functions as breathing and heartbeat.

The brain stem branches into two main protuberances. At the lower end is the cerebellum, with its controls on such primitive characteristics as balance and muscle tone. The upper end comprises the two hemispheres of the cerebrum, each half of which is divided into lobes according to their position in the skull. The frontal lobe, for example, up front; the temporal lobe just beneath the temple and ear.

Around the rim of the brain stem is the limbic system, so called because its components are in a kind of physical limbo. Here are the structures—including the amygdala and the thalamus—that are said to be involved with the body's survival responses, often emotional and violent, to the terrors and demands of the environment.

In the higher animals, the cerebrum includes the cerebral cortex, a wrinkled and folded sheet of gray matter that in humans covers the top of the brain to a thickness of a quarter of an inch and fits snugly under the arch of the skull. Nine billion of the human brain's nerve cells show up in the cerebral cortex—a proportion so large compared with that of the lower animals that scientists have concluded that it must be the seat of man's ability to think. "To look into our hearts . . . is not enough," T. S. Eliot once observed. "One must look into the cerebral cortex."

Psychologists have long been interested in the cerebral cortex in general, but the psychosurgeon's first target area was the frontal lobes—and that came about by sheer accident. In 1848 a railroad foreman, one Phineas Gage, was directing the work of a construction gang when an explosion sent an inch-thick, 4-foot-long iron rod through his head. Gage survived for 12 years, and an autopsy revealed that the rod had penetrated his frontal lobes, causing considerable damage. Yet much to the surprise of psychiatrists of the day, who had assumed that such damage must affect a victim's mental capacities, Gage never lost his memory or other intellectual abilities, though he suffered personality changes.

During the nineteen-thirties, scientists pursued this lead, cutting away the frontal lobes of chimpanzees, whose brains are not too different structurally from man's. One such exeriment involved a group of young female chimps subject to violent tantrums. When their frontal lobes were removed, the tantrums disappeared—the animals spent their days sitting in a bedroom munching bananas and nothing disturbed them.

The portion of the frontal lobe involved in this behavioral change was mapped out by a Swiss physiologist, and later Nobel Prize winner, Walter Hess, who died last month. He was the first to implant wires in an animal brain to record electrical activity. Hess subsequently found that the hypothalamus and associated neural structures located on the rim of the brain stem—the limbic system—controlled emotional and aggressive behavior. It was also, incidentally, the site of appetite (motivating the animal's aggressive acts), the focal point of sexual behavior, and was tied to the sense of smell.

On the basis of this new knowledge—and the growth of brain surgery in general—a Portuguese physician, Antonio Caetano de Abren Freire Egas Moniz, in 1935 introduced the operation known as prefrontal lobotomy, the destruction of large sections of the frontal lobes. His patients were long-time psychotics who had undergone other available treatments without effect. Of his first 20 patients, Moniz reported "cures" in seven, help in eight, no change in the rest.

Though Moniz won the Nobel Prize in medicine, he paid a high price for his pioneering excursions into the brain. He was shot five times by a lobotomized patient; one bullet lodged in his spine, leaving him a hemiplegic. But he lived to see prefrontal lobotomy reach almost boom proportions. During the decade following the end of World War II, 50,000 lobotomies were performed in the United States alone—the numbers swollen by Veterans Administration backing of the operation for G.I.'s with severe emotional problems.

The boom was based on thousands of apparent successes, patients who had been unable to function in the community who were returned to active, "normal" lives. But reports of frequent dismaying side effects began to appear; some lobotomized patients lost their "creativity" and higher reasoning powers and became vegetablelike in their placidity. Some doctors performed lobotomies for mental ailments that did not require such radical treatment. Horror tales proliferated: Walter Freedom of George Washington University, who brought lobotomy to the United States from Lisbon, performed some 4,000 of the operations with an ice pick. Critics told of a Freeman lobotomy on a Peeping Tom. After the operation, the patient no longer slunk through back alleys to take his visual pleasures—he walked right up to the front windows. The operation had apparently freed him of any sense of shame, but not of his abnormal tendencies.

It was not the medical profession, however, that eventually put a stop to lobotomy in this country. It was actually the development of shock treatment and certain psychoactive drugs which apparently performed

the same function as did the operation with (it was thought) less deficit to the patient. Yet lobotomy did not die out everywhere. Today in England, where the operation was handled more cautiously, lobotomies in various forms are still the therapy of choice in many instances. (The American surgeon Dr. William Beecher Scoville, who has possibly performed more lobotomies than any other surgeon alive today, says that at least 50 per cent of his patients were benefited enough to be discharged from the hospital—but, he admits, at a price: "the blunting of higher sensibilities, such as intelligence, abstract thinking and ability to fantasize.")

The medical profession soon began to realize, however, that drugs and shock therapy had their limits. In many cases the benefits of the treatments wore off, or there were adverse side effects. And there developed a renewed interest in the possibilities of surgery.

Meanwhile neurosurgical techniques had been improved, so that doctors could go deep into the brain with the help of well-worked-out three-dimensional maps. Dr. Scoville was one of those who felt the Moniz type of lobotomy was too gross; fibers were cut without much knowledge of their functions. He began to seek methods of pinpointing more exact sites in the brain for surgery. In the early nineteen-fifties, an intensive study at Columbia by a group of psychiatrists and surgeons focused on three areas of the brain—the superior, orbital and medial parts of the frontal lobe—which connect to the limbic system. Various operations were attempted: leucotomy, for example—the cutting into the white matter to disconnect the inflow and outflow of neural information to and from the frontal lobes. But they were not fully satisfactory. As Scoville points out, the brain isn't a switchboard in which you can easily cut out or repair the wire you are looking for. So many interconnections exist in the brain as to make the outcome of such delicate operations uncertain.

To overcome these disadvantages, Scoville developed a new surgical technique called orbital undercutting, which he describes as comparable to lifting a blanket off a bed. In the old lobotomy, the surgeon cut a narrow slice through the base of the frontal lobes along the midline, taking both gray and white matter and disrupting fibers and blood vessels along the way. In contrast, Scoville delicately peels off only a thin sheath of white matter at the base of the frontal lobes, without touching the underlying blood vessels.

Scoville now performs about 25 such operations a year—for many types of mental disease where there is abnormal compulsion—and he is gratified, he says, that 85 percent of his patients are returned to normal living. He claims his greatest success is with the obsessive neurotics such as the "hand washers," who must wash their hands constantly. One such patient washed his hands in carbolic acid until the skin came off and gangrene set in. The brain operation removed the obsession.

Another psychosurgical procedure was developed by neurosurgeon Peter Lindstrom of San Francisco, former husband of Ingrid Bergman, and has been applied to 500 patients. He uses a technique known as prefrontal sonic treatment (PST), which focuses a beam of high intensity ultrasonic sound into the prefrontal white matter of the brain. This causes some change in electrical activity, but it does not damage brain tissue.

Dr. Lindstrom devised the method for use in the alleviation of epileptic seizures, but over the years he has extended it to the treatment of many kinds of neurotic and psychotic symptoms. He reported recently that patients with anxiety, depression, obsessions and compulsions, as well as those with phobias, have responded favorably to the treatment in the sense that many have been able to return to work and to family life. Many other doctors, while favorably impressed with the reported results, regard the ultrasonic technique as too specialized—requiring special training on the part of the practitioner—and the Lindstrom-developed equipment has not been commercial available.

Meanwhile, other psychosurgeons were placing their emphasis on another part of the brain—the cingulum, a small bundle of fibrous tissue that connects the front brain with the midbrain. In many hospitals, cingulotomy has now become a standard operation for intractable pain, such as arises in terminal cancer cases—it reduces the anxiety associated with pain, giving the patient a measure of relief. Dr. H. T. Ballantine, of Harvard Medical School—the Mr. Cingulum of psychosurgery—has been using the procedure on severe cases of neurosis over the past 11 years. He recently revealed a follow-up on 68 patients who suffered from various mental disorders, including severe depression, anxiety and obsessional neuroses that proved not amenable to other kinds of treatment. He found that 14 cases could function satisfactorily in society without help; 38 were added, but needed some support, and 14 showed little or no improvement. Two could not be traced.

At the University of Texas at Galveston, Drs. Glenn Meyer and Winston Martin have used cingulotomies to relieve anxiety and tension in drug-addicted patients. They report that these patients have lost their addictive habit after the surgery.

Another frequent target of phychosurgeons has been the amygdala, the limbic-system structure involved in the case of Julia. Doctors found early on that when the amygdala of chimpanzees is destroyed, there is a strange spectrum of changes, all related to emotion. In one colony of monkeys, the operation led to placidity; in another colony, a postoperative pugilist was created who beat down his opposition until he became boss monkey. The doctors think that adversary systems that may govern opposing behavior patterns are involved. In the case of human patients, especially young men who have suffered cranial injuries to the limbic system, there is a phase of hyperactivity and belligerence traceable to defects in the amygdala. Viral diseases, such as encephalitis and rabies (from the Latin for "rage"), cause aggressive behavior and correlate with lesions in the amygdala or nearby structures. Epilepsy of the limbic system, some clinicians have found, gives rise to destructive impulses.

Surgeons Vernon Mark and Thomas Sweet of Massachusetts General Hospital have now performed amygdalectomies on 13 patients who had shown violent behavior associated with epilepsy, including Julia. Mark's most successful case was that of Clara, a 62-year-old, 86-pound woman who suffered 20 epileptic seizures a day and became so violent she had to live in restraint. After the operation, Mark reports, not only did she lose her violent impulses but her seizures declined radically and she became well enough adjusted to take on a responsible job. The doctors now bring her to medical meetings to show the beneficial effects of amygdalectomy.

An even more dramatic before-and-after case occurred on the West Coast, where a waitress had shown such violent rages that at times she tried to mutilate herself with a knife. She had been kept in a strait jacket for several years, and nothing, it appeared, could quiet her. Within a few months of the operation, according to Dr. L. Jolyon West of U.C.L.A., she was out of the hospital. Her insanity cleared and she found a steady job. And her I.Q., previously thought to be subnormal, tested out at 130, a level achieved by only 1 per cent of the population.

Such success stories, however, have done little to soothe psychosurgery's critics. The most vocal of them is Peter Breggin, a Washington, D.C., psychiatrist and novelist who in 1972 persuaded former Representative Cornelius Gallagher of New Jersey to put his case against psychosurgery into The Congressional Record. He has carried his campaign to the courts, and pursued it in the halls of Congress and the newspapers and medical journals. He has invented such terms as "cranial clean-out" and "abortion of the brain." Breggin sees the psychosurgeons, along with such behavioral scientists as B. F. Skinner of Harvard, as representing "the greatest future threat that we are going to face for our traditional American values." He adds: "If America ever falls to totalitarianism, the dictator will be a behavioral scientist and the secret police will be armed with lobotomy and psychosurgery." Breggin also opposes "tampering" with the brain on "spiritual" grounds: "I believe your eternal spirit passes through your brain and lives there for a while and then goes on."

Breggin claims, with apparent justification, that he and his supporters have stirred up enough opposition virtually to stop Federal spending for psychosurgical experimentation. In the past, funds have been made available in the main by three agencies: the National Institutes of Health; the Veterans Administration, for use in its hospitals, and the Justice Department, for work in prisons investigating the relationship between mental disease and criminal violence. In addition, a number of state agencies have underwritten the costs of a variety of state institutional projects. Much of this money has recently dried up, one of the latest casualties being the rejection this year of a $348,000 proposal to N.I.H. by Dr. Mark who has been funded by the Government for several years.

The antipsychosurgery point of view has numerous supporters among scientists. "Nobody knows the cost of surgery to the organism," says Dr. Michael Gazzaniga, an experimental psychologist at the State University of New York at Stony Brook. "Neurosurgeons are not disposed or trained to judge long-term improvements in the total person. They tend to look at just one dimension of a multifaceted human being. Even if psychiatry isn't successful, it is better to continue it in many cases than to alter the person forever."

"The big problem is that the neurosurgeon doesn't really know how to follow up his patients," adds Dr. Fred Plum, chief of neurology at the School of Medicine, Cornell University. "You can't really take his word for what happens to the behavior of the patient after an operation. It is not because he, and the psychiatrist who may be on the case with him, aren't honest, but because they may easily be biased toward their own work"

Dr. Robert Neville of the Institute of Society, Ethics and the Life Sciences at Hastings-on-Hudson, N.Y., head of a recently formed task force designed to study the full social impact of psychosurgery, says that psychosurgery has potential for mischief, especially in institutions. "It can be the cheapest and easiest treatment to adopt for controlling patients," he says, "and therefore potentially dangerous, especially because it can be used improperly to subdue aggressive dissidents on the theory that they're diseased. Our preliminary conclusion (though I don't know what the full task group will determine) is that psychosurgery should never be performed on persons under court jurisdiction as a result of criminal activity." This same concern was reflected in a decision last July by a circuit judge in Michigan, which ruled that psychosurgery for "experimental purposes" could not be performed on mental-hospital patients or prison inmates. And Representative Louis Stokes of Ohio has introduced a bill in Congress to levy a fine of $10,000 for each psychosurgical operation performed in a fed-

erally connected facility; he fears the procedure might be used against institutionalized blacks, in particular.

Perhaps the most devastating criticism arises from those psychologists who challenge the merits of the theoretical foundations of psychosurgery. Eliot S. Vallenstein of the University of Michigan, in a forthcoming book called "Brain Control," questions the validity of the proposition that the stimulation or destruction of certain regions of the brain results in predictable changes in behavior. No specific behavior, he says, is consistently elicited in response to stimulation.

Even the legendary story of the charging bull of Yale University's Jose Delgado which was supposedly stopped in its tracks in the arena and turned into a placid Ferdinand by a radio-transmitted surge of current to its brain, leaves him skeptical. "The bull," he says "was forced to turn around and around in the same direction, but no evidence was presented to prove that the bull's aggressiveness was modified. The bull was simply confused and frustrated, not altered."

Psychosurgeons are outraged by attacks on their professional judgment. While they admit that there is no unified theory of the brain, or even a complete map of all its interconnections, they insist that more than three decades of clinical evidence, actual case histories of human patients, not to mention extensive animal experimentation, have shown that psychosurgery, properly practiced, brings beneficial behavioral changes. "Until we get a truly good nondestructive treatment, surgery is the only alternative for thousands of desperate patients for whom all other forms of therapy have failed," says Dr. Mark.

"People think that operations on simpler organs are all right," says one surgeon. "The brain is a mysterious *sanctum sanctorum*, and God knows what the potential side effects might be. But with these other organs, people feel, the surgeon knows exactly what he's doing and what might go wrong. The truth is that many kinds of medical procedures, ranging from treatments for the common cold to open-heart surgery, are based entirely upon empirical findings without completely defined theoretical foundations. And without exact knowledge of every detail or possible side effect." Dr. Karl Pribram, a former neurosurgeon and now professor of psychology and psychiatry at Stanford University, is one who suggests care in the selection of cases for psychosurgery; but he adds: "We must work in partial ignorance to relieve suffering."

Psychosurgeons seem to respond most heatedly to criticism from the psychiatric side, pointing out that psychiatry has the poorest data base—the worst record of clinical and experimental results—in all of medicine. Dr. Mark, for example, is quick to criticize what he says is all too frequent in conventional psychiatry; the tendency to ignore the organic causes of much mental disease. "At Boston City," he says, "a 29-year-old patient given to spells of headache, backache and nausea had been treated by eminent psychiartists for a number of years without much improvement.

"After one of his visits to the psychiatrist, he returned home, fell into a coma and died. I examined him and found that he had a tumor which covered one-sixth of his cranial cavity. Some of the signs of this disease were visible through the eyes, but the psychiatrist, concerned only with the outward behavior, failed to see it."

It is not likely that this in-house argument will be soon resolved—nor does it seem likely, notwithstanding the controversy over the procedure, that psychosurgery will be banned.

But the concern among the public and within the medical profession does suggest that there will be increasing pressure for stricter controls on psychosurgery. Many hospitals now have medical committees that review any proposal for psychosurgery. And Boston City Hospital is trying out a variation of that approach, by having a lay review committee (its members include a civil-rights attorney, a nun and a sociologist) make certain that the patient or his family understands the consequences and potentials of the operation before consent is given.

Some in the medical profession are uncomfortable with even such a minimal intrusion of laymen into the traditionally sacred patient-doctor relationship. Other doctors feel it is hardly enough, and much tougher controls are being urged. Dr. Willard Gaylin, president of the Hastings Institute, stated his views this way before the Kennedy subcommittee: "I do not want abandonment of psychosurgery, because I think it may have some potential. I am sure it has not been given adequate safeguards, and supervision—and this is the current urgent need." He would have the Federal Government, through the National Institutes of Health, insist upon certain standards before any psychosurgery is performed.

As Dr. Bertram S. Brown, director of N.I.M.H., has observed, psychosurgery has become a kind of "lighting rod," drawing to itself public and professional concern over a host of issues, ranging from doctors' prerogatives to civil rights—the whole given special emotional fervor by fears of an Orwellian future. The danger in such a continuing controversy seems very clear. It poses a threat to the progress of brain research and to the alleviation of those diseases that plague man's peace of mind.

FORTRESS AMERICA BACK AGAIN

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. GAYDOS. Mr. Speaker, for too many years omnipotent optimists have tried to sell Americans on the idea it was their obligation to feed, finance and, when necessary, fight for the rest of the world, regardless of the cost.

Some of us tried to point out the inherent dangers in that philosophy. We warned of the consequences if our Nation lost its ability to produce for itself and relied upon other sources for vital resources and materials. We were ignored. For nearly 30 years, the Nation has followed the folly road, trying to be all things to all people. Where has it led?

Mr. Bob McCarthy, an editorial writer for the Times-Express in Monroeville, Pa., discussed this subject in a recent editorial, I would like to insert his article into the RECORD for the attention of my colleagues, particularly those who would rather buy abroad than produce at home.

The article follows:

FORTRESS AMERICA BACK AGAIN

(By Bob McCarthy)

Isolationism looked like it was going down for the last count in America three decades ago.

The world was at war and America was in it right up to its elbows. The patriotic thing was to support the war effort, love, aid and comfort our allies in Britain, Russia and China and hate those nasty Japanese and Germans.

Even such noble American Firsters as Charles "Lucky Lindy" Lindberg had abandoned the cause of isolationism and become a part of the United State's powerful international military force. What's more, it was clear even during the war that America could not return to its old isolationism once the war was over. Leadership had been cast upon us and like it or not the world was the arena in which America had to operate.

But 30 years and billions of dollars in foreign aid later we are suddenly face to face with the grim reality that we are all alone. And the doctrine of American self-sufficiency tempts us to turn inward once again and look to ourselves and no one else for the strength we need.

That, dear brothers and sisters, is the new isolationism. And don't scoff at it. For some of us there is a certain amount of comfort and assurance in the idea of the United States standing again all by its lonesome and relying on absolutely no one for anything.

We're smarting, along with millions of other Americans, that the Arabs are blackmailing us with their oil because of our support for Israel. They have precipitated an energy crisis that is entirely of their own doing and it has Americans walking around talking to themselves over what to do about it.

Our allies in Europe . . . those grateful slobs we bailed out of defeat in World War II and then delivered from the clutches of Red Russia after the war . . . have spit on us. They told our armed forces not to use American bases on their soil to ship arms and ammunition to Israel; they have consistently refused to bear their relatively small share of the burden for maintaining the defense of Europe, but insist that we have an obligation to remain.

Like hell we do.

We owe them nothing, absolutely nothing. The only obligation America has in this situation is to remain strong and capable of protecting our own vital interests. And that doesn't include maintaining troops all around the world.

This writer agrees with President Nixon and his call on good old Yankee ingenuity to get us out of this energy mess. If we can't deal with responsible people in other countries for our energy needs, then we have to develop our own. Any country that can unlock the secret of the atom as we did in relatively short time with the now famous Manhattan Project ought to be able to solve this crisis, too.

We would not deliberately oversimplify the difficulties of dealing in world markets. America must trade for its own economic well being. But we must deal from a position of strength as we have done in the past and not from weakness as we do now in this energy shortage.

Those countries which will not deal with us now in our time of need must be made to pay the price for their shortsightedness. They cannot share in our technology, our surplus in food, nor in our industrial genius. That's reserved only for our friends.

Of course, we realize that America can never return to those isolationist days of old. The world is much too small now to permit that. We have to take our place in the family of nations and help find solutions to its problems.

But we don't have to play the role of Santa Claus. Or involvement must be based on a high price of responsibility from those who seek our cooperation; we must become dependent on no one for the goods and services our country needs to make it work the way we want it to work; we must make the

penalty for those who resort to international blackmail so terrible and awesome that no sane government will attempt it.

Is this impossible? Not at all. It's the way America used to be and can be again if we are tough enough get mad enough and stay angry long enough to do something about it.

PASSING THE BUCK

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BAUMAN. Mr. Speaker, I voted against the emergency energy bill, H.R. 11450, and one of the principal reasons for my opposition was the provisions in the bill which turned over to the President powers which only the Congress should exercise. At a time when many in Congress are criticizing the President's alleged usurpation of legislative powers, it is totally contradictory to be giving the Chief Executive all power over one of the most serious crisis this country has faced.

The Times Crescent of LaPlata, Charles County, Md., one of the oldest papers in our State dating from 1844, has recently made an editorial comment on the lamentable tendency of Congress to give up its power and avoid its responsibilities. I include the editorial at this point in the RECORD.

CONGRESS SHOULD DECIDE

People don't know whom to believe on the energy crisis. There is a good deal of skepticism.

Until we feel its effects more noticeably, we are inclined to doubt its reality.

The trouble is that if we wait until we feel it, in our complex industrial society it may be too late to do much about it.

Shareholders have felt it already. The plunging stock market has testified to the belief of many stockholding firms and individuals that the energy crisis is real and is a threat to the economic health of the nation.

We know they are sincere in their belief because they are demonstrating it by hard decisions in the marketplace.

The stock market is not always right but it is always sincere.

The energy picture is not as clear in Washington as it is on Wall Street.

The Senate has passed an energy bill giving the President wideranging power to ration energy. But, even though the senators recently have been asserting their prerogatives, they did not choose to exercise them in the energy crisis.

Instead, they bucked the tough decisions to the President. They did not order rationing but only gave him the power to do so. Let the White House decide.

Divided counsel prevails in the executive branch. Some high officials predict gasoline rationing will be needed soon. Some prefer a high tax on gasoline to rationing. Others oppose both rationing and a tax, favoring instead the removal of all price controls on oil products.

Obviously, it is difficult for government to impose needed controls on a public that is not yet convinced of the need.

But when industry grinds to a halt, when jobs are lost for lack of energy, there will be consensus that mandatory priorities must be established.

Unless leadership is asserted soon, it may come too late.

SUPPORT FOR THE PRESIDENT—I

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. MYERS. Mr. Speaker, Mr. Lawrence Sawyer, editor of the Star, Terre Haute, Ind., and president of the Indiana Republican Editorial Association, offered the following observations on the current political crisis in our Nation in a recent editorial. I commend it to all my colleagues as representative of the sentiment I find through my district and Indiana:

NIXON AND LIBS; THEY STILL HOPE TO REVERSE ELECTION

If the liberals and their allies, the win-at-any price politicians, succeed in impeaching or convicting Pres. Richard M. Nixon, history will never allow them to forget it.

Their effort would be viewed in the light of later and considered judgment as wholly political opportunism.

And such an attempt now is much less likely since the court will receive the Watergate tapes, even though they are not as complete as thought.

When the President, at the demand of any committee or minion of either house of Congress, must hand over his private and confidential records, then the Presidency has become a subordinate creature of the Congress and there no longer are three separate branches of government.

The refusal of the President to let the legislative branch browse in his private records is no proper basis for impeachment, especially since he had arranged for a highly respected Senator to act as a surrogate for the legislators and pass along any proper information.

In another phase of the tapes question, it is quite clear that the Attorney General and any of his subordinates is simply a hired hand of the President, and if he does not obey the Presidential orders he can be fired. If this were not the case, then any ambitious or rebellious Attorney General could have the President indicted and arrested and block the proper course of government.

The recent discharge of a special prosecutor and of a deputy Attorney General was well within the correct powers of the President, and no proper cause for impeachment.

The public will not care for the legal quibbling, but will want to know if the President is a criminal of not. If he is, the public will want him thrown out of office.

The basis for thinking he may have violated the law is in the testimony of his former Presidential counsel, John Dean. Dean said he thought the President knew about coverup attempts in the Watergate case, particularly that he thought the President agreed to pay the Watergate burglars for their silence. This agreement, he said, he thought was spoken when he talked to the President. It was supposed the conversation was recorded, but now it is learned the machine did not function.

It is most interesting to note that politically ambitious Democrats such as Senator Kennedy are eager for the downfall of the President, but at the same time the mayor of Chicago and Governor of Illinois called for a go-slow policy.

Some Republican leaders too, eager to separate themselves from Nixon, to those coattails they were clinging not long ago, also desire his political extermination.

It must be said again that the liberals and their opportunist camp followers, who have been defeated more than once by Nixon, hate him most bitterly and again are attempting to destroy him and reverse the 1972 election, which was so humiliating to their cause and such a rejection of the liberals by the American people.

CENSUS BUREAU DOES ITS PART TO HELP NATION IN ENERGY CRISIS

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WHITE. Mr. Speaker, as chairman of the Subcommittee on Census and Statistics, I have worked closely with the Bureau of the Census, over which the subcommittee has jurisdiction and legislative oversight.

While we have not always been in agreement over the many issues involving the Bureau that have come up for the subcommittee's consideration, I was very pleased to read in the December 12, 1973, issue of the New York Times that the Bureau is making a significant contribution to the Nation's current energy crisis. For the public's benefit, I would like to reprint that article in the RECORD at this time:

CENSUS BUREAU IS OFFERING DATA FOR WORKERS TO FORM CAR POOLS

The Census Bureau has responded to the call for increased car pooling to save gasoline by offering computerized local geographic data that, when integrated with information on participants, provide lists of riders along efficient car-pool routes.

The heart of the system is a computerized tape that is available for 267 metropolitan areas in the United States. The tape costs $70. With it, "any group a company, local government agency, anyone can put a car-pool program into operation in a matter of weeks," according to John K. Tabor, Under Secretary of Commerce.

"We think this is the fastest, cheapest and most efficient carpool systems now available," Mr. Tabor said at a news conference called to start the program. It has already undergone testing in Los Angeles, where it was originally conceived as a means of solving parking and traffic congestion problems and reducing air pollution.

A group interested in forming car pools must first collect information from potential participants. This includes such data as the home address, business address and telephone number, hours of employment, and whether the person desires to be a driver, passenger or both.

This information is then fed into a computer containing the census information and results in lists of potential car-pool candidates for each participant.

A spokesman for the Commerce Department said that the computer tape was done in the simplest computer language to make it compatible with most computer systems.

The system is available from the Users Service Staff, Data Users Office, Bureau of the Census, Washington, D.C. 20233. Noncomputerized documentation is also available.

UNITED NEGRO COLLEGE FUND

HON. LAWTON CHILES

OF FLORIDA

IN THE SENATE OF THE UNITED STATES

Friday, December 21, 1973

Mr. CHILES. Mr. President, recently I was asked to serve as honorary chairman for a fundraiser held last Saturday. Although it is a time worn ritual for most Senators, I agreed to this particular one with a great deal of enthusiasm.

First of all, the money raised, above expenses, is to go to a very worth while cause—the United Negro College Fund.

Second, the money is to be presented in the name of Dr. John S. Jackson, the current mayor of Lakeland, Fla., my hometown. The theme chosen to honor Dr. Jackson—"Lest we forget those who serve with honor and dignity"—was quite appropriate for the man. Earlier I stated that Dr. Jackson is mayor of Lakeland; however, his selection as mayor is only incidental to the esteem in which he is held by the people of Lakeland.

John S. Jackson came to Lakeland in 1950 searching for a hospital that would allow a black surgeon to be on its surgical staff. Lakeland General Hospital opened its arms to Dr. Jackson and the total community has been richer for his presence. He was not content to merely practice medicine, that alone would have been extremely beneficial; but John Jackson participated in every conceivable way to become a vehicle for positive action in Lakeland's total community.

After serving on the Lakeland Zoning Board of Adjustment and Appeals, Dr. Jackson in 1968 decided to run for elective office. He did not "pick a spot" for his first attempt at elective office. He spurned running as a district commissioner, choosing instead to run at-large to represent what he called "total Lakeland." His opponent was a highly respected ex-mayor, a man mutually respected in both the black and white communities. The campaign was hard fought and honorable. Dr. Jackson won and became the first black city commissioner in Lakeland's history. But John Jackson was saving his biggest triumph for his second campaign when his ideas were to be tested by the voters.

Running on his record Dr. Jackson lost only one precinct and that by less than 10 votes. In one virtually all-white precinct Jackson's margin of victory was 2 to 1.

His selection to serve as mayor was another significant niche in the personal history of this outstanding American and a great event for the city of Lakeland.

To cite every example would fill this RECORD but I can happily recall a few. When organizers of the Neighborhood Service Center in Lakeland sought public response to their needs, they found a prompt response not only financially but also politically from Dr. Jackson. He gave more than money and lip service. He gave his time and expertise. He became a member of the board of directors.

When negotiations broke down between laborers and contractors in a heated labor dispute, John Jackson bridged the gap and helped to prevent viewed as almost synonymous with helped to restore confidence between the former antagonist. When disturbances in the schools involved the community to the extent that serious consequences could have evolved, John Jackson helped to provide a forum where reason won out over emotion and calm prevailed over confusion.

At a time in our country when political figures are viewed with suspicion—some justly so—where scandals in government have become as common as elections, when the title "politician" is viewed as almost synonymous with scoundrel, it is refreshing to join other Floridians in paying honor to a man who has epitomized all of the virtues found in holding public office.

There is an anecdote that I believe is appropriate. During the 1968 campaign for the city commission, a 68-year-old lady indicated that she would vote in a local election for the first time in over 20 years. She was queried as to why she picked this time to vote and she replied:

I don't know that much about politics but I do know about Dr. Jackson. When he gives his word, he keeps it.

In light of the public's confidence in governmental officials that might be the highest praise a politician could expect to receive.

John Jackson's sincerity of spirit and determined purpose has successfully transcended political ideology, racial lines, and class identification. He is truly an ecumenical man.

He stands for all that's good in our system of government. He is very definitely the kind of political leader that we need at all levels of government—local, State, and national. I commend his example to young people who are reluctant to get involved with the political system.

I am proud to call him my friend.

CROSSROADS OF CRISIS OR CHANGE

HON. FRANK E. DENHOLM

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. DENHOLM. Mr. Speaker, I have authored and today I have introduced legislation that provides for an immediate emphasis on solutions to the supply of petroleum and petroleum products—and it also has an established safeguard for the long-term need of the people of America.

The legislation that I have proposed will accomplish three basic objectives:

First. Produce the energy essential to satisfy all current and future demand of the American people,

Second. Maintain an ecological balance and essential reclamation and research, and

Third. Establish a permanent Energy Trust Fund.

It has been necessary to submit three different proposals to accomplish the objectives to correct the economic wrongs perpetrated upon the American people by current and past policies of the administration.

First, the Economic Stabilization Act of 1970 must be amended to eliminate all price controls on petroleum and petroleum products.

Second, the applicable depletion allowance must be doubled on all new sources of energy discovered and produced after January 1, 1974, and for a period of not less than 3 years thereafter.

Third, an excess profits tax must be imposed to constrain those engaged in the industry and vested with supplies and access to resources from manipulating prices to the disadvantage of consumers and competitors, and

Fourth, the establishment of a permanent Energy Trust Fund to be funded from the excess profits tax imposed for:

First, the purpose of essential research of all sources of energy, and

Second, the conservation, protection, and reclamation of the environment.

The legislation that I have proposed is essential—it is a solution to the shortfall in supply and it provides for a long-term and continuous program of full development of the resources of our land. However, my proposal does not neglect the concepts of conservation, preservation, and reclamation of our natural environment and resources essential to the ecological balance of life.

OPPOSITION TO THE DISPOSAL OF METALS

HON. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. McKAY. Mr. Speaker, I am disturbed by the House's approval of the release of our strategic reserves of copper, zinc, and aluminum. On December 18, the House approved the release of the entire aluminum strategic and critical materials stockpile, virtually all of the copper stockpile and a substantial portion of the zinc stockpile. In view of this Nation's shortages in these important metals, this action may have been shortsighted.

The disposal of the stockpiles was justified to Congress on two grounds. First, the disposal was proposed to help alleviate current shortages in these metals. While selling these reserves will create a temporary improvement in the supply of these metals, when the reserves are sold the basic causes of the shortages will still exist and America will be without needed reserves in case of a major crisis, such as a war. These shortages are due to increased demands, declining imports, and declining domestic production. Second, the disposal of stockpiles was justified on the economic ground of raising additional revenue. I certainly support increased fiscal responsibility but this can be better accomplished by controlling expenditures rather than selling important reserves. It should be remembered that part of

the current energy crisis was created because fuel allocation decisions were being made purely on economic grounds.

I urge Congress to take positive steps toward heading off a metallurgical crisis before it approaches the seriousness of the energy crisis.

MS. ABZUG'S IMAGE SHIFTS, BUT IS SHE SAME OLD BELLA?

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WAGGONNER. Mr. Speaker, for our colleagues who did not have an opportunity to see it, I would like to call attention to an article that appeared in the New York Times for November 29 about our colleague, the Congresswoman from New York, BELLA ABZUG. I know my fellow colleagues will enjoy reading it, for it looks like times have finally caught up with BELLA; she is beginning to mellow.

Mr. Speaker, I ask unanimous consent that the article entitled "Mrs. Abzug's Image Shifts, But Is She Same Old Bella?" follow my remarks at this point. We, from now on, will know her as "Mellow Bella."

MRS. ABZUG'S IMAGE SHIFTS, BUT IS SHE SAME OLD BELLA?

(By Martin Tolchin)

WASHINGTON, Nov. 28.—She takes the floor of the House of Representatives less often these days, and when she does, her words flow more slowly and more softly. She works more quietly in committees, introduces fewer amendments and takes an unaccustomed back seat in some important legislative battles.

Has Bella Abzug mellowed?

Has the controversial, 53-year-old West Side Congresswoman-feminist been caught up in the social processes of the House of Representatives, which biennially receives dozens of feisty freshmen, heady with victory, and transforms them into subdued sophomores?

WHAT THEY SAY

"I would say she has mellowed," says Speaker of the House Carl Albert of Oklahoma, "at least on the surface. She measures her activities more than she did at first; she's learned that she doesn't have to get out in front on every issue."

But Democratic Majority Leader Thomas P. (Tip) O'Neill of Massachusetts emphatically disagrees. "She's the same old Bella," Mr. O'Neill says. "She hasn't changed a damned bit. The first call I get every week is from Bella, trying to tell me how to run the place."

Mrs. Abzug herself insists that underneath that omnipresent broad-brimmed hat she is essentially the same woman who first entered the House three years ago. It is the other members of the body who have changed, she says, because they are only now beginning to appreciate her complexity.

"I was originally a pressure force on these people," she says, recalling her days as an organizer and a lobbyist for Women's Strike for Peace. "It takes time to get to know a personality, especially one that has a lot of nuances and is prepared to show them all. They're getting to know me and I'm getting to know them."

REMAINING A PRESENCE

There seems to be little question about this. Mrs. Abzug is now seen bantering more with colleagues of all political persuasions. No longer do conservative members of the House post themselves at the entrances to the chamber to inform members that a vote is on an "Abzug amendment—vote no."

She remains, throughout, a presence in Congress, a large seemingly ubiquitous woman of great vitality striding into committee rooms and cloakrooms in a wardrobe that owes much to Loehmann's and Alexander's.

Those who discern a change in Mrs. Abzug's personality note that she allowed others to take the lead in the debate on a bombing halt in Cambodia and was persuaded by legislative leaders not to introduce an amendment to the mass transit bill for fear that the amendment might lead to the bill's defeat. Perhaps most uncharacteristic, in the eyes of these observers, was her back-bench role in the resolution calling for the impeachment of President Nixon.

Mrs. Abzug maintains that her activities were more a reflection of strategy than fundamental changes in position, philosophy or personality.

"I use all the tactics that everyone else uses of compromise and vote-getting," she said the other day during an interview.

Nonetheless Mrs. Abzug outraged some of her New York colleagues on Monday by calling a news conference upon returning from a visit to Israel to display photographs of alleged atrocities committed by Syrians against captured Israeli soldiers. The photographs were obtained from Prime Minister Golda Meier at a meeting also attended by Representatives Benjamin S. Rosenthal and Edward I. Koch, who felt that the news conference should have been conducted jointly.

"It was a surreptitious, devious, mischievous act," said Mr. Rosenthal. "We're supposed to operate as a team, but she's not a team player."

Taking the long view, some of her colleagues in the city's Congressional delegation say that Mrs. Abzug would have encountered hostility among some of her colleagues, regardless of her personality, simply because she is an articulate, liberal, New York Jewish woman. They contend that any of these qualities alone would have raised eyebrows in some quarters.

"She could be a combination of Helen Keller and Joan of Arc and some of these people still wouldn't accept her," one colleague says.

ON REPRESENTING AMERICA

Mrs. Abzug, for her part, finds that "most of the people here are from one grouping: white, middle-aged men—lawyers and businessmen."

"The style here is conservative," she says. "They don't really represent America. Congress needs more women, some trade unionists, city planners, younger people and minority members.

Even though Mrs. Abzug feels that her colleagues do not represent America, she says she has learned that she must deal with them.

Mrs. Abzug contends she deliberately relinquished a leading role in the debate on the Cambodia bombing halt, which was led by Representatives Joseph P. Addabbo, a Queens Democrat, and Robert N. Giaimo, a Connecticut Democrat.

Mr. Addabbo and Mr. Giaimo agree. "She realized that if you push too hard, you scare people away," Mr. Addabbo says. "She agreed to work more in the background than up front leading the charge."

"She had an image problem to overcome," Mr. Giaimo adds. "She's earned respect from more people than she used to have. Mainly, she does her homework, she's very knowledgeable, she's aware of the issues and of the parliamentary proceeding. She's developing the ability to cooperate with other members."

VICTORIES IN COMMITTEE

As the city delegation's representative on the public works committee, however, Mrs. Abzug has succeeded in gaining approval of her amendments to direct the Army Corps of Engineers to clear debris and sunken vessels from New York harbor and to proceed with erosion control of the Rockaways.

She also is credited with persuading the public works committee to relinquish Federal air rights to enable the city to build low and middle-income housing above the Morgan Annex Post Office, on 12th Avenue between West 29th and 30th Streets.

Mrs. Abzug regards these achievements as victories in her relationship with committee members. "In my committee, some of the members from the South and West saw me as a very strange being," she says. "They didn't see me as interested in marriage, a family and a home. Now they understand that a lot of my passion comes out of a deep commitment."

Does Mrs. Abzug feel the effects of the social processes of the House?

"Very definitely," she says. "But since it's a club—essentially a male club—it affects men more than it does women."

Does she want peer approval?

Mrs. Abzug smiles wistfully.

"Everybody likes to be loved," she says.

H.R. 10509: THE FEDERAL STATISTICAL COMMISSION ACT

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WHITE. Mr. Speaker, on September 25, 1973, I introduced H.R. 10509, the "Federal Statistical Commission Act", which was cosponsored by Congressman JAMES M. HANLEY, Democrat of New York; CHARLES H. WILSON, Democrat of California; and WILLIAM LEHMAN, Democrat of Florida.

The bill calls for the establishment of a Commissioner on Organization of the Federal Statistical Establishment. The Commission would have the task of conducting a study of alternatives to the present organizational structure of the Federal statistical establishment, with a view toward identifying the organizational posture that would best insure efficiency, accuracy, integrity, and maintenance of confidentiality of the production, dissemination, and control of public use statistics.

A report of the Commission's findings is to be made not later than 1 year after its creation. The Commission would be composed of seven members appointed by the President on the basis of professional eminence in the area under study. Their appointments would be subject to Senate confirmation.

Federal statistics play an extremely important role in our society. They are highly visible indicators of the state of the Nation and represent a key resource in both public and private decisionmaking. It is imperative that these statistics be accurate, relevant, and completely free of political influence or manipula-

tion. Equally important, the production and dissemination of statistical data must be accomplished in an efficient manner.

I am not convinced that Federal statistical operations are presently organized in support of these goals. The responsibility for producing and disseminating Federal statistics is diffused among several different Government agencies. This diffusion leaves open several unattractive possibilities, including first duplication in the gathering and reporting of certain related statistical data; second, inefficiency occasioned by excessive multiagency requirements for complex data processing equipment and other resources; and third, confusion and inconvenience in potential data users attempting to locate Federal statistics relevant to their needs.

I am also highly concerned over the fact that major Federal statistical agencies now fall under the control of political appointees. This state of affairs accentuates the risk that someday Government statistical output will be manipulated for purposes of political gain. Such prospects do little to encourage public confidence in Federal statistics or the Government in general.

These and other disturbing features of the present statistical organization prompted the staff of the Subcommittee on Census and Statistics, of which I am chairman, to suggest in a 1972 investigative report that Congress consider the desirability of creating a central independent statistical agency within the Federal Government. I concur with this recommendation. However, before Congress can consider the desirability of creating such an agency, we need a more definitive study of the benefits and problems involved.

My bill provides for such a study within the context of a general inquiry into alternatives to the present satistical organization. While this would not be the first such inquiry, it would to my knowledge be the first undertaken at the specific request of Congress. I believe the study would provide the up-to-date, focused guidance Congress needs in order to make a wise and informed choice in a very important area.

Shorty after H.R. 10509 was introduced, I received a letter from the Honorable CHET HOLIFIELD, chairman of the Committee on Government Operations, to which the bill was referred, stating that:

The subject which the bill addresses is obviously important, and I am hopeful that we can consider it early next year.

I urge my colleagues to give H.R. 10509 their serious consideration.

CAMPAIGN FINANCING AND REFORM

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. SMITH of Iowa. Mr. Speaker, there has been much discussion recently concerning campaign financing and campaign reform. It seems to me that one of the benefits which can flow from something like the Watergate situation is to make people more cognizant of the need for certain changes in the laws and for a recognition of existing laws.

It would be far better to have a large number of small contributors than to have a few large contributors. This is the idea behind the new checkoff system on both the Federal and State income tax returns. Every person who files a tax return can, by merely putting an X in the box of the party of his choice, have a contribution of $1 made to the party of his choice from the income tax he has paid. In the case of joint returns, both the husband and wife can make such a choice. This money goes directly to the State party headquarters. Candidates for various offices will continue to need to raise funds but at least this will permit the political party headquarters to secure some funding from a broader base and depend less upon big contributors.

Iowa is one of the few States which has this checkoff system on their income tax returns. The place to check is toward the bottom of page 1. This makes it easy for each individual who pays taxes to contribute $1 to the party of his choice and it does not increase the amount of taxes which he is required to pay. If enough people make contributions in this form, it is hoped that the political parties themselves will be able to function without big contributions.

CONSTITUENT TRIES OWN MILEAGE EFFICIENCY TEST

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. ALEXANDER. Mr. Speaker, as we complete action today on the Emergency Energy Act, I wish to share with my colleagues the experience of a constituent of mine who conducted his own test to determine the efficiency of gas mileage at various speeds. I would like to share his comments with you at this point:

CROSS COUNTY BANK,
Wynne, Ark., December 6, 1973.

Hon. WILLIAM V. ALEXANDER,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR BILL: Enclosed is a copy of an article that I read which interested me greatly and I wanted to pass it along to you. Sometimes I believe our oil companies in Arabia are in with the Arabs on this price increase, too.

You and I, and everyone else knows that something must be done immediately in order to prevent a heavier gasoline shortage. I am definitely in favor of putting a 50 to 55 mile an hour limit on all our highways and we will have gasoline running out of our ears and have new filling stations opening up to sell it.

This past weekend I had to make a trip and I was somewhat concerned that I wouldn't have enough gasoline to get home as all the filling stations were to be closed as of 9:00 p.m. Saturday night. As the trip was absolutely necessary, I left and decided to conduct my own mileage test. . . . I drove 50 to 55 miles for 75 miles, arriving at Arkadelphia on Sunday where I found three filling stations open. I told the attendant to, "Fill it up," and it cost me $1.45. From that point I drove on to Little Rock, the same distance of 75 miles only I drove at a speed of 65 to 70 miles per hour and it cost me $7.00 to fill up that time. See what speed will do for you?

I think the solution to our problem is cut the speed limit, it's just that simple. Don't let them raise the price of gasoline and don't ration. We need your help and all of us in this area will certainly appreciate anything you can do for us.

A good democrat,

W. W. SHAVER, Jr.

THE PEOPLE'S BICENTENNIAL COMMISSION

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. ICHORD. Mr. Speaker, my attention has been called to the activities of an organization calling itself the People's Bicentennial Commission (PBC) which has gained considerable publicity recently for its programs and "counter-celebration" of the Boston Tea Party. This group has duped many responsible Americans into believing that it is a legitimate patriotic organization developing commemorative celebrations of the events leading to the founding of our country. For the information of my colleagues, I would like to furnish the following background on the PBC:

The People's Bicentennial Commission was formed in the summer of 1971 and was first known as the People's American Revolutionary Bicentennial Commission. The PBC stated its goal as "rekindling the revolutionary spirit of 1776." The concept behind the PBC ("revolutionary" being dropped in the name on printed materials but retained as a motivating force and in the current telephone listing) appears to have originated with the Johnny Appleseed Movement for Peace and Human Rights, which also provided the New American Movement (NAM) with its early philosophy.

The Johnny Appleseed Movement was first noticed in Chicago soon after the disintegration of Students for a Democratic Society (SDS) in 1969, when John Rossen produced a number of pamphlets calling for a new revolutionary force based on a combination of Marxism and American nationalism. At this time, Rossen organized the Johnny Appleseed Movement for Peace and Human Rights and published a tabloid, *The New Patriot*.

John Rossen, owner of the Three Penny, a Chicago moviehouse of dubious respectability, and one-time organizer of the Illinois Communist Party, was in 1969 also the owner of the building housing the SDS national office. A veteran of the Abraham Lincoln Brigade who still affects "revolutionary" garb consisting of black suit, black turtleneck and black beret, Rossen was a southern Illinois and eastern Missouri field organizer for the Communist Party, U.S.A. (CPUSA) in the 1940's. During recent years, Rossen has been associated with, and has helped fund, many radical causes.

Rossen's pamphlet, *Toward a New Patriotism*, explains the reasoning behind this Marxist nationalism: "Essentially, the New Patriotism is a political tendency based on the concept . . . that the American Revolution is a continuing, ongoing liberatory process, an unending drama of ever-present conflict and the forward march of human over property rights . . . a political movement or

party based on the New Patriotism would be socialist, humanist and internationalist in substance and content, and nationalist in form and rhetoric. . . ."

This pamphlet cites North Vietnam and Cuba as examples of this sort of desired "continuing revolution that starts with bourgeoise-democratic national-liberation and continues through (and beyond?) a socialist revolution," beyond to their goal of Communism. Rossen further notes that the two prime benefits of this New Patriotism approach are an end to the social alienation left by many New Left radicals, and a contradiction of the statement that "radicalism and revolution are alien or un-American."

In the summer of 1971, Rossen's ideas, rhetoric, revolutionary quotations of Americans, graphic designs, et cetera, were taken over by the then 26-year-old Chicagoan, Jeremy Rifkin, who had been active in the antiwar movement since 1967.

Since opening its offices in Washington, D.C., in 1971, the PBC has organized chapters in many States and has established offices in Philadelphia and Chicago. According to the Potomac magazine of March 18, 1973:

The PBC is supported by foundations. Financed through the utilization of tax loopholes by the rich, the PBC attacks the rich and their loopholes.

Among the foundations donating to the PBC are the Stern Fund and the Center for Investigative Journalism.

In September 1972, the PBC gained notoriety with the publication of a lengthy attack on the American Revolution Bicentennial Commission—ARBC—in the Progressive. Written by Jeremy Rifkin and Erwin Knoll, the article was made possible by the theft of confidential documents over a period of months by an ARBC employee who gave the papers to Rifkin and Knoll.

One of the PBC's attempts to inject Marxist-Leninist theory into the Bicentennial involves supporting Angolan terrorists via the U.S.-based Gulf Boycott Coalition. The PBC's bimonthly tabloid Common Sense, draws a twisted analogy between the American War of Independence and the Angolan guerrillas, stating "the 'Spirit of 76' and the Angolan spirit are one and the same."

The PBC has issued instructions to its supporters on organizing "People's Bicentennial Celebrations." The PBC states:

Make it colorful—fly "Don't Tread on Me" and Thirteen Star flags; use lots of red, white and blue bunting. Use Revolutionary symbols . . . Designate a tree on your town green or in your park as the Liberty Tree, and fly a red flag from its top . . . Wear patriotic costumes . . . hand out copies of the Declaration of Independence.

But the PBC warns its supporters, "Do not exclude folks by unnecessary militance and rhetoric."

The cleverness of the PBC in disguising its goal of making a "new American Revolution—a revolution in fact" has succeeded in duping large numbers of concerned Americans. The PBC tabloid gleefully publishes pages of letters from these Americans, including leaders of the Girl Scouts, teachers, boards of education, the American Bar Association, local ARBC committees, et cetera, supporting PBC programs and requesting large amounts of PBC literature, radio spots, et cetera, to use as part of upcoming Bicentennial celebrations.

On Sunday, December 16, 1973, the People's Bicentennial Commission staged a demonstration in Boston attended by several thousand people marking the 200th anniversary of the Boston Tea Party. After using Faneuil Hall for a preliminary rally, the PBC contingent marched to the harbor where street theater skits drew analogies between present conditions and abuses at the time of the War of Independence. Under the slogan, "Impeach Big Business, Too," PBC organizers vilified national leaders.

I realized the difficulty some of my colleagues and their constituents might have in distinguishing between the official American Revolution Bicentennial Commission and the People's Bicentennial Commission, and would forwarn them that it is the People's Bicentennial Commission which has stated that its goal is "making a revolution in fact"—not merely commemorating a historic event.

DAVID BEN-GURION

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. MAZZOLI. Mr. Speaker, the passing of David Ben-Gurion this past December 1, removed from the world scene one of its truly great statesmen. Perhaps no other individual throughout history has so symbolized and personified the attributes of the country which he founded and nurtured to its maturity.

The dream of the Israeli State and the triumphant survival of the Jewish homeland sustained Mr. Ben-Gurion throughout a lifetime of turmoil and upheaval. And, his perseverance was eventually rewarded when on May 14, 1948, he read in Tel Aviv, the declaration of Israel's independence.

During the first 15 years of its existence, Israel benefited from the astute leadership Mr. Ben-Gurion provided as its Premier. It was his firm leadership that enabled the young nation to survive the early confrontation with the Arab countries. It was his leadership also that brought Israel into close alinement with the United States in the early 1950's.

In June 1963, Mr. Ben-Gurion resigned as Premier with the announced intention of writing a history of the Jewish return to the homeland. He completed three large works, one of which was entitled "Israel, a Personal History."

But even in retirement he continued to influence the destiny of his country and, in turn, of the world.

David Ben-Gurion has been eulogized in the manner that is customary for those who have risen to the pinnacles of power and influence. His notable attributes and remarkable achievements have been acclaimed throughout the world.

But, the greatest memorial to the spirit of David Ben-Gurion and the most fitting memorial would be a lasting peace in the Mideast.

So, on the very threshold of the start of the Mideast peace talks in Geneva. It is most appropriate we all join in paying tribute to a man of peace—David Ben-Gurion.

APPALACHIAN'S MESSAGE

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. DAN DANIEL. Mr. Speaker, in the Sunday, December 16 edition of The News, Lynchburg, Va., there appeared a very timely editorial which has much pertinence to the current energy crisis.

Entitled "Appalachian's Message," the editorial is based upon reports given by officials of Appalachian Power Co. on its foresighted program to deal which fuel shortages. Appalachian some years ago began looking ahead and the results of its planning are being enjoyed today by its customers.

In my view, this is one of the most cogent accounts of what the energy crisis means in the local areas, what is being done to meet the needs and what plans are being made for the future.

I would like to insert the editorial in the RECORD at this point and commend it to the reading of the Members of the House.

The editorial follows:

APPALACHIAN'S MESSAGE

Barring a crisis which might force the Federal Government to ration electrical energy, the Appalachian Power Company has sufficient power to meet the needs of the Lynchburg area this winter. This power is available because Appalachian projected area needs and built the facilities to supply them more than a decade ago. It has made similar projections and plans for future needs. But unless environmental restrictions are modified and available fuel supplies are utilized, it may not be able to meet those needs a decade hence.

This, essentially, was the message Appalachian laid before Lynchburg area business and professional leaders this past week in a series of luncheon meetings. James B. White, president of Appalachian's Lynchburg division, explained the company's role in the energy crisis, outlined the environmental modifications which must be made to enable the American Electric Power System (Appalachian's parent company) to use its present coal resources to generate electricity, and to assure the public that Appalachian can supply area needs this winter. While AEP retains "absolute" control over its power and its 1.7 million customers in a seven-state area get first priority, a severe shortage of power in other parts of the country could force the Federal Government to order AEP to share some of its power. This could result in local shortages.

Although there is sufficient power to meet present needs, White noted, people should be conserving what they can, not only to comply with the national effort to conserve energy of all kinds, but to enable AEP's present capacity to serve additional customers produced by an expanding population and additional power demands created by technological developments.

The public can conserve electrical power primarily by turning down their thermostats, White said, because heating units consume the most electricity. While home and commercial lighting is relatively "insignificant"

in the total AEP output, the public should be encouraged to reduce its use, also, because of the need to conserve energy wherever possible. A kilowatt is a kilowatt however it is used or saved.

If future power needs are to be provided for, recent environmental restrictions must be modified, particularly those controlling the use of coal. AEP produces some 93 per cent of its power from coal and most of its plants are located right over coal fields.

The company recently took out full page advertisements in all daily newspapers in its seven-state area urging President Nixon and the Congress to modify the Environmental Protection Agency requirements for measuring sulfur-dioxide emissions at generating plants and open large reserves of Government-owned low sulfur coal in the Far West.

Modifying EPA plant emissions could enable power plants to burn the billions of tons of mineable, high sulfur Eastern coal now available. The power industry seeks to measure emissions at the ground level, where they affect people, plants and animals, instead of at the top of 600-feet chimneys. Ground-level emissions are constantly monitored and can be controlled. Such controls would enable power plants to use high sulfur coal without violating air quality standards.

This modification would permit AEP to use the coal nearest its plants, reducing expensive transportation charges and thereby the costs of producing power which can be recouped, White reminded his audiences, only from the customers.

As it is, he predicted that the increased costs of materials, money and environmental restriction would double the cost of energy in the near future.

If these steps are taken, White said, the power industry, and AEP particularly, will be able to provide sufficient energy to meet present and future needs. There is enough coal in this country, he added, to last from 600 to 1,000 years at the present rate of consumption.

This was the message, then, Appalachian wanted to get across to the public. Judging from the interest shown and the quality of the question coming from the audiences, the people are keenly aware of the nature and extent of the energy crisis, are well-informed, and concerned. People with that attitude can get the best out of any situation.

The extent of that interest and concern was shown this week by General Electric Company's distribution of a detailed, documented book on conserving energy. Its statistics on home and commercial lighting as compared to heating corroborated White's estimates.

Basic energy uses were broken down to three categories: transportation—25.2 per cent; industrial—41.2 per cent; and residential and commercial—33.6 per cent. Of that 33.6 per cent, space heating consumed 53 per cent, water heating 12, air conditioning 8, refrigeration 7, lighting 5, other electrical appliances 5, cooking 4, clothes drying 1, and miscellaneous uses, 5.

In a letter accompanying the book, GE Vice President Richard P. Gifford called attention to the transportation statistics: automobiles consume 17 per cent of all energy used for this purpose. This equals the energy used for heating homes and offices. Yet, as Gifford pointed out, "how much less time we are in an auto vs home or office;" He also noted that there is a 9 to 12 per cent fuel saving in cutting back thermostats at night.

This is the kind of information—from Appalachian and GE—that the public needs to reach sound decisions and avoid snap judgments. It is reliable and the people can act upon it with confidence.

We particularly liked White's closing remarks concerning the lack of technology to construct high voltage lines underground and reduce the sulfur dioxide emissions from coal. There is no such technology now, he said, and no indication that there will be in the near future, "but, of course, everything is possible."

While we have reservations about that, one cannot but admire such an attitude. It is typical of American business and industry. It is the philosophy that built this country, and it is the philosophy that will save it.

SALUTE TO ARENDS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. DERWINSKI. Mr. Speaker, one of the great Congressmen of Illinois, LES ARENDS, has already announced his retirement. I believe it is especially significant that the constituents that LES has served so well, demonstrated their appreciation of his dedicated service by their commentary in the local papers in his district.

A very fine testimonial to LES appeared in the Williams Publications whose editor, Bill Williams has known LES for many years. The editorial by the publication very eloquently comments on LES's outstanding career.

The editorial follows:

SALUTE TO ARENDS

Cong. Leslie Arends of Illinois, oldest Republican member of the U.S. House of Representatives in point of service, is going to call it quits.

A veteran of 20 campaigns, Arends, 78, has decided that he will not run for re-election next year. He made the announcement himself, from the floor of the House, and other members on both sides of the aisle gave him a standing ovation. A few shed tears. Speaker Carl Albert said the emotional reaction came from the "admiration and love and respect which every member of the House has for the distinguished gentleman from Illinois."

A native of Melvin in Ford county, Arends represents the 15th Congressional district, which includes nine counties, including Grundy. Before Congressional redistricting in 1971, he represented the old 17th district which included part of Will county. As Republican whip, a post he has held since 1943, Arends has a voice in the determination of party policy and strategy on all measures coming before Congress. He also is senior member on the House Armed Services committee.

Arends was first elected to Congress in 1934, one of the few GOP Congressional candidates to survive the Roosevelt-inspired Democratic sweep that year. He came into national prominence during the Eisenhower administration, when he was a frequent visitor to the White House and a favorite Eisenhower golfing partner.

A commanding figure with courtly manners and long, flowing white hair, the veteran congressman has never been the least bit flamboyant. But then he has had no need to be. He has earned the respect of his colleagues and the admiration of constituents by quietly doing the best job of which he was capable. His constituents have repaid his efforts in their behalf by sending him to Congress 20 times.

And now, by Arend's own decision, there will be no more campaigns. He said he talked the matter over with his wife and they had decided that the time had come for them to do some of the things they had always wanted to do.

Rep. Arends will be missed in Illinois political circles and on the Hill in Washington. So will his wise counsel.

REVENUE SHARING AND TAXES: A SURVEY OF PUBLIC ATTITUDES

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. PICKLE. Mr. Speaker, it is important for the Members of Congress to be aware how the public feels about taxes and whether they feel the Federal Government is giving them their money's worth. In these times of rising prices we need to be particularly conscious of the burden of taxation and how the American taxpayer who must pay the bills views the Federal programs. The Advisory Commission on Intergovernmental Relations that was created in 1959 to monitor the operation of the American Federal System and to recommend improvements has published a survey that was conducted by the Opinion Research Corp. of Princeton, N.J., as a result of opinion sampled last May that I thought was interesting. It was particularly encouraging to read that the public thinks that the Federal Government gives the taxpayer the most for his tax dollar. However, a change in the public's attitude toward the personal income tax was noted and while this may be because of the way the question was asked this year, this was before the recent controversy over the President's tax returns arose and may indicate increasing dissatisfaction with this tax and a need for reform.

The staff interpretation of the data follows submitted by Wm. R. MacDougall, Executive Director of the Advisory Commission on Intergovernmental Relations:

REVENUE SHARING AND TAXES: A SURVEY OF PUBLIC ATTITUDES

INTRODUCTION

Three major findings emerged from an appraisal of public opinion on revenue sharing and taxes conducted in May of this year.

1. By a large margin, the American public approves the present Federal revenue sharing program. Yet, the public also believes that Federal dollars are more efficiently used when directed to specific purposes rather than given to State and local governments to spend as they think best.

2. People feel that the Federal government gives the taxpayer the most for his tax dollars. The "most-favored" position of the Federal government relative to State and local governments is slightly less pronounced than it was the year before when ACIR asked the same question in a similar poll.

3. The Federal personal income tax and the local property tax are virtually tied as the least fair tax. This is a major change in results from a year ago when the local property tax was declared the most unfair tax by a wide margin.

REVENUE SHARING

The revenue sharing program was strongly supported by public opinion. Specifically, the question and national response were:

In addition to providing certain monies to State and local governments for specific purposes, the National government has begun a new form of Federal aid called revenue

sharing. Under this new program, State and local governments will receive $5.5 billion this year to use as they think best. Do you favor or oppose this new revenue sharing form of Federal aid?

[Percent of total U.S. public]

Favor	56
Oppose	18
No opinion	26

All categories of respondents exhibited this strong response in favor of revenue sharing. (*See Table 1.*)

FEDERAL DIRECTION VS. LOCAL DISCRETION

The research queried people about their attitude toward the principle of revenue sharing—the provision of Federal financial assistance to States and localities with no expenditure "strings" attached.

Specifically, the question and national response were:

When the Federal government gives funds to State and local governments, do you feel the money is used more efficiently when it is given out for specific purposes or when it is given out for the State and local governments to use as they think best?

[Percent of total U.S. public]

For specific purposes	48
As they think best	30
No opinion	22

This preference for Federal "strings" over local discretion was exhibited by all categories of respondents. (*See Table 2.*)

LEVEL OF GOVERNMENT

More Americans feel that they receive more for their money from the Federal government than they do from State or local governments. Both last year and again in May of this year, the public was asked:

From which level of government do you feel you get most for your money—Federal, State or local?

[Percent of total U.S. public]

	1973	1972
Federal	35	39
State	18	18
Local	25	26
Don't know	22	17

Most interestingly, while some diminution in public esteem for the Federal level did occur, this decline did not redound to the benefit of State and local governments—it merely increased the "Don't know" category. To put it in another way, a "bad press" for the Federal government does not appear to enhance the standing of State and local governments. (See Table 3.)

THE LEAST FAIR TAX

A remarkable shift appears to have occurred in public thinking about the "worst" tax. The research last year reported that the local property tax was by far the most unpopular of all the major revenue producers. This year it was almost a standoff between the Federal income tax and the local property tax when the respondents were asked to designate the "worst" tax. Also the State sales tax was mentioned more frequently as the worst tax in the current survey.

These findings emerged when the pollsters asked,

Which do you think is the worst tax—that is, the least fair?

[Percent of total U.S. public]

	1973	1972
Federal income tax	30	19
State income tax	10	13
State sales tax	20	13
Local property tax	31	45
Don't know	11	11

This dramatic shift in public attitude may be more apparent than real. Last year the respondents were asked four tax preference questions before they were asked to respond to the "worst tax" question. (See Appendix A.) This year due both to the interest in federal revenue sharing and to budgetary constraints, the tax preference subject was limited to the "worst tax" question. Thus, the fact that this year the respondents were "hit cold" when asked their views on the "worst tax" may partially explain the significant differences on this issue in the results obtained by the 1972 and 1973 surveys. (See Table 4.)

To the extent that there has been an actual change in tax preferences, several factors may account for it. A year ago the property tax was being denounced by policy makers at all levels of government and judicial decisions had created the impression that the local property tax was ill-suited as a means of financing schools. At the time the second poll was take the property tax was enjoying a somewhat better press. Moreover, in the course of the year, pressure on the local property tax has been reduced by the earmarking of Federal revenue sharing funds and state surpluses for new property tax relief programs.

DESCRIPTION OF POLL

This report is based on the findings of a personal interview research survey conducted among 2,023 men and women 18 years or over living in private households in the continental United States.

Interviewing for this survey was completed during the period May 12 through June 3, 1973, by members of the Opinion Research Corporation national interviewing staff. All interviews were conducted in the home of respondents.

The most advanced probability sampling techniques were used in the design and execution of the sample plan and the results, therefore, may be projected to the total U.S. population of men and women 18 years of age or over.

Only one interview was taken per household, regardless of the number of people 18 years of age or over in the household. Weights were introduced into the tabulations to ensure proper representation in the sample.

RETIREMENT OF MARY LOUISE SERRIN

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. EILBERG. Mr. Speaker, I would today like to pay tribute to a person who has given many years to serving the American public. Mary Louise Serrin, chief of the telephone and personal the Department of State, is now retiring.

Mrs. Serrin has been in public service for more than 46 years. In 1927 she worked for the Department of Agriculture and the War Department and, thereafter, joined the Visa Office where she has worked for 45 years which includes 21 years in her present position.

Like many of my colleagues, I have had constituents with relatives abroad who have immigrated to, or visited the United States. Inevitably, some of these immigrants and visitors have had problems. In seeking the assistance of Mrs. Serrin, she has always demonstrated a willingness to cooperate and has made every effort to resolve their difficulties Through Mrs. Serrin's dedication and hard work, she has developed a profound knowledge of the intricate laws and regulations which characterize our visa process. Because of her expertise, she has been able to handle the many cases that have come to her attention in an efficient and equitable manner.

Mrs. Serrin has a deep interest in people and a genuine desire to help them. Her continued interest in the public has never waned. I am certain it will be very difficult to fill the position that Mrs. Serrin leaves in the Visa Office. However, my colleagues and I wish her the best of everything in her retirement years.

ADMINISTRATOR OF SOCIAL AND ECONOMIC STATISTICS ADMINISTRATION SHOULD BE CONFIRMED BY SENATE

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WHITE. Mr. Speaker, on July 12, 1973, I introduced H.R. 9260, which provides that the Administrator of the Social and Economic Statistics Administration—SESA—of the Department of Commerce shall be subject to confirmation by the U.S. Senate.

My bill is identical to S. 2020, introduced by Senator WILLIAM PROXMIRE, Democrat of Wisconsin.

The Subcommittee on Census and Statistics, of which I am chairman, has jurisdiction and legislative oversight over the Bureau of the Census and the collection of Federal statistics generally.

I believe that Congress should have the final say in who heads the statistical agencies of our Government, and that the private and public sectors should be afforded an opportunity to voice their support for, or opposition to, the persons nominated to head such agencies. H.R. 9260, and S. 2020, will accomplish that end as far as SESA is concerned.

The position of Administrator of SESA is a very important one. At least 16 of the major monthly economic indicators are prepared by the Department of Commerce and SESA. These include: The Nation's income, expenditure, and savings accounts; the gross national product; sources of personal income; national income; disposition of personal income; corporate profits; gross private domestic investment; new plant and equipment expenditures; new construction; new housing starts; business sales and inventories; manufacturer's shipments, inventories, and new orders; merchandise exports and imports; the U.S. balances of goods, services, and transfers; the U.S. overall balances of international transactions; and the Federal sector of the national income accounts.

These are among the most important and sensitive statistics the Government produces. They are equaled in importance only by the unemployment figures and the Consumer and Wholesale Price Indexes.

Moreover, the Administrator of SESA has under him the Director of the Bu-

reau of the Census, who by law is required to be confirmed by the Senate. This anomaly should be corrected.

The only statistical position in the Government in comparable importance to the head of SESA is that of the Commissioner of the Bureau of Labor Statistics. That position is for a 4-year term and also requires Senate confirmation.

It is imperative that only persons of demonstrated professional eminence and competence be appointed to the important position of Administrator of SESA, and this goal can be obtained through the process of Senate confirmation required by my bill. I strongly urge that my colleagues give H.R. 9260 their serious and favorable consideration.

PENNSYLVANIAN HONORED

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. GAYDOS. Mr. Speaker, years ago when I embarked on a career in public service I was fortunate to come under the tutelage of a man who lived by the concept that a public office was a public trust—something sacred and never to be violated.

It was a principle this remarkable gentleman practiced throughout his 36 years of service in various levels of government—local, county, State, and Federal. It was the philosophy he instilled into those he helped in political life, including two U.S. Congressmen, two judges of the Pennsylvania Court of Common Pleas, and a host of lesser public officials.

Yet, though this wise and respected man touched elbows with some of the most prominent leaders of our time, including two Presidents of these United States, he, himself, never wandered far from those he had been chosen to serve. He walked with the people of his community, talked with them, listened to them, and took their opinions and advice under consideration.

It is true he was a political leader; in fact, one of the most astute in southwestern Pennsylvania. He served many years as tax collector of his community, chairman of the Democratic organization there, and as a National Democratic committeeman. But, this man was much more than just a political figure. He was a sports enthusiast in the community, active in civic and community affairs, a devotel husband and father, and a true and loyal friend to those fortunate enough to know him.

Last weekend this gentleman, who is the most outstanding individual it has been my privilege to associate with, was honored by his friends and neighbors. I was proud to be chosen to participate in this testimonial, I was delighted that the wife and family of the honoree were able to witness the tributes accorded their husband and father and to see for themselves the esteem in which he is held by the residents of his home town.

I shared the program with a host of distinguished guests and citizens. Among them were Judge John P. Hester, Judge Samuel P. Weiss and Judge Robert A. Doyle of the Pennsylvania Court of Common Pleas; Judge Joseph Weis of the Federal 3d Circuit Court; State Senator Edward P. Zemprelli and State Assembly Regis Malady; County Commissioner Leonard C. Staisey; County Sheriff Eugene L. Coon; County Register of Wills, Mrs. Rita Wilson Kane; Pittsburgh Controller, John E. McGrady; Glassport Mayor, Charles C. Gorun; Nicholas G. Siudela, president of the Polish American Political Club; the Reverend Stanley Jozwiak of Holy Cross Roman Catholic Church; Felix P. Zyra, past Commander of Post 433, American Legion, and Walter Cross, chairman of the testimonial committee.

Mr. Speaker, with great pride and pleasure I call the attention of my colleagues to a man I believe exemplifies all that we consider the qualities of a true and great American—Joseph T. Witkowski, of Glassport, Pa. On behalf of my colleagues, I extend to Mr. Witkowski, his gracious wife, Amelia, and their four children my very best wishes for a long and healthy future together.

JOSEPH VERNER REED DIES

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. GIAIMO. Mr. Speaker, it is with deep regret that I call to the attention of the House of Representatives the recent death of a great and multitalented man, Joseph Verner Reed. As one of the founders of the famed American Shakespeare Festival at Stratford, Conn., and as a man who headed the Connecticut Commission on the Arts for a number of years, Mr. Reed is well-known and respected in my State. His fame and his influence were not limited to Connecticut, however, and I know that many of my colleagues in this House are already familiar with the many accomplishments of this outstanding man as an author, an international diplomat, a devotee of the arts and a philanthropist.

A man of great vision and foresight, Mr. Reed's efforts to help develop a major theatrical activity outside New York City gave American actors vastly increased opportunities to perform the classics and brought pleasure and increased cultural opportunities to countless thousands of theater-lovers. He was active in the famous Shakespearean Festival at Stratford, Conn., from its inception, serving first as a trustee of the American Shakespeare Festival Theater & Academy there and later as its president and executive producer. At the time of his death in November and at the age of 71, he still served as chairman of the board.

Throughout his long and active life, Mr. Reed had many interests in this country and abroad. His career included service as a special assistant to the Ambassador of France from 1957 to 1960. He wrote of his experiences as a cultural attache in the well-received and highly acclaimed book "To the Embassy," published in 1963. Theater and the arts remained his primary concerns throughout his lifetime. Widely known nationally and abroad among patrons of the arts, Mr. Reed was hailed in my home State not only for his work with the Shakespearean Theater but also for his leadership as chairman of the Connecticut Commission on the Arts and his service as a member of the University Council of Yale University, his alma mater.

Mr. Speaker, I wish to extend my condolences to Mr. Reed's family in their loss. At this point, I insert in the RECORD the New York Times' account of the exceedingly full and active life of this outstanding man, Joseph Verner Reed:

JOSEPH VERNER REED, 71, DIES; LED STRATFORD, CONN., FESTIVAL

(By Steven R. Weisman)

Joseph Verner Reed, a founder of the American Shakespeare Festival in Stratford, Conn., and a leading patron of the American stage for a generation, died yesterday in Memorial-Sloan-Kettering Cancer Center. He was 71 years old and lived on Jupiter Island, Hobe Sound, Fla.

During a career that included a great variety of accomplishments, Mr. Reed was a hustling theatrical entrepreneur in New York, a land developer in Florida, a diplomat in Paris, a newspaper reporter, art collector, author and loving compiler of word games and cryptograms.

But nothing enticed him as much as the theater. No experience, he once wrote, equaled the thrill of sitting in a front row, "living it, loving it, as the curtain falls."

"The Curtain Falls" was, in fact, the title of Mr. Reed's first book, published in 1935, which Brooks Atkinson, former drama critic of the New York Times, praised for its insight, its evocation of the frantic chanciness of theatrical success and, most of all, its gracious sense of humor. He termed it "one of the most amusing volumes the theater has recently yielded."

The book was something of a valedictory to a short, tempestuous and financially disastrous career with the New York Stage, and Mr. Reed promised himself and others that never again would he return to the headaches of producing plays.

He bought property in Florida and developed it as a resort then served in the Army Signal Corps during World War II, attaining the rank of major, then plunged into a variety of civic and philanthropic activities in New York.

In 1955, however, Mr. Reed was lured back to the stage to become a trustee and later president of the American Shakespeare Festival Theater and Academy in Stratford, founded that year by Lawrence Langner. In 1961, he was named executive producer of the theater after the resignation of its artistic director. He served as chairman of the board until his death.

Joseph Verner Reed was born in Nice, France, Jan. 18, 1902, the son of Verner Zevola Reed, a banker and mine-owner in Denver, and the former Mary Dean Johnson. The son grew up in Denver and graduated from Phillips Academy in Andover, Mass., and in 1926 from Yale College.

INCOME ON INCOME

Once out of college, as he later put it, there was nothing to do but earn income on his income, so he worked for a while as a reporter for The Chattanooga Times and later began an apprenticeship as a messenger-runner on Wall Street. In 1929, Mr. Reed jumped into the theater with an associate, Kenneth Macgowan, beginning what one

writer later said was to be a long "acquaintance with red ink."

In four years, Mr. Reed's career in show business never really reached a stable level of success. Among the plays he and Mr. Macgowan produced for Broadway were "Children of Darkness," "Twelfth Night," "Mr. and Mrs. Bottle," "Lady With a Lamp," and "Springtime for Henry."

After that Mr. Reed bought Jupiter Island and substantial property on the mainland of Hobe Sound and started the Hobe Sound Company to develop it. He entered the Army in 1941 and, upon his return, became a trustee of the Yale University Art Gallery, the Al-Shakespeare Association of America as well as a fellow of the Morgan Library.

An active Republican, Mr. Reed served from 1957 to 1960 as a special assistant to the Ambassador to France, Amory Houghton, working as a cultural attaché.

FOUNDED TRITON PRESS

His experiences were recounted in another well-received book, "To the Embassy," published in 1963.

Mr. Reed also founded the Triton Press in New York, which specialized in printing art books. Under his leadership, the company reproduced the work of Andrew Wyeth in limited-edition folios.

Among Mr. Reed's other activities were his service on the Yale University Council from 1962 to 1968 and the chairmanship of the Connecticut Commission on the Arts.

He is survived by his widow, the former Permelia Pryor, whom he married in 1927; a daughter, Mrs. Laurel Reed Hemmes; 4 sons, Adrian, Nathaniel, Samuel and Joseph Jr., and 16 grandchildren.

There will be a funeral Wednesday at noon in Christ Church (Episcopal) Greenwich, Conn.

QUESTIONNAIRE RESULTS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. COLLINS of Texas. Mr. Speaker, it has been my regular practice since entering Congress to periodically poll my constituents about their views on many of the most pressing issues which face Americans today. I have received thousands of responses to my most recent questionnaire. I am entering the results of this survey in the CONGRESSIONAL RECORD to share with my Third District constituents and also with my colleagues here in the U.S. Congress.

One issue which has been the subject of a great deal of discussion in Congress is the Federal registration of firearms and other gun control measures. The responding citizens of the Third Congressional District have clearly indicated their opposition to any form of gun control or registration. Sixty-eight percent favored no gun control laws while 32 percent preferred gun control. Of that 32 percent, 11 percent would not accept gun control if it infringed on the individual rights of sportsmen. Most respondents argued that the Federal Government has no constitutional right to control firearms. Some asked that severe mandatory punishments be imposed on those who use firearms during the commission of crimes.

By a margin of 58 to 42 percent Texans favored conversion to the metric system by the United States. Many noted that the United States is the only nation in the world not using the metric system, which places "American industry at a tremendous economic trading disadvantage." Several parents mentioned that their children are already learning the metric system in school.

Most Third District respondents indicated that the energy shortage this Nation presently faces, warrants measures which would greatly increase the exploration and supply of oil and natural gas. The vast majority favored delays in implementation of air quality standards. Eighty percent favored the reduction of Environmental Protection Agency's air quality standards to permit the increased burning of coal. The survey pointed out that 83 percent favored, both, the reduction of new car emission controls and the elimination of environmental lawsuits against companies which build energy pipelines and participate in offshore drilling.

Ninety-two percent of those Third District residents responding favored the restoration of the 27.5 percent oil depletion allowance to provide sufficient incentives for increased oil exploration.

Furthermore, 58 percent would deregulate the price of natural gas to stimulate exploration.

Many constituents wrote that the United States must remain concerned with improving the quality of our environment; however, with serious energy shortages we need to move forward slowly and with moderation. "We need to balance our need for fuel conservation and our desire for clean air," one constituent noted.

The subject of providing tax credits to parents who send their children to non-public schools and colleges brought a 60 to 40 favorable response.

Eighty-eight percent of Third District residents signified that they oppose the Department of Transportation's directives which force car manufacturers to equip cars with mechanical devices forcing mandatory use of seat belts and shoulder harnesses. While many respondents indicated that they normally use seat belts, they resent the Federal Government "forcing" them to use these restraints. Many comments were received about malfunctions of the starter-interlock system which comes on 1974 cars.

Fifty-one percent of those answering the questionnaire believe the President's authority to impose price and wage controls on the economy should not be extended. Forty-nine percent favored the extension of the President's authority.

I believe the last question provided a fairly accurate barometer of the issues that are most important to the citizens of the Third District. As a top priority the majority called on Congress and the President to act swiftly and effectively in dealing with the energy crisis. Nearly 25 percent expressed the desire to see the Watergate matter brought to a swift conclusion in order that the public and the Congress refocus its attention on other important national concerns. While both these two issues were predominant, the need to stop busing and to curb inflation were very frequently mentioned.

It is with considerable gratitude that I thank those of my constituents who completed this questionnaire. I am always glad to receive your comments on national issues.

Mr. Speaker, I hope that this summary of the results of my recent survey will aid the Congress in properly assessing the mood and priorities of Americans.

AGE REQUIREMENTS FOR SERVICE IN CONGRESS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. DRINAN. Mr. Speaker, yesterday the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, chaired by the distinguished Senator from Indiana, Mr. BIRCH BAYH, held hearings on a proposed constitutional amendment to lower the age for eligibility for election to Congress. The proposed amendment, would lower the age for eligibility in the Senate from 30 to 27 years and in the House from 25 to 22 years.

One of the witnesses was a very bright young man named Charles Schollenberger, a student at the College of Wooster in Wooster, Ohio. Mr. Schollenberger has made an excellent and indepth study of the constitutional history and desirability of this amendment. I commend the text of this young man's testimony to my colleagues:

TESTIMONY TO BE DELIVERED BEFORE THE SENATE JUDICIARY SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS ON LOWERING THE AGE REQUIREMENTS FOR SERVICE IN CONGRESS

(By Charles D. Schollenberger)

Senator Bayh, Representative Drinan, members of the Senate Judiciary Committee and fellow guests,

It is an honor to appear before the distinguished members of this Senate subcommittee on Constitutional Amendments to present testimony in favor of a constitutional amendment to lower the age requirements for service in Congress.

My name is Charles D. Schollenberger and I am a student majoring in political science at the College of Wooster, in Wooster, Ohio. My experience in the subject of concern today has been wide. I have been committed to opening our government to youthful participation for five years now: first in lowering the voting age, and now in lowering the age requirements for services in Congress. In 1969 I helped in a campaign to lower the voting age in my native Ohio, and testified before a committee of the Ohio legislature to that effect. In 1970 I participated in the movement for a new Congress, and organized a group of students at my college who donated a considerable amount of their time to elect a peace candidate to Congress. That candidate, incidentally, was elected and has served in the Congress with distinction. I have been an advocate of lowering the age of service in Congress since December, 1971. In May of this year, while attending American University, I completed a fifty page study on this proposed amendment and the likelihood of its passage. My last qualification is that I am a young man myself, and am interested in applying my talents in politics. I

thus offer testimony in support of Senate Joint Resolution 5, which follows:

That the following article is proposed as an amendment to the Constitution of the United States:

Section 1. No person who shall have attained to the age of twenty-two years shall be disqualified to be a Representative on account of age.

Section 2. No person who shall have attained to the age of twenty-seven years shall be disqualified to be a Senator on account of age.

There are many reasons for lowering the age requirement for service in Congress. This world is a much different place today than it was in 1789 when the Constitution was adopted. Our citizens have the benefits of public schools now, and in 1970 seventy-five percent of those eligible to attend high school were graduated from them. In contrast, in 1910 only fourteen percent of those eligible were graduated from high school. The number of college graduates has increased five-fold in that same period. Our young citizens are not only better educated, they have newspapers, magazines, radio, and television to bring the news of happenings around the world to their immediate attention.

Young people are taught in the schools today to be socially and politically conscious and are encouraged to become involved in civic affairs. Any person may observe City Council meetings throughout the country and many of our schools have governments in which students participate. The world is indeed a much different place today than it was even in Abraham Lincoln's time. Yet Lincoln, who had less than a year of formal schooling in his entire life, began his public career at the age of twenty-three.

There can be little doubt that this present generation is one of the best informed and best educated and best prepared to enter public service in history. This already has been recognized in many places. In eighteen of our states, young people under twenty-two years of age serve in both houses of State legislatures. Overseas individuals below the age of twenty-two serve in the parliaments of Great Britain, Australia, Finland, Denmark, Sweden, Switzerland, Indonesia, the People's Republic of China, and several other countries. In Finland, Iceland, and New Zealand the age requirements for serving in Parliament is twenty years. In Canada the minimum age for a member of the lower House is eighteen years. It is interesting to note that in the states of three members of this committee—in California for Senator Tunney, in Hawaii for Senator Fong, and in Nebraska for Senator Hruska, the minimum age for serving in both houses of the State legislature is eighteen years. The same situation exists in the state of the distinguished Majority Leader, Senator Mansfield, and in my own state of Ohio. Young people also constitute a sizable element in our population; former Senator Fred Harris said in Senate debate on March 11, 1970 that one half of the American population will be under twenty-five by 1972. Increasingly, young people's lives are affected by decisions of peace and war and government policies concerning everything from educational loans to the Selective Service System to job opportunities. Young people deserve a role in the policy-making process that affects their lives.

Another persuasive argument for amending the Constitution to permit youthful participation in Congress is that young people have often started a family or another career upon becoming twenty-five, and this tends to discourage government as a career. Congress turns away many talented individuals because they must make a living in some other way. Mr. Chairman, by the time we're twenty-five or thirty we have just begun a career and it is not easy to leave. Why not let us begin a career in government? That people under twenty-five serve in legislatures around the world is a recognized fact.

It is time that we recognize that young people have a significant contribution to make in the national interest. Not every young person will seek a career in government, but those of the caliber of John F. Kennedy who was himself a youthful career politician would be reason enough to lower the age requirements. The move to amend the Constitution to allow younger people to serve in Congress might be seen as a sequel to Vote 18. Age requirements for Congress would be lowered the same amount—by three years—as was the voting age.

One of the great strengths of the American politcal system is that it invites participation from young and old alike. It has been said that our democracy is the history of an everwidening participation of a people in the affairs of its nation. Democratic societies can only gain by opening wider access to their most meaningful political processes to more of their people. This amendment would do just that.

Let me point out some reasons given by the founding fathers for the present age requirement. James Madison wrote in the *Federalist Papers*, No. 62, that:

"A senator must be thirty years of age at least; as a representative must be twenty-five. And the former must have been a citizen nine years; as seven years are required for the latter. The propriety of these distinctions is explained by the nature of the senatorial trust; which, requiring greater extent of information and stability of character, requires, at the same time, that the senator should have reached a period of life most likely to supply these advantages."

That was James Madison writing in 1787. But I contend that today a young person of twenty-seven years has a "greater extent of information" provided by nearly universal secondary education, the newspapers, and the other media, than did the young person of age thirty in 1787. Furthermore, the young person of twenty-seven years today is held by many states as legally accountable for his actions from the age of eighteen years, *for nine years* before qualifying to run for the Senate under the proposed amendment. Thus Madison's second criterion of "stability of character" is also recognized at an earlier age today in many states.

I recently wrote to Dr. Margaret Mead, the distinguished anthropologist, concerning "stability of character" at age thirty. Dr. Mead replied:

"Since Madison recommended 30 as the age for Congressmen, the average age of puberty has dropped some twenty months and the level of education has risen enormously . . . Younger people are therefore more physically mature and more mentally sophisticated than at the founding of the United States. Furthermore, with the present rapid culture change, young people have experienced new situations while they were growing up which their elders have only encountered as adults and young people are therefore able to contribute new viewpoints on new aspects of our social life."

Dr. Mead's statement leaves little doubt that both Madison's criteria of "extent of information" and "stability of character" are thus met at an earlier age today than in 1787, when the Constitution was first proposed.

We also have record of opposing viewpoints of the founding fathers on the age for service in Congress, largely because Madison took painstaking notes of the proceedings of the Constitutional Convention. For example, one founding father who favored no age requirements was James Wilson, the distinguished jurist and delegate from Pennsylvania. Madison gives an account of a motion to make the age for the House of Representatives twenty-five years in his journal entry of Friday, June 22, 1787:

"Mr. Wilson was agst. abridging the rights of election in any shape. It was the same thing whether this were done by disqualifying the objects of choice, or the persons chusing. The motion tended to damp the efforts to genius, and of laudable ambitions. There was no more reason for incapacitating *youth* than *age*, when the requisite qualifications were found. Many instances might be mentioned of signal services rendered in high stations to the public before the age of 25: The present Mr. Pitt and Lord Bolingbroke were striking examples."

Thus we have evidence that James Wilson, one of the founding fathers of the Republic, felt, as we do today, that significant contributions in the public interest can be made by persons before attaining twenty-five years, and that they should therefore be seated in the Congress. Unfortunately, James Wilson did not prevail upon the men of his time, so we must try to prevail upon the men and women of ours. Incidentally, the Mr. Pitt referred to by Wilson was probably William Pitt, the British champion of the House of Commons.

Pitt became a Member of Parliament and and Chancellor of the Exchequer at age twenty-one and Prime Minister at age twenty-four. History tells us that our founding fathers were themlseves a youthful group: Alexander Hamilton was writing pamphlets for the patriot cause at age nineteen and was elected as a delegate to the Confederation Congress at age twenty-seven. James Madison helped to write the first independent Virginia Constitution at the age of twenty-five years. A leader of a different era—Theodore Roosevelt—became a New York state assemblyman at the age of twenty-four. Abraham Lincoln, as was mentioned earlier, began his public career at the age of twenty-three. Young people have served in positions of authority in the past and have served notably.

I would now like to refer to the findings of my study of legislation to lower the age required for service in Congress. The situation today, with regard to lowering the age for membership in the House and Senate, is comparable to the situation of lowering the voting age some three and a half years ago. Bills have been introduced in both houses to amend the Constitution to allow persons twenty-two years of age and older to serve in the House of Representatives, and persons of twenty-seven years of age and older to serve in the Senate. In my study I used a technique which involved hypothetical roll call votes. These hypothetical votes were on the amendment under consideration, and were determined by the members voting record on lowering the voting age. The hypothetical votes were projections of the outcome of voting behavior on lowering the voting age. The study analyzes a number of roll call votes on this issue in the House and Senate, and assumes that those members who consistently supported lowering the voting age were likely to support lowering the age of service in Congress. Only time will reveal the accuracy of this method, but it did correctly predict the sentiments of thirty-four members of the House of Representatives who were co-sponsors of the amendment in the House.

The findings were not encouraging. According to my study, the chances of reporting the amendment out of this subcommittee and the full Judiciary Committee seem slim. It centers on a possible switch vote, although it admittedly does not take into account popular response to the issue, and the impact of these very hearings on committee members. An interesting corollary to the study would involve polling committee members after these hearings to learn of any change in your opinion.

Despite the dim outlook for the bill in this

committee, a hypothetical roll call vote to lower Congressional age requirements passed by a comfortable margin in the whole Senate, although it fell eight votes short of the necessary two-thirds majority needed to pass a constitutional amendment. Passage could, however, be affected by recruiting eight votes from among the undeclared votes. The hypothetical popularity of the measure in the whole Senate could indicate that the position of the members of the Judiciary Committee are not representative of the Senate as a whole.

The situation in the House was not so optimistic. If my figures err, I believe they err on the side of optimism for passage because the present amendment is not as compelling as the Vote 18 amendment. The Vote 18 amendment, properly the twenty-sixth amendment, affected eleven million people, and these eleven million, once enfranchised, could vote against incumbents who voted against their enfranchisement. So a pressure existed for Vote 18 that does not exist for a lowered Congressional age. The difficulty to be overcome then is reporting the bills out of committee. Once this is done in the Senate, I believe that the measure stands a fair chance of passage. Once the bill is reported out in the House, I believe that a large lobbying effort will be needed to secure the necessary two-thirds majority.

As a student of political science, I hope that my figures are correct, but as a partisan in favor of the amendment, I hope that they are not. Only time will reveal this, and until then this somewhat crude guess will have to suffice. I am anxious to see how close my hypothetical votes come to what happens. I will leave a copy of my paper with the chief sponsor of the bill, Senator Bayh.

Mr. Chairman, and distinguished members of the subcommittee, give us the chance to enter public service at an earlier age and we will accept the challenge. I issue a call to my contemporaries—let us seek public service and devote our talents to making America a strong yet just nation. For in a few short years the destiny of our nation will be intertwined with our own. This generation might remake America in an image of justice and compassion. It will shape and set foreign and domestic policy for the next fifty years. Some cry to "stay away" from the political system, but those who stay away are destined to suffer government by default. Let us be motivated in our efforts, in the words of a government conference held several years ago, by a disappointment over and love for the unfulfilled potential of this nation.

ERNEST PETINAUD

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WALDIE. Mr. Speaker, I know of no person in Washington who has been more solicitous of my needs or more responsive to and understanding of my constituents than has been Ernest Petinaud.

Not only have I felt more comfortable in the sometimes puzzling climate of the House of Representatives because of Ernie and his warmth but my constituents have left Washington impressed with the House—and often with me—because of Ernie's never failing humor and warmth as he greets them and me in the House restaurant.

We will miss him. I have already.

THE RIGHT TO FINANCIAL PRIVACY ACT

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WHITE. Mr. Speaker, on September 10, 1973, I introduced H.R. 10139, the "Right to Financial Privacy Act of 1973," which has been referred to the Committee on Banking and Currency.

I introduced this bill to accomplish three goals:

First, the confidential relationships between financial institutions and their customers are built on mutual trust. This trust must be preserved and protected.

Second, the procedures and policies governing the relationship between financial institutions and Government agencies have, in some cases, developed without due regard for the constitutional rights of American citizens. This situation must be remedied.

Third, customers of financial institutions often have no protection against unwarranted disclosure of their financial records without their consent. This protection must be assured.

My act would prohibit any Federal agency or employee, or any State or local government, from obtaining copies of, access to, or the information contained in, the records of any financial institution's customer unless the records are described with particularly and: First, the customer has authorized such disclosure, or second, such records are disclosed in response to an administrative subpena or summons, a court order, or a judicial subpena.

The act further states that no financial institution may provide to a Federal agency or employee, or to any State or local government, copies of, or the information contained in, a customer's financial records except in accordance with the act's requirements.

Moreover, the act provides that the Treasury Department may not require an institution to maintain or transmit any financial records on its customers unless such records are required for use by an agency of the Treasury, or are required to be maintained by the Internal Revenue Code.

Those, in essence, are the primary provisions of my act.

Mr. Speaker, in recent years we have seen all too much of an increase in the power of Government—Federal, State, and local—at the expense of the individual and his privacy. If this trend continues, the Orwellian "big brotherism" predicted for barely more than a decade hence may well occur.

The U.S. Supreme Court enunciated the doctrine of an individual's legal right to be free from unwarranted invasions of his privacy only a few years ago. Yet, the past few months' revelations of the "Watergate horrors" are ample evidence that unethical invasions of our citizens' legal right to privacy continue untrammeled. In addition, we have seen proposals bandied about that call for a centralized Federal data bank whereby every conceivable type of data on individuals can be collected and stored.

The problems confronting those who believe in the right of the individual to his privacy are not soluble by any one piece of legislation.

Nonetheless, I submit that my act is a needed step in the right direction in the area of the individual's right to privacy regarding his legitimate financial transactions. I believe this act strikes a proper balance between protection of the American citizen and the valid needs of the Government.

It is my hope that my colleagues will give H.R. 10139 their serious consideration.

EMERGENCY COAL ADMINISTRATION NEEDED

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. PEPPER. Mr. Speaker, we have necessarily had to concentrate in recent days on the problem of saving energy and allocating the limited supplies as equitably as possible among the various users of energy in our society.

This troubled me, especially when I learned that the United States has half of the world's known reserves of coal—enough coal to meet our total energy needs for hundreds of years. Coal cannot easily replace petroleum for the manufacture of gasoline for motor vehicles and aircraft, although even this is possible as the German Government demonstrated during World War II, when it manufactured the gasoline for its planes and tanks from a coal processing plant in what is now East Germany.

Nevertheless, it is entirely feasible to generate most of our electricity from coal and to vastly expand the use of coal as an energy source through the development of coal gasification and coal liquefaction processes that are now at or near the commercial operations stage. It is possible to do this without undue damage to our environment, if we facilitate the use of the production methods and equipment that meets the approval of our environmental protection authorities.

What is missing, I believe, is the focusing of responsibility and concentrating of authority for getting the job done. We did this in World War II when we established production czars who had the authority to set goals, establish priorities and mobilize the resources to see that what was needed for the war effort was produced and delivered where it was needed and when it was needed.

We must do this with the coal production problem. If we do, I am convinced that we can increase our coal production substantially during the current energy emergency and move on from there to a greatly expanded utilization of coal to meet the energy needs of the American people for many decades ahead. We can come much closer to self-sufficiency in energy than any other country in the

world, as a result of our great coal deposits, and I believe the American people will demand that we use this great energy resource to meet their needs.

I therefore, have introduced H.R. 12045, the Emergency Coal Administration Act of 1974, which would establish an Emergency Coal Administration under the present Federal Energy Administrator, Mr. William Simon, so that he will have not only the authority to allocate scarce fuels, but the power to develop greatly expanded energy resources for the American people for the future.

A summary of the provisions of H.R. 12045 is contained in the new release I issued at my news conference today. I include this summary in the RECORD, along with the text of H.R. 12045 at this point in the RECORD:

NEWS RELEASE FROM THE OFFICE OF REPRESENTATIVE CLAUDE PEPPER OF FLORIDA

WASHINGTON, Dec. 20.—Congressman Claude Pepper (D-Fla.) announced today the introduction of legislation to create an Emergency Coal Administration with extraordinary powers to develop the vast coal resources of the United States.

His bill would make Federal Energy Administrator William Simon also the Coal Administrator who would have powers similar to those of the war production czars who mobilized the industrial resources of the country in World War II.

"The greatest energy resource the United States has is its coal. We have half of the world's known coal reserves, enough to supply a major part of our energy needs for hundreds of years. Yet we have let ourselves become dependent upon foreign oil, even for the generation of electricity, and in doing so, we have made ourselves vulnerable to economic disruption and political blackmail by these foreign oil producing countries," Pepper said.

"If we are to achieve any degree of self-sufficiency in energy production by 1985 or any time in this century, we will have to utilize the coal resources at our disposal within our own borders."

Pepper noted that the Joint Economic Committee has published a study showing that coal accounts for 73 percent of the total recoverable fossil fuels in the U.S. Oil and natural gas account for 9 percent and oil shale about 17 percent.

To utilize this energy resource, Pepper said, "it is necessary that there be a single agency with adequate authority to coordinate all elements necessary for the desired increase in the production and conversion of coal into energy."

To accomplish this the Coal Administrator would be empowered to set goals for the production and conversion of coal into energy, to assure a market for coal producers by giving them long term contracts for the purchase of their output, to resell the coal to utilities and other users, and to issue producion orders to give coal producers first claim on materials and supplies needed to increase production, transportation, and conversion of coal into energy.

The Administrator also would be authorized to make loans to those engaged in the production, transportation and conversion of coal for energy purposes, to give financial assistance to railroads to buy additional coal hopper cars and to improve their roadbeds, and to give financial aid to utilities and others converting to the use of coal as a source of energy.

To minimize pollution and environmental damage, he would have the power to make grants and loans to coal producers, transporters and users to enable them to utilize the best production methods and equipment approved by the Environmental Protection Agency. He further would have the authority to waive federal, state and local environmental restrictions where he found this necessary and for such periods as he found it would take to implement effective pollution control measures.

The powers of the Administrator would also include the waiving of any federal, state or local order, certificate, license, rule or regulation which would interfere with the increased production, transportation and use of coal, provided it did not impair the safety of employees engaged in these fields.

The Administrator could, if it should prove necessary, acquire by purchase, donation or condemnation proceedings, any property he deemed essential to increased production, transportation, conversion and use of coal, and he could buy directly for the government or indirectly for a private producer, transporter or user, any equipment, parts or other essential items needed to increase the use of coal for energy production.

He further could provide financial assistance to labor organizations engaged in the production, transportation and conversion of coal to recruit and train or retrain the people necessary for an expanding coal industry. In addition he could appoint a labor-management board to handle mediation of labor contracts and disputes in the coal producing industry.

The Administrator also could override the Cost of Living Council on any decision relating to the prices paid for coal or any of the products he found necessary to the production, transportation and conversion of coal into energy.

Exports of coal would be subject to the Administrator and he would be empowered to obtain any information from industry or labor which he might deem necessary to carry out his mandate to increase the use of the country's coal resources.

The Administrator's authority would continue during the "present energy crisis," a term which the legislation would leave to a presidential determination of when "the energy requirements of the United States are insufficient to meet the energy needs of this country."

H.R. 12045

A bill to increase the production, transportation, and conversion of coal as a source of energy

Whereas the United States is facing an acute shortage of fuel necessary to the production of energy; and

Whereas bituminous, anthracite, and lignite coal is a proven source of energy, either in its natural state or in a converted form of petroleum or oil and gas or gasoline; and

Whereas it is estimated that the United States has half the coal reserves of the world; and

Whereas it is essential to the health, welfare, and interest of the people of the United States that we increase the availability of additional sources of energy as rapidly as possible; and

Whereas to produce a continuing increase in the availability of coal as a source of energy for the Nation, it is necessary that there be a single agency with adequate authority to coordinate all elements necessary for the desired increase in the production and conversion of coal into energy in the Nation: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Coal Administration Act of 1974".

SEC. 2. There is hereby established within the Office of the Federal Energy Office of the President an Emergency Coal Administration. The Administrator of the Federal Energy Office shall be the Administrator of the Emergency Coal Administration, hereafter in this Act referred to as the "Administrator". The Administrator is authorized to appoint all personnel necessary to carry out this Act and to fix the compensation thereof.

SEC. 3. The Administrator is authorized to take such action as may be necessary to insure the maximum increase in the production, transportation, and conversion of coal so long as the present energy crisis exists and the Administrator shall exercise such emergency powers as may be necessary to attain such objectives.

SEC. 4. To carry out the purposes of this Act, the Administrator is hereby authorized to exercise the following authority:

(1) To set goals for the production and conversion of coal into energy.

(2) To encourage, assist, and take such steps as shall provide for increased production, transportation, and conversion of coal into energy.

(3) To enter into contracts with coal producers for the production of coal for such term of years and at such price as he determines will afford reasonable and fair incentives for increasing the production of coal in the United States. The Administrator is authorized to enter into such contracts on behalf of purchasers of coal or on behalf of the United States Government for the purpose of stockpiling coal. The Administrator is authorized to sell coal or its derivatives which he may acquire on behalf of the United States upon such terms and at such price as shall be in the public interest and contribute to the production and use of coal and the derivatives thereof as a source of energy.

(4) To issue orders which shall constitute a prior claim upon producers of materials and supplies essential to the increased production, transportation, and conversion of coal into energy.

(5) To provide all necessary funds to carry out the purposes of this Act.

(6) To make such loans on behalf of the United States as he finds to be necessary at such rate of interest as he considers reasonable and proper. Such loans shall be made to responsible persons, firms, or corporations to insure increased production, transportation, and conversion of coal or derivatives thereof as a source of energy.

(7) To provide all necessary and reasonable financial assistance to railroads so as to enable them adequately to prepare necessary roadbeds and to purchase necessary coal cars or other equipment essential to the transportation of coal.

(8) To afford necessary, reasonable, and proper financial assistance to persons, firms, or corporations converting to the use of coal as a source of energy.

(9) To minimize the pollution of the air incident to the burning of coal and to minimize other environmental damage by rendering all necessary, reasonable, and proper financial assistance to those producing, transporting, or using coal to enable them to obtain and use the best available methods and equipment approved by the Environmental Protection Agency for minimizing pollution and environmental damage. When he shall be satisfied that producers, transporters, and users of coal are employing all the available methods and equipment approved by the Environmental Protection Agency to prevent or minimize environmental damage, the Administrator is authorized to issue certificates of compliance with the requirements of the Clean Air Act, Federal Water Pollution Control Act, National Environmental Policy Act of 1969, and related provisions of law, after consultation with the Administrator of the Environmental Protection Agency. Such certificates shall be determined and held to establish compliance during the course of the present energy crisis with the requirements of the applicable

Acts or other Acts of Federal, State, or local authorities respecting the protection of the environment. The Administrator may at any time modify or cancel any such certificate of compliance issued by him.

(10) To provide or to assist in procuring necessary insurance required to increase the production, transportation, conversion, and use of coal.

(11) To waive any order, certificate, license, rule, or regulation of Federal, State, or local authorities which, in his judgment, would prevent his accomplishing the purposes of this Act: *Provided, however,* That this subsection shall not impair any substantial laws, rules, or regulations for the protection of the safety of employees engaged in the production, transportation, and conversion of coal and particularly the provisions of the Federal Coal Mine Health and Safety Act of 1969, as amended.

(12) To acquire by purchase, donation, or condemnation proceedings, according to law, any property essential to increased production, transportation, conversion, and use of coal.

SEC. 5. In carrying out this Act the Administration is authorized to enter into agreements or contracts without regard to any other provision of law relating to the making, performance, amendment, or modification of contracts.

SEC. 6. The Administrator is authorized to enter into contracts directly or for the account of any person, firm, or corporation engaged in the production, transportation, and conversion of coal upon terms he deems fair and reasonable for any equipment or parts or other essential articles necessary to increase the production, transportation, and conversion of coal.

SEC. 7. In his discretion, the Administrator is authorized to set up a labor board composed of such number of persons, including representatives of coal associations and labor organizations employed in the coal industry, as he shall determine, and whose members shall be named by him. Such board shall have all authority now vested in the National Mediation Service or any member thereof to mediate contracts respecting terms of employment (including but not limited to wages, hours of work, conditions of work, and related matters) of persons involved in the production, transportation, and conversion of coal.

SEC. 8. In order to provide necessary personnel to make possible carrying out this Act, the Administrator is authorized to provide all possible assistance, including financial aid, upon such terms as he deems reasonable and proper, to labor organizations engaged in the production, transportation, and conversion of coal, to recruit, train, or retrain all necessary personnel to carry out the purposes of this Act.

SEC. 9. The Administrator is authorized to engage in such research and development as he deems necessary, including, but not limited to, the construction and operation of pilot plants and projects relating to the production, transportation, and conversion of coal. He is authorized to engage in such research and development either directly, or by contract or agreement with others.

SEC. 10. The Administrator is authorized and directed to pay a necessary, fair, and reasonable price for whatever products, commodities, articles, or supplies he may acquire either on behalf of the United States or for the benefit of any person, firm, or corporation engaged in the production, transportation, conversion, or use of coal. The Administrator is also authorized to permit only such prices for the production, transportation, and conversion of coal as are necessary to carry out the purposes of this Act. In determining prices he pays or prices he permits the Administrator shall consult with, but shall not be bound by, the Cost of Living Council or by other provisions of law or authority.

SEC. 11. The Administrator is authorized to prohibit or limit, as he deems it necessary to the accomplishment of the purposes of this Act, the export of coal or the derivatives thereof essential to the production of energy.

SEC. 12. The Administrator is authorized to require all persons, firms, or corporations engaged in the production, transportation, or conversion of coal to reveal to him such information as he deems necessary to carry out the purposes of this Act.

SEC. 13. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 14. For the purposes of this Act the term "present energy crisis" shall mean that period during which the President determines the energy requirements of the United States are insufficient to meet the energy needs of this country.

ENERGY BILL IS BAD BUSINESS FOR AMERICA

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. COLLINS of Texas. Mr. Speaker, today we are reviewing the national energy bill as it comes out of conference. As the bill was prepared, it lacked purpose; and as it came out of the conference, it is an absolute disaster. The bill's only outstanding feature, the one which saved gasoline wasted on busing beyond neighborhood schools, was deleted.

The President already has all of the powers that he needs to meet the oil allocation situation. But in this energy bill we are not providing the solutions which are so urgently required in America today.

Let us first review the situation that led to the present crisis. Ever since 1968 this country has been consuming more oil and gas than we had been producing or discovering in new reserves. Instead of moving forward, we have moved backward through harassing environmental law suits like those that delayed the Alaska pipeline for 5 years. Moreover, we took an incentive, the depletion allowance and cut it from 27.5 percent to 22 percent. This discouraged oil men and we are now drilling half as many wells. In other words, we have been living on oil that we discovered back in 1950, 1940, and 1930.

The oil companies have been aggressively reinvesting their capital in exploration but they lack the sufficient capital to reinvest. The refinery capacity in America is running at absolute capacity. It has been difficult to build refineries because ecologists in local communities have objected to having them.

Let us take action on the issues that would help solve the energy crisis.

First. In January 1974, the Atomic Energy Committee, under Chairman MEL PRICE, has announced that they will hold hearings on licensing procedure for nuclear power plants. With only 37 nuclear plants in the country today, the great opportunity for solving our energy needs is expansion and development of nuclear power. This committee has top priority in moving forward and making a workable, practical system of licensing where delays will be kept to a minimum and action will be expedited in every way. Nuclear energy could provide the power need for the 1980's, but we must begin in January of 1974 with licensing for these nuclear plants.

Second. Pollution control balance. In our desires to have clean air, we have instituted many environmental controls. Environmentalists today realize this is a time for moderation. We must take 4 or 5 years to make this transition. The soundest suggestion made in the hearings came from Congressman LOU WYMAN of New Hampshire. He took the critical areas where pollution is the strongest, and kept the controls working. But for the rest of the country, the environmental impact is adjusted so that we can get a greater utilization out of our fuel. Congress refused the Wyman plan by a close vote, but it is essential for 1974 energy balance needs.

Third. Price control. All fuels must be priced in terms of current market supply and demand. There must be an incentive for production. Since all fuels are related, pricing begins with natural gas. Natural gas has been controlled in price so that the price was 21.5 cents MCF in 1963, and it has now been reduced in 1972 to where it is 16.9 cents MCF in terms of 1972 dollars. What this means is the price of natural gas in terms of 1972 dollars is less than one-third the cost of oil. If the raw material of gas is tripled, this does not mean the final product is tripled, because the actual raw gas makes up less than 20 percent of the cost to the final consumer. There are pipelines, distribution systems, office work, but you first must have the raw gas.

On the other hand, look at the price of crude oil which dropped from a price of $3.93 a barrel in 1963 to $3.39 a barrel in 1971, if we are comparing in terms of constant 1972 dollars. Remember that it is not in line with true value. Last week Iran unloaded oil at $16 a barrel. Venezuelan oil is bringing $8 a barrel. Canadian oil is $6.50 a barrel. The oil from the Arab countries would be $10 a barrel if we could get it.

In the 10-year period from 1963 to 1973, the price of natural gas and oil has decreased 7.1 percent in real dollars. When we compare these decreases to the real dollars—purchasing power increases in wages, the distinction becomes clear. In real terms, carpenters in New York City have had a 14-percent increase in the same 10-year period. Electricians in San Francisco, 20 percent; autoworkers in Detroit, 20 percent; steelworkers in Pittsburgh, 12 percent; classroom teachers in Florida, 21 percent.

We must come to realistic fuel pricing or we are going to be out of energy. And if we are out of energy, we are going to find ourselves in the middle of a depression. No energy means closing factories and lost jobs.

Fourth. Coal. Every form of encouragement should be given to coal. Although we only have 5 percent of the world's reserves in oil, the United States has 50 percent of the world's reserves in coal. One deterrent to coal production has been the fact that gas has been priced so low that coal cannot be com-

petitive in the areas of labor cost, cost of handling and transportation. When gas is priced at a realistic level, then coal can, in turn, be produced in greater abundance and meet the shortages. Going a step further, it is going to require some adjustment and some tolerance of coal from environmentalists as we go through this transition the next 5 years. We need flexibility on air quality standards to permit the burning of high sulphur content coal.

Fifth. Solar energy must be researched and tested for full commercial adaptability. It is a solution for the 1980's but probably not the 1970's.

Sixth. Encourage profitability. During the first 9-month period of 1973, the oil and gas industry made 7.5 percent profit on sales revenues, and this compares to 6.2 percent on revenues in 1972. A 7.5 percent profit margin is not out of line with most business returns. But the interesting thing is that back in the 1950's when the United States experienced the most active exploration and development, the profit margin was 11 percent. In other words, when oil companies were making money, they were aggressively reinvesting this money in more drilling, more exploring, and in building refineries and pipelines.

When you study this energy conference report, you will see that all it builds is more bureaucracy, more red tape, and more confusion. What this country needs to do is encourage free enterprise, to aggressively go out exploring for new and additional sources of oil, gas, and coal. Unless Congress balances the price control and pollution control programs, this country will have an energy shortage that will lead to a depression in 1975.

WAYS TO GET WELFARE IN HAND: SUCCESS FOR TWO BIG STATES

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. ROUSSELOT. Mr. Speaker, the December 24, 1973, issue of U.S. News & World Report contains an article on welfare reform which I believe should be brought to the attention of all Members of Congress. The article tells how the two most populated States—California and New York—have been able to reduce welfare rolls and costs.

I have been a strong supporter of Governor Reagan's welfare reform policies. Finding employment for able-bodied welfare recipients and getting them off the welfare rolls is an important step. The State has been able to accomplish what the Federal program could not.

The Constitution specifically itemizes the proper roles of the Congress, the Executive, and the Judiciary in our Republic, and the 10th Amendment provides that:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The Federal Government should disengage itself from the welfare business, and properly return this function to the sole jurisdiction of the State and local governments, the levels closest to the people and the taxpayers. This article clearly demonstrates that the States are better able to administer welfare programs than the Federal bureaucracy, and I urge that it be carefully studied by my colleagues:

WAYS TO GET WELFARE IN HAND: SUCCESS FOR TWO BIG STATES

Three years ago, a welfare crisis confronted the nation's most populated States—California and New York. Relief rolls were shooting up. Costs were soaring to budget-breaking heights.

Today, in both States, relief rolls are down significantly and costs are being brought in hand.

The reforms that produced these results are becoming models for the rest of the nation. Federal officials are urging other States to follow suit.

Basics of the reforms are these:

A crackdown on cheaters, tightening of eligibility requirements, tougher screening of applicants and repeated rescreening of the recipients of public assistance.

Major stress on better management in the multibillion-dollar programs which in the past have been run mainly by social workers.

Strong emphasis on jobs—including work for community agencies if other jobs are not available.

TRIMMING THE ROLLS

California and New York are not alone in cutting welfare rolls. Nationwide, the number of people receiving aid has declined every month for six months.

West Virginia, for example, is another State which has led the way in setting this new trend.

What gives special significance to events that have been unfolding in California and New York is that the two States have on their combined rolls nearly one fourth of all the nation's welfare recipients.

These States spend almost 40 per cent of the more than 20 billion dollars that welfare costs the U.S. each year.

Following are the details of what has been done to reduce the welfare load in these two giant States.

CALIFORNIA: STRESS ON JOBS FOR THOSE WHO CAN WORK

SACRAMENTO, Calif.—When he became Governor of California in 1967, Ronald Reagan was determined to get control of runaway welfare costs. But, for four years, the problem got worse. All too often, he was frustrated either by courts or by officials in Washington, or both.

Mr. Reagan was an early and vocal foe of President Nixon's plan for a federal takeover of welfare and a guaranteed minimum income for all.

In 1971, Governor Reagan began his own comprehensive welfare reform. Instead of a massive overhaul and a federal take-over, he wanted tougher and more-efficient administration of present laws, tightening of some rules and keeping State control of local programs.

For months, there was conflict. The U.S. Department of Health, Education and Welfare frowned on many of Mr. Reagan's reform proposals. Many lawsuits challenged the new State laws and regulations. The Governor did not hesitate to take the fight either to the White House or to the Supreme Court.

BIG GAINS FOR REFORM

Today, Governor Reagan is winning his battle. Many—although not all—of the lawsuits have been defeated. Mr. Nixon's welfare reform has been abandoned.

The California reforms are working so well that HEW called to Washington former California Welfare Director Robert B. Carleson and other key people responsible for California's new look in welfare. They have been assigned major roles in reshaping the federal system to fit Mr. Reagan's pattern.

The Governor's successful plan grew out of a fiscal crisis, a large part of which was due to welfare costs' running almost out of control.

In early 1971, there were nearly 2.3 million Californians on welfare. Rolls were going up at a rate of 40,000 persons per month. Spending was over 2.1 billion dollars a year. The next year's budget, barring drastic changes, was expected to reach 3 billion dollars, with welfare rolls rising to 3 million out of a total population of 20.5 million.

Spending for all phases of welfare—public assistance, social services, and medical care—now totals just under the 3 billion dollars predicted for 1971. The increases are due mainly to the soaring cost of living and some increases in relief benefits. Savings in the first two years of reform are estimated at up to 1 billion dollars.

Even before the legislature acted on his reform proposals, Governor Reagan installed a new management team in January, 1971, led by Mr. Carleson as welfare director, and began to put changes into effect by executive action.

Relief rolls peaked at 2,293,280 in March, 1971. They have declined nearly every month since then. Latest figures available show 1,916,000 persons on welfare—down nearly 400,000 from the top.

HOW IT HAPPENED

It took a lot of work and planning to produce this reversal.

In August, 1970, Mr. Reagan created a task force to study what was wrong with welfare and how it could be corrected. This group included key men in the State administration, mostly those with proven management ability. They were wondering why welfare rolls had risen 400 percent in a decade when the State's population had gone up only 25 percent and employment remained relatively high.

One problem that became quickly apparent was that welfare had grown into a huge fiscal operation, serving millions of people, but it still was run by the same social-work-oriented persons who were in charge when the program was much smaller. This was why Mr. Carleson, who had been chief deputy director of the State public-works department, and a number of management-oriented persons were put in charge.

Mr. Carleson remembers there were at least two other major factors uncovered by the task force. One was a practice of interpreting regulations in a way to make as many persons as possible eligible for welfare.

"Perhaps the provisions were put in originally to give a social worker discretion as to whether someone should be put on welfare or not," he says. "But these had become loopholes giving access to people who were not in need."

The second factor, says Mr. Carleson, was the liberal deductions permitted for child care, work-related expenses and a large portion of income earned while on welfare. These were intended to encourage people to work their way off welfare. The task force found, however, they made it possible for many self-supporting people to stay on welfare.

"Under that system," Mr. Carleson says, "a woman with three children might stay on welfare until she reached an income of $10,000 or $12,000 a year. In fact, we found that a mother of three in the Los Angeles area would be making around $1,300 a month before she would have to leave welfare.

"Our reform program brought that back down to $900 a month. We feel this still is excessive."

A new California law setting a limit of $50 a week for work-related expenses is held up by a court fight.

ADJUSTING THE BENEFITS

The reform program, as it was finally adopted, also:

Reduced benefits for working families on welfare but increased them for those subsisting solely on relief checks, and provided for cost-of-living boosts.

Gave the State—instead of counties—authority to set uniform eligibility requirements for each county.

Required that all employable welfare recipients—mostly adult males and mothers of school-age children—must report regularly and accept jobs or job training, or take part in a community work force. Refusal meant loss of aid.

Required a much more strenuous search for deserting parents. Support now is being collected from 24 per cent of deserting fathers, with payments in excess of 55 million dollars last year.

Counties are encouraged to pursue the runaway parents by a provision permitting the counties to retain a substantial amount of the money recovered.

PUTTING PEOPLE TO WORK

From the start, Governor Reagan has stressed jobs for persons able to work. Officials say an average of about 130,000 persons now receiving assistance report regularly for work under two programs. One is the Employables Program, which seeks to find private jobs for those on welfare. The other is the Comunity Work Experience Program, which requires part-time community work for a relief check. These programs started in 16 counties and now have expanded to 35.

Between July 1, 1971, and June 30, 1972, an estimated 25,000 persons were put into private jobs. This more than doubled—to 57,000—the next year, and 23,500 were put to work in the first three months of the fiscal year that began last July 1.

Peter Rank, deputy director of the California State department of human resources, says the community-work plan has a limited goal. He explains:

"There's no intention of replacing regular workers with welfare recipients, but there is no reason why people can't do some work for the community at the same time they are looking for jobs."

About 3,000 worked for welfare benefits in the fiscal year that ended last June 30, helping out in schools, libraries, doing whatever work was needed on a temporary basis by the community. More are expected to work on a part-time basis this year as the program spreads to more counties.

INCENTIVE TO WORK

Governor Reagan says the program improves the "job-getting potential" of inexperienced people by giving them the chance to work on a job. Also, he adds:

"It provides an incentive to those few welfare recipients who would rather live off the earnings of others than support themselves, even though they are capable of performing an honest day's work.

"When given the option of finding regular employment or performing public-service jobs for their welfare check, such persons often leave the welfare rolls entirely."

NEW YORK: TOUGHER RULES AND BETTER MANAGEMENT

ALBANY, N.Y.—In 1971, New York's relief rolls were skyrocketing. Welfare costs had risen at an average rate of more than 26 per cent a year for seven years—and a 40 per cent increase was included in the new State budget.

As a result, New York State Commissioner of Social Services Abe Lavine recalls:

"Support for the program was disappearing. 'What about the welfare mess?' was a question being heard every time a request for more money, anywhere, in any program, appeared."

With his budget stalled in the legislature and problems growing, Governor Nelson Rockefeller began a massive reform of the State's welfare system.

Today, relief rolls are going down. Costs still are rising, mainly because of inflation, but not nearly as fast.

What caused this change was a crackdown on ineligibles, a much tougher attitude toward work for those on relief and infusion of management talent from the business world to run the program that now spends some 4.7 billion dollars a year for public assistance, social services, and medical care.

CITY-STATE CONFLICT

Welfare reform in New York is similar to what happened in California and West Virginia, but there are differences. Many of these differences grow out of the fact that 70 per cent of the State's welfare cases are in New York City.

County and city officials administer local welfare programs under State supervision in New York State.

New York City, for example, has more people in its welfare bureaucracy—about 28,000 persons—than most cities have on their relief rolls.

Kenneth L. Harris, a management specialist who now is assistant administrator for management and control in New York City's Human Resources Administration, remembers what it was like when he was hired in 1971:

"Over the last seven years, the cost of welfare had exploded.

"The number of persons on welfare had skyrocketed from 550,000 to 1,300,000 [1 of every 6 residents of the city]. And while the welfare rolls were growing, we had to assimilate a whole host of new Great Society programs—day care, manpower training, medicaid, youth services, many others.

"On check day, welfare centers looked like Fort Apache. Addicts were rampaging the centers. With over 30,000 addicts on the rolls and less than half in treatment, we were running the world's largest heroin-maintenance program and subsidizing the underworld to the tune of about 50 million dollars a year."

Then, Mr. Harris relates:

"In mid-1971, the whole thing blew up. Fraud and agency error became intolerable. Services deteriorated, and the work force became unproductive and unmanageable. Because we didn't have the advanced administrative technology needed to handle this kind of operation, the public turned against many of our best programs."

SIGNAL FOR ACTION

The move to reform in New York City, however, came on the heels of strong action in Albany.

In April 1971, Governor Rockefeller signed a series of bills overhauling the State welfare system. The most important changes were:

Shifting authority to appoint the commissioner of social services from the State board of social welfare, which previously set policy, to the Governor.

Creating the office of welfare inspector general, an independent official whose job is to check out complaints about welfare, anywhere in the State.

Adopting a one-year residence requirement before a family can receive a relief check. This later was ruled invalid by federal courts.

A 10 per cent cut in benefits in the two family categories—State-financed home relief for the working poor and federally assisted aid to families with dependent children. This cut will be restored January 1 to help meet cost-of-living increases.

A general tightening up in eligibility for medical assistance and a cutback in the level of benefits.

A requirement that all employables in family categories appear in person to pick up their checks twice monthly at a State employment office and accept jobs or job training, if available. Also established was a program requiring recipients to work for community agencies in return for their relief checks.

A requirement that welfare recipients have photo identification cards to prevent fraud in cashing checks.

MANAGEMENT CHANGES

In May, 1972, the Governor replaced George K. Wyman, career social worker, as commissioner of social services. The new commissioner, Abe Lavine, had a business background and had been the State's chief labor negotiator.

One place where the reform in New York stands out, say federal officials, is in its use of audits and quality control.

Martin Sacks, director of audit and control, is a systems expert who was recruited from a major job in the Apollo program at the National Aeronautics and Space Administration.

Mr. Sacks has conducted two complete audits of State welfare rolls. The latest showed that 17.6 per cent of all AFDC cases were ineligible, that 30.8 per cent were overpaid and 11.6 per cent underpaid. That added up to errors on 60 per cent of all checks written.

To eliminate such errors, several policy changes have been made. The first audit revealed that 48 per cent of all changes in eligibility occurred within 90 days after families first went on the rolls. Thus, a new policy now requires family recipients to come in after three months for a complete recertification interview.

Audits also showed 4 of every 10 cases of ineligibility involved an unreported father in the home who, presumably, could have provided some support. Checks are withheld now in cases involving a deserting father until a thorough check is made of his whereabouts.

In only two months, officials say, the 90-day recertification rule resulted in 8,908 cases' being cut off rolls.

SCRUTINY ON NEW YORK CITY

In September, 1971, the Governor appointed George F. Berlinger as the first welfare inspector general, a job unique in the nation. Mr. Berlinger had been a member of the State board of social welfare for seven years and was an outspoken critic of the welfare system.

Mr. Berlinger immediately focused his attention and his investigators—now up to 40 in number—on New York City.

This occurred at about the same time Mayor John Lindsay began to make big changes in the city's welfare system, bringing in management experts, technicians and computer experts from the business world. What followed was an angry running battle between the State and city that still continues.

Mr. Berlinger held repeated news conferences to tell about such things as: the man who received checks from nine different New York City welfare centers; the man who turned down a job 16 times and still drew welfare; or the woman receiving a regular check even though she filled out only about three lines of her application form.

City administrators fired back, disputing Mr. Berlinger's statistics and defending their programs. Meanwhile, State officials were pressing the city to change its ways, several times withholding funds when action was too slow.

Despite the angry words, progress seems to have been made both in the city and across the State.

Change is, perhaps, more difficult in New

York City than elsewhere in the State. Virtually all the approximately 28,000 employes of that city's Human Resources Administration (HRA) are represented by unions. Thus, changes must clear both city civil-service and union officials.

PERSONNEL TURNOVERS

When management specialists came in, new problems developed.

"Our basic problem was trying to blend the experience of the old-line workers with the new management types," explains Robert F. Carroll, deputy HRA administrator. "These guys out of the business world are used to moving. Bureaucrats are used to a more leisurely pace."

In early 1972, the HRA began rating directors of the 44 city welfare centers on the basis of performance of their staffs. In April, 1972, 18 of the 44 directors were replaced.

"We took out the directors who were case-work-oriented and replaced them with people having more management experience," explains Mr. Carroll.

One program that has worked well in the city is addict control.

"We found we had 34,000 addicts on welfare," says Mr. Carroll. "In April, 1972, we began asking whether they were on treatment. We required this before they could get their money. They went off welfare if they left the treatment programs. We set up a computerized central index of drug addicts so centers could find out quickly whether they had applied elsewhere. In a year, the number of addicts on welfare had dropped from 34,000 to 15,000 and now it is down to about 11,000."

Despite the growing emphasis on work and work requirements, many experts are skeptical that great inroads into welfare rolls will come from putting people to work—except possibly on public jobs.

"The problem is that out of 1.8 million on the rolls, you get down to only about 60,000 who are really employable," says Paul Simmons, executive assistant to the State commissioner. "You have a hard time finding jobs for these."

STATE TO TAKE OVER?

Both city and State officials favor an eventual take-over of the system by the State. The legislature rejected the plan this year, but the issue will come up again next year.

Even without all reforms completed, officials are pleased with their progress so far. Commissioner Lavine sums it up:

"We have created a different tone in the State. Persons now recognize that they can't take it for granted that they will get welfare checks. Many who might have applied in the past now seek employment on their own."

CONGRESSIONAL APPROVAL OF ECONOMIC CENSUS QUESTIONNAIRES

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WHITE. Mr. Speaker, on September 25, 1973, I introduced H.R. 10510, which was cosponsored by Congressmen HANLEY, Democrat, of New York; LEHMAN, Democrat, of Florida; PICKLE, Democrat, of Texas; and CHARLES H. WILSON, Democrat, of California.

The purpose of this bill is to permit congressional approval of the form, length, and content of economic census questionnaires distributed by the Census Bureau.

The current law, section 131 of title 13, United States Code, provides that, the Secretary of Commerce shall take various economic censuses in years ending in "3" and "8." No provision is made in the law, however, for any congressional approval of such questionnaires.

My bill would require the Secretary to submit to the Congress his determination of the questions proposed to be included, and the type of information to be compiled, not later than 2 years prior to the taking of such censuses. Not later than 1 year thereafter, the committees of Congress having jurisdiction over the Census Bureau may notify the Secretary of their recommendations for acceptance or rejection of the form and content of the questionnaires.

I have received numerous complaints from my constituents, and from citizens in other congressional districts, about the form and content of economic census questionnaires. In particular, many small businessmen have complained about the length of the questionnaires, the many detailed questions asked, and the time and expense involved in completing the questionnaires. If they fail to answer these questionnaires, they are subject to fines and/or jail sentences.

While I recognize the validity of the Government's need for accurate economic census data, particularly from our large corporations and businesses, I nonetheless also believe that the people's representatives should be given the opportunity to review, and make recommendations, regarding the form and content of these questionnaires.

I believe that congressional review will assure that the questionnaires will not be unduly voluminous, burdensome, or violative of the individual's right to privacy. In particular, I think congressional review will result in easing the burden on the small businesses and corporations who are most affected at present by the time and cost involved in completing these questionnaires.

There is merit to the viewpoints of both the Census Bureau and of the small businessmen in this matter. I feel that passage of my bill will give both groups a proper forum in which to air their views for consideration by the people's elected representatives. This would certainly be an improvement over the present situation, where the Census Bureau is given sole and arbitrary discretion to decide the form and content of the economic census questionnaires.

The Subcommittee on Census and Statistics, of which I am chairman, will hold hearings on this matter in the very near future, and I urge my colleagues to give H.R. 10510 their serious consideration.

WOMEN'S ARMY CORPS FOUNDATION

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. NICHOLS. Mr. Speaker, I recently received a resolution drafted and passed by the Women's Army Corps Foundation, of Fort McClellan, Ala., that brought to the surface the importance of one of America's finest Army bases, Ft. McClellan, Ala.

In the resolution, the civic minded women of the Women's Army Corps Foundation resolved that since Ft. McClellan is "an active post of the U.S. Army, an essential element in achieving an All-Volunteer Army and a permanent place to the members of the Women's Army Corps, past and present, in the history and heritage of the U.S. Army" the Army installation should remain as an integral part of our U.S. Army.

I concur with the resolution of the Women's Army Corps Foundation and that the resolution be placed in the RECORD for all Members of Congress to read:

RESOLUTION

Whereas, it has been publicized that the Department of Defense is considering the closure of Fort McClellan, Alabama; by majority vote, the members of the Board of Directors of the Women's Army Corps Foundation do hereby vow and declare their strong opposition to such action and urge all who bear witness to this statement to support their position, and

Whereas, the United States Women's Army Corps Center and School, Fort McClellan, Alabama, as the major basic training base for members of the Women's Army Corps, is currently operating at full capacity, training approximately 12,000 women volunteers annually, the closure of this base would destroy and disrupt the most successful training and recruitment momentum created in recent years by the United States Army, and

Whereas, the creation of an all-volunteer Army has been established as a National goal and the enlistment of thousands of women is critical to the successful achievement of this goal, it is deemed unsound and illogical to close the ONE military post where the initial training of women is conducted with economy, competence, and skill, and

Whereas, funds were appropriated by Congress in 1953 for the construction of a permanent training base for women at Fort McClellan, Alabama, closure of this post would contradict the purpose and intent of this expenditure which was to guarantee a permanent "military home" and historical base for women—a guarantee upon which women could rely and which reflected the good faith of the American people toward the thousands of women who have voluntarily devoted their lives, their careers and their fortunes to the United States Army, and

Whereas, Fort McClellan, Alabama, is internationally known as the "home of the Women's Army Corps," and is the ONE site upon which the historical heritage and tradition of the modern Women's Army Corps is based, it possesses an intrinsic and intangible value to women and to the American people which is beyond physical measure, and

Whereas, it has been publicly announced that the United States Army Military Police School will be relocated to Fort McClellan, and retracting that announcement and closing the post will have an adverse impact on the Army's credibility, therefore be it resolved: that the Women's Army Corps Foundation, its Board of Directors, members and friends support the continuance of Fort McClellan, Alabama, as an active post of the United States Army, as an essential element in achieving an all-volunteer Army and to show good faith in the commitment made by Congress to insure a permanent place for members of the Women's Army Corps, past and present, in the history and heritage of the United States Army and in the hearts of the American people, to whom they have

dedicated their lives and their careers unselfishly.

ISRAEL IS NOT TO BLAME FOR OUR ENERGY CRISIS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. ANDERSON of California. Mr. Speaker, the energy crisis, which will result in colder homes, greater inconvenience, higher unemployment, and increased prices, presents a situation ripe for exploitation by demagogs looking for scapegoats.

Some, no doubt, will point an accusatory finger at Israel as the reason for the Arab policy that led to the cutoff of oil.

Others will call for a cessation of our support for the safety and security of the State of Israel, hoping that the oil will again flow to our plants, homes, and automobiles.

Still others will attempt to place the blame for the oil shortage on our Jewish citizens who have been in the forefront of efforts to resist religious persecution, terror tactics, and economic blackmail.

The facts, however, show that the Arab oil embargo is but only a part of the cause of today's energy crisis.

For example, Arab oil imports account for only 6 percent of our energy sources, yet we face at least a 17-percent shortage—perhaps 25 percent would even be closer to reality.

Thus, even if the Arab embargo were lifted, our supply of oil would still fall short of our needs by a significant amount.

Mr. Speaker, Israel is not to blame for the energy crisis. Rather, a shortsighted public policy, that did not forecast our need to conserve energy and at the same time develop new sources, must accept the responsibility for the crisis with which we are presently confronted.

With this in mind, Mr. Speaker, I ask unanimous consent to place in the RECORD an editorial entitled "Wake Up, Jewry," which appeared in the December 7, 1973, edition of the B'nai B'rith Messenger.

[From the Los Angeles (Calif.) B'nai B'rith Messenger, Dec. 7, 1973]

WAKE UP, JEWRY

This has been a nation where it was more than acceptable to have a bumper sticker which reads, "Honk If You Love Golda Meir" or "Shalom Means Peace" or "Phantoms for Israel" or "Justice for Soviet Jews."

This has been the America in which we have been told that overt and open anti-Semitism was a thing of the past. So is it acceptable today to have a bumper sticker reading "We Need Oil, Not Jews"?

Indeed, the present energy crisis and the subsequent communist-orchestrated Arab oil squeeze on the free world have made it a brand new ball game for professional bigots and those who harbor what has been latent anti-Semitism.

You're being furloughed from your job because of the oil shortage. Who is to blame? Well, why not the Jews? It's their Israel.

You can't take that camper-trailer up into the mountains with your family this weekend. Who is to blame? Well, why not the Jews? It's their Israel.

Your house is cold. There's no fuel oil. Who is to blame? Well, why not the Jews? It's their Israel.

Downtown Burbank is browned-out. There's not enough oil to last the winter. Who is to blame? Well, why not the Jews? It's their Israel.

It's Christmas, the birth of "our Saviour." But where are the lights? Who is to blame? Well, why not the Jews? It's their Israel.

It is almost fruitless to protest that it is not the fault of the Jews and "their Israel," that the energy shortage is the result of misuse and lack of planning, that the Arab blackmailers are seizing the opportunity to make Israel the scapegoat for their own dreams to control the world.

My God, if there were no Israel, the Arabs would still be turning off the taps at the behest of the Russians to sap the strength of the Free World. Israel is there—it has survived again—and it is so convenient to use the Jews. They have been used by so many for so long. (And all those who have done so have fallen—Rome, Spain, the Third Reich.)

"We Need Oil, Not Jews." This is more than a bumper sticker. It is a warning to the Jewish establishment in America—an America which has been home to Jews for more than 300 years. It is a warning to the so-called defense agencies, to the Federations, to the Jews of the left and the Jews of the right.

We are confronted with a situation which has a parallel in the Weimar Republic, when it became not only fashionable, but policy to "blame the Jews."

These crisis days are days of testing, not only for American Jews, who must find new ways to cope, but for all America as well. Can it, in the trying days ahead, survive as a nation for all peoples?

Wake up, Jewry. We must not drown in oil.

PARK RIDGE, ILL.: A CENTURY OF PRIDE

HON. SAMUEL H. YOUNG

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. YOUNG of Illinois. Mr. Speaker, I would like to call the attention of my colleagues to a centennial celebration taking place in Park Ridge, Ill. It has been said that the family is the cornerstone of the community, and the community is the cornerstone of the Nation. With cornerstones like Park Ridge, the United States has an unparalleled foundation in the history of the world. I would like to insert in the RECORD the following remarks about Park Ridge:

PARK RIDGE, ILL.: A CENTURY OF PRIDE

This year, 1973, the city of Park Ridge celebrates its centennial. One hundred years have passed since Park Ridge was incorporated under the law of Illinois.

The growth of Park Ridge is typical of many communities across the U.S. In the early 1800s peaceful Indians and farmers occupied the area. Fertile land, forests, and waterways such as the Des Plaines River offered ideal conditions for farming. More people came to this wilderness and settled. The Maine Township political government was officially organized in 1850.

The population began to increase after George W. Penny opened a brickyard in 1854. He was able to make bricks of excellent quality from a wealth of rich clay in the area and his business boomed. For the next five years the community was known as Pennyville. Penny's brickyard flourished when the railroad came through several years later. He was able to load his bricks on box cars and ship them to Chicago.

Pennyville was a community in which the people worked together and helped one another. When a structure was needed on property to cross the Des Plaines River, neighbors helped Mancel Talbott to construct a bridge, which lasted until an 1890 flood. Talcott was the first postmaster in the vicinity, and Talcott Road is named in his honor.

Education was, from the beginning of the community, important to the early settlers. The tiny school-house built by the pioneers grew into District 64, which today consists of nine public elementary schools, two junior high schools, and two public high schools.

The area was changing from an agricultural community to an affluent business town. Because of the brick industry the community continued to expand. At George Penny's request the name of Brickton was adopted. Penny's bricks were used for homes and churches throughout the area. The clay supply grew less and less until finally, in 1872, bricks were no longer manufactured. The people of Brickton wondered whether the town would survive without the brick industry.

It was the Great Chicago Fire of 1871 which turned the tide of events. Although much of Chicago was destroyed, the fire drove stricken city-dwellers out to the suburbs for a fresh start. Once again, Brickton began to grow. Incorporated as a village in 1873, the name of Park Ridge was selected on the Fourth of July. The name was an appropriate choice because of the high appearance of the town. George B. Carpenter was elected the first president of Park Ridge. In 1910, it was voted to change from village government to the city form of government. Dr. A. J. Buchheit, who still resides in Park Ridge, was elected its first mayor.

The centennial festival was held June 29 through July 4. This six-day "Birthday Party" was held at West Park, the Centennial Festival Fairgrounds. Festivities included performances by the Maine Township High School South Concert Band and Cavalier Drum and Bugle Corps. Featured also were rock band contests, a variety show, games and carnival rides for the children, and speeches by Mayor Martin Butler and other prominent citizens. The turn-out was tremendous. The plans and efforts put forth by the Centennial Committee were well-received and appreciated. Other events of the centennial celebration include the Centennial Ball, ceremonies on Armistice Day, and the Christmas Parade.

I would like to congratulate Mayor Martin Butler, the Park Ridge Historical Society, the Park Ridge Chamber of Commerce, and the citizens of Park Ridge for all of their efforts in making the year a memorable one. A great deal of community spirit and involvement went into making the centennial a success.

The officers of the Park Ridge Historical Society deserve special mention for their efforts: Peter Malone, Chairman; Paul Carlson, President; Harry Madsen, Treasurer; Eleanor Schiessle, Secretary; as well as the Board members; Mrs. Roberta Mellon, Mrs. Gladys Ahrensfeld, Mrs. Dorothy Hansen, Norman Brown, Mrs. Jan Juckett, Dr. Frank Lonan, Mrs. Denis Pomeraning, David Barnes, Robert Schwarz, James Schaefer, Irving Gillick, Herbert Anderson and Alden Wilson.

Park Ridge has indeed been a century of pride. It's a great city, and I'm privileged to represent its citizens.

CONGRESSMAN OTIS G. PIKE REPORTS TO HIS CONSTITUENTS ON 1ST SESSION, 93D CONGRESS

HON. OTIS G. PIKE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. PIKE. Mr. Speaker, this is my 13th annual report to my constituents of the First Congressional District. During the 13 years that I have been in Congress the First Congressional District has changed dramatically. Because of our exploding population on eastern Long Island several reapportionments of the area which I represent have caused the district to shrink. When first elected in 1960 the First Congressional District of the State of New York included all of Suffolk County and about a fourth of Nassau County. That same area today has three Congressmen.

While the size of the district which I represent has shrunk, the size of the job has increased just as dramatically. In 1961, the first year in which I served in Congress, the congressional session adjourned on September 27. This, believe it or not, made it the longest congressional session in 10 years. Those were the good old days. This congressional session will adjourn—hopefully—at the end of this week. That first session of my stay in Congress had a total of 116 recorded votes. This session of Congress has already had 530 recorded votes as this is written, and will probably reach 540 before the session finally ends.

When I first started issuing these annual reports it was possible to list almost all of the votes in reporting to you. Now it is only possible to hit the highlights of the year.

What a year it has been. First, it has obviously been an exciting year to be a Congressman. It has also been a controversial year and a difficult year, because of the aura of crisis which has hung over Washington for much of the year, and because of the critical nature of so many of the issues which were before Congress. The year started out easily enough. The Republican President had won a landslide victory, but so had a heavily Democratic Congress. It was a time in which peace had been declared if not achieved, and Congress started the year by devoting some time and energy to reforming its own rules and procedures. We opened up almost all of our committee meetings to the public unless closed for national security reasons. We finally adopted an efficient system of electronic voting; made it easier to pass noncontroversial bills, and embarked on a new study of the entire structure of the House of Representatives.

As the year progressed, however, the continuing Watergate revelations and continuing confrontations between the President and the Congress on many issues made the debates sharper and sometimes acrimonious. Issues on which Congress and the President split sharply included everything from minor issues such as keeping open America's 10 public hospitals to such vital ones as the war powers of the President.

The first issue involving widely differing positions as between the President and the Congress included the President's refusal to use funds previously authorized and appropriated by Congress for certain specific purposes, such as water pollution control, sewer construction, health and education. While Congress looked, usually in vain, for a means by which to compel the President to go ahead with these programs, court decisions throughout the country declared that the President had no legal authority to refuse to carry out the laws. The President responded by saying that Congress was fiscally irresponsible and had no overall budget controls.

The next major crisis involved the continued financing and fighting of the war, no longer in North and South Vietnam but now in Laos and Cambodia. While the Tonkin Gulf resolution could certainly have been interpreted as an action by Congress to authorize the prosecution of the war in Vietnam by the President, there was no congressional authority for fighting a war in Cambodia, and in fact for a long time the administration denied formally that any such activities were going on. Congress voted to cut off the funds for the war in Cambodia despite warnings from the military that Phnom Penh would fall within a matter of days if this were done. The President vetoed the bill, Congress failed to override the veto, and eventually the President agreed to stop the bombing.

By early in the year problems at home had diverted the Nation's attention from problems overseas. The economy was in trouble with inflation rampant and shortages developing in many areas of the economy. There were shortages of lumber, especially plywood; shortages of railroad boxcars; shortages of newsprint; shortages of certain textiles. As an effort was made to limit inflation through price controls, it became more profitable for producers of items in short supply to ship these items abroad. So Congress authorized new controls limiting exports of goods in short supply.

In the summer the first shortage felt by everyone appeared—the meat shortage, which was in turn caused by a shortage of livestock feed—primarily soybeans—which may in turn have been caused by a shortage of wheat resulting from the prior year's wheat sale to the Soviet Union. Meat prices were decontrolled and rose rapidly, but the shortages ended. The worst shortage was still to come. For years and years Americans have been consuming energy at an ever-increasing pace, especially petroleum. Between World Wars I and II our Navy switched from coal to petroleum as its principal source of power. American homes and industries which had traditionally relied on coal for heat switched to petroleum and natural gas. At the end of World War II America was only using about 5 million barrels of oil a day. By 1960 this had doubled to approximately 10 million barrels a day; by 1965 11½ million barrels a day, and today approximately 17 million barrels a day. If we were using the same amount of petroleum which we were using only 10 years ago we would be producing it all in America. Today, however, we import approximately 30 percent of our supply, half of this from the Arab world. The energy crisis has been with us for years, but until the Arab oil cutoff came no one had felt it.

This Congress through a great number of proposals has addressed the energy crisis. We have directed the allocation of gasoline, diesel fuel, home heating oil and other petroleum products, and regulations have been announced under that law. We have undertaken measures to increase the production of coal and to liberalize its use. We have authorized the expenditure of money for geothermal energy research, solar energy research, research in coal gasification, and the production of oil from both coal and oil shale. None of these measures will get us through our energy crisis without conservation efforts in which all Americans will have to share.

Hanging like a great dark cloud over all of the operations of Congress and of our Government has been that complex of issues ranging from burglaries in California and Washington to bombings in Cambodia, milk prices in America, illegal campaign contributions, and dubious tax returns bearing the general label—Watergate. The House Judiciary Committee has been given the momentous job of determining whether or not a resolution impeaching the President should be approved by the committee and voted on by the members of the House of Representatives. If such a resolution is approved by the committee and passed by the House, whose role is similar to that of a grand jury in such cases, the issue will be tried by the Senate of the United States. It will be a tough issue for everyone, and judging from my mail it may bring out the worst in many people. Old Republican friends have said they will no longer support me because I have gone too far in approving the investigation by the Judiciary Committee. Old Democratic friends have said they will no longer support me because I have not gone far enough in calling for impeachment.

So be it. No Congressman can ever please all of his constituents all of the time, nor do I make any pretense of doing so. What a Congressman can do and should do to the best of his ability is represent his district on a great many issues in a great many areas in a great many ways. We try. During the course of our 530 votes to date this year I have been present and voting on 519 issues.

Through our offices in Washington and Riverhead and through our representatives in Smithtown, Mr. Joseph Quinn, and Brookhaven, Mr. Robert Waldbauer, we have tried our best to take care of the thousands of problems, large and small, of average people which cross our desks each week. Both in the Armed Services Committee and on the floor of the House I have tried to assist our big industries with their big problems, and particularly in the case of our aerospace industries and electronics industries have been able to show some positive results.

This year for the first time the workings of the seniority system, in which I

am not a great believer, nevertheless brought me to the chairmanship of a permanent legislative subcommittee of the Armed Services Committee. This subcommittee has jurisdiction over all of the real estate and military bases, including all of the construction done at these bases both in the United States and overseas. The bill which our subcommittee reported out this year totaled $2,651,227,000. This figure represented a cut of 11 percent in the Defense Department's request, was reported unanimously by the full committee, and passed by a vote of 359 to 28 on the floor of the House.

Toward the end of the session I was given the responsibility of being chairman of another special subcommittee dealing with the energy needs and energy resources of the Department of Defense. The Department of Defense through four naval petroleum reserves, principally in the States of Alaska and California, controls a very significant portion of the oil reserves of America, yet particularly in Alaska we have no idea of how much oil is contained in this vast reserve. It will be the job of our subcommittee to recommend how these reserves should be used for defense purposes and how the Department of Defense can join with the rest of the Nation in energy conservation measures.

All in all it has been the most challenging year which I have enjoyed in the 13 years I have had the privilege of being your Representative. Following you will find a list of some of the more critical—and expensive—votes which we have had this year. I only regret that space and cost limitations make it impossible for me to list the entire 530, but I would be delighted to have the views of my constituents on this report and on these highlights of the 1st session of the 93d Congress. The voting record follows:

VOTING RECORD—1ST SESSION, 93D CONGRESS

JANUARY 3 TO DECEMBER 19, 197:

Date, issue, and Pike vote

Jan. 3—Election of Speaker (Albert 236; Ford 188), Albert.

Jan. 31—Create special committee to study role, jurisdiction and procedures of the standing committees of the House (yea 282; nay 91), yea.

Feb. 21—Extend through June 30 funding for Departments of Labor and Health, Education and Welfare at annual level of $29.8 billion and foreign military and economic aid programs at annual level of $3.6 billion for remainder of fiscal 1973 (yea 311; nay 73), nay.

March 7—Amend House rules to require open committee meetings except where national security or personal privacy was involved, or where a committee decided by majority vote to close its doors (yea 370; nay 27), yea.

March 13—Strengthen and expand programs under Older Americans Act of 1965, authorize $1.4 billion over three-year period; strengthen representation of interests of the elderly at the federal level (yea 329; nay 69), yea.

April 10—Pass over President's veto bill prohibiting impoundment of monies appropriated by Congress each fiscal year for water and sewer grants to rural communities (yea 225; nay 189), yea.

April 12—Authorize urgent supplemental appropriations for fiscal 1973 of $26.8 million for CAB, $468 million for the Veterans Administration, $872 million for college student aid programs and $1.8 million for the General Services Administration (yea 367; nay 0), yea.

April 16.—Extend President's authority to control wages and prices for one year to April 30, 1974 (yea 293; nay 114), yea.

April 18—Extend and expand Older Americans Act of 1965 authorizing $54.6 million as necessary for fiscal 1973–5 and strengthening interests of the elderly at the federal level (yea 348; nay 0), yea.

April 19—Amend Federal Aid Highway Program to permit urban areas to use $700 million in each fiscal years 1974–76 from the Highway Trust Fund for mass transit projects or roads (yea 190; nay 215), yea.

May 7—Provide additional burial allowances for veterans and consolidate most federal cemeteries under the Veterans Administration (yea 340; nay 1), yea.

May 8—Extend the National Sea Grant College and Program Act of 1966 and authorize funding of $30 million for fiscal 1974; $40 million for fiscal 1975 and $50 million for fiscal 1976 (yea 368; nay 9), yea.

May 10—Provide supplemental appropriations of $2,855,542,209 for 10 cabinet-level departments, several federal agencies and legislative branch operations for remainder of fiscal 1973 and prohibit appropriations or transfer funds from being used in or over Cambodia (yea 284; nay 96), yea.

May 15—Authorize $40 million contribution by the United States over fiscal 1974–78, with a maximum of $10 million for fiscal 1974, to the U.N. Environmental Fund for international environmental concerns (yea 266; nay 123), yea.

May 22—Amend Railroad Retirement Act and the Railroad Retirement Tax Act to extend temporary retirement benefit increases through December 31, 1974 and to liberalize eligibility requirements for railroad retirement (yea 387; nay 5), yea.

May 23—Pass, over President's May 18 veto, bill temporarily abolishing the Office of Management and Budget and subject director and deputy director to Senate confirmation, etc. (yea 236; nay 178), yea.

May 23—Authorize $3.1 billion for the National Aeronautics and Space Administration for fiscal 1974 for the U.S. space program and related activities (yea 322; nay 73), yea.

May 30—Authorize $8.68 million to complete the renovation of Washington's Union Station as a National Visitor Center and to direct secretary of the interior to provide for transportation services between the center and other points in the capital (yea 288; nay 75), yea.

May 31—Authorize $145 million for fiscal years 1974–76 for grants to local communities to plan, establish or initially operate emergency medical care systems and for research and training in emergency medical services (yea 261; nay 96), yea.

June 7—Authorize $687.4 million for the Department of State and related activities, require certain nominees to ambassadorships to disclose campaign contributions, and prohibit use of any funds authorized for reconstruction aid to North Vietnam (yea 331; nay 57), yea.

June 12—Adopt conference report on bill authorizing $77 million for Peace Corps in fiscal 1974 (yea 329; nay 64), yea.

June 15—Reduce 1974 crop price support ceilings from $55,000 per crop to $20,000 per person (yea 195; nay 157), yea.

June 15—Appropriate $9,385,750,600 for agricultural, environmental and consumer protection programs for fiscal 1974 (yea 304; nay 3), yea.

June 20—Appropriate $2,753,216,000 for the Department of Transportation and related agencies (yea 414; nay 2), yea.

June 21—Establish independent Legal Services Corporation to replace the legal services program operated by the Office of Economic Opportunity since 1965 (yea 276; nay 95), yea.

June 22—Prohibit National Science Foundation from funding research on live human fetuses (yea 28; nay 73), yea.

June 22—Authorize $612.9 million for the National Science Foundation in fiscal 1974 (yea 364; nay 6), yea.

June 22—Appropriate $19,070,954,000 for the Department of Housing and Urban Development, the National Aeronautics and Space Administration, the Veterans Administration and six other independent agencies for fiscal year ending June 30, 1974 (yea 316; nay 21), yea.

June 25—Authorize $2.4 billion for fiscal 1974 operations and programs of the Atomic Energy Commission (yea 398; nay 4), yea.

June 26—Appropriate $32,816,467,000 for the Departments of Health, Education and Welfare, Labor, and the Office of Economic Opportunity for fiscal 1974 (yea 347; nay 58), yea.

June 27—Pass, over the President's veto, $3,362,845,279 in supplemental fiscal 1973 funds for several departments and agencies and to bar funds in the bill and in previously enacted appropriations bills from being used to support U.S. military activity in or over Cambodia and Laos (yea 241; nay 173), yea.

June 27—Appropriate $2,269,554,200 in fiscal 1974 funds for the Department of the Interior, and $191,200,000 to liquidate contract authority (yea 405; nay 4), absent.

June 28—Add $4.7 million for geothermal energy research to Public Works, Atomic Energy Commission Appropriations, fiscal 1974 (yea 206; nay 205), yea.

June 28—Appropriate $4,676,395,000 in fiscal 1974 for public works, flood control and electric power projects, the Atomic Energy Commission and related agencies (yea 384; nay 26), yea.

July 10—Prohibit use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and the People's Republic of China (yea 139; nay 264), yea.

July 17—Adopt conference report on bill authorizing $185 million for fiscal years 1974–76 for federal assistance to area emergency medical care systems and to prohibit the Secretary of Health, Education and Welfare from closing 8 Public Health Service hospitals without specific authorization from Congress (yea 306; nay 111), yea.

July 18—Require President to report to Congress within 72 hours any commitment or increasing commitment of U.S. combat troops abroad, require him to terminate any such action within 120 days of his report unless Congress authorizes continuation, and allow Congress to direct by a concurrent resolution the termination of U.S. commitment at any time (yea 244; nay 170), yea.

July 19—Establish for four years a modified price support program for wheat, feed grains and cotton, continue food for peace and food stamp programs, establish a limitation of farm subsidy payments of $20,000 per farmer and prohibit the issuance of food stamps to strikers and their families (yea 226; nay 182), nay.

July 20—Authorize $80 million for fiscal 1974 and $95 million for fiscal 1975 for programming and construction of facilities for the Corporation of Public Broadcasting (yea 363; nay 14), yea.

July 25—Set a $267.1 billion ceiling on federal spending in fiscal 1974, provide procedures for either the House or the Senate to force the President to release impounded funds and direct the President to impound funds proportionately from controllable federal spending programs to meet the ceiling (yea 254; nay 164), yea.

July 26—Prohibit foreign assistance to any country which expropriates any property owned by U.S. citizens, repudiates any contract or imposes any discriminatory measures having the effect of expropriation, unless the President determines that appropriate steps

toward compensation are being taken (yea 278; nay 102), yea.

July 26—Authorize for fiscal year $978.9 million for foreign economic assistance, $632 million for Indochina postwar reconstruction, $1.15 billion for foreign military assistance and credit sales, and for fiscal 1975 $821 million for foreign economic assistance (yea 188; nay 183), nay.

July 30—Adopt conference report on Public Works-AEC Appropriations, to appropriate $4,749,403,000 for fiscal 1974 for public works, flood control and power projects, and for operations and facilities of the Atomic Energy Commission and other agencies (yea 373; nay 9), yea.

July 31—Prohibit U.S. forces from being stationed in any nation after June 30, 1974, for defense of that country unless the country paid proportionately (based on gross national product) as much as the U.S. for its national defense (Pike amendment) (yea 130; nay 282), yea.

July 31—Authorize $20.45 billion for military procurement, research and development and military assistance to South Vietnam and Laos in fiscal 1974 (yea 367; nay 37), yea.

August 1—Adopt conference report on appropriations of $19,056,500,000 for Department of Housing and Urban Development, the National Aeronautics and Space Administration, the Veterans Administration and six other independent agencies (yea 401; nay 9), yea.

August 2—Require President within six months after enactment to develop a National Petroleum Contingency Plan to assure equitable allocation of available crude oil and petroleum products among the states and the five Petroleum Administration for Defense districts at nondiscriminatory prices during periods of disproportionate shortages (yea 179; nay 233), yea.

August 3—Adopt conference report on Minimum Wage bill to increase the hourly minimum wage for most workers covered under the Fair Labor Standards Act of 1938 to $2.20 an hour after June 30, 1974, and to extend coverage to approximately 6.7 million additional workers (yea 263; nay 152), yea.

August 3—Adopt conference report on D.C. Appropriations appropriating from local revenues $954,731,200 for the District of Columbia for fiscal 1974 and setting the annual federal payment to the city (paid in lieu of taxes on federally owned property) at $187,450,000 (yea 342; nay 47), yea.

August 3—Adopt conference report appropriating $2,898,446,000 for fiscal 1974 operations and programs of the Department of Transportation and related agencies (yea 359; nay 5), yea.

September 5—Increase total face value authorized for federal flood insurance programs to $10 billion from $6 billion and to deny, after July 1, 1975, federal financing for acquisition or construction purposes to any community designated as a flood prone area which does not participate in the federal flood insurance program (yea 359; nay 21), yea.

September 6—Amend Export Administration Act of 1969 to require the Secretary of Commerce in most instances to determine materials or commodities to be subject to export controls as a result of current or prospective domestic inflationary impact or short supply of such materials (yea 220; nay 133), yea.

September 12—Pass, over President Nixon's Aug. 1 veto, Emergency Medical Services bill authorizing $185 million in fiscal 1974–76 for federal assistance to area emergency medical care systems and prohibiting the Secretary of Health, Education and Welfare from closing eight Public Health Service hospitals without specific authorization from Congress (yea 273; nay 144), yea.

September 13—Increase basic federal payment for each meal served under the National School Lunch and Child Nutrition Acts to 10 cents from 8 cents (yea 389; nay 4), yea.

September 13—Allow 3 years of television broadcasts of home games of certain professional sports if tickets had been sold out for at least 72 hours prior to gametime (yea 336; nay 37), yea.

September 18—Provide for the conservation, protection and propagation of species or subspecies of fish and wildlife threatened with extinction (yea 390; nay 12), yea.

September 19—Pass Minimum Wage bill, over the President's Sept. 6 veto, amending the Fair Labor Standards Act of 1938 to increase the minimum wage rates under that act and expand the coverage of that act (yea 259; nay 164), yea.

September 20—Adopt conference report on $2,433,137,200 appropriations for fiscal 1974 for the Department of Interior and related agencies (yea 385; nay 14), yea.

September 25—Adopt conference report on Agriculture, Environmental and Consumer Protection Appropriations of $9,927,667,000 for agricultural, environmental and consumer protection agencies for fiscal 1974 (yea 348; nay 24), nay.

October 2—Adopt conference report extending through fiscal 1976 the National Foundation on the Arts and Humanities Act of 1965 and authorize appropriations of $597 million for the 3-year period (yea 294; nay 106), yea.

October 3—Authorize $800 million for fiscal 1974–5 grants to state and local agencies for urban mass transit operating subsidies and increase the federal share of assistance for mass transit capital grant programs (yea 219: nay 195), yea.

October 4—Appropriate such sums as necessary up to a limit of $2,203,000,000 to maintain the gold value of U.S. financial commitments to the International Monetary Fund and international development banks in terms of the dollar which was devalued by 10 percent on Feb. 12, 1973 (yea 274; nay 90), yea.

October 11—Authorize $2,651,227,000 in fiscal 1974 appropriations for construction projects at military bases in the United States and overseas (Pike bill) (yea 359; nay 28), year.

October 12—Adopt conference report on War Powers bill establishing a 60-day limit on the President's powers to commit U.S. troops abroad, unless Congress declared war or specifically authorized the action or was unable to meet because of an armed attack on the United States, and permitting Congress to end such a commitment at any time by passage of a concurrent resolution (yea 238; nay 123), yea.

October 16—Adopt conference report appropriating $5,233,189,000 in fiscal 1974 for Treasury Department, U.S. Postal Service, Executive Office of the President and related agencies (yea 403; nay 10), yea.

October 16—Adopt conference report appropriating $605,189,933 for fiscal 1974 operations of the legislative branch (yea 400; nay 11), yea.

October 17—Direct President to establish a mandatory program to allocate crude oil and refined petroleum products to assure that shortages are shared equally by all users and all regions of the United States (yea 337; nay 72), yea.

November 6—Extend term of the federal grand jury of the District of Columbia investigating the Watergate break-in and coverup for six months beyond its normal expiration on Dec. 4, 1973, and permitting the U.S. District Court of the District of Columbia to extend it an additional six months upon the request of the grand jury (yea 378; nay 1), yea.

November 7—Pass, over President Nixon's Oct. 24 veto, War Powers bill establishing a 60-day limit on the President's powers to commit U.S. troops abroad (yea 284; nay 135), yea.

November 7—Reduce proposed temporary federal debt ceiling level to $475.7 billion from $478 billion (yea 263; nay 147), yea.

November 7—Increase temporary federal debt to $475.7 billion from $465 billion and extend temporary limit from Nov. 30, 1973 to June 30, 1974 (yea 253; nay 153), yea.

November 8.—Authorize $421.5 million plus $1 billion in federal loan guarantees to reorganize the six bankrupt railroads in the Northeast into one profitable corporation (yea 306; nay 82), yea.

November 13.—Adopt conference report appropriating $4,687,527,000 in fiscal 1974 for the Department of State, Justice, Commerce, the federal judiciary and 15 related agencies (yea 394; nay 11), yea.

November 14.—Appropriate $2,609,090,000 for fiscal 1974 Department of Defense construction of family housing, bachelor living quarters and other armed forces facilities (yea 366; nay 29), yea.

November 15.—Provide $1 million for the House Judiciary Committee to carry out its investigation of impeachment charges against President Nixon (yea 367; nay 51), yea.

Increase Social Security benefits by 7 per cent in March 1974 and an additional 4 per cent in June 1974, increase the Social Security payroll tax wage base to $13,200 in January 1974 and provide future adjustments in the payroll tax rate and move up to January 1974 from July 1974 scheduled increases in benefits under the federal supplemental security income (SSI) program which was scheduled to replace existing federal-state matching assistance programs for the aged, blind and disabled poor (yea 391; nay 20), yea.

November 27—Provide for daylight savings time from the first Sunday occurring 15 days after enactment until the last Sunday in April 1975 (yea 311; nay 88), yea.

November 28—Extend Manpower Development programs providing for employment and training opportunities for the unemployed (yea 369; nay 31), yea.

November 29—Provide for House disagreement to Senate amendments to the federal debt limit bill and return the bill to the Senate (Senate had added to the bill amendments to provide for federal financing of presidential and congressional election campaigns) (yea 347; nay 54), nay.

November 30—Appropriate $74,488,609,000 for Department of Defense activities and all major armed forces and weapons programs in fiscal 1974 (yea 336; nay 23), yea.

Appropriate supplemental funds totaling $1,433,035,718 for several federal departments and agencies in fiscal 1974 (yea 295; nay 8), yea.

December 3—Authorize $600 million in fiscal 1974–76 for prevention and treatment of child abuse and neglect and establish a National Center on Child Abuse and Neglect (yea 354; nay 36), yea.

December 3—Amend International Travel Act of 1961 to authorize $40 million in fiscal 1974–76 for programs to encourage foreign travelers to visit the United States (yea 272; nay 120), yea.

December 4—Adopt conference report on bill authorizing $2.4 billion for foreign economic and military assistance in fiscal 1974 and $922 million in economic assistance in fiscal 1975 (yea 210; nay 193), nay.

December 4—Declare it the policy of Congress to support, protect and enhance the coastal and offshore fisheries resources of the United States (yea 405; nay 0), yea.

December 5—Adopt conference report on bill appropriating $32,926,796,000 in fiscal 1974 funds for the Department of Labor and Health, Education, and Welfare and related agencies (yea 371; nay 33), yea.

December 5—Revise congressional procedures to give Congress better control over federal spending and fiscal policy and allow either the House or the Senate to direct the

President to spend impounded funds (yea 386; nay 23), yea.

December 6—Confirm President Nixon's nomination of Rep. Gerald R. Ford (Mich.) to be Vice President of the United States (yea 387; nay 35), yea.

December 7—Adopt conference report on bill appropriating $2,658,861,000 in fiscal 1974 for construction of military family housing, bachelor quarters and other installations in the United States and overseas (yea 329; nay 40), yea.

December 11—Forbid extension of credits or guarantees by any federal government agency for trade with a Communist nation if the President found that its government denied the right to emigrate or imposed more than nominal fees or taxes on citizens who wished to emigrate (yea 319; nay 80), yea.

December 11—Give President broad powers to negotiate trade expansion agreements and to take steps to reduce trade barriers subject to congressional veto procedures, grant import relief, provide adjustment assistance for workers and industries hurt by imports and retaliate against unfair trade practices (yea 272; nay 140), yea.

December 11—Authorize $2.2 billion in emergency security assistance for Israel (yea 364; nay 52), yea.

December 11—Reduce funds for emergency military assistance for Cambodia to $50 million from $150 million (yea 147; nay 256), yea.

December 11—Appropriate $5,833,912,000 in fiscal 1974 for foreign economic and military assistance (yea 219; nay 180), nay.

December 13—Ban allocation of petroleum for busing of students to schools farther than the school nearest to their homes (yea 221; nay 192), nay.

December 13—Extend through the 1977-model year the interim federal vehicle emission standards for the 1975-model year (yea 199; nay 180), nay.

December 14—Direct President to take action to assure, through energy conservation, rationing and other means, that the essential energy needs of the United States are met (yea 265; nay 112), nay.

December 17—Adopt conference report providing elected Mayor and City Council for the District of Columbia (yea 272; nay 74), nay.

December 19—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 (yea 355; nay 25), yea.

PRESIDENT'S RECORD GOOD

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks, I include the following newspaper article:

PRESIDENT'S RECORD GOOD

(By Ira C. Eaker)

Mr. Nixon, any president, has many very important responsibilities, but the conduct of foreign affairs and command of our armed forces must be the most decisive roles he plays.

Errors and mismanagement in none of his other duties can cost our people their freedom.

Fundamental errors in diplomacy and mistakes in the command of our armed forces can lead to our defeat or destruction.

Leaving to those experienced and informed in those areas an assessment of his accomplishment in all of his other duties and responsibilities, I shall confine my observations only to his performance as commander-in-chief.

When Richard Nixon became President, the United States had 500,000 men bogged down in the jungles of South Vietnam.

President Nixon, mindful of his resources and with a better understanding of enemy capabilities, obtained a cease-fire agreement.

He accomplished this by destroying enemy sanctuaries in Cambodia, by intercepting supply routes in Laos, by attacking the sources of enemy power in North Vietnam and by mining Haiphong Harbor.

His intemperate critics were certain that these bold steps would stop the progress on détente with Russia and Red China. Instead these much criticized initiatives facilitated his diplomatic efforts to reduce cold war tensions.

Mr. Nixon announced a new U.S. policy, which now bears his name, to curtail our involvement in future Vietnams. The United States would help other nations to resist Communist aggression by supplying them with weapons and equipment only when they showed the will and determination to do the fighting.

After the wind-down of the Vietnam War, Mr. Nixon reduced the armed forces by a million men, civilian and military, without destroying their continued effectiveness as a credible deterrent to nuclear war.

This decisive point was proved when Brezhnev refrained from unilateral, armed intervention in the Middle East war after the President alerted our strategic forces.

President Nixon clearly has demonstrated that he is a successful negotiator with the Communists. He understands them and that they respect only military force.

The rapport or mutual respect he has established with the leaders in Moscow and Peking is our best prospect for mutual reduction of nuclear forces. Congress could defeat his efforts by insisting upon unilateral disarmament and dangerous reduction of defense appropriations.

President Nixon abandoned the inequitable, iniquitous system of raising military manpower by conscription and wisely substituted all-volunteer defense forces.

He has recommended and requested funds to modernize our strategic forces with new weapons systems that have been long delayed. This necessary and all-important program now requires only favorable congressional action on the '74 and subsequent defense budgets.

Finally, President Nixon undoubtedly saved Israel by the prompt air resupply effort in the first 10 days of the war, when all other nations had abandoned her, and by dissuading Russia from unilaterally intervening with combat forces. This required prompt and decisive diplomatic initiatives, backed by adequate military resources.

When passions have cooled, Mr. Nixon, like his bitterly criticized predecessors, Abraham Lincoln, Franklin D. Roosevelt and Harry S. Truman, may be vindicated.

Those who revile and castigate him today may reluctantly admit that he was eminently successful in his greatest responsibilities: the conduct of foreign affairs and as commander-in-chief of our defense forces. That, I believe, will be the verdict of history.

NATIONAL EMERGENCY ENERGY ACT

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. ROUSSELOT. Mr. Speaker, it becomes obvious to me as we await the return of the conference report on S. 2589, the so-called National Emergency Energy Act, that we in the Congress are overreacting and channeling our legislative efforts in the wrong direction. Rather than freeing the energy industries from controls and regulations, we are adding to them, and delegating almost unlimited authority to the Executive.

This legislation ignores the fact that overregulation by the Federal Government has actually discouraged the necessary capital investments by the energy industries to find and produce additional supplies, as well as explore and develop alternatives. Regulation of gas at the wellhead, oil import quotas, wage and price controls, combined with the reduction of the oil depletion allowance in the 1969 tax law, have all been responsible for creating an atmosphere of investment uncertainty in the industry. For these reasons, I am opposed to S. 2589 which can only make a bad situation worse for the American consumer.

The following statement given by Mr. John G. Winger, vice president of Chase Manhattan Bank and manager of the bank's energy economics division, before the Subcommittee on Energy of the Senate Committee on Finance on November 29, 1973, clearly states the causes that have led to our energy problem reaching the crisis stage. In this statement, Mr. Winger points out:

> Government must take several constructive steps before domestic resources can be developed. It must remove the price controls that prevent the generation of sufficient capital funds and stifle the incentive to invest. It must permit much greater development of the energy resources located on the vast public lands under its jurisdiction. And it must rewrite the environmental law to make it more realistic, practical, and compatible with the nation's over-all needs.

I urge all my colleagues who are inclined to vote in favor of S. 2589, and subsequently more involved Government intervention in the private sector, to consider and study Mr. Winger's remarks in the hope that we in the Congress can redirect our thinking. The only solution to assuring an adequate supply of energy is to free the industry from controls and allow the free market forces to function.

The statement follows:

STATEMENT OF JOHN G. WINGER, VICE PRESIDENT, THE CHASE MANHATTAN BANK, N. A., NEW YORK, N.Y., BEFORE THE SUBCOMMITTEE ON ENERGY OF THE SENATE COMMITTEE ON FINANCE, WASHINGTON, D.C.

Mr. Chairman and members of the Subcommittee: My name is John G. Winger. I am a vice president of The Chase Manhattan Bank in New York and am manager of the Bank's Energy Economics Division. I have been associated with the Bank as an energy economist for the past 24 years. I am appearing before you today to discuss the financial requirements of the energy industries if they are to provide an adequate supply of energy.

My testimony today will prove more meaningful if two vitally important facts are understood at the outset. First, we should recognize that the satisfaction of virtually all needs for goods and services involves the use of energy. In fact, I can't think of a single business activity that is not dependent to some degree upon some form of energy. In the United States, as much as 70 per cent of all energy consumption is related to business activities. For a long time there has been a consistent relationship between energy con-

sumption and the nation's Gross National Product, measured in constant dollars. And there are no apparent reasons for expecting this relationship to change in the future. Obviously, an adverse impact on the nation's economy would be the certain consequence of an energy shortage.

We should also realize that the supply of energy is directly related to the expenditures made to provide that supply. That principle applies to all forms of energy—fossil fuels, water power, nuclear power and the various exotic forms not yet in use. If the expenditures required to find, develop, or otherwise make available a supply of energy are insufficient, a shortage will surely occur no matter how abundant the basic energy resources.

The United States does not lack basic energy resources—an enormous additional supply could be made available if the necessary expenditures were made. But the nation is now on the threshold of a serious energy shortage because the required capital investment has been inadequate for a long period of time. It is a shortage that existed before the current crisis in the Middle East. Our concern about the likelihood of an energy shortage was aroused nearly 20 years ago when we first detected the signs of inadequate capital spending. The failure of the energy industries to spend more was not the result of an arbitrary decision on their part—it was instead the result of faulty policies of government that prevented the generation of the necessary capital funds.

The nation must now live with the harvest those policies have reaped. Numerous business activities are now unable to obtain all the energy they require and the situation is certain to worsen in the years immediately ahead. By 1976, the energy needs of the United States are expected to be 20 percent larger than in 1972. But there is no possibility that the supply of energy can be increased that much. Let's consider separately the outlook for each of the various sources of energy.

The supply of natural gas will actually be lower in 1976 than it was in 1972. Production can't be increased because the capital expenditures needed to find and develop a new supply have been inadequate for the past two decades as the result of restrictive price controls.

The same price controls created competitive conditions that prevented the generation of the capital funds needed by the coal industry to expand its productive capacity. And there is now a shortage of coal despite the known existence of vast coal reserves. In fact, the United States has within its borders one-third of all the coal in the entire world. Only a modest increase in the supply of coal is in prospect for 1976, not only because of the financial limitations, but also because of environmental restraints on both the production and the burning of coal.

An even smaller increase is in prospect for water power because only a small number of dam sites remain to be developed in the United States. Conceivably nuclear power might be expanded substantially but environmental restraints, the failure of the Atomic Energy Commission to license new plants soon enough, the continuing failure of contractors to deliver plants on schedule, and problems associated with the enrichment of nuclear fuel will all operate to restrict severely the growth that actually can be achieved by 1976.

Because of the extremely limited ability to expand the supply of other forms of energy, the demand for oil in 1976 is expected to be fully one-third greater than in 1972. But none of the increased needs can be satisfied from domestic sources. There is absolutely no possibility that oil from the North Slope of Alaska can be brought to market as soon as 1976. And other domestic supply is expected to decline as a result of the long lasting inadequate search for new reserves in the past. Therefore, all of the increased demand will have to be satisfied with imports—if possible. That means imports must more than double by 1976 and constitute more than half of the nation's total oil supply.

But there is no likelihood that the United States will be able to import as much oil as it will need in 1976. In recent years the petroleum industry has been unable to build new refineries as a result of environmental restraints. Consequently, market needs have had to be satisfied increasingly with imported refined products. The refinery deficiency can't possibly be overcome by 1976 and the need for imported refined products at that time will be more than twice as great as in 1972. But it can't be satisfied—there is not enough spare refinery capacity anywhere in the world now and there won't be enough in 1976 either. Moreover, the governments of other nations can be expected to place an embargo on the export of refined products if their internal needs are not fully satisfied. As you know, the United States Government recently took a similar action in respect to agricultural products. In addition, there is the continuing possibility that some of the major crude oil exporting nations may restrict the outflow of oil for either economic or political reasons, as is now happening in the Middle East and Africa.

Under the most favorable circumstances that can be expected, the United States will experience a 5 percentage shortage of energy in 1976. But it is quite possible that the shortage could be as great as 15 percent. As more and more business activities are forced to curtail operations because of a lack of energy, a chain reaction can be expected. Shortages of other commodities and goods and rising unemployment are among the certain consequences. It is inconceivable that the Gross National Product can continue to grow as much as otherwise might be expected if the supply of energy is inadequate.

These, of course, are developments that hopefully will bring forces of correction into play. But they are likely to be slow in coming. The United States must develop its own basic energy resources. It can't depend upon outside supplies—there simply isn't enough elsewhere. Government must take several constructive steps before domestic resources can be developed. It must remove the price controls that prevent the generation of sufficient capital funds and stifle the incentive to invest. It must permit much greater development of the energy resources located on the vast public lands under its jurisdiction. And it must rewrite the environmental law to make it more realistic, practical, and compatible with the nation's over-all needs. Until such legislation is enacted, much of the development of energy resources can be obstructed.

At best, the United States is destined to experience an energy shortage for several years to come. Whether conditions improve thereafter will depend upon how soon corrective forces are applied.

An energy shortage is by no means limited to the United States. It looms for the rest of the world as well. Time does not permit a full discussion of the prospects for all forms of energy so I am going to concentrate on the outlook for oil alone. Oil is the single most important form of energy—it will satisfy a much broader range of purposes than any of the other forms. Between 1970 and 1985 oil alone is expected to be called upon to satisfy nearly 60 percent of the total energy needs of the non-Communist world.

On a worldwide basis, and quite apart from the current cut-off in the Middle East and Africa, the availability of oil can be termed tight. And it is likely to become even tighter. In the brief period ranging from 1970 to 1985 the world will consume nearly three-fourths of the total proved reserves of oil now in existence. Obviously, the proved reserves—or underground inventories—in 1985 will have to be much larger to accommodate a worldwide demand for oil that is expected. Therefore, the petroleum industry will have to find twice as much new oil in the 1970–1985 period as it did in the preceding 15 years.

If the industry is to find that much oil, it must greatly expand its search. And that will necessitate, of course, a much greater capital investment. Approximately 450 billion dollars will have to be spent for capital purposes between 1970 and 1985—far more than the 104 billion actually invested in the search for petroleum in the preceding 15 years. In addition, the petroleum industry will need to spend another 360 billion dollars for refineries, tankers, pipelines, storage equipment, and marketing facilities. Therefore, if the world's needs for petroleum are to be fully satisfied, the industry will have to invest more than 800 billion dollars in the 1970–1985 period. That's four times more money than was spent in the previous 15 years.

There are other financial needs to be met, of course. For debt service, enlarged working capital, and dividends the industry will require nearly 550 billion dollars. The total financial requirements for the 15 years, therefore, will amount to 1,350 billion dollars. There are, however, reasons for doubting that the industry can generate such an enormous amount of money. Unless the industry can experience a much greater growth in earnings than it has achieved in recent years, it will fall far short of its goal. In that event it will be unable to make the investment required to find the oil the world's markets will require. And that would indeed create a worldwide shortage of energy.

I am sorry I must paint such a bleak picture. But the problems are real and they demand our attention. They can be solved if we are willing to pay all the costs of providing a sufficient supply of energy. If we do not pay them, the ultimate costs in terms of an economic and social impact will be much greater.

H.R. 9935: A BILL TO PROTECT PRIVACY OF INDIVIDUAL INCOME TAX RETURNS

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WHITE. Mr. Speaker, on August 3, 1973, I cosponsored H.R. 9935, introduced by Congressman LITTON, Democrat of Missouri. This bill has 23 other cosponsors. It is awaiting action in the Committee on Ways and Means.

H.R. 9935 will amend the Internal Revenue Code to make it more difficult for Federal agencies and employees to gain access to the individual income tax returns of American citizens. In essence, it provides that no Federal agency or employee may inspect any tax return pursuant to sections 6103 and 7213 of the Internal Revenue Code except upon a specific order of the President which identifies by name the person who filed such return.

I have cosponsored this bill because of information revealed during the extensive hearings held in July 1973, by the Subcommittee on Census and Statistics, of which I am chairman, on the administration's attempt to postpone the statutorily required 1974 census of agriculture. In those hearings, the testimony of several witnesses was heard in opposition to the President's Executive Order 11709,

which would permit any employee of the U.S. Department of Agriculture to inspect any and all farmers' tax returns, provided that the information inspected could be considered as a measure of the size of the farmer's farming operation. Obviously, almost any piece of information on the farmer's tax return could be examined in eliciting this information.

I am opposed to any Executive order, or legislation, that would give blanket authorization to Federal employees allowing them to snoop at random through the tax returns of any person simply because he happens to be a member of a particular group—a farmer, in the instance brought to my attention.

If inspection of an individual's tax return is warranted, the bill I am cosponsoring will require that the person be specifically identified by the President before the confidentiality of his tax return will be violated.

I urge my colleagues to give H.R. 9935 their serious consideration.

BO LUNDBERG: STOP THE SST

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. REUSS. Mr. Speaker, despite the decision by Congress in March 1971, to terminate the SST development program, NASA still is spending $11.7 million a year for SST research. This was justified in the President's 1974 budget as necessary "to provide the United States with the option to initiate development of an advanced supersonic transport later in the 1970's."

Bo Lundberg's article, "Why the SST Should Be Stopped Once and for All," in the September 1973, issue of Search, the journal of the Australian and New Zealand Association for the Advancement of Science, gives some good reasons why this option should be discarded and forgotten. A summary of Mr. Lundberg's article follows:

WHY THE SST SHOULD BE STOPPED ONCE AND FOR ALL

(By Bo Lundberg)

SUMMARY

SSTs will inevitably be far more complex than subsonic aircraft because they have to fly in two widely different aerodynamic environments, subsonic and supersonic. And, as the time interval between two consecutive models must be much longer than for subsonics, a great number of innovations must be introduced simultaneously for each new SST model to catch up with the continuing progress in subsonic technology.

The possibilities of minimizing the basically foreseeable accident risks through long service experience—the main foundation for flight safety—are far less for the SSTs because the volume of SST operation can never, even nearly, approach that of subsonic aviation. Furthermore, laboratory testing is much less efficient for SSTs due to the exceptionally long testing times required for simulating their aerodynamic heating.

With respect to unforeseeable risks—which cause most air disasters—it follows from statistical reliability laws that the probability of accidents increases very rapidly with the number and complexity of innovations introduced simultaneously.

Mainly because of these "laws" SSTs will be much less safe than subsonics.

The inevitable SST sonic boom is definitely unacceptable over inhabited land and will often be annoying, sometimes frightening, to people at sea. Furthermore, SSTs are bound to produce much greater airport noise than quiet subsonic jets, primarily because large-diameter engines are incompatible with supersonic speeds.

For these reasons SSTs are socially unacceptable even disregarding their appallingly high fuel consumption per passenger kilometer, and the cosmic radiation and ozone depletion hazards.

Because above all of the shock-wave drag—requiring more powerful engines with higher fuel consumption—and the greater complexity, the hull, engine and fuel weights of an SST inevitably add up to a much higher percentage of the gross weight than for subsonics, yielding a much smaller payload/gross weight ratio. The complexity, and limited production, results also in a considerably higher production cost per pound empty weight.

The resulting very high price/payload ratio and the excessive fuel consumption can but to a small extent be compensated by the only moderately higher productivity (= aircraft mileage per year). For this main reason SSTs will be grossly uneconomic in competition with subsonics.

As the usually marginal benefit (to a small minority of air passengers) of the moderate time gain by SSTs cannot by far outweigh any of these three serious drawbacks, each one alone is more than sufficient reason for abandoning the SST dream once and for all.

FAUNTROY INTRODUCES URBAN HOMESTEAD BILL FOR DISTRICT OF COLUMBIA

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. FAUNTROY. Mr. Speaker, I am pleased to announce that today I am introducing legislation to establish an urban homestead program for the District of Columbia. This program has been designed to offer a family of low or moderate means the opportunty to own their own home.

As many of you know, the District has nearly 2,800 tax sales per year of which most are single family dwelling units. Of this figure, nearly 1,800 are abandoned. Almost all of these units need substantial rehabilitation or will require the construction of a new facility upon them. Additionally, this bill would make all of the land at the Bolling-Anacostia Air Field, which was exempted from construction of military facilities by the National Capital Planning Commission, eligible for urban homesteading. I estimate that 2,100 houses can be constructed there.

The purpose of this bill is to make it possible for a low- or moderate-income family with little capital, but the will and capacity to restore an abandoned house to purchase the house for $1 in return for an agreement to rehabilitate the house and live in it for 5 years. The program will be administered by a Homesteading Commission composed of representatives from each segment of the community that is affected—financial, realty, and legal—will be members of the commission, along with six residents of whom at least two must have low or moderate incomes.

Whenever property which is delinquent in its tax payments is not redeemed by an owner or a lien holder, it will be given to a qualified applicant by Homesteading Commission. To qualify, an individual must be at least 18 years old and the head of a household domiciled in the District. The person must agree to rehabilitate or construct a dwelling in which he will live for at least 5 years. After that time, he will become the absolute owner and will then be able to do whatever he wants with the land and the building. Of course, only those individuals who do not own other real estate can participate.

In order to assist this person obtain the necessary financing to repair or build a dwelling, the Homesteading Commission is authorized to guarantee a loan or advance money if the otherwise eligible applicant cannot obtain financing. Furthermore, during the 5-year period as which the city has a right to reacquire the property for some default on the agreement, any financial institution which lends money will receive the proceeds of a default sale of the property which must be for its fair market value.

My bill should not impose unreasonable costs to the District. The city can expect to lose the amounts that it would have received from a tax sale plus whatever amounts of money it loses in the guarantees that it may have to give. And, of course, there are staff salaries and other related expenses, which I expect will be minimal. The resulting gains will, however, more than offset any monetary expenditure. In the first place, abandoned property, of which much is held by speculators will be put into the hands of low- and moderate-income families who will fix it up and make it into tax paying property. Second, it will bring added stability to a neighborhood by driving out speculators who tend to create fears and additional deterioration by depriving them of a prime source of property which is traded by the current tax sale mechanism. Finally, it will bring into productive use the Bolling-Anacostia site which must be developed for private use if our long awaited dream of bringing an engine of economic growth and stability to that area is to be realized.

While this program will not resolve all of the housing problems of our low- and moderate-income families, it will offer to a substantial number of them the opportunity to own a home of their own. Essentially what is being provided is the capital stake for a family able to make regular monthly payments but unable to save enough for the downpayment and settlement fees that are required. The overwhelming majority of persons who will be helped are those who are now living in crowded rented quarters at fairly high rents. This bill can change that for many of these families.

The recent series of articles in the Washington Star-News has once again served to reemphasize the desperate

shape of the existing housing programs in the city. I hope that this bill coupled with a renewed interest by the city administration will ameliorate part of the plight of our citizens.

I have now introduced four major pieces of legislation designed to affect the housing programs of this city in addition to numerous other bills which I have cosponsored. These four bills constitute a sizable package which lessen our housing needs. The first of these two are the Urban Development Bank and the Urban Development Corporation. The former would have provided funds for those projects that the private commercial banks are unable to undertake while the latter would have consolidated the numerous alphabet agencies that have a little responsibility for housing and economic development into a single viable agency with the full panoply of powers to deal effectively with our needs. The hird tool in this arsenal is the recently enacted rent control law, on which city hearings are scheduled for January.

The last is this bill. Homesteading is not a new idea. It is the mechanism that allowed rural America to develop and prosper and to expand westward into the frontier and more recently into Alaska. It is premised upon hard work by the citizen and minimal assistance by the government. I have broadened that concept by bringing it into this city, into our own urban environment, and making it possible for the poor urban family, as well as his rural counterpart, to have a stake in the land.

In its various sections, the bill provides as follows:

Section 1.—Titles the Act as the District of Columbia Urban Homestead Act of 1974.

Section 2.—Lists five findings of Congress of the need for this program.

Section 3.—Provides definitions of certain terms used in the bill.

Section 4.—Establishes a nine member Commission appointed by the Commissioner with the advise and consent of the City Council so that one each will represent the financial, realty, and legal profession. The remaining six will represent the general interest of D.C. residents of whom at least two must be of low or moderate incomes. The Commission is also given appropriate rule making authority.

Section 5.—Requires the D.C. Assessor to maintain lists of property which are delinquent in tax payments and to transfer such lists to the Commissioner who shall offer the properties for sale to only record lien holders.

Section 6.—Provides for the conditions of the sale authorized in Section 5. If no recorded lien holder should bid the amount of taxes, penalties, and costs, and if the record owner should fail to redeem the property within six months, the property shall be transferred to the Commission with all claims against the property by anyone being extinguished.

Section 7. Lists the requirements of a qualified applicant and the procedures to be followed in determining a recipient if more than one qualifies for a particular property as well as the execution of the agreement which is to be signed at the time of the transfer. To qualify, one must be at least 18 years old and domiciled in the District of Columbia as the head of a household. The individual may not own realty and he may not have been the beneficiary of this or another similar program. The agreement into which he enters provides that he will construct or rehabilitate and live in the dwelling for five years during which time it will be maintained in all manner of obligations including mortgages, taxes, and insurance. Should the owner-applicant fail to comply, the property reverts to the Commission which shall sell it for its fair market value and apply the proceeds to the record liens. This section also authorizes the Commission to guarantee an applicant's loan for construction or rehabilitation for as long as there exists a possibility of reverter. An eligible applicant or owner-applicant can also receive funds from the Commission if he cannot obtain a loan provided, however, that he is otherwise qualified.

Section 8. Provides the method of title recordation and requires the owner-applicant to pay all proper taxes and assessments.

Section 9. Transfers the Bolling-Anacostia Air Field to the Commission to be used in this program. It also authorizes the Commission to lease portions of the Base for services and facilities which would be provided by the lessee. Finally, all land and property held by the RLA which can be used to further this program is also transferred to the Commission.

Section 10. Authorizes an appropriation to carry out this Act without fiscal year limitation.

Section 11. "Quiets" the title in the owner except for actions brought pursuant to the Act.

H.R. 11225 SEEKS TO PROHIBIT DISREGARD OF THE LAW BY CENSUS BUREAU

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. WHITE. Mr. Speaker, on October 31, 1973, I introduced H.R. 11225, which was sponsored by Congressman JAMES M. HANLEY.

Quite simply put, this bill requires the Census Bureau to timely carry out the statistical compilation and periodic censuses that it is already mandated by law to do. The bill also provides penalties for those failing to adhere to its provisions.

I, indeed, regret that the introduction of such a bill was necessary. However, the events of the past summer concerning the administration's attempted postponement, for 4 years, of the statutorily required 1974 Census of Agriculture led Congressman HANLEY and me to the conclusion that such legislation would be required if, in the future, the statistical and census programs the Bureau of the Census is obligated to undertake are to be conducted timely and efficiently.

The Subcommittee on Census and Statistics, of which I am chairman, held extensive hearings in July of 1973 on the administration's proposed scuttling of the 1974 Census of Agriculture. We received numerous statements for the record, and heard testimony from many witnesses. These witnesses represented data user groups, the Census Bureau, the Department of Agriculture, and the Office of Management and Budget—OMB.

Though section 142 of title 13, United States Code, required, in plain English and beyond cavil, that a census of agriculture was to be conducted by the Bureau in 1974, OMB, as it did with so many other congressionally funded programs in 1973, impounded the funds that Congress had lawfully appropriated to enable the Census Bureau to adequately prepare for the taking of the 1974 Census of Agriculture.

OMB, without any legal sanction whatsoever, thus sought to arbitrarily thwart the will of the Congress that the 1974 Census of Agriculture be taken.

When called to testify before my subcommittee, the OMB representative attempted to justify the administration's plan to postpone the agriculture census by asserting the rather futile hope that Congress would enact amendatory legislation, submitted several months earlier by OMB, to postpone the taking of the agriculture census to 1978. OMB took its action in spite of the fact that not a single Representative or Senator, Democrat or Republican, had introduced or sponsored its proposed legislation.

In September 1973, OMB saw the handwriting on the wall, relented on its impoundment of the agriculture census funds, and reluctantly agreed to the taking of that census as scheduled. All of this occurred, of course, after a period of almost a year had elapsed during which the Census Bureau was not able to carry out the tasks it normally would have in preparation for taking the agriculture census.

What has been recounted above points out the danger that could be posed in the future to other vital Census Bureau periodic censuses and statistical compilations that are required by law.

Congressman HANLEY and I have, accordingly, introduced H.R. 11225 to prevent such a situation recurring.

Our bill provides that statutorily required Census Bureau censuses and statistical compilations shall be adequately prepared for and taken in a timely and accurate manner. Any officer or employee of the executive branch who, without the prior consent of Congress, evinced by a concurrent resolution, acts or otherwise seeks to delay or postpone the preparation for, or the taking of, any of such censuses or compilations within the 12 months preceding the statutorily prescribed date for taking same shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

The bill also provides, however, that it is not applicable to officers or employees of the executive branch in the exercise of their constitutional right to urge legislation upon the Congress, and to testify in support of introduced legislation, which would have the effect of delaying, postponing, or abolishing a statutorily required Census Bureau census or statistical compilation.

I believe that the bill put teeth in the present law to assure that the Census Bureau's lawfully required censuses and compilations are timely taken, and to prevent any further executive branch meddling with the production of economic and other data that is obvious benefit to our Nation. In addition, I believe the bill will allow the expression of sincerely held viewpoints by the Census Bureau, OMB, and others who seek changes in the timing or content of laws requiring the production of such data.

I urge my colleagues to give H.R. 11225 their serious consideration.

IT IS TIME TO END NIGHTMARE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks, I include the following article appearing in the San Diego Union of November 12, 1973:

IT IS TIME TO END NIGHTMARE

When wages and prices were frozen in the United States of America for the first time during peacetime in 1971, controls were accepted as a temporary expedient to meet an economic emergency.

The emergency was real enough. The economic havoc created by years of excessive federal spending and deficit budgets had caught up to us in the form of rampant inflation. The stress on temporary controls also was realistic. The experience of the United States with controls during World War II and the Korean War made the country aware that they were not a substitute for the law of supply and demand.

So the United States determined on Aug. 15, 1971, to freeze wages and prices for only 90 days while a program was devised for an orderly phase out of controls. Phase II, the first refinement followed on Nov. 15. Since then we have waded through Phase III in 1972 and embarked on Phase IV last July 18.

Throughout the period it has been evident that the earlier experience of the United States with controls was not an aberration. The housewife who tries to stretch her budget to meet the inroads of rising prices knows it. Dairy farmers who are going broke because they cannot earn enough to meet expenses know it. The farmers, who see fertilizer that they need being shipped to Europe where it commands higher prices, keenly feel the bad effects of controls. So does the working man who is paid more than ever but who finds it harder to make ends meet. The list is endless. It includes the industrialist who is confronted with shortages of raw materials or prefabricated parts, the gasoline station operator who was forced to sell gasoline at a loss, and so forth.

Thus, it is no surprise that the clamor for removal of controls as soon as possible is widespread, extending across the country and among citizens of all walks of life. Indeed, the awareness also extends to the Administration where Cost of Living Director John Dunlop is pondering the same problem that his predecessors pondered back in 1971—how to phase out of controls with the least damage.

One of his thoughts is that should controls be permitted to expire on April 30 when the present statutory authority for them expires, the federal government must create a permanent economic stabilization board to act as a watchdog over labor and business. His view is shared by such eminent and powerful economists as Arthur F. Burns, chairman of the Federal Reserve Board. Even George P. Shultz, secretary of the Treasury, is warning about a void that might exist when Phase IV has ended. Mr. Shultz has been an ardent opponent of any form of controls in the past.

Our three years of nightmares with wage and price controls should have convinced us that there is no easy way to shuck them. When controls expire, as they must, prices will rise until the distortions that they have created are removed. This is the price we must pay for interference with the free market.

The nightmares also should have convinced us that the less government intervention in the market the better off we will be—that none would be the best of all.

OVERTHROW OF ALLENDE APPLAUDED BY CHILEANS

HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. CONLAN. Mr. Speaker, one would hardly know from most outside accounts of the September overthrow of the Communist Allende regime in Chile that the military coup was thoroughly popular with the vast majority of Chileans themselves.

There is little reason to believe that Allende's ouster would not have been welcomed by the people of Chile. The country's economy had been shattered by 3 years of Marxist rule. Allende's control of consumer goods, his ideological takeover of schools and education, and his attacks against a democratic Congress and the courts had broken the moral, social, and political spirit of the country.

The broad mass of middle-class workers, farmers, shopowners, truck drivers, and professional people in Chile had become sick and tired of roving bands of Marxist bureaucrats who nationalized their businesses, thus confiscating their life's efforts and hopelessly regulating their everyday existence.

They were broken by horrendous inflation and repression. They knew that Allende was the puppet of the Communist leaders in Moscow and Havana. They believed revolution was inevitable, and welcomed it when it came as the only remaining chance to stop the Soviet Union and Cuba from seizing power entirely.

Nena Ossa, Chilean correspondent for National Review, neatly compares enthusiastic support for the military coup inside Chile with the fictional accounts one generally finds in some of the world press and in socialist organs throughout the world. I commend her report in the magazine's current issue to the attention of all my colleagues:

[From National Review, Dec. 21, 1973]

LETTER FROM ROME—FACT, FICTION, AND AGITPROP

(By Nena Ossa)

I flew from Santiago to Rome on August 15. The night before I left an army officer told me that Marxist activists had hidden away eighteen thousand military uniforms smuggled in from Cuba; that left-wing students were shedding their craggy Che Guevara locks for soldierly crewcuts; that the stores of illicit arms the army had been uncovering here and there were just a small portion of the whole; that, in sum, the army expected a bloody coup from the Left in which as many as thirty thousand Chileans might die. It was only under extreme pressure from the navy, he said, that Carlos Rodriguez, Cuba's prime minister, and Manuel Pineiro, Cuba's secret service chief, had been forced to leave the country. The military suspected that they were in Chile to prepare for the coming insurrection.

The Western press back then, in late August/early September, was having its doubts about Senor Allende's Chilean way. "It seems a mighty peculiar road to socialism—or to anywhere else for that matter," wrote David Holdin of the London *Sunday Times* on September 5. "The tragic prospect is that while the harassed and embattled president may succeed in averting a military coup, he may soon be powerless to govern or stave off overt civil war," said *Time* Magazine at about the same time. *Le Monde* admitted that Allende's Popular Unity had been a failure. Yet one week later, after Allende's fall, the press, from Marxist to socialist to independent, was as one in its shock and horror at what the generals had wrought.

The news caught me in Rome. *"Colpo di stato nel Cile,"* headlined an evening paper. Within 24 hours posters glorifying Allende were plastered all over the city. *"Morti ai fascisti cileni,"* they said, *"Imperialismo Americano e la Democrazia-Christiana cilena hanno creato un nuovo Vietnam," "Viva la lotta del popolo cileno."* The instant Communist slogans infuriated me. But my anger soon gave way to admiration for the skill and speed displayed. By poster, on podiums, in the press, all over Italy, Allende was being alchemized into a martyr of major proportions. At noon on September 12, the day after the coup, Allende's charming ambassador to Rome, Carlos Vasallo, told me that all Chilean airports had been closed, that all communications with the outside world had been suspended, that the only news reaching the outside world was from a pro-Allende clandestine radio station beaming to Argentina. Yet three hours later the Communist *Paese Sera* was announcing *"Allende assassinato."*

The most outrageous report was by *Newsweek's* John Barnes, who accepted uncritically all the horror reports and totally refused to give credence to the possibility of a planned left-wing coup on September 17. *Der Spiegel's* beautifully written but equally undiscriminating piece blamed the right-wing Patria y Libertad movement for the chain of events—the strikes, demonstrations, rallies, etc.—that preceded the coup, but made no mention of the fourteen thousand foreign activists in Chile and ignored entirely the virulent campaign against the armed forces orchestrated by Senator Carlos Altamirano, the secretary general of the Socialist Party.

In Germany, a fortnight before the coup, a commentator on Deutsche Welle scornfully reported over the radio on Allende's "final grotesque trampoline gymnastics." Two weeks later, he would not interview me. "You are too far to the right," he said. But he was interested in interviewing Herr Meschkat, a friend of "Red" Rudi Dutschke, one of the five German leftists originally held in the National Stadium in Santiago. "I will not criticize Allende now that he is dead," said the man on Deutsche Welle. And it was to no avail to try to explain to him or to anyone else that Allende, a minority president, had managed to destroy everything Chile stood for before his election—and that he ruined the country. It proved impossible to explain that even if Chile if far away and not important to others, the havoc wrought by Allende distresses—Chileans.

In Geneva I talked to a Czech cab driver. To my astonishment he compared the Chile coup of 1973 to the Prague coup of 1968. The facts that no foreign army had marched on Chile, that Chile was not a dictatorship made no difference to him. He was ignorant of the fact that Chile's Communist Party was the only Latin American Communist Party to applaud the entry of Soviet tanks into Prague. While I was in Geneva I watched a French-language TV program which scandalized Chileans who had been out of the coun-

try for the last few years. It showed soldiers patrolling the streets of Santiago, others keeping watch along the roofs of the city. What no one pointed out was that the building on the rooftop of which the soldiers were watching was the building from which snipers had planned to fire on anti-Allende students at nearby Catholic University. These same Chileans and their Swiss friends, who were so loud in their denunciation of the Black Septembrists in Munich and Paris, apparently saw no parallel with terrorists in Chile. A British journalist who eyed the activities of Chilean guerrillas benevolently would turn around and tell me that Irish rebels should be shot out of hand. What tickled and amused me was how Allendista diplomats all over Europe—now out of jobs—hurried to and were warmly greeted, fed, lodged, and taken care of by their friends—in what they were accustomed to calling fascist Franco Spain.

This was how it was appraised from the outside. And yet a German businessman living in Chile would write me: "We must all thank the Chilean armed forces for liberating us from Marxism. I say this not only in the name of Chile but in the name of all the free world. This is the first time a country has been able on its own to get rid of a Marxist regime. I am conscious that international opinion is derogating this. It is necessary to have lived in Chile to understand. This was not a coup organized by a bunch of ambitious generals. It was the last and only chance to stop Russia and Cuba from seizing power entirely."

THE MOUNTAIN MASTERS FOUR-WHEEL DRIVE CLUB

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. McCORMACK. Mr, Speaker, I want to take this opportunity to publicly commend several unsung heroes from my congressional district who recently were called upon and responded in an attempt to help their fellowmen in a time of peril and tragedy.

On the evening of November 3, three men crashed in a small plane in the snow-covered mountains near Wenatchee, Wash. One of the men, Mr. Fred Scroggie, was a member of an organization known as the Mountain Masters Four-Wheel Drive Club. The members of this club, on being informed of the accident, set out in the night, slogging through deep snow, using their citizens' band radios to organize a search for the downed plane.

Almost 24 hours after the crash, the plane was found by the Mountain Masters. One of the three occupants, Mr. Jim McMullen, was badly injured but still alive. He had lain under the plane in in the snow for about 20 hours. Mr. Scroggie and the pilot, Mr. Bill Vaile, were both killed in the crash.

The Mountain Masters is an organization of average citizens who, in search of their friends, went out in the mountains, risking their own safety in giving of themselves. They even rented a private helicopter to aid them. It was in the truest tradition of neighbors helping neighbors and friends sacrificing for friends.

The touching footnote to this story is the fact that Mrs. Fred (Vicki) Scroggie, the widow of Fred Scroggie, suggested that a memorial fund be set up to provide the Mountain Masters with radio communications gear and other search and rescue equipment. On November 29 she presented $575 to the group. The next morning she gave birth to her first child, a daughter named Shannon Marie.

Sometimes, Mr. Speaker, I think that under the pressure of our responsibilities here in Congress we all tend to forget that we are indeed representing individual human beings, with all of the warmth and love and problems and tragedy that human beings normally experience. The story of the courage and dedication and sacrifice of these men and women from my district brings this message back to us, it seems to me, and makes us all proud.

LIFETIME TENURE FOR FEDERAL JUDGES

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, December 21, 1973

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent to print in Extensions of Remarks an editorial from the Anderson, Md. Herald concerning lifetime tenure for Federal judges.

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

KINGS, QUEENS, MAHARAJAHS, AND U.S. FEDERAL JUDGES

Throughout the world today about the only people who have life-time tenure are kings, queens, maharajahs and U.S. federal judges. Thus noted Sen. Harry Byrd (Ind. Va.) in support of his proposed constitutional amendment that would require federal judges to have their appointments reconfirmed every eight years.

Under terms of the proposal, terms of federal judges would be limited to eight years with reappointment automatic for a similar period subject to reconfirmation by the U.S. Senate. In other words, instead of holding office for life as now, judges would be subject to reassessment on the basis of their records every eight years.

To guarantee the financial independence of the federal judiciary, should a judge be rejected, he would be retired at full pay.

Urging prompt consideration of his reform proposal, Sen. Byrd pointed out that limited judicial tenure already is widely in effect throughout the United States.

"Forty-seven of the 50 states have fixed tenure for their state judges," the Virginian declared. "Obviously, they deem this a sound and desirable practice. These 47 states clearly consider it essential that their judiciary be held accountable, and there is no valid reason why this same fundamental principle should not apply to the federal judiciary."

Byrd stressed, "I think it's time something be done about these uncrowned monarchs. I submit that in a democracy, it is neither logical nor wise for a public official to have life-time appointment and be completely unaccountable for his actions."

In addition to the fact that conditions are ripe for such a reform, Byrd also noted there was a crying public demand for it.

Sen. Byrd's proposed amendment has considerable merit and deserves the serious consideration of every American citizen because, if adopted by the Congress it will be a subject for debate and action by every legislature in the nation.

SUPPORT FOR THE PRESIDENT—II

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. MYERS. Mr. Speaker, today I call to the attention of my colleagues a second editorial on the current political crisis in this Nation written by Mr. Lawrence Sawyer, distinguished editor of the Star, Terre Haute, Ind., and president of the Indiana Republic Editorial Association. With its companion editorials which appeared in yesterday's CONGRESSIONAL RECORD, this expression of sentiment represents the majority feeling among the people of my district and Indiana:

LET US HOPE NIXON DOES NOT HAND LIBERALS GREAT VICTORY

Are the nation's liberals on the verge of a great victory, which will be a political and economic turning point in United States history? One would think so from the trumpeting in parts of the press recently, as the resignation of Pres. Richard M. Nixon is freely predicted.

One such liberal, asked what Nixon has done that he should resign or be impeached, replied, "Why, nothing, of course, but he is up against a psychological condition that he can't beat."

In other words, he should surrender to hysteria.

It is a condition of national hysteria, whipped up by "show biz" news coverage by both the electronic and some of the print news media, that has led to calls for Nixon's resignation. Of what is he guilty? Of what, even, is there a strong presumption of guilt? Again, one surely would have to answer, Nothing.

Most oddly, the resignation of Spiro Agnew as vice president is taken as proof there is some fault in Nixon. On the contrary, Mr. Agnew had served for four years without reproach when his troubles began. Even so, Mr. Nixon did not disown him—Mr. Agnew acknowledged his kindness and tolerance. Nor did he say, "I'm for him, 1,000 per cent," and cast him aside the next day.

Currently, there has been a furor over the fact that some White House conversations were not recorded on tape. There is reference to "missing tapes," when it seems clear the tapes never existed except in somebody's imagination—and what never existed can't very well be missing. Now the President is faced with a demand that he prove something never existed. This gets silly.

One might go on from this and remind everybody that in our system we don't demand a man prove he is innocent—yet this is the demand hurled at Nixon. In our system it is up to the accuser to prove his charges.

As to Watergate: There is ample proof that bands of men broke into the Democrat national headquarters. From there on back the proof gets very vague. It seems more likely than anything else that the burglars far exceeded their instructions. The investigations have gone on for more than a year, and there has been nothing to connect the president with any wrongdoing other than unsubstantiated accusations.

Much of the current criticisms of the president deal with his supposed unpopularity. It is said, for instance, that a Gallup poll shows him almost as unpopular as Harry

Truman at one point of his career. But Mr. Truman didn't quit. We hope Richard Nixon won't either.

Should the undesirable happen, and Pres. Nixon feels compelled to resign due to the weight of public criticism, it would mark a victory of the first order for the liberals, who have not fared badly in recent years. Enemies of Nixon since he ran for the Senate against a liberal, and even more embittered when he proved the infiltration of government by communists, the President has been their consistent target for a generation.

Should their constant attacks finally force him out, few conservatives would wish to brave their hatred again. The political effect on the future of the United States would be far-reaching. This might well mark the beginning of the installation of a more authoritarian, neo-Marxist government which would bury the American state as we have known it.

Curiously, during the Nixon Presidency, few conservatives have come forward to assist him, even as he has fought their battles. The long Democrat ascendancy beginning with Franklin D. Roosevelt had, to a degree, Balkanized the Republican party into local and state strongholds. The Eisenhower period did nothing to help.

When the public decided to retain Mr. Nixon in the White House by a landslide margin, it also chose to give him a strongly Democrat Congress. This reinforced the hostility that is reaching greater intensity today. In spite of this the President has achieved much—and it was commonplace to see him deserted by nominal Republicans, particularly in the Senate, where several of these men should more properly have been listed as Democrats.

And all in all, wouldn't it be better to clam down a bit and go along with a President who has ended, American participation in the Vietnam war, brought the prisoners home, brought the national budget more nearly into balance, reversed the adverse trade balance, made progress against inflationary price increases, with his great Secretary of State Kissinger won a cease fire in the Middle East, and is attempting to deal with the crisis in supply of energy sources?

We hope the President stands firm, and in the idiom of Harry Truman, stays at work in the kitchen where we need him.

THOMAS M. PELLY

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. ROBISON of New York. Mr. Speaker, at this time of year one's thoughts turn toward one's loved ones—and home—and also toward those who, in the past, have been friends, but are no longer among us.

One of those, in that latter category, is my friend, and former colleague, Thomas M. Pelly, of the State of Washington, who passed away a few weeks ago.

Tom was a delightful man; decent and honest—straight-thinking and straight-talking—as well as one who truly worked his heart out in behalf of his Nation and the people he was chosen to represent, for so many years, in this House.

When he retired, at the end of the past Congress, he was sorely missed, for he was—in his own, special, quiet way—a tower of strength. He was a "big man" in more than physical ways, and determined to do the right as God gave him to see the right. There are those, Mr. Speaker—as we so well know—who are now critical of the institution that is the Congress of the United States, and equally critical of those who serve therein to the best of their ability. If all of us who do try to serve therein were of Tom Pelly's caliber that criticism, I am sure, would be muted. But, we can all remember—and try to emulate—his example.

To his beloved wife, Mary Virginia—who was an especial friend of my wife—and to his two children, Mrs. Robison and I extend our deepest regrets, and our prayers at what will surely be a difficult time of the year for them.

THE LITTLE POLISH ROOSTER

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. OBEY. Mr. Speaker, John Wyngaard is the dean of Wisconsin's Capitol press corps in Madison.

He recently wrote a column summarizing the effectiveness of the dean of Wisconsin's congressional delegation here in Washington. The article captures well the effectiveness that CLEM ZABLOCKI displays around this House and it also captures well the reasons why he is held in such affection.

One of the noticeable qualities about CLEM, as we all know, is his ability to maintain a high degree of respect for people with whom he sometimes disagrees. The article captures that quality as well, and I insert the article at this time because I think a good many of CLEM ZABLOCKI's colleagues would enjoy reading it.

The article follows:

THE LITTLE POLISH ROOSTER

(By John Wyngaard)

MADISON.—There was a little party at the national Capitol in Washington the other day for one of the state's most effective as well as one of the senior politicians whose skills and influence are strangely little recognized here beyond the confines of his parochial district which is the south half of Milwaukee and environs.

Rep. Clement Zablocki is now the dean of the Wisconsin congressional delegation as he nears the 25th anniversary of his election to the House of Representatives.

The celebration in the office of one of his colleagues was by way of respectful tribute to his patient campaign to limit the warmaking powers of the president according to the common assumptions about such limits that have been held in the country until the 1960s.

In a vote that suggested the depth of the nation's distress about presidential warmaking as well as the Wisconsin congressman's political skills and the regard in which his colleagues hold him, the Congress overrode President Nixon's veto of the measure to reestablish the warmaking powers of Congress.

CONGRATULATIONS FROM MUSKIE

According to some recent news accounts, Sen. Edmund Muskie of Maine was among the first to congratulate the Wisconsin congressman on his patient and victorious campaign. He probably put it best when he said, "I didn't think you could do it, you little Polish rooster." Sen. Muskie, of course, is the Polish-American whose career has been eagerly watched in a thousand enclaves of Polish immigrants' descendants all over the country.

Hereabouts Rep. Zablocki is the most distinguished of Polish-Americans who have chosen politics as a career. There are those surviving in Madison who remember his arrival as a state senator in Madison more than 30 years ago.

For reasons that some day should persuade a serious student of politics to undertake a formal study, Milwaukee has produced fewer state political leaders of stature and influence in recent times than in the 19th Century, and surely fewer than its population and economic importance in a comparatively small state would suggest.

But there are oldtimers in the lobbying corps, in the bureaucracy and elsewhere who quickly recognized in the young Zablocki, in combination with the security of his home base, a politician of promise. Colleagues regarded him affectionately. If he early accepted the supposed rule that "to get along you go along," he was doing no more than many of his now forgotten contemporaries of the 1940s who were also so disposed but could not do so because of their more tenuous constituencies.

TOLERANT OF DISSIDENTS

Zablocki has not always been happy with some of the more aggressively liberal elements of his party. But, again, he has not been overly concerned about them. Thus when a district caucus of his party during the last election campaign publicly condemned his support of the Vietnam war, it had no visible effect on his relations with his constituents. Nor did he respond in kind. This may have shown that when tolerance of dissenting views is involved, his is the more liberal position.

In historical perspective, Zablocki's triumph in repudiating the presidential presumption during the last decade of presidential warmaking powers—Lyndon Johnson's as well as Richard Nixon's—may well be his most important career achievement.

It was the achievement of a man who upheld his own convictions, but was finally and sadly persuaded that the Congress has been deceived by two presidents and that representative government has been seriously imperiled.

ERNEST PETINAUD—BELOVED FRIEND

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. FUQUA. Mr. Speaker, Ernest Petinaud is saying farewell to his duties as maitre d' of the House Restaurant.

For every Member of the U.S. House of Representatives this is a sad occasion.

Ernest just happens to be one of those people who brightens the corner of the world where he exists. It mattered not how busy, irritated, frustrated, or rushed a Member might be—Ernest made everything seem a little less of a crisis.

Not only was Ernest loved and respected by the Members of the Congress, but he was the respected friend of the staff members as well as the tens of thousands who have met him.

I remember on one occasion I had the opportunity to introduce the four most

important people in the room to a constituent. They were members of the leadership and Ernest. His grin and comments put my friends at ease and they always ask about Ernest—and it has been nearly a decade since that meeting.

Yes, Ernest is an institution. More than that, he is a friend.

As he retires, I could ask for no more than that he be allowed many years of good health and happiness. They are richly deserved.

And on a very personal note, old friend, I am going to miss you. Ernest Petinaud, the great Shriner, will always have a very special place in my heart.

STEWART I. SUTLIFFE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. O'HARA. Mr. Speaker, in a few short weeks, the Ford Motor Co. will be paying formal tribute to a man who has devoted many years of his life to that company and to perfecting the American automobile. This man is Stewart I. Sutliffe, of Dearborn.

It was 40 years ago last May that Mr. Sutliffe began his career at Ford, when he became an apprentice toolmaker at the Rouge plant, an apprenticeship which included course work at the Henry Ford Trade School. Several years later he began working in tool and die design, receiving his diploma in design and toolmaking in 1940 and successfully completing his apprenticeship. Mr. Sutliffe's work as a manufacturing process engineer for manufacturing operations led to his appointment to a supervisory position with Ford's field services unit. Not long afterward, he was made supervisor of the tool design section.

With the Ford-Mercury merger in 1960, Mr. Sutliffe became supervisor of the trim process section for the manufacturing engineering office of the automotive assembly division. That year also saw him travel to Germany, for work on the Cardinal program. Two years later, Mr. Sutliffe was back in the United States, this time as supervisor of the body process section.

It was not long, however, until the Ford Motor Co. sent him off again—this time on speical assignment to Ford of England.

This "assignment" provided him the opportunity to engage in one of his favorite hobbies—travel. The mid-1960's brought Mr. Sutliffe and his family back to the United States—he, as usual, with another promotion. This time it was as supervisor of the tool design section.

Mr. Sutliffe became, in 1970, the supervisor of the tool procurement section—structures—for the passenger assembly Division—Ford again recognizing the ability and dedication of a true craftsman. November of 1971 saw him take on the stewardship of the tool procurement section for tool service activities.

And now, with the close of 1973, Mr. Sutliffe will be closing out a career that has spanned many years, many miles, many responsibilities, and many triumphs. He has had the chance to do some traveling in his work, one of his hobbies. This fall, he visited Japan and Hong Kong, and I understand he plans to continue his "examination" of the real estate of the world. I envy him this.

But January 4, 1974, will bring with it the departure from the Ford Motor Co. of a truly valued employee. There is nothing finer than a skilled craftsman—and that is what Mr. Sutliffe is—a man who loves his trade, and is a perfectionist at it. That contribution to a company is great, but it is also a tremendous contribution to the community at large, and America has benefited from his ideas and his efforts. I understand that, as yet, Ford does not have a "replacement" for Mr. Sutliffe. That is understandable. The kind of skill, concern, and dedication that Stewart Sutliffe has shown over the years is, indeed, irreplaceable.

I want to take this opportunity to publicly commend him and to join with his countless friends and fellow craftsmen in paying him tribute. He will be missed, but not forgotten—because he has given so much.

DEMOCRATIC LEADER CHOATE TO RUN AGAIN

HON. KENNETH J. GRAY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. GRAY. Mr. Speaker, on December 5, we were all saddened in southern Illinois to learn that the Democratic leader of the Illinois House of Representatives, the Honorable Clyde L. Choate of Anna, Ill., had announced his retirement from public life after 28 years of continuous service. However, I am happy to advise my colleagues that after an outpouring of affection and respect by the people of his 59th Representative District, he has consented to seek reelection to the 79th General Assembly in Springfield, Ill.

Mr. Speaker, this is indeed good news for the people of Illinois and the people of the Nation. There is not enough room in this RECORD for me to list all of Representative Clyde Choate's accomplishments. He has not only been a brilliant legislator during his 28 years of service to Illinois and the Nation with most of these years in leadership positions, but he was also an outstanding soldier during World War II, who attained the Nation's highest award when former President Harry Truman presented Representative Choate with the Congressional Medal of Honor.

Representative Choate has been a leader in the fields of education, highways, veterans benefits, housing, conservation, agriculture, small business, children and family services, hospitals and nursing homes, better medical care, cleaner air and water, recreation and in all the good and necessary things of life you will find Clyde L. Choate's name connected with legislative efforts in Illinois.

Mr. Speaker, for almost 20 years, I have worked hand-in-hand with Representative Choate in providing a Federal and State cooperative effort for the citizens of Illinois and I know firsthand of the 16- to 20-hour days he has devoted to his people. Mr. Speaker, Representative Choate has been recognized as a true leader of his party by being chosen Democratic leader of the Illinois House of Representatives. I predict next year that Clyde Choate will be elected overwhelmingly and will become Speaker of the Illinois House of Representatives. This is truly an all-American story: A young soldier fighting for his country who refused a battlefield commission, was presented the Congressional Medal of Honor, and then rose through the ranks to be the leader of his party in the State Legislature.

As I retire from Congress at the end of this session, it had been my hope that Representative Choate would consider the U.S. Congress, however, he chose to remain in southern Illinois with his friends and constituents which I think speaks far more eloquently than any words I can say about his devotion to his people.

I wish for Clyde, his lovely wife, Madonna, and beautiful daughters, Libby and Kim, many years of health and happiness.

HEALTH INDUSTRY

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mrs. CHISHOLM. Mr. Speaker, the "health industry," as it has accurately come to be called, has suddenly exploded to the $80 billion per year mark with an average health bill for each person in the country of $379. This figure, which represents the cost for medical care in 1972, is $36 more per person than the comparable figure in 1970. The $80 billion figure reflects annual increases since the late 1960's of 6.1 percent, greatly exceeding the 4.2 percent rate for the general economy.

The two fastest-rising medical care prices are hospital charges and doctor's fees. Over the past decade, hospital charges have tripled. Since 1966, doctor's fees have gone up 40 percent, more than double the cost-of-living rise—with private funds paying for three-fourths of doctor's fees.

Drug companies, whose profits are reportedly even higher than those of the major oil companies, are notorious for hoodwinking the patient, the taxpayer—through federally subsidized health care programs—as well as the physician who is lured by expensive advertising to prescribe overpriced drugs. HEW is finally planning to lower their annual $1.2 billion bill for drugs provided under medicare and medicaid.

The plan would limit reimbursements to the lowest cost at which the drug question is available. This means a switch to generic drugs, rather than highly touted brand name drugs, at a saving of as much as 30 percent or mor-

Simultaneous with these rapidly ascending costs are public protestations over the inaccessibility, inadequacy, and poor quality of medical care. Americans receive poorer care and die sooner than the citizens of most of the other industrialized countries of the world. The United States ranks:

Fourteenth in infant mortality. If we had the same rate as Sweden, 40,000 fewer American babies would have died last year.

Eleventh in maternal. In 1952, the United States had the lowest rate of maternal mortality of any country in the world.

Twenty-second in life expectancy for men. Eighteen of the 25 countries in western and eastern Europe have lower male mortality rates.

Seventh in life expectancy for women. Women in Holland can expect to live 2 years longer than American women.

Sixteenth in the death rate for middle-aged men. Since 1900 life expectancy in the United States has risen 21 years, but only 3 years for men over 45.

Eighth in doctors per population. The Soviet Union has twice as many doctors as the United States. Moreover, our doctor population is maldistributed in terms of national health needs.

These overall statistics do not tell the entire story. Infant mortality among nonwhite is almost double the rate for whites—35.9 versus 19.7 per 1,000 births. Persons in the lowest income category are four times more likely to have an activity-limiting chronic condition as those earning over $10,000 per year. The poor average 50 percent more disability days per year than the nonpoor. In short, the poor get sicker and the sick get poorer.

Health care in the United States has long been the domain of the medical profession, operating in concert with hospital bureaucracies and the purveyors of private health insurance. This health industry has successfully thwarted development of a coordinated Federal program for disbursing funds, not to mention a national health policy to guarantee adequate health care for all Americans.

Prior to the enactment of medicare and medicaid in the mid-1960's, the Federal role in the health field was confined to regulation of drugs and other medical paraphernalia—Pure Food and Drug Act of 1960—the disbursing of funds under formula grants for hospital construction and modernization—Hill-Burton Act of 1946—and, more recently, Federal funding for a variety of medical education and research programs. Attempts during the 1950's to provide assistance for private hospital insurance programs. State programs for elderly sick persons were stymied by the American Medical Association.

The AMA was unable to stop the enactment of medicare and medicaid in the mid-1960's, so it concentrated on insuring that these programs would be dominated by the medical profession in such a way that said profession benefited greatly.

Over the 5 years of the Nixon administration, HEW's health programs have been extended and perfected by the Congress, but administration funding requests have consistently fallen far below congressional authorizations. Yet, the Nation depends on these programs for improvement of health services and development of health resources.

While Federal public health programs and medicare/medicaid have made significant contributions in research and in increasing the accessbility of health care, our health care delivery systems are at the point of breakdown. Runaway inflation of medical costs and porous health insurance programs mean that millions of Americans receive inadequate health care. The wastefulness of the delivery system is attributed in large part to the medical profession which dominates the entire health arena.

In the last Congress, Members began to make a serious attack on these problems. We hoped that at last, action was coming that would lead to high-quality, low-cost medical services that would be available to all our citizens. No action occurred at that time.

Financing health care and delivering it effectively to the consumer depend on organization of resources, personnel, and facilities. Just this week, however, Congress has moved in that direction. We have sent to the President the Health Maintenance Organization Act of 1973, passed by both houses with overwhelming support.

Legislation to provide Federal support for HMOs was first requested by the administration in 1971 in the President's Health message to Congress. Again in his 1972 message, HMOs were advocated. We have presented the President with a good piece of legislation. Perhaps for once, this Congress and the present administration can work together for the benefit of all Americans. Support for the HMO comprises the first few steps on a long road to national health security. It is a moderate proposal—voluntary, private, still physician-controlled. No real power is being given away to the consumer. However, the HMO is a promising direction, for it has proven successful in several ways that I will describe here.

Because HMO revenues are fixed, their incentive is to keep patients well, for patient sickness costs them money. Their entire cost structure is geared to preventing illness, and promoting prompt recovery through the least costly services consistent with maintaining quality. This also tends toward less frequent use of high-cost services and fewer unnecessary medical procedures. Patients spend significantly fewer days in the hospital and a greater number receive ambulatory care. Preventive treatment and performance of more medical procedures in the doctor's office account for the decrease in hospitalization.

A study done in one local area showed that while the number of hospitalized surgical cases per 1,000 persons who used other kinds of health services numbered 69, only 49 cases per 1,000 showed up among HMO patients among the same kind of population.

It has also been demonstrated that HMOs are responsible for lower total health-care costs of families and individuals and that their premiums cover a greater percentage of total costs.

A most encouraging finding is that the results for three indicators—premature birth rates, infant mortality, and elderly mortality—suggest that HMOs can actually improve the chances for life itself. All three were found to be significantly lower for whites as well as nonwhite populations among HMO clients.

It is my sincere hope that the President will sign this maiden bill into law so that we may proceed with the task of providing maximum health security for all Americans.

BAUMAN HONORS DEMOCRATS' REQUEST: AMERICA COMES FIRST

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BAUMAN. Mr. Speaker, today I received a telegram from my constituent, Mr. George H. Williams, who is an official of the First District Democratic Club of Harford County, Md. Mr. Williams has brought to my attention a recording of an article which was written by a Canadian citizen entitled, "Americans" which has caught the fancy of a great many people.

I am pleased to insert the article in the RECORD together with the telegram from Mr. Williams in the hope that it will inspire people all over the country.

ABERDEEN, MD.,
December 20, 1973.

U.S. Congressman,
Capitol Hill, D.C.

DEAR SIR: This letter is being sent to you as our Republican Representative, by the First District Democratic Club of Harford County, because the subject matter cuts clearly across political party lines. I have just heard a recording called "Americans" written by Canadian citizen Gordon Sinclair and recorded by Byron McGregor on the Westbound label. The text appeared in the Baltimore News-American on December 10, 1973 page 6B.

It is my feeling, as publicity chairman for our club, that this message must be conveyed forcefully to the public in general, and to our history teachers and professors in particular. The facts enumerated in this message can not be refuted, nor the logic disputed. No other nation, in the history of the world, has ever labored so unselfishly for the common good.

No other nation, in the history of the world, has ever returned territory to the conquered people, and then financed most reconstruction efforts.

No other nation, in the history of the world, has allowed their educators to avoid the truth. That truth being: This is the country with a conscience.

I urge you to acquire the text and read it into the CONGRESSIONAL RECORD, on the floor of Congress, before the Christmas recess. The impact at that time should be maximum, especially if the message gets reproduced and widely distributed. America comes first; political affiliations must come later.

Respectfully yours,

GEORGE H. WILLIAMS,
Publicity chairman.

[From the CONGRESSIONAL RECORD, Dec. 3, 1973]

AMERICANS

(By Gordon Sinclair)

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

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

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

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

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

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

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

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

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

When the Americans get out of this bind . . . as they will . . . who could blame them if they said "the Hell with the rest of the world". Let someone *else* buy the Israel bonds. Let someone else build or repair foreign dams or design foreign buildings that won't shake apart in earthquakes.

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

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

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

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

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

IN DEFENSE OF PRIVACY

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, few journalists have been as alert to Federal and private invasions of privacy as has Tom Wicker of the New York Times. Long before the unbelievably ignorant actions at the Watergate, Mr. Wicker has pointed to the increasing threat posed by surveillance and the computer and he has constantly reported on the distressingly few actions taken by the Congress to assure the law-abiding American the right to be let alone.

On December 11, 1973, Mr. Wicker published a column on this issue and I believe it discloses additional evidence for the House of Representatives to begin to formally address these problems. Along with 25 of my colleagues I have introduced House Resolution 633 which will establish a Select Committee on Privacy here in the House of Representatives so that we too may demonstrate our concern about "A massive problem already has been created by these new techniques for storing and retrieving the most minute data about people."

I do not wish to appear simplistic, but it is perfectly clear to me that the problems have already been created, are already being felt by our constituents, and yet we have not even begun to address ourselves to devising a framework in which the most basic solutions may be advanced. I insert Mr. Wicker's article in the RECORD at this point and would urge my colleagues here in the House to ask themselves what we are doing in this area of such genuine and immediate concern to the American people.

The article follows:

IN DEFENSE OF PRIVACY

(By Tom Wicker)

NEW YORK.—In the rush of more spectacular news, it escaped public notice that the Senate recently took a small step toward closing a large loophole Congress had opened in the 4th Amendment rights of American citizens. A nice bit of political footwork by Sen. Sam Ervin, chairman of the constitutional rights subcommittee, should at least make the supervisors of federal narcotics agents keep their men on a tighter rein.

Ervin took advantage of a measure that the House had passed to amend a Justice Department reorganization plan. The Nixon administration had promised to secure the amendment, which would bar the pending transfer of hundreds of immigration inspectors, because without such amendment the federal employe unions would have blocked the reorganization plan.

As chairman of the government operations committee, Ervin sat on the amending bill until the administration also promised not to oppose a rider providing that the victims of so-called "no-knock" raids could sue the federal government for any damages suffered in such raids. Victims of these raids, which require no warning before entry, could also sue the agents involved, or both the government and the agents.

Such victims have often been totally innocent persons, subjected to "no-knock" entry, terrorization, embarrassment, property damage, and personal injury (a few deaths also have resulted) either through mistaken identity or over-zealous agents. The Ervin rider—which ought to clear the House, too, because of the administration's promise—will provide additional means of redress and probably will make agents and supervisors more careful and supervisors more careful and respectful of the rights of citizens.

That is useful progress toward undoing the damage done in the long years of national security and anticrime mania, when the American people have been driven further than most of them know toward an Orwellian era of surveillance and state control of the individual. Now the Senate has an opportunity to take an even more important remedial step, thanks to a bill introduced by Sens. Gaylord Nelson and Henry Jackson.

This measure would establish a Senate-House "Joint Committee on the Continuing Study of the Need to Reorganize the Departments and Agencies Engaging in Surveillance." Nelson and Jackson will have to find a handier title than that—say, The Joint Committee on Spooks—but theirs is an idea whose time has not only come but is long overdue.

This committee—to be drawn from the membership of numerous others that now have some relationship to federal investigative and police agencies—would have two basic functions. It would undertake a continuing study of the nature and scope of all surveillance activities conducted by federal agencies, with officials of each of these agencies required to appear once a year to justify their activities.

The committee would also review the relationships between these agencies, and with similar local and state agencies, with a particular eye to the sharing of information among them, and the safeguarding of shared information. This is a particularly important point, owing to the proliferation in recent years of computerized data banks linked by high-speed communications.

A massive problem already has been created by these new techniques for storing and retrieving the most minute data about people. For only one example, a study by the Urban Policy Research Center for the that by November—1972—there were in that state alone the incredible number of 139 "computerized criminal justice information and communications systems," many of them supported by various federal grants. They ranged from a statewide "integrated program to combat organized crime" to say, the city of Mountain View's "traffic records project."

Surveillance—much of it appearing harmless enough—is obviously a growing concern. From Nelson's speech introducing the bill for a joint commitee to check up on federal spies, just a few examples suffice to make the point:

Alan Westin in his book, "Privacy and Freedom," reported that "at least 50 different federal agencies have substantial investigative and enforcement functions, providing a corps of more than 20,000 "investigators' . . ."

Until checked, the Army in the 1960s had more than 1,500 plainclothesmen reporting on individuals to scores of data banks.

Between 1968 and 1972, federal, state and

local government wiretapped more than 1,623,000 conversations involving about 120,000 people.

A report from the Department of Health, Education and Welfare said flatly last summer, "Under current law, a person's privacy is poorly protected against arbitrary or abusive record-keeping practices."

THE SUDDEN ENERGY CRISIS

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. HEINZ. Mr. Speaker, these days we all are concerned about the sudden energy crisis which we fear will result in shortages of many critical commodities, cause rapid price increases, and threaten the jobs of American workers. But for the last several years the domestic steel industry has been suffering from shortages of critical basic commodities and rapidly rising prices of raw materials. Together these threaten domestic steel production and American workers' jobs.

Mr. E. F. Andrews, Allegheny Ludlum Industries vice president for materials and services, in a recent address discussed the growing problems of raw materials shortages. I include here a summary of Mr. Andrews' thought-provoking remarks, and I urge all my colleagues to study them carefully:

SUMMARY OF REMARKS BY E. F. ANDREWS

As a boy on the farm in Indiana during the 1930's, I learned that the chickens you let out in the morning come back to roost at night. A great percentage of the industrial and governmental leadership today also grew up during the "great depression." Thus, it is little wonder that this generation set for itself very high materialistic goals. It is a generation that knows what it is to be poor. Following the depression and World War II, it set in motion the most rapid rise in standard of living known to history. We are the richest nation in the world and have more than our share of the world's "good life." We have more cars, bathtubs, radios, and televisions, by a great majority, than anyone else. We not only built a great capacity to produce but indeed a greater capacity to consume. We have 6% of the world's population but consume 36% of the material produced worldwide. We have taken items which are to the rest of the world luxuries and have built them into our society as necessities. All of this was done with the underlying assumption of our economic thinking that the supply of goods was unlimited and that all we needed to be concerned about was demand. Thus, our traditional approach to controlling our economy was the manipulation of demand.

For those of you who follow the National Association of Purchasing Management Business Survey Report, I have been saying for many months that the Purchasing Executives around the country have been extremely vocal concerning the basic, growing, underlying shortage of raw material. Now, all of a sudden, the entire populace is very much aware of our shortage problem because of a few Persian Gulf nations reducing the relatively small percentage of our oil that they supply. To those who watch the materials supply side of our economy, the energy shortage has been very apparent for from five to seven years, and has been caused almost entirely by inflexible government regulated and unworkable demands of environmentalists. Similar shortages in a variety of other basic raw materials are equally apparent. If we take the President's Conference to forecast our growth and assume it is reasonably accurate, allow for the uncertainties of new discovery, technological breakthrough shifts in life style, we can still forecast our raw materials needs within tolerable limits of accuracy. Metals present the greatest problems of future adequacy. The domestic ore reserves are much smaller in relationship to growth and anticipated demand than is the case of fuels. The cold fact is that the resource base of the United States has been and is declining. We are 100% dependent upon foreign sources for such vital material as chromite, tin, and many others and for a very long list of strategic and vital materials that require from 60% to 90% from foreign sources.

Generally speaking, we have gone since World War II from a "have" to a "have-not" nation. But, we have not reordered our priorities which are based on the assumption that our supplies are unlimited; and we have not reordered the policies which we have followed over the years to control our economic well-being. Since World War II, we have permitted political and social considerations to substantially out-weigh our economic needs when setting our course of action.

All agree that, during this period of time, inflation has been one of our most recurring and aggravating problems. Now the simplest definition of inflation is that demand exceeds supply. Since we have had recurring inflation through a large portion of the last several years, has not the economy been continually signaling that we have a basic underlying shortage problem? Our approach to answering that inflation was to ignore the cries of those pointing to the underlying shortage problem and to pin our hopes on developing an economic slowdown or perhaps precipitating a recession, increasing unemployment, and thus cooling down demand to slow down the inflation. Each time, the pent up demand built during these recessions merely aggravated the shortage problem in the ensuing recovery period. It would now appear that we are probably at the point in time where, for the first time in history, we are on the verge of precipitating a recession caused by the lack of supply. The future growth of this country and your company is going to be determined more upon what you can buy than on what you can sell. We have, perhaps, arrived at the point that a great many Americans thought we would never come to—that is, of reducing our standard of living because we ran out of material. You are now being asked to drive slower, walk, and to wear a sweater in your livingroom.

Accepting the premise that our basic, underlying problem is that supply is inadequate to demand and thus inflation is afoot in the land, let us examine a sample of our activities and programs and see if they are truly pointed to answering this basic and underlying problem—shortages. The most simple way to alleviate shortages is to increase supply, both foreign and domestic.

Because of inflation, we have the *Cost of Living Council*. The Cost of Living Council's objective is to keep prices down. They do this by retarding price increases and controlling profits. Because of the restrictive prices, numerous companies have announced plans to discontinue the production of many items, thus aggravating the shortages. The Cost of Living Council does not attempt to control the price of exported goods, thus tending to force supplies out of the country when they are needed here. The control on profits tends to retard the reinvestment into new capacity to increase supply because the funds are not available and the return on investment is not adequate. Thus, while the Cost of Living Council busies itself attacking the symptoms, its efforts are counterproductive to the cause.

The *Environmental Protection Agency* with its admirable objectives of clean air and clean streams has closed down our coal mines, held up our nuclear power stations, and delayed the oil pipelines, virtually insuring an energy shortage, as we now know the energy shortage is causing plant shutdowns and postponing new capacity investments necessary to correct the shortage problem. Further, they have forced into nonproductive investments the new capital dollars that were permitted, thus again drawing away from correction of the underlying problem.

The *Petroleum Allocation Program*, necessary because of the energy shortage mentioned above which was unnecessary in the first place, has given industry the lowest priority, thus retarding production and new investment. they have told our transportation system which carries the supplies to our waiting factories to slow down, thus causing delay of raw material deliveries which causes a further drop in the availability of material—counterproductive to the underlying problem.

The *Department of Commerce* has as its objective an increase in exports to help the balance of payments—an admirable goal. But, in permitting the export of 12 million tons of scrap, they have not only permitted the export of nickel, chrome, and iron, which we must buy from foreign countries, but they have permitted also the export of 150 trillion BTU's of energy in that scrap. That is enough energy to heat 725,000 six-room homes for a year or furnish the electrical power needs of Boston, Hartford, Pittsburgh, Philadelphia, and Chicago, combined, for one year. By seeking the highly inflated foreign market for this scrap, the price of that raw material in this country has been inflated by $1,350,000,000; thus adding to the inflation which brought in the Cost of Living Council which is retarding supplies which is driving up prices.

The *GSA* has a basic stockpile of many of these critical raw materials; but we now have great pressure to dispose of that stockpile because it is no longer needed—again, seeking after the short-term ease at the expense of the long-term problem. To those who produce items contained in the stockpile, the overhanging threat of dumping causes them to hold back on new capacity investment, thus creating future problems of shortages. Since most of the stockpile items are not in great supply in the United States, the stockpile has served as a buffer against the blackmail of nations who do control the supply. Think where this country would be today if we had a ten-year supply of oil in a stockpile. Once we dispose of the cobalt, the tungsten, and the tin in the stockpile, the Congo, China, and Bolivia will be in a position to do to us what the Persian Gulf nations are doing now.

The *State Department and the United Nations* have also aggravated our supply situation by giving virtually no consideration or weight to our domestic economic needs and giving almost full consideration to the moral, social, and political aspects when formulating our policies for the underdeveloped nations who control large quantities of the raw materials we need. The most glaring example of this are the economic sanctions on Rhodesia, prohibiting the importation of Chromium. Chromium is the most essential metal and was the first one placed in the stockpile in 1939. Chromium is absolutely essential to your mass transit program, to your energy needs, to your food needs, and to your defense needs. Because of the overriding compulsion of the social and political considerations, we are being asked to shut ourselves off from 89% of the world's supply of this material. These sanctions were on for almost five years;

and during that time, we dropped from being 95% self-sufficient in ferrochrome to less than 50% self-sufficient and an entire industry was destroyed which was vital to our economic well-being. We certainly agree with Senator William Fulbright when he said:

"There is no limit to the mischief to be wrought by a policy of basing detente upon sweeping standards of morality . . .

"The establishment of normal trade between two countries, like diplomatic ties, should carry no implication of approval or disapproval of the internal policies of each nation."—Business Week Magazine.

The whole body of *laws* or lack of laws is also further aggravating our efforts to correct our underlying problem—shortages. As we have noted, the recent legislation of safety laws, ecology, beautification, while highly desirable, is retarding our efforts to improve our supply problem. It has become necessary to revise a whole body of legislation governing American business so as to enable private enterprise to more effectively pursue economic while still protecting the public interest. It is particularly obvious that American business is at considerable disadvantage with the foreign corporations which do not labor under the same type of restrictive policies and laws. The laws, regulations, antitrust restrictions, and governmental practices that choke off our resource base and render American firms uncompetitive cry out for review. International laws lack effectiveness in disputes between governments and business corporations. Must the operation of American multinational enterprise continue to be restricted by the conflicts of national law and the absence of international law.

Recognition by government of industry's supply problem is essential. The Japanese government has issued a white paper which says the government problem of obtaining a stable and adequate supply of raw materials competitive with world conditions is one of the most important issues facing the government and the country's economic development in the next decade and thus has the highest priority. We must move quickly and wisely or be shut out from vital resources essential to our economic existence.

We can no longer afford the recurring recessions and unemployment as a national policy to mask our failure to develop adequate raw material supply lines. We cannot accept a retardation in our standard of living as national policy. We must reexamine the trade-off between the social, political, and economic considerations. The rules and policies and the thinking that served us when we had unlimited supplies will no longer work, and the first supply shortage recession of many to come may be on the horizon.

HOPE SPRINGS ETERNAL

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. JOHNSON of California. Mr. Speaker, amidst the worldwide confusion, uncertainty, and turmoil we have experienced in 1973, I would like to take this opportunity to spend a couple of quiet moments with you.

My message really is quite simple: As we approach Christmas, the most majestic of Christian holidays, let us remember that hope springs eternal.

So let us hope the burning flame of war may be permanently extinguished; Hope that want be no man's constant companion; and hope that all the disease man endures may be controlled.

Let each of us search into his own heart and soul—and with that knowledge go forth and each in his own way spread goodwill to man, hopefuly leading to peace on Earth.

I want to wish you and your loved ones a very Merry Christmas, a truly happy New Year, and close with the Charles Dickens' plea: "God Bless Us Everyone."

BUSING AND THE ENERGY BILL

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BADILLO. Mr. Speaker, it is gratifying that the conferees on the emergency energy legislation have dropped the antibusing amendment adopted last week by the House, in what in my judgment was one of the least distinguished moments in this body's history. As I said at the time, if the Congress wished to use the energy crisis as a pretext for suspending the Constitution, it should go the whole way, and not cloak its assault in such an emotional and distorted issue.

With the thought that we have not heard the last of attempts to enact antibusing legislation, I include herewith the text of a letter to the chairman of the Committee on Interstate and Foreign Commerce from the staff director of the U.S. Commission on Civil Rights. The letter analyzes the antibusing amendment passed by the House and effectively rebuts the case presented by proponents of that amendment. It deserves the careful consideration of every Member of Congress.

U.S. COMMISSION ON CIVIL RIGHTS,
Washington, D.C., December 18, 1973.

Hon. HARLEY O. STAGGERS,
Chairman, House Interstate and Foreign Commerce Committee, Washington, D.C.

DEAR MR. CHAIRMAN: This is to provide you with the views of the U.S. Commission on Civil Rights regarding the inclusion of an anti-busing amendment in the proposed Emergency Energy Act now before the Congress. The Commission on Civil Rights is opposed to any such amendment.

Recently, Congressman Dingell offered an amendment to H.R. 11450, the proposed Emergency Energy Act, which prohibits the allocations of any refined fuel product for use in the transportation of public school students to a school farther than the public school closest to their homes.

The Commission on Civil Rights is of the opinion that Mr. Dingell's amendment is unconstitutional. On its face, the amendment has the appearance of neutrality; however, an examination of the effect of this amendment raises serious and complex constitutional questions. It is obvious from the thrust of this amendment that it is aimed at the pupil transportation features of court ordered and voluntary plans for desegregation. The Supreme Court in *Swann v. Charlotte-Mecklenburg Board of Education* recognized pupil transportation as a legitimate and ofttimes necessary means for eradicating dual school systems. The Court recognized that in many situations pupil transportation is an essential tool in the establishment of unitary school systems. Mr. Dingell's amendment would have the effect of nullifying the use of this tool in desegregation efforts and would thus seriously hamper, and in some instances completely impede, the continuing efforts to eliminate segregation. Voluntary plans would be similarly affected.

It is a well settled principle of constitutional law that neither Congress nor any branch of the government can circumvent the Constitution by doing indirectly what it is forbidden to do directly. It is quite obvious that Mr. Dingell's amendment is an attempt to do just this. The Supreme Court has definitively stated that segregation of school children violates the 14th Amendment of the Constitution. Thus the Congress is precluded from doing anything that would foster segregated schools. However, the Dingell amendment, by forbidding the use of busing—a tool which the Supreme Court has already found essential to the elimination of segregation—would in essence be fostering segregation.

The charge of unconstitutionality is further buttressed by the discriminatory nature of the Dingell amendment, i.e., the amendment applies only to public schools, thus exempting all private school transportation systems. Ostensibly, the purpose of the Dingell amendment is conservation of fuel. However, this motive is questionable in that families who are able to afford private schools for their children are exempted from having to adhere to the restrictions that less financially able families are being asked to make. Assuming for purposes of argument, that the energy crisis is of such a nature that infringement of constitutional rights is justified, financial ability should not be the basis for determining the class of individuals who are to be restricted. It should also be noted that by exempting private schools the amendment gives aid and comfort to those private segregated academies that have been established to avoid the desegregation required by the courts.

The Commission would also like to address a point raised by those supporting the amendment offered by Representative Dingell to H.R. 11450. It was asserted that the elimination of "forced busing" will bring about a saving of gasoline. Offered in support of this assertion are comparative figures showing gas savings in two different years—one year in which a school district operated a dual or segregated school system in violation of the Constitution, and a second year in which a desegregated system was in operation and presumably there was court ordered or voluntary busing to achieve desegregation. Such comparative figures are unreliable for the following reasons: (1) such figures fail to reflect that busing has increased overall, apart from desegregation, primarily for reasons of pupil safety; (2) such figures do not account for consolidations and mergers of urban/suburban, urban/rural, etc., districts, which have not been occasioned by voluntary or involuntary desegregation where race is not an issue; (3) the figures fail to acknowledge instances where increased busing occurs for such reasons as special education classes, schools for the mentally retarded or physically handicapped, and special curriculum schools which attract students from an entire metropolitan area.

In the *Congressional Record* on Friday, December 14, 1973, Representative Dingell quoted a Library of Congress study as showing that the Nation's 290,000 school buses consumed 626,400,000 gallons a year—78,300,000 gallons of that amount having been used annually to transport children to schools to achieve desegregation. According to the Department of Transportation, there are 262,000 school buses in use by public and private institutions. This figure represents a marked decrease from the 290,000 figure cited in the *Record*. Neither the Department

of Health, Education, and Welfare nor the Department of Transportation can supply definitive information with respect to how many students are bused for purposes of desegregation, nor how many buses are used for that purpose. Only estimates are available and they vary with the source.

The use of school buses in the 1972–73 school year, including pupil transportation to achieve desegregation, transportation of the handicapped and for extracurricular activities amounted to 2.3 billion miles. This is the most reliable figure available, since no known source indicates for what purpose a bus was being used when mileage is logged. Taking this gross figure, however, it would appear that there are other areas where gas savings could be achieved without abridging anyone's constitutional rights. For instance, nothing is sacrosanct about "extracurricular activities," particularly athletics. Use of school buses for such activities could be prohibited. This would cause the responsibility of conserving energy to be shared by all and prevent a disproportionate part of this burden from falling on minority school children. In the Commission's view, the reduction or elimination of pupil transportation for athletic events and other extracurricular activities would conserve a substantial amount of gas and preserve the constitutional rights of many minority school children.

Similarly, the *Congressional Record* quoted figures regarding Prince Georges County, which estimated that ". . . enforced school busing for racial balance uses up about 750,000 gallons per year." Actual figures are only available for the second half of the 1972–73 school year, when Judge Kaufman's order went into effect. These figures show that 350,000 gallons were used solely for pupil transportation of the handicapped and for extracurricular activities.

Returning to the figures cited in the *Record* and using the 262,000 figure for the total number of buses [290,000 (number of buses in use) × 60 (miles per bus per day)/5 (average miles per gallon) × 180 (number of school days) = Total gallons consumed by school buses per year], one arrives at a figure of 475,000,000 gallons for all pupil transportation per school year as opposed to 624,000,000 gallons per school year. Inasmuch as no reliable figures are available for determining what percentage of the total gas mileage is chargeable to desegregation, the statistics quoted in the *Record* are at best speculative. Even if we were to assume that the figures Mr. Dingell used were accurate, the amount of gasoline to be conserved amounts to .0008 (eight ten-thousandths) of the total amount of gasoline used in America for all purposes. Surely this is not too great a price to pay to protect the constitutional rights of our children.

Assuming that relative gas savings were to occur by eliminating the allocations of gasoline to school districts desegregating voluntarily or under court order, the unavailability of the district's gasoline allocation does not alter the school district's constitutional obligation to desegregate. Consequently, any gas savings occasioned by this legislation might be liquidated by parents using personal cars to transfer students still required to attend certain schools to achieve desegregation.

Furthermore, the proviso that "Nothing in this section shall prohibit allocation of refined petroleum products for student transportation . . . where the transportation is within the regularly established neighborhood school attendance areas," belies the expressed intent of the Dingell amendment and militates against fuel conservation. The proviso ignores the fact that "regularly established neighborhood school attendance areas" currently compel many students to attend schools which are not those closest to their homes. Clearly, attendance at the "regularly established neighborhood school" is not synonymous with attendance at the closest school where local school officials have drawn gerrymandered school attendance areas lacking compactness.

Let me conclude, however, by emphasizing the Commission's position that no energy crisis, however real or rampant, mandates the denial of rights protected by the United States Constitution and articulated by the Supreme Court. Such a denial would provide a negative precedent in America's constitutional history. The Commission believes that the inclusion of an anti-busing provision in a bill to resolve the current energy emergency is both regressive and unconstitutional.

Sincerely,

JOHN A. BUGGS,
Staff Director.

THE ASSAULT ON PRIVACY BY DRUGGING GRAMMAR SCHOOL CHILDREN

HON. MARGARET M. HECKLER
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, the following article by Charles Witter, "Drugging and Schooling," appeared in the July/August 1971 issue of Trans-Action. It is the best description written for laymen on this complicated issue. Since the hearings in 1970, which forms the basis for the article, no congressional committee has considered this incredible problem that has about 600,000 children now receiving ritalin and amphetamines to modify their behavior.

This is the second installment of relevant material that was cited in my speech "The Failure of Congress to Deal With the Assault on Privacy" during my special order on privacy which appeared in the December 14 RECORD on page 41782.

The article follows:

DRUGGING AND SCHOOLING

(By Charles Witter)

Minimal brain dysfunction (MBD), one of at least 38 names attached to a subset of learning disabilities, can significantly hinder a grammar school student of average or above-average intelligence from achieving his full potential. Hyperactive, often loud and demanding and little responsive to the feelings of others (or himself), the MBD child can be seen as the very model of the uncontrollable student. Then, 30 years ago, it was discovered that amphetamines, stimulants and/or tranquilizers could calm the hyperactive child who was so often disruptive in class or at home. Amphetamines and stimulants such as Ritalin have a "paradoxical effect" in the prepubescent child: instead of being "speed," they actually slow him down, make him more tractable and teachable and permit calm to be restored for the harassed parent and overburdened teacher.

Such was the conventional wisdom on 29 September 1970 when Congressman Cornelius E. Gallagher (D-New Jersey) convened a hearing of his House Privacy Subcommittee. This article is a critique of the hearing and an urgent appeal for social scientists to assert humanist concern in a world increasingly reliant on biochemical manipulation.

For the child who is very carefully tested by a team of neurologists, pediatricians, psychologists and educators, the symptoms of MBD can be masked by drugs in as high as 80 percent of the cases, according to some authorities. Others say 50 percent, while dissenters state that the good results are either the result of increased personal attention received by the child or the magical properties the child ascribes to the drug. A careful reading of Department of Health, Education, and Welfare (HEW) testimony at the Gallagher hearing suggests that 200,000 children in the United States are now being given amphetamine and stimulant therapy, with probably another 100,000 receiving tranquilizers and antidepressants.

All the experts agree, however, that the use of medication to modify the behavior of grammar school children will radically increase—"zoom" was the word connected with the man most responsible for the promotion of the program at the National Institute of Mental Health (NIMH). Already specialists in this therapeutic method state that at least 30 percent of ghetto children are candidates, and this figure could run as high as four to six million of the general grammar school population. The authoritative *Journal of Learning Disabilities* puts it bluntly: "Disadvantaged children function similarly to advantaged children with learning disabilities."

Not all children with the ill-defined, perhaps indefinable, syndrome are likely to be treated with medication, but it must be recognized that drugs are a cheap alternative to the massive spending so obviously necessary to revitalize the public school system. Lest there be any doubt about whether leadership in America would be reluctant to embrace quick, inexpensive answers to social problems, consider the plan of the president's former internist, Dr. Arnold Hutschnecker, who would give all six- to eight-year-olds in the nation a predictive psychological test for their criminal potential. Those who flunked these tests—which have been shown to provide successful individual prognosis slightly over 50 percent of the time—would be sent to rehabilitation centers "in a romantic setting with trees out West," as Hutschnecker phrased it. This late, unlamented proposal was sent on White House stationery to the secretary of HEW with a request for suggestions on how to implement it. Once again, Mr. Gallagher's was the only congressional voice raised in opposition, and he branded those camps "American Dachaus." After hearings were threatened, HEW reported unfavorably, and the White House dropped the idea. Many other plans have gone forward, but the Hutschnecker proposal is important because of its high-level endorsement and encouragement, and the distressing impact it would have had on virtually every American family.

The National Institute of Mental Health, which studied the Hutschnecker plan for some three months, has granted at least $3 million to study drug therapy. The clearest statement on the reality of minimal brain dysfunction, however, has come from Dr. Francis Crinella, a grantee of the Office of Education. He said that MBD "has become one of our most fashionable forms of consensual ignorance." No simple medical examination or even an electroencephalogram can disclose the presence of the disorder; "soft" neurological signs seem to be the only physical manifestation.

PASSING THE BUCK

Dr. John Peters, director of the Little Rock Child Study Center of the University of Arkansas, testified that the only way to separate the active child from the hyperactive one was to have had his long experience in seeing thousands of normal and "deviant" children and then making a personal judgment. In Omaha, where the drugging was first discovered by the *Washington Post's* Robert Maynard, the doctors are not even that confident. How else does one explain the lines, reported also by Nat Hentoff, from the *Bulletin of the Omaha Medical Society:* "The responsibility of the prescription was

not that of the doctor, but rather of the parent. The parent then vests responsibility in the teacher."

Wow! One could say with equal validity that the facts in a book are not the responsibility of the author; rather, he has vested responsibility in the researcher, who in turn has relied solely on secondary sources.

The conclusion must be that it is behavior and behavior alone that creates the diagnosis of MBD, and this behavior can only be found in the classroom or at home. Mark Stewart, who received NIMH support, wrote in the July 1970 *Scientific American*: "A child who has been described by his mother as a demon may be an angel when he comes to a psychiatrist's office. Most hyperactive children tend to be subdued in a strange situation and to display their bad behavior only when they feel at home. The explanation may lie in a stress-induced release of norepinephrine in the brain cells. Thus, *a state of anxiety may produce the same effect as a dose of amphetamine—through exactly the same mechanism*" (emphasis added). With relentless logic, Stewart then discusses the behavior of lobotomized monkeys.

Two points on the physical aspects of drugs demand emphasis. First, John Oates of Vanderbilt University has found that "chronic use of amphetamine in small doses may produce symptoms which very closely resemble paranoid schizophrenia." Second, Stewart discredits the alleged "paradoxical effect" by pointing out that "it has been found that amphetamine has a somewhat similar effect on the performance of normal adults who are assigned a boring or complex task."

Would it then be unduly provocative and aggressively argumentative to phrase the question: "Does a long-term dosage of amphetamine and/or Ritalin induce stress in the bored child, producing a perfect student, whose anxiety-ridden behavior may be paranoid schizophrenic and resemble that of a lobotomized monkey?"

It was to speak to a considerably less loaded version of that question that Gallagher invited the provocative educator John Holt. Holt's contempt for orthodox teaching is well known; he compares today's schools to maximum security prisons. Gallagher had phrased his concern, "I fear there is a great temptation to diagnose the bored but bright child as hyperactive, prescribe drugs, and thus deny him full learning during his most creative years," and he introduced Holt's testimony as putting the discussion in the most important context, that of the child.

Holt's response did nothing to lower the issue's hyperbolic content:

We take lively, curious, energetic children, eager to make contact with the world and to learn about it, stick them in barren classrooms with teachers who on the whole neither like nor respect nor understand nor trust them, restrict their freedom of speech and movement to a degree that would be judged excessive and inhuman even in a maximum security prison, and that their teachers themselves could not and would not tolerate. Then, when the children resist this brutalizing and stupefying treatment and retreat from it in anger, bewilderment and terror, we say that they are sick with "complex and little-understood" disorders, and proceed to dose them with powerful drugs that are indeed complex and of whose long-run effects we know little or nothing, so that they may be more ready to do the asinine things the schools ask them to do.

Unfortunately, there are those of us who have either forgotten our own grammar school experiences or who think that only an in-depth, scholarly, jargonized study can yield an accurate description of reality. As a result, Holt's testimony needs reinforcement. This was made distressingly clear to me when, during the weeks prior to the hearing, I would describe our witness list and state: "John Holt, a former grammar school teacher." Invariably, the reply would be, "Yes, but what are his credentials?"

Among the abundance of supportive evidence of Holt's findings is that contained in Charles Silberman's recently published *The Crisis in the Classroom*. This study, commissioned by the prestigious Carnegie Corporation, found today's schoolrooms to be "grim" and "joyless." Could we not then wonder if the predicted "zoom" in hyperkinetic diagnosis and its concomitant drug therapy will not be used against precious childhood joy? Has Hutschnecker become institutionalized within the medical-educational complex? Have we put the Dachaus in the pill and then put the pill in the kid?

Dr. Rada Dyson-Hudson of Johns Hopkins University begins a letter to Gallagher: "As an anthropologist with a background in genetics and biology who is also the parent of a hyperactive son," and goes on to describe how her family moved to a rural setting to avoid being mangled by urban society. Based on her own personal observations, she says, "Where there are important tiring or responsible physical jobs to do, a hyperactive child is a joy to have around." But a hyperactive child is no joy in overcrowded city classrooms or to the modern housewife.

Dyson-Hudson's professional judgment is also fascinating. She suggests that the prevalence of MBD in the population could mean that it is an inherited trait, has a selective advantage and, therefore, should not be regarded as pathological. She says that the selective advantage must be quite large, in order to counterbalance the higher mortality rate in hyperactive children. This is confirmed in dozens of letters to Gallagher that describe the MBD child as a mass of bandages and stitches, and Mark Stewart finds that many of the children he has studied have been victims of accidental poisoning.

On the other side, a recent New Jersey report states that in 80 children studied, four times as many children who show learning disabilities are adopted than those not adopted. But Dyson-Hudson's point demands further extensive research for two reasons.

First, pediatricians, psychiatrists and educators, particularly school administrators, contend that parents of hyperactive children are excitable, have a history of alcoholism and instability and fail to provide the child with a warm and loving upbringing. (This point is directly denied by hundreds of letters disclosing a real agony in parents who must finally go to drugs as a last resort.) With that sort of finding buttressing the experts' faith in themselves, it is easy automatically to write off the complaints of a child's parents and to coerce them into acquiescing to or embracing drug therapy.

Second, it is fair to speculate that hyperactivity may well be a considerable advantage for children, especially for ghetto kids. The latter truly have no childhood; they are instantly forced to match wits with hustlers, gang leaders, police and antipolice violence and an entire milieu where the prize of physically growing up goes to the toughest and the shrewdest. Theodore Johnson, a black chemist from Omaha, testified to the problems of coming of age in the ghetto and listed causative agents that could produce MBD-like behavior. In the school, he mentioned racist attitudes among teachers and administrators, inferior and outdated textbooks, irrelevant curriculum and inadequate facilities; and for the child, he found malnutrition, broken rest patterns, unstable home environment and physical fatigue.

On a larger social plane, it is possible to speculate that the use of drugs to make children sit perfectly still and reproduce inputs may once have had some functional purpose. Schools formerly trained the vast majority of students to become effective cogs in giant factories, and they were designed so that assembly line learning production during working years. Yet, it is now obvious that service-oriented businesses are rapidly replacing manufacturing as the major source of employment. It is not unreasonable to suggest that children no longer need to be preconditioned for the rigid regimentation involved in earning a livelihood; an inquiring mind in an inquiring body is now marketable.

There would be far less need for additional McLuhanesque probes into MBD drug medication if we could rely on the testimony of the Department of Health, Education, and Welfare before the Gallagher Privacy Subcommittee. If that testimony could stand up under informed scrutiny and if it reflected a conscientious effort to understand and to disclose all the facts, this article would also be unnecessary.

When the federal government sends officials to the Congress to defend a program of such impact, one has a right to expect that rigorous research and rigid control have gone into the decision. In my judgment, both were lacking, and several examples will illustrate my conviction that this massive technological incursion into the sanctuary of the human spirit operated on intelligence just as faulty as that surrounding last winter's Laotian sanctuary incursion.

First, with $3 million from NIMH alone, and with at least 300,000 children and 30 years' experience in the program, it could be expected that hundreds of studies could be cited to show the long-term effect on the children who have been given drugs. Yet, only in 1970 had funds been granted for this essential study, and the man selected to follow up on 67 children was Dr. C. Keith Conners. The HEW witnesses bristled when Gallagher offered the comment that Conners was engaged in evaluating "his own thing," but it is a fact that, prior to the grant for evaluation of these specific children, Conners had been given $442,794 in grants beginning in 1967 to test the effectiveness of drugs on children. Those studies were cited by HEW witnesses as confirming the validity of the treatment.

WANTED: SCIENTIFIC DEDICATION

So, as we zoom up to and beyond six million grammar school children on drugs, we are offered a study of 67 cases that was begun in 1970, is now only in its preliminary data-gathering phase and is being carried out by a man whose professonal career has been spent proving how effective the therapy is. One can scarcely imagine the cries of rage that would greet any mayor or governor proposing to evaluate road construction in this manner, but one can only assume that scientific research rises above such petty considerations as conflict of interest. In fairness to the selection of Conners, Ronald Lipman, Ph. D. (chief, Clinical Studies Section, National Institue of Mental Health), pointed out at the hearings: "I think one of the reasons why there have been so few followup studies is that they are so very difficult to do. They involve going back into medical records that are very difficult to come by. They involve tracking down people after a period of 20 years. This is very difficult logistically. *It requires a certain kind of scientific dedication that you just don't find too many people have*" (emphasis added).

Other testimony confirmed Lipman's pessimistic view of his colleagues. Dr. Dorothy Dobbs, director of the Food and Drug Administration's Division of Neuropharmacological Drug Products, and HEW's chief witness, Dr. Thomas C. Points, deputy assistant secretary for health and scientific affairs, both testified that they had conducted "cursory" investigations of the administration of these drugs in Omaha and that nothing was wrong. Later in the hearing it was disclosed that Dr. Byron Oberst, the program's primary proponent in Omaha, was unaware that the Food and Drug Administration (FDA) had listed two of the drugs he was using as "not recommended for use in children under 12." Dr.

John Peters, director of the Little Rock Child Study Center, was found to be equally in the dark about FDA guidelines on one of the drugs he dispensed. (It must be mentioned that FDA has no authority to insist that drugs not be used; it has a formal mechanism that permits just about anything to be administered under a doctor's prescription.)

Two points are crucial, however: 1) the HEW witness did not volunteer the information that the department had communicated with Oberst pointing out his oversight; and 2) leading practitioners of drug therapy were unaware of FDA's recommendations.

Moreover, while the HEW witnesses cited some 40 studies conferring validity on the use of drugs to mask hyperactive behavior, they did not refer to Crinella's Office of Education study referred to earlier—"one of our most fashionable forms of consensual ignorance" is a line certainly worth repeating—nor did they mention HEW's own studies by John Oates and Mark Stewart. But perhaps most compellingly, we heard nothing of the June 1970 statement of the American Academy of Pediatrics Committee on Drugs. In light of the supposedly wide support within the medical community for the efficacy of drugs, the academy's words are particularly significant:

An accurate assessment of the effectiveness of the chemotherapeutic approach poses enumerable difficulties. These stem from factors such as 1) the lack of uniform terminology, 2) marked variability in methodology for evaluation, 3) the absence of standardized requirements for precise diagnosis and classification of the symptomatology constituting learning impediments, and 4) the paucity of long-term, properly controlled studies. As a result, a valid evaluation of response and objective comparison of the effectiveness of drugs administered in an attempt to mitigate or lessen learning impediments becomes impossible.

Finally, the HEW testimony dismissed any possible connection between children relying on drugs during grammar school and the incredible problem of drug abuse in high schools and in the rest of society. The hearing ran for approximately eight hours, and Gallagher hammered away all day long on this most obvious "paradoxical effect," but it was only during the questioning of Sally Williams, chief of the School Nurse Division of the National Education Association, that a glimmer appeared. She had strongly supported the use of behavior modification drugs (controlled, naturally enough, by the school nurse), but, almost as an afterthought, she disclosed that ten students at her school were now on Ritalin at their own discretion. Her exact testimony is most revealing: "They were taken off the medication and they still came back to the 'springs inside,' the inability to control their behavior. So the doctor has put it on a PRN, which means when necessary, so because they are senior high school students they come up to the health office and come to me and say, 'I think I need my Ritalin now.'"

Apparently, the administration shared some of these doubts, because two short weeks after the hearing, the director of the Office of Child Development at HEW announced his intention to form a "blue ribbon" panel to consider the problem. Dr. Edward F. Zigler's statement of 12 October is very different from the tone of the HEW testimony of 29 September: he said the panel would "inform educators that perhaps it is as much a problem of the kind of schoolroom children have to adjust to rather than what is wrong" with the nervous systems of the children. On 10 March 1971 the panel issued its report, and Gallagher commended it for approximately one-half of his remarks in the *Congressional Record* of that day. He singled out two sentences:

It is important to recognize the child whose inattention and restlessness may be caused by hunger, poor teaching, overcrowded classrooms, or lack of understanding by teachers and parents. . . . Variations in different socioeconomic and ethnic groups must be considered in order to arrive at better definitions of behavior properly regarded as pathological.

In light of the evidence we gathered that drug company salesmen were huckstering their products' wonder-working capabilities at PTA meetings and at professional educational society gatherings, Gallagher also praised this stern warning: "These medicines should be promoted ethically and *only* through medical channels" (emphasis in original).

Unfortunately, the second half of Gallagher's statement was not reflected in media reports. He was sharply critical of the panel's failure to do any independent investigation; they had only produced a compendium, in layman's terms, of existing studies. Moreover, while the report reiterated many of the criticisms surfaced by the Privacy Subcommittee, the report made no comment on the desirability of having a mechanism within the federal establishment to encourage sensible caution at the local level. Gallagher said that "the suspicion still exists that these programs will be used to modify the behavior of black children to have them conform to white society's norms," and that "as admirable as the recommendations in the report are, they will be nothing but high sounding platitudes unless supervision of local schools can assure that they are given the attention I think they deserve." He called for the Office of Child Development to become the mandated overseer of the increasing nationwide use of behavioral modification drugs.

Assumption of this responsibility became absolutely essential when the Privacy Subcommittee was abolished by its parent Committee on Government Operations on 31 March 1971. Along with a special panel under Congressman Benjamin Rosenthal (D-New York) that had a remarkably effective record of protecting the consumer, the new committee chairman, Chet Holifield (D-California), decreed, as was his right with subcommittees without direct jurisdiction over specific federal agencies, that these issue-oriented studies were outside the committee's ambit. (Holifield has been either chairman or vice-chairman of the Joint Committee on Atomic Energy since its inception. At the risk of being labeled hyperactive myself, it is disquieting that the man who now says there is no valid reason for concern over privacy or consumer matters in the House has consistently stated that there are no dangers from nuclear power plants.)

It would be possible to continue to discuss privacy generally and behavior modification therapy specifically at a length only slightly less than that of the collected works of Dickens, but a brief reference to the National Education Association (NEA) is essential. It has become one of the most effective lobbies in the legislative and executive ambits in Washington, and its proposals often quickly turn into public policy. For that reason, it is important to find out just what it has in mind for future generations of American children. A particularly relevant example comes from the *NEA Journal* of January 1969 in an article entitled "Forecast for the 1970's." Two professors of education at Indiana University point to a radically altered school environment, but one of their statements says it all: "Biochemical and psychological mediation of learning is likely to increase. New drama will play on the educational stage as drugs are introduced experimentally to improve in the learner such qualities as personality, concentration, and memory. The application of biochemical research findings, heretofore centered on infra-human subjects, such as fish . . ."

Fish? Fish! Gallagher has long been concerned with the privacy-invading aspects of credit bureaus, electronic surveillance, the computer and psychological testing, and he has said that the Age of Aquarius will become the Age of Aquariums, in which all our lives are lived in a fish bowl. His assumption, up until the investigation of drugging grammar school children, was that there would still be ordinary water in those aquariums; now the concern must be that human rights will be drowned in an exotic brew of biochemical manipulators, stirred and watched by an untouchable medical-educational complex.

The implications and ramifications to our future were well expressed in June 1970 by America's most highly placed social critic. Social scientists would do well to take action on the words of the former president of the Baltimore County Parent-Teacher Association, Spiro T. Agnew: "We as a country have hardly noticed this remarkable phenomenon of legal drug use, but it is new, it is increasing, and the individual and social costs have yet to be calculated."

STATE CAPABILITY FOR HARDSHIP FUEL ALLOCATION NEEDS STRENGTHENING

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. FRASER. Mr. Speaker, the proposed mandatory fuel allocation regulations, issued under the Emergency Petroleum Allocation Act of 1973, Public Law 93–159, have serious shortcomings as far as State capability to allocate heating oil in hardship situations is concerned. In the following comments submitted to Federal Energy Administrator William E. Simon, I have urged that the final regulations include provision for improved and timely reporting procedures to States and for strengthened State set-aside programs:

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 15, 1973.

Hon. WILLIAM E. SIMON,
Administrator, Federal Energy Office, Washington, D.C.

DEAR MR. SIMON: I wish to comment on serious inadequacies in the proposed Mandatory Fuel Allocation Regulations with regard to State responsibility for hardship allocation of middle distillates.

The final regulations should include provision for the following:

(1) Improved and timely reporting procedures to the States.

(2) Increased allotment to State set-aside programs and stockpiling by States of these set-asides in order to permit swift response to spot emergencies caused by unusually cold weather.

(1) Improved and Timely Reporting Procedures to the States: (Subpart K 200.70 (b)).

Experience confirms that information channelled directly to the Federal allocation authority, in this case the Federal Energy Office, does not reach the State in time for rational planning purposes. As Mr. Cy Carpenter, Executive Secretary of the Minnesota Farmers Union has declared: if the farmers of the State only knew how much fuel would be available, they would know how much acreage to plant.

In addition to being largely after-the-fact, data now being reported to the State does not include essential end-use information that State planners must have if they are to be prepared for the emergency needs of exceptionally cold weather.

Therefore, it is suggested, that Subpart K 200.70 (b) be modified as follows:

After subsection (1) there be added the following sentence:

"Every refiner and importer into a State who is a supplier of any allocated substance will report monthly to the Governor of that State, at the same time that reports are filed with the Federal Energy Office, the following information for each allocated substance he supplies (reports are to be made by calendar month in gallons):"

After item (x) there be added the following:

"(xi) Such additional information on end-use as the State finds necessary for its program under 200.48(k) 'to alleviate end-user hardships within the State.'"

(2) Improvements in State Set-aside programs: (Subpart F 200.45 (4), 200.47 (f)–(m); Part 202, Subpart B 202.20).

Minnesota's Civil Defense Division, which has been authorized by the Governor to administer the petroleum allocation program for the state, has estimated that ten consecutive days of temperatures lower than 20° above zero could leave half of Minnesota's 1800 heating-oil jobber-distributors without supplies. A three-week period of 10° colder than usual temperatures—i.e. 210 additional degree days—would mean that 10 to 15 million gallons would be needed immediately for home-heating.

It is imperative that the State have at its immediate disposition supplies roughly equal to this shortfall of 10 to 15 million gallons. This amount is roughly 10% of the total heating oil reported coming into the State for the month of December to users of less than 500,000 gallons.

If one or more of Minnesota's 1800 distributors suddenly had not enough fuel to supply customers, the State could not afford to wait to send a requisition to Washington for more oil. It must act immediately to fill the gap before furnaces are shut off and pipes begin to freeze. The State of Minnesota must have at its disposition stockpiles of from ¾ to one million gallons, accumulated as part of the State hardship set-aside program. Minnesota's Civil Defense Division expects to have access to oil storage facilities with 750,000 gallons capacity. Other reserves could be maintained for the State at refineries within Minnesota.

Because action in an emergency must be swift, the State must have the distribution capability to respond immediately to an emergency situation.

Therefore it is strongly suggested that Part 202, Subpart B 202.20(d) be eliminated. ("The state reserve may not be accumulated or deferred.")

It is further suggested that the regulations governing State set-asides be modified as follows:

Provision for the following be included in Subpart F 200.47:

The Governor of a State may allocate at least 10% of available supplies of heating oil within the State for any given month.

This set-aside allotment may be accumulated or deferred, as a State may deem necessary in order "to alleviate end-user hardships within the State."

With best wishes.

Sincerely,

DONALD M. FRASER.

CANADIAN STANDS BACK OF AMERICA

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. HUDNUT. Mr. Speaker, in view of the vote today on the adoption of the conference report on H.R. 11771, the Foreign Assistance Appropriation Act—which I opposed—I feel it is appropriate to call attention to a letter written last June by a Canadian in Toronto named Gordon Sinclair. Little is known about him at this time except that he has some strong feelings to share with Americans. His message, which is being read over radio stations in Indianapolis, points up the fact that the United States has always come to the aid of the peoples of other nations at a time of need, yet we receive little or no consideration in return. As Mr. Sinclair puts it:

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

I am pleased to insert the complete message—as it was brought to central Indiana courtesy of radio station WXLW and the Indianapolis News—in the RECORD in order to bring it to the attention of a wide audience. Bear in mind it was written last June:

CANADIAN STANDS BACK OF AMERICA

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

As long as 60 years ago when I started to read newspapers I read of floods on the yellow river of the Yangtze. Well, who rushed in with men and money to help? The Americans did. They've helped control floods on the Nile, the Amazon, the Ganges and the Niger. Today the rich bottom land of the Mississippi is under water and no foreign land has sent a dollar to help.

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

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

When distant cities are hit by earthquakes, it's the United States that hurries to help. Managua, Nicaragua, is one of the most recent examples.

So far this spring, 59 American communities have been flattened by tornados and nobody helped. The Marshall Plan, the Truman policy all pumped billions upon billions of dollars into discouraged countries. Now the newspapers in those countries are writing about the decadent, war-mongering Americans. I'd like to see just one of those countries that is gloating over the erosion in the United States dollar build its own airplanes. Come, let's hear it. Does any other country in the whole world have a plane to equal the Boeing jumbo jet, the Lockheed TriStar, the Douglas DC–10? If so, why don't they fly them? Why do all international lines except Russia fly American planes? Why does no other land on earth even consider putting a man or woman on the moon? You talk about Japanese technocracy and you get radios. You talk about German technocracy and you get automobiles. You talk about American technocracy and you find men on the moon; not once, but several times and safely home again.

You talk about scandals and the Americans put theirs right in the store window for everybody to look at. Even their draft dodgers are not pursued and hounded. They are here on our streets in Toronto. Most of them, unless they are breaking Canadian laws, are getting American dollars from Ma and Pa back home to spend up here.

When Americans get out of this bind—as they will—who would blame them if they said "to hell with the rest of the world, let someone else buy the bonds, let someone else build or repair foreign dams, or design foreign buildings that won't shake apart in earthquakes."

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

I can name you 5,000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble? I don't think there was outside help even during the San Francisco earthquake. Our neighbors (Americans) have faced it alone and I am one Canadian who is damned tired of hearing them kicked around. They'll come out of this thing with their flag high, and when they do they are entitled to thumb their noses at the lands who are gloating over their present trouble. I hope Canada is not one of these. But there are many smug, self-righteous Canadians.

And finally, the American Red Cross was told at its 48th annual meeting in New Orleans this morning that it was broke. This year's disasters, with the year less than half over, have taken it all, and nobody but nobody outside that country has helped.

That's the view from a Canadian.

COMPUTER CARPOOLING

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. LONG of Maryland. Mr. Speaker, the energy crisis hangs like a dark cloud over the economy and our private lives. But the ingenuity of some private businesses that have responded for the good of the public offers a silver lining.

I submit the following article from the November 29 issue of the Capital, a Maryland newspaper, as an example of how private business, the media, and the State government are cooperating to save fuel:

STATE RUNNING CARPOOLS THROUGH THE COMPUTER

What started out as a way to relieve automobile pollution and traffic congestion around metropolitan Baltimore may also turn out to be one answer to alleviating excess gasoline consumption.

The idea is carpools, and one program is already under way and another is being designed.

AAA Automobile Club of Maryland has the program in effect. According to William Zorzi, who is in charge of that program, Commuter Computer plans started in September right after the Environmental Protection Agency held its hearings in Baltimore.

The cost of the program is minimal, he said, because the club already has a computer. However, the response wasn't much at all until the energy crisis became more evident in the last month.

Under the program, the Baltimore metropolitan area—which includes Anne Arundel County and Annapolis—was sectioned off into grids of one square mile each. The com-

puter merely connects persons who live and work in the same two grids. He didn't have an estimate of how many applicants his office is handling now.

Some time in the future, probably next year, Zorzi said the project will be turned over to the state Department of Transportation, which is in the process of developing its own program.

Although that program is expected to coordinate carpools throughout the state when it gets under way, transportation secretary Harry R. Hughes said the initial thrust would be the Baltimore metropolitan area and Baltimore-Annapolis commuters.

A spokesman for the transportation department stressed the program was in the beginning stages and the department has not even decided where the headquarters will be.

Although the department has not tallied the number of cars that might be affected by carpools, the Bureau of Highway Statistics records of vehicles on major Baltimore area roads in October show 2,010,449 vehicles passing through the Harbor Tunnel; 2,204,757 vehicles on Interstate Highway 695 south of U.S. 1 at Bellaire Road; 1,233,049 vehicles on the Baltimore-Washington Parkway south of Maryland Route 176; 836,747 vehicles traveling on Ritchie Highway south of Glen Burnie; and 595,225 vehicles crossing the Chesapeake Bay Bridge.

THE POOR RICHARD CLUB OF PHILADELPHIA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. EILBERG. Mr. Speaker, on January 17, 1974, the Poor Richard Club of Philadelphia will observe, for the 68th year, its annual commemoration of the birthday of its patron, Mr. Benjamin Franklin, distinguished Philadelphian and citizen of the world.

The Poor Richard Club is the oldest and among the largest of the professional organizations in the United States whose membership is comprised of practitioners in the communications world, in public relations, in journalism, in advertising. Over the years, it has made notable contributions in sponsoring the drive which led to the founding of the world-renowned Franklin Institute in Philadelphia, the Better Business Bureau, the renovations at historic Christ Church, and many other contributions to Philadelphia. The club also sponsors the Charles Morris Price School of Advertising and Journalism.

In accordance with the club's tradition, again this year, it will sponsor a most meaningful daylong set of ceremonies memorializing the contributions which Benjamin Franklin made to his day and time and to the growth and development of this Nation. This observance will take the form of a pilgrimage in which the members of the club and their families, led by its president, James P. Dwyer, will be joined by a number of distinguished Americans—walking in the pathways of Franklin and Washington and Jefferson and so many of our Founding Fathers.

Included in the pilgrimage as special guest of honor will be the Poor Richard Club's Gold Medal recipient, Mr. Edward J. Piszek, a distinguished entrepreneur and philanthropist. As 42d recipient of the club's annual Franklin Day award, Mr. Piszek will join a distinguished company of previous winners that included Walt Disney, Dwight D. Eisenhower, Richard Rodgers, and Oscar Hammerstein II, and John S. Knight of Knight Newspapers, Inc. Mr. Piszek is being honored for his unique contributions to communications both in the field of business and on behalf of the causes of increasing peace and understanding among the world's peoples.

Born in Chicago on October 24, 1916, Mr. Piszek is a first generation Polish-American whose parents operated a small farm near Tarnow, Poland, before they emigrated to the United States. Shortly after he was born, his family moved from Chicago to Quakertown, Pa., and then to Philadelphia where they opened a retail grocery store in 1925.

Mr. Piszek attended Philadelphia's public schools and evening classes at the University of Pennsylvania, graduating with a degree in business administration. In 1946, with $450 and the help of a close friend, he founded Mrs. Paul's Kitchens, Inc., which he developed into one of America's largest producers of frozen prepared foods. Today, he heads a company which employs over 1,200 people in four processing plants located in Pennsylvania, New Jersey, and Maryland.

During a visit to the land of his ancestors in 1963 he witnessed widespread suffering and severe economic loss caused by the high incidence of tuberculosis. He began his fight against the disease with the donation of an ambulance to the hospital in Tarnow in memory of his parents. Subsequent contributions to Poland, in an effort to stop tuberculosis, included 11 mobile X-ray clinics, 4 mobile generating trailer units, 42 support vehicles to transport technicians, 5 microbuses, 5 X-ray photo enlargers, a research microscope, 200 numbering machines, 100 automatic skillets, plus subscriptions to assorted American medical journals.

A practical idealist, he felt that the donation of the equipment was secondary when compared to the effect of the entire project. The people of Poland were shown that through their own efforts and energies and following a systematic procedure with proper equipment they could bring tuberculosis under control.

In 1966, during a visit to Ireland, he recognized the need for adult education and, in conjunction with Irish scholars, established the Limerick Adult Eucation Institute.

A man of considerable talent, energy, and imagination, Mr. Piszek has involved himself in scores of projects in the field of human relations, some recent examples of which follow:

July 1970: Helped sponsor the European tour of the Philadelphia Boys Choir.

August 1970: Traveled to Israel to attend the 20th anniversary Jerusalem Conference.

November 1970: Was presented with "The City of Jerusalem Peace Award." This is presented to non-Israelis who distinguish themselves in behalf of the people of Israel.

February 1971: Financed a trip to the United States for a Polish heart surgeon and his patient for the purpose of implanting an artificial artery. After a completely successful operation, both doctor and patient were returned to Poland.

March 1971: Received "Man of the Year" Award from St. Joseph's College in recognition of his special dedication to the ideal of "Freedom From Hunger."

May 1971: Sponsored a concert tour of the United States for the Poznan Boys' Choir, highlighted by a White House performance for President Nixon on June 3.

May 30, 1971: Received an honorary doctorate of humane letters from Alliance College.

October 1971: Launched "Project POLE" in Detroit. This mass media communications project dedicated to elevating the Polish image was introduced in the major cities of the United States and is a continuous effort. It is underwritten for $500,000.

April 1972: Established a pilot program for ethnic libraries at Germantown Academy.

This bibliography includes cultures such as Chinese, Arab, Jewish, Russian, African, Irish, and Polish.

October 1972: Was involved with the pilgrimage to Poland taken by John Cardinal Krol. This close relationship between them provided the unique combination of clergyman and industrialist on a mission of good will.

January 1973: Established the Copernicus Society of America.

April-August 1973: Sponsored the exhibition tour of the original scientific instruments of Copernicus in France, the United States, Canada, and Great Britain.

June 1973: Received an honorary doctorate of human relations from St. Joseph's College.

June 1973: Coordinated "Visit to a Troubled Land." This was the visit of John Cardinal Krol to Ireland.

July 1973: Was appointed to the Executive Board of the Philadelphia Bicentennial Committee.

On an international scale, he is dedicating himself to the world hunger problem. As the vice president of the American Freedom from Hunger Foundation, he espouses the conviction that the only way to feed the estimated 4.5 billion people who will populate the Earth by 1980 is to show the emerging countries how to produce more food and then encourage and inspire them to do it with a self-help philosophy. He believes that the future of America depends on the markets of tomorrow which can be developed only by helping solve the problems of the underfed.

Thus, Mr. Speaker, while fostering an appreciation for the enrichment that our diverse ethnic and cultural heritages bring to American life, Mr. Piszek has demonstrated through his actions that he, like Poor Richard's patron, is not only a proud patriot, but a concerned citizen of the world.

FURTHER INFORMATION ON THE ASSAULT ON PRIVACY

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, many studies are going forward

today on the causes of what has become known as minimal brain dysfunction. This information, often disclosing physical reasons for the disorder and which tend to place in doubt the standard therapy of giving the child amphetamines or Ritalin, have yet to be brought to the attention of doctors around the country which have the responsibility to prescribe these dangerous chemicals to grammar school children. Certainly far too little is known by the Members of the Congress, and in spite of a widely publicized hearing in September 1970, and a Health, Education, and Welfare Department report in March 1971, we have seen the number of children being given behavior modification drugs double since 1970.

That is why I was very interested to read of a study which suggests that food additives produce symptoms very similar to minimal brain dysfunction in certain children. As I commented on the floor of the House during my speech on my special order on privacy of December 14, 1973, it may be that dangerous chemicals are being prescribed to cure the effects of the ingestion of other dangerous chemicals. A Select Committee on Privacy such as is envisioned in House Resolution 633, would have as a major purpose the wide dissemenation of and the thorough understanding of information which now appears spasmodically if at all.

Mr. Speaker, I attach two brief descriptions of the study linking hyperactive behavior to food additives: a report by Judith Randal in the Washington Star-News of June 26, 1973, and an article by Morton Mintz in the Washington Post of October 29, 1973:

[From the Washington Star-News, June 26, 1973]

ADDITIVES BLAMED IN CHILD ILLS

(By Judith Randal)

NEW YORK.—A San Francisco physician has raised the possibility that food additives which lend color and flavor to many grocery products may be the unsuspected cause of such behavioral problems in children as learning disabilities and hyperactivity.

While the case is not yet proven, Dr. Ben F. Feingold told the 122nd annual meeting of the American Medical Association here yesterday, he is already prescribing an additive-free diet for about 25 children and has seen several improve dramatically.

Feingold, an allergist with the Kaiser Foundation Hospital, became suspicious of coloring and flavoring agents after recalling that a woman who had been referred to him for treatment of allergies, but who at the same time had been psychotic, had improved with respect to both disorders after he discovered that she was sensitive to aspirin and other compounds containing salicylates.

Since many synthetic coloring and flavoring agents are also salicylates, he reasoned, the additive-free diet which had helped this adult might help his young patients, too.

To test this theory, Feingold first determined that some 34 food colors and 1,610 flavorings—all on the Food and Drug Administration's Generally Recognized As Safe (GRAS) list—contain the suspect chemicals. He then instructed a group of children with allergies or both allergies and behavior problems which foods not to eat.

So successful was this experiment that he decided to prescribe the diet for some patients who had no signs of allergy such as hives, widespread itching and asthma. It worked for them, too.

Indeed, Feingold reported, some of the children were able to stop taking Ritalin and some of the other stimulant drugs that are paradoxically often prescribed for hyperactivity.

In many cases these children also improved their school performance in only a few weeks. But if they cheated on their diets—by drinking colored soda pop or eating artificially flavored cereals, for example—their symptoms returned immediately.

Following the diet requires avoiding not only most "convenient" foods, bottled soft drinks and packaged mixes, but also a number of common fruits and vegetables which naturally contain salicylates. Among these, said Feingold, are apples, oranges, peaches, berries and tomatoes.

[From the Washington Post, Oct. 29, 1973]

STUDY LINKS FOOD ADDITIVES TO HYPERACTIVITY IN CHILDREN

(By Morton Mintz)

A medical specialist says that artificial colors and flavors in foods and beverages may be an important cause of a serious behavior disorder believed to afflict millions of school children.

He bases his theory on experiments in which afflicted children come to behave normally when put on a diet free of synthetic colors and flavors, only to revert to their maladjusted condition when they violate the diet by so much as a bite.

The specialist is Dr. Ben Feingold of San Francisco. He is chief-emeritus of the Department of Allergy of the Kaiser Foundation Hospitals and Permanente Medical Group.

The disorder, called hyperkinesis or hyperactivity, interferes with a child's attention span—leading to reading, spelling and other learning difficulties—and is reflected in disruptive and even compulsively aggressive behavior.

The disorder occurs almost exclusively in boys. Usually only one child in a family is affected.

Hyperkinetic children generally—but not always—are genetically predisposed to allergies. Usually they have normal or high IQs. And, says Feingold, they ingest substantial amounts of chemical colors and flavors, as shown by diet diaries.

Frequently, physicians prescribe for hyperkinetic children drugs that in adults are stimulants. The drugs are amphetamines and Ritalin, the trade-name of the CIBA-Geigy Corp. for methylphenidate hydrochloride.

Feingold has found that sharp increases in the disorder and in learning difficulties over the last 10 years have occurred in parallel with increases in the dollar value of the production of artificial flavors and soft drinks.

There are 2,500 to 3,000 flavors—some of them secret chemical formulations—but only 11 basic synthetic colors, Feingold says.

The colors and flavors constitute about 80 per cent of all food additives. They proliferate in "convenience" foods and products such as soft-drink powders, the physician says.

Feingold reported initial findings to an American Medical Association meeting in New York City in June and at an international food symposium in London in September. He said in a phone interview with The Washington Post that he is now preparing an article for the British Medical Journal published by the British Medical Association.

At the time of the AMA meeting, Feingold said, he had achieved "dramatic results" with the special diet in 15 to 18 of 25 hyperkinetic children in his practice. Some of the children who did not improve did not stick to the diet, he said.

Currently, the allergist told a reporter, he has successfully treated more than 50 children. In addition, he said, other physicians independently have duplicated his results.

Feingold emphasized that the special diet doesn't always work, because there are apparently multiple causes of hyperkinesis. Sometimes it works in harness with standard allergy control procedures, he said.

Feingold told of a 7-year-old boy who had been hyperkinetic during much of his life. No therapy worked. But after a few weeks on the special diet the boy became well adjusted at home as well as at school.

The physician said that even a slight violation of the diet can cause symptoms of hyperkinesis to emerge within a few hours and to persist for 24 to 48 hours.

"In view of our ability to relate this behavioral disturbance in children to food additives by 'turning on' and 'turning off' these adverse clinical responses," Feingold told fellow allergists at the AMA meeting, "we raise the following question:

"Is it possible to attribute the increase in hyperkinesis and learning difficulty . . . to the increased consumption of these chemicals in our foodstuffs?"

Feingold told of a California study indicating that in the last 10 years the incidence of hyperkinesis in certain school populations increased from an average of 2 per cent to 20 to 25 per cent and, in some cases, to 40 per cent. He said no correlation has been shown between rates of affliction and socio-economic factors.

The dominant occurrence of hyperkinesis in boys and its absence among a victim's brothers and sisters may offer clues for researchers, but "we really do not know" the explanation, Feingold said.

"Do the additives ingested by the mother during pregnancy affect the unborn child?" the allergist wonders.

He points out that additives, like drugs, can cross the placental barrier to the fetus and affect its development. It is at least conceivable, he says, that increased consumption of food additives by pregnant women could be an "important factor" in conditioning a fetus to react to additives in childhood with hyperkinesis.

An average child's breakfast today may include foods "loaded" with enticing flavors and colors, including cereals, beverages, pancakes made from a mix and frozen waffles tinted by a chemical called tartazine. Feingold said.

A "conscientious and concerned" mother may give her child chewable vitamins. These, too, contain chemicals.

The child goes off to school where, at lunch, he gets more flavorings and colorings in hot dogs, luncheon meats, ice cream and beverages other than milk.

"Is it any wonder that our children are jumping and failing to learn?" Feingold asked at the AMA session.

The conscientious mother, or school authorities, may try to cope with the possibly chemically-created disorder by dosing the child with more chemicals—an amphetamine or Ritalin. These drugs, too, are dyed Feingold said. Some children also are given strong tranquilizers that, again, are artificially colored.

How many children get the amphetamines and Ritalin, which CIBA-Geigy has heavily promoted for hyperkinesis, is unclear.

The number estimated in 1971 by the National Institute of Mental Health was up to 300,000. The current estimate made by CIBA-Geigy for Ritalin alone is 250,000.

A company spokesman said Friday that the firm was trying to clarify the figures in the light of testimony given at a Senate hearing in July, 1971, by CIBA-Geigy president Thomas O. Boucher.

He said that the firm in 1970 sold 243 million Ritalin tablets, that some 2 million persons took the drug, and that "its use for

hyperkinesis is approaching 50 per cent . . . of production." In the same year, Ritalin accounted for $11 million in sales, or 15 per cent of the firm's total.

Feingold's research associates were Drs. Donald F. German, Alice Friedman, Richard Braham and Ellamae Simmons.

In a related development at Georgetown University, researchers have reported on a laboratory study of some food additives used to prevent spoilage of beverages and canned and frozen foods by disease-producing bacteria.

The additives act as strongly against animal and human cells as against the germs, the study indicates.

Further investigation is necessary, "but present evidence would urge caution in eating large quantities of food containing such additives," said microbiologist Thazepadath Sreevalsan.

The Georgetown study, done in collaboration with the National Institutes of Health, involved tissue cultures in which additives were shown to inhibit the growth of cells, to alter their shape, and in some cases to destroy them.

The results, reported in the Proceedings of the National Academy of Science in August, also showed that the chemicals did not act selectively merely against the bacteria that cause spoilage, but were at the same time anti-cell agents.

"There may be a mechanism whereby the stomach tissue in a whole organism is able to de-toxify the compounds in humans, but even in that case, ingesting too much might overload the mechanism and still pose a danger," said Associate Prof. Sreevalsan.

He said that most anti-bacterial food additives are fatty acids that, in the concentrations in which they are used to prevent spoilage, have not exhibited "any gross animal or human toxicity."

All human cells in the study are inhabited by these compounds, as well as by nitrite. For that reason, the large consumption of foods containing the compounds "may potentially interfere with the function of some human cells," Sreevalsan said. The same would apply to drugs such as salicylates—aspirin, for example—that also are fatty acids, he said.

The study was done with cells from human livers and intestine and with chicken embryo cells grown in laboratory tissue cultures.

Sreevalsan's co-researchers were Elliot Ginsburg, Daniela Salomon, and Dr. Ernest Freese.

THE IMPORTANCE OF IMPROVED PLANT DISEASE DETECTION

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. VANDER JAGT. Mr. Speaker, during the past year I have been pleased to receive reports from Prof. Axel L. Andersen of the Department of Botany and Plant Pathology, Michigan State University, on the establishment of a national plant disease detection and information program. Chaired by Dr. Andersen, an ad hoc committee of plant pathologists associated with the Plant Disease Detection Committee of the American Phytopathological Society has provided the leadership to get this tremendously important project underway.

I am delighted that various Federal agencies including elements of the Department of Agriculture and the Environmental Protection Agency have cooperated with this undertaking, which seeks to protect our Nation's food and fiber resources by preventing the spread of plant diseases. Because I believe that this objective is vital to the future of this country and to the protection of the world's food resources, I am pleased to bring this initiative to the attention of my colleagues in the House of Representatives.

A number of factors are giving rise to increased incidence of plant diseases and the possibility of extremely costly destruction of food and fiber resources by disease. Exemplifying the hazard which plant diseases constitute is the corn leaf blight of 1970, which caused the loss of more than $1 billion worth of production. This national program would provide a means for detecting and monitoring plant diseases and for improved communication throughout the country about diseases and appropriate responses. The program's central features are the development of indicator plots and an information system which will increase availability of vital data and facilitate its exchange and application in disease control programs when and where problems appear.

Pioneering work in this field has been undertaken in several States including Michigan with a limited number of crops. Now is the time to undertake an orderly expansion of the basic principles developed in these demonstrations, and to bring the benefits of a comprehensive plant disease detection and information program to all major crops and to the entire country. Use of electronic data processing equipment and techniques will permit the development of data centers and the retrieval of vital information for expeditious use as needs arise.

The benefits that will be achieved through this program are extremely valuable. In summary, the program will provide protection for the environment, and facilitate production increases, greater profitability and maintenance of a low-cost food supply for consumers.

I commend Dr. Andersen and his colleagues for their dedication and leadership in developing this program, and I urge the U.S. Department of Agriculture, other Federal agencies and relevant units of State government to maximize their responsiveness to the program. It deserves strong support from executive and legislative branches of Government.

AMNESTY MUST NOT BE FORGOTTEN

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. DELLUMS. Mr. Speaker, this Christmas comes at the end of a year of unprecedented recrimination and bitterness. Those who thought that the end of our direct military involvement in Southeast Asia would mean reconciliation and unity have been disappointed. What we have seen in the last year is true Vietnamization—the Vietnamization of American public life.

Christmas symbolizes the birth of a new concept of unity and human brotherhood. I feel it is appropriate at such a time to introduce into the RECORD two statements on amnesty for the powerless minority whose conscience created legal difficulties for them, and who have had the bad luck to have to pay the full penalty. I say "lucky," because events of the past year should have taught us that the machinery of justice is sometimes inefficient and arbitrary in whom it decides to crush.

The question of amnesty, in real terms, is the following: "Do we want those individuals who believed that conscience prohibited them from following the Government's order to prosecute its foreign policy in Southeast Asia should be forced to remain in prison or in exile?" And if so, what purpose would it serve?

The first statement is a proposed petition advocating repatriation by the Veterans for Peace. The second statement comes from the New World Outlook, which is published by the United Methodist Church. During a holiday celebrating family unity, this article brings out the special tragedy of broken homes that our failure to act on amnesty is creating.

The articles follow:

1868—AMNESTY FOR REBELS: 1974—REPATRIATE RESISTERS!

July 4, 1868 President Andrew Johnson pardoned all participants in "the late rebellion". After the Civil War, America was willing to forget the crime of taking up arms against the government. Similar amnesties can be documented following the Whiskey Rebellion (1795), the War of 1812, Spanish-American War, World Wars I & II and Korea. That is amnesty—to forget.

In 1974 the need is to remember, not forget, the resisters who were the conscience of the USA during the criminal war in Vietnam. Repatriation—restoration to the nation of those whose "crime" was being right—is the urgent necessity.

President Nixon and his crew are trying to create the impression that "only a few hundred . . . who chose to desert the United States or to break the law by dodging the draft" would be affected by repatriation.

We veterans know that this is the latest big lie used to sell the war to the American public. With as many as 800,000 resisters and other victims to be repatriated, the total number affected may reach 3,000,000, immediate families included.

Why are Nixon, the Pentagon and their industrial allies desperately trying to belittle the motives and minimize the numbers of the resisters and victims?

Veterans for Peace, like most Americans, want no more Vietnams. Until the US faces the fact that this war was a criminal adventure, we are in constant danger of being dragged into future Vietnams. To repatriate the resisters is to announce that we have learned the lesson of Vietnam. Therefore, the fight to repatriate is the fight to prevent future Vietnams.

Veterans for Peace, like most Americans, now realize we and our elected representatives permitted the military and other "experts" to usurp the constitutional right to decide questions of war and peace. The resisters were vanguard citizens who put their lives on the line opposing the military

juggernaut. The fight for their repatriation is the fight to cut the military down to size. Only then can we unite our country behind a sensible system of priorities, limiting the military appetite for power, money, and bodies.

Veterans for Peace, unlike most other Americans, are familiar as veterans with three aspects of the US military machine and its use in Indochina.

(1) Who fought the war? At first it was the poor who joined the military in peacetime, notably its extra-pay elite units, to escape unemployment at home. Especially if home was the ghetto, barrio or reservation. As these elite units were decimated and more bodies were needed, the military filled the ranks with draftees. Now it was the poor and the sons of workers. They weren't favored by college deferments, expert anti-draft counseling, resources to emigrate and relatives in high places.

(2) Who resisted the war? Not a few hundred, but scores of thousands of young Americans fought to stop the criminal Indochina War.

Some resisted the draft by not registering, refusing to report for induction, fighting for conscientious objector status and leaving the country.

Others raised a history-making storm of anti-war protest within the military. Tens of thousands of GI's were active in:

Publishing scores of underground anti-war newspapers on their bases worldwide, including Vietnam itself;

Marching in anti-war demonstrations; Armed Forces Day, 1971 alone involved thousands of anti-war GI marches nationwide;

Circulating anti-war petitions signed by thousands of courageous GI's;

Patronizing in throngs dozens of anti-war GI coffee houses;

Challenging the war in numerous Federal Court suits;

Refusing orders for training, shipment to Indochina, and combat orders in Indochina; and

Turning attempts of the military to stifle anti-war dissenters through courts-martial into major anti-war demonstrations and victories.

Still others saw the criminal nature of the war and deserted the military, becoming exiles abroad and exiles underground here at home.

(3) Who are the victims of the war? All resisters were victimized by the Indochina War. They paid with interrupted lives, broken careers, public contempt, surveillance, harrassment, expensive trials and often jail.

Additionally, many GI's, though not conscious resisters, were victimized by the war and need REPATRIATION. Behind a large proportion of the 560,000 bad discharges, 1961–1973, lie the conflicts of millions of ordinary young Americans with the military on three fronts.

First, unreasonable military discipline, unquestioned in a war of self-defense, became unbearable in this war against a remote people who did not threaten our nation. Low morale demolished discipline, accounting for thousands of courts martial for minor infractions.

Second, the same low morale, combined with cheap drugs available to GI's, enmeshed scores of thousands. Many were court-martialled. Others, not court-martialled, still suffer as addicts.

Third, though racism is traditional within the military, the conduct of the Indochina War was racism paralleled only by the genocide of American Indians. Would the US have conducted such a war in Europe? Minority GI's, seeing the connection, rebelled in many ways. More thousands of courts martial and bad discharges.

Lastly, we must include the immediate family members of all these victims, who suffer along with them. Not to mention the families of the dead, for whom there can be no Repatriation, and of the wounded, for whom Repatriation requires far more than a decree.

TO REPATRIATE, 1974

We, the undersigned veterans, demand that Congress act, because the President won't.

We veterans demand passage of a law upgrading all discharges immediately to honorable. This means that no veteran will face a job market from which he is excluded. This doesn't imply that sentences for crimes recognized by civilian courts should not be served. However, the GI should receive an honorable discharge after completing the sentence. It does mean that all sentences for resisters be commuted to time served.

We veterans demand passage of a law for blanket repatriation of all draft resisters. This means immediately releasing those in prison, expunging all criminal records, dropping all pending indictments and welcoming back all those in exile, underground at home, or abroad.

We veterans demand that in order to heal the wounds, all those who deserted the armed forces in resistance to the war should be restored without prosecution to their full rights as citizens.

We ask all Americans, veterans and non-veterans alike, to join us in putting constant pressure on Congress until these demands are met. In 1974, an election year, it must be driven home to every Congressman, Congresswoman and Senator that repatriation may be the price of reelection.

HOME FOR CHRISTMAS

(By Louise Ransom)

Christmas, 1973. For the first time in over a decade no American soldiers are eating their C Rations in the fields of the Mekong Delta, or drinking a holiday toast in the tinselled bistros of Saigon. Even Bob Hope is spending Christmas with his own family this year. And, after so long, a few hundred former Prisoners of War are celebrating Christmas at home instead of Hanoi. Thank God for that.

But what of the more than half a million American families for whom "Peace on Earth, Good Will to Men" is still an unrealized dream?

THE RANSOMS

I will start with my own family, because it is our experiences with the Vietnam War that have helped us to understand the plight of others.

Our oldest son, Mike, was killed near Mylai six years ago this spring. He arrived at his first assignment—a new 2nd Lieutenant infantry platoon leader—on the very day of the massacre, March 16, 1968. After that unspeakable atrocity committed by our own American troops, who could blame the embittered South Vietnamese farmer who set the mine that killed Mike such a few weeks later.

My husband and I have long faced the difficult truth that there was no gain for this country from our son's death. His life was wasted by his own government and nothing we do can alter that.

The only thing that sustains us at this gentle season is the hope that the sacrifices of this war will somehow be redeemed by bringing us together and making us more generous than we now are, as symbolized by our capacity to grant the unconditional universal amnesty so sorely needed by other families.

THE WALKERS

George and Edith Walker's son is in jail in Allenwood, Pa. (This is a composite family, representative of the more than 13,000 men convicted, imprisoned, or under indictment for violation of the Military Selective Service Act.) George, Jr. was able to convince his Boston draft board that his belief in a Supreme Being based on his early religious training qualified him to be excused from service by reason of conscience. However, he denied the right of the government to compel him to alternate service, and was sentenced to three years in jail.

It is easy to understand George's case for being granted amnesty. He proved to his draft board's satisfaction that conscience was his motivating force, still broke the law, and paid the penalty of an arduous jail term. He is highly sophisticated and articulate, well educated at a prestige university, and his action was in the best tradition of Thoreau-like civil disobedience. He is deeply religious with the extraordinary amount of inner strength. But he is not home for Christmas, and when he is released, his civil rights will be severely restricted as a convicted felon.

THE ALLENS

(This family represents the 20,000–40,000 draft resisters in Canada.) John Allen, also from Boston, is the son of Martha and Peter Allen, and is living in exile in Canada. He is George Walker's good friend and college roommate. Ironically, the very same draft board turned down John's application for Conscientious Objector status though he and George had similar religious training and shared the same basic beliefs. When induction became imminent for John in 1971, he found his conscience still would not permit him to serve in the army. He did not see the value of going to jail, so he went to Canada.

Can we say that he was any less motivated by conscience than George simply because his draft board ruled against him? But he too has not been home for two years, and cannot return without probable arrest, even for his grandmother's funeral.

THE RODRIGUEZES

(They represent the largest and saddest group of all, the families of the more than 450,000 veterans who have received less than Honorable Discharges from the services.) Angel Rodriguez is in jail too, but under very different circumstances. He was drafted and served in Vietnam in the 101st Airborne Brigade. He is one of seven children of Felipe and Theresa Rodriguez from east Harlem. A high school drop-out, he was working in a local A & P when his low draft number was called in 1970. He didn't have enough knowledge of the Vietnam War to know whether or not he opposed it, though he certainly learned the Ten Commandments in the Religious Ed. class at Immaculate Conception Church where his family went to Mass. He would have had a hard time discussing "Thou Shalt Not Kill" before his draft board since he spoke very poor English. Besides he thought the Army might teach him a trade. Unfortunately no doctor ever saw the severe shoulder separation he had from playing basketball at PS #101.

By the time he arrived in Vietnam, he was convinced that his dark skin was responsible for every dirty job his superiors could think of, including Search and Destroy missions in the jungle. He witnesed the rape of a twelve-year-old Vietnamese girl by some of the soldiers in his unit, and received a Purple Heart when he was wounded by a mine that killed his best friend. He was sent back to combat twice after requests for respite when his shoulder injury became increasingly painful. Finally, given a Rest and Recuperation period in Honolulu, he just kept going and came home to Harlem—AWOL. When he finally surrendered to the Army two months later, he was given a Dishonorable Discharge.

He is in jail now for selling drugs to support a habit that started in Vietnam. With his DD, the A & P wouldn't take him back, nor would any other employer consider him. His parents will not pay him a Christmas

visit in prison and feel he has disgraced their family.

THE HOWARDS

(This family represents the more than 32,000 men who have deserted the armed forces and are in exile, or underground in this country.) Joe and Mary Howard are a black family who live in a small mountain cabin in Tennessee. Joe drives a truck for a cement company. Their son, Dan, volunteered and was rejected by the Army as being in no way qualified. However, under Defense Secretary McNamara's "Project 100,000", designed to "salvage" men considered unfit for military service, he was encouraged to volunteer again, because McNamara thought that men like him could be educated and trained for productive military careers. During his basic training period he was so apathetic about participating that he was finally put in the stockade for disobedience. He was so brutally treated there that he became psychologically upset and attempted suicide. Before the Army could give him the Bad Conduct Discharge which was prevalent in such cases, he found a chance to run away, and his family has no idea where he is, or even if he is still alive.

The catalogue of family heartbreak goes on and on, and one wonders if all this suffering is really necessary. The suffering extends beyond the young men themselves, who, because of the war, were forced to make a choice between military service and some other alternative. If we count a low average of two family members per man, we expand the war's miserable heritage to an additional million Americans. Has there not been enough hardship already? My family is one of 57,000 whose sons will never be home for Christmas. And who can count the Vietnamese sufferers?

There is no question that a broad general amnesty can help relieve some of this suffering. It is a lawful act, with historical precedent, which neither condemns nor condones, but moves to wipe the slate clean for a fresh start. For the men indicted, sent to prison, or forced into exile for violations of the draft laws, amnesty would provide the opportunity to resume productive lives without penalty and permit them to make once again a contribution to the society in which they live.

For the veterans with less than Honorable Discharges, amnesty would upgrade the discharges and make them uniform, enabling the veterans to compete more equitably in the job market. It would also restore their Veterans' benefits like educational assistance, loans, medical and psychiatric care—the least a society can do that forcibly deprived them of freedom of choice, disrupted their lives, and placed a burden on them far out of proportion to the rest of the population.

For those veterans who are "at large"—in exile or hiding somewhere—amnesty would make possible a reunion with their families so they, too, could rebuild their broken lives.

The complicated question is how to achieve such an amnesty when the President is opposed to it, and the American public seems to be uninformed as to the extent of the problem and the amount of injustice involved.

Some legislators have proposed that the only way to decide who should receive amnesty is to set up regional review boards to hear each case individually and mete out either amnesty or penalty—alternate service, or whatever. In this way, it is argued, it can be determined whether legitimate motivation for war refusal, such as conscience, was present. I submit that such a solution is impossible and would lead to grossly inequitable decisions.

Conscience, for example, is a complex concept. In all our religious teaching we honor it, perhaps above all else, yet who does not have difficulty defining it? Even the Supreme Court has changed its definition of conscience within the last few years. How do we compare the consciences of George Walker, Jr. who went to jail for reasons of conscience, and Angel Rodriguez who refused to participate in any more Search and Destroy missions?

United Methodist Bishop John Wesley Lord, testifying for amnesty before a Senate subcommittee, said: "Conscience is not always a static conclusion of an ideology. Often it is a process. It is the process of discovering that something is wrong, and trying to discover what it is and how it can be rectified. Conscience is the process of trying to understand how to work for a better world. The process of conscience always requires risk-taking."

By this definition, virtually all of those in need of amnesty would qualify, yet there is no possibility that review boards, by their very nature, could act consistently.

Would a review board in Mississippi handle the case of Dan Howard's desertion in the same way as a review board in Boston? It would be hard to say that conscience was his motivation, since he volunteered for the Army, and never went to Vietnam. And yet if it had not been for the Vietnam War, with its inexorable demand for more American bodies, Dan would never have been in the service at all. Should he be penalized for the rest of his life for a mistake in judgment by the military authorities?

If regional review boards would inevitably render inconsistent and inequitable decisions, it has been proposed that one National Review Board undertake the task. Half a million men would grow old waiting for their day in court.

A far more satisfactory solution could be found by simply granting an across-the-board amnesty for all classes of war resistors, and thereby weighting the balance on the side of social justice and humanitarian relief for the many, rather than on vindictive judgment for the few.

Another very troubling issue in the amnesty question is that of fairness. Is it fair to those who served or to those who died to grant amnesty to those who refused to participate? On this matter, I can only speak personally. I find it offensive that many people think I should exact a price from another woman's son for the life of my child. It is inconceivable that anyone could place the blame for those that went to Vietnam upon those that didn't. It was clearly the government that put our sons in an untenable position, and for that we must all share blame.

If I could see how punishment for the men who said "No" to war could in any way be of benefit to those who served, or to our nation, I might better understand a firm position against amnesty. The empty place at our Christmas dinner table will not be filled by the sacrifice of others.

Dishonoring the dead by granting amnesty, as President Nixon describes it, implies that we do honor them by not granting it. The dead have their own honor no matter what we say or do here, but true peace with honor will only come to us as a nation when we can move ahead positively, learning from the tragedy of the past. A universal unconditional amnesty would be a positive first step.

THE COYOTE MENACE TAKES ITS TOLL

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. FISHER. Mr. Speaker, when some 2 years ago the President, acting in response to pressures from environmentalists, imposed arbitrary restrictions on the sale of various chemical toxicants for use against predators, American livestock growers were flabbergasted. The Wildlife Services, Bureau of Sports Fisheries and Wildlife, which has the responsibility for Federal assistance against predators, confirmed that some 80 percent of predators destroyed had been through the use of toxicants.

Thus, the President's order, implemented by another EPA directive on the same subject, in one fell swoop deprived ranchmen of their major weapon in coping with a constant menace. And, as predicted, the problem has grown more serious since that mantle of protection was thrown around the coyote and all predators. A coyote population explosion has ensued.

Even though the environmentalists have found no valid argument against the use of the M–44 cyanide gun, they persist. That gun produces no after effects. The cyanide sprung into the coyote's mouth causes almost instant death and then immediately disappears, in either the air, soil, or in an animal's body. Its use is highly selective. It is humane, and leaves absolutely no environmental contamination. But the extremists persist in their opposition. This, and other poisons such as 1080, can be used by experts with practically no adverse effects to the environment.

Mr. Speaker, we are still hoping for some help from the Environmental Protection Agency, where there are some who appear to understand the magnitude of our problem. In the meantime, the crafty coyote continues to take its toll—as do scores of other predators. An indication of this is revealed in an Associated Press article dated December 15 which cites some recent experiences on this subject. The article follows:

TOOLS TO CONTINUE COYOTE BATTLE STRONGLY SOUGHT BY WT RANCHERS

STERLING CITY, TEX.—Coyotes are fine, believes Bert Dennis, as long as they're dead.

The Borden County rancher does not like coyotes. And he is not too fond of anyone who does.

"I don't like killing. I wouldn't shoot a quail or anything. But I thoroughly enjoy seeing those damn coyotes roll," says Dennis.

In 30 years of ranching around Gail, Tex., Dennis has "rolled" more than his share. But he feels, as do other Southwest Texas sheep ranchers, the coyote now has seized the upper hand.

Stockmen across this vast, rugged rocky, sometimes flat, sometimes mountainous territory contend the predator problem has become critical.

Harassed by environmentalists and banned from use of poisons by presidential decree, they feel almost powerless against the multiplying coyote.

Unlike the clever, cuddly animals seen in Walt Disney productions, those found here, they say, are lazy, cunning, opportunistic, nocturnal killers.

The coyote has slaughtered their lambs, their kid goats, their ewes and their calves. He has depleted the wildlife in many sections, already confronted by wolves, red fox, wild dogs, eagles, mountain lions and other predators.

They point to mounting evidence that without proper tools, particularly poisons and a "coyote-getter" device known as the M44, the sheep and goat industry will continue to suffer drastic setbacks.

Environmentalists contend poisons and such devices as the M44 are biologically unsound, inhumane and hazardous to nontarget animals.

Stockmen disagree, of course.

Meanwhile, many "outside" ranches—those fighting back the invasion of coyotes on the front line—are surrendering, permitting the invaders to advance to the "inside."

Dennis says Borden County now has only four ranchers, yet the total cost of predator control, including state and federal funds, runs as high as $30,000 annually.

And with the diminishing number of sheep, coyotes have turned to calves as a convenient target of opportunity.

Dennis tells this story of a Borden County cattle rancher:

"When I moved out here, those people liked the coyote. They wouldn't let trappers on their place.

"Well, here about five years ago, the coyotes started working on their calves. They (the coyotes would) get after him and pretty soon his tongue would come out and they'd snip the end of it off. Twenty calves were involved and they all died because they couldn't suck before their tongues got well.

"In the last five years, they've lost 65 calves. When they got the tongue snipping stopped, the coyotes started killing the calves outright."

That rancher has joined the war.

"It would take the United States Army to stop them with the present tools we have . . . And I don't really think the Army could do it. When we lost the tools, we lost control," said Dennis.

"Hell, we're not even holding our own, much less eradicating them."

In the Van Horn area on Interstate 20 between Odessa and El Paso it is said coyotes have killed fawns to the point that the deer population is all but wiped out.

Ellis Helmers of Uton County said hunters normally took 100 to 150 black tailed buck in the area each season.

"They took two last year," he said.

He said a "fellow the other day told me about four coyotes that killed a big buck deer . . . when they run out of sheep, they turn to calves. Whatever's available, they kill."

Upton County Agent Dub Day of Rankin said, "There is a coyote north of McCamey that will hold a lamb or a grown ewe down and eat the entire hind quarter off and not kill him. If that's not cruel, I don't know what is."

The Texas & Southwestern Cattle Raisers Association said of 1,310 members responding to a September poll, 87.2 per cent indicated they had a predator problem.

"These same people owned or controlled 10,088,812 acres of land," said Paul Horn of Fort Worth. "They reported a loss of 13,512 goats, 13,550 sheep and 3,574 cattle in a year's time.

"In dollar value, the loss was over $1.25 million."

Adds Don King, the TSCRA general manager: "We're not on a crusade to eradicate any species of animal. We're concerned when an agency of the federal government denies ranchers the use of the tools they need to protect their domestic animals.

Bill Sims of San Angelo, a rancher and executive secretary of the Texas Sheep and Goat Raisers' Association, said the red fox is his main problem "but the coyotes are coming."

He said coyotes virtually have driven sheep and goat ranchers out of Coleman County and are moving steadily southward.

"I haven't had the coyote trouble that my neighbors to the northwest have had," said Worth Durham, a Sterling City attorney-Rancher. "Eagles are the big problem now."

A single eagle he said, may kill a lamb or kid goat a day, and sometimes two.

"You don't have to have many eagles to add up to a bunch of lambs and a bunch of dollars," he said.

Marshall Yates of Lamesa says he lost two heifers and at least 10 calves last fall.

"We had a heifer who had a hard time having her calf. They had slashed her throat and eaten the calf."

Just recently, Yates said, he and a companion entered a Martin County pasture and spotted five coyotes eyeing a cow about to calve.

"Good God, look out there!" he quoted his friend as saying. "They're big old coyotes, not little ones like we used to have!"

Around Kermit and Ft. Stockton, "You couldn't sell a cow that doesn't have horns," Yates said.

"They've got to have something to fight back with."

So, say the ranchers, do they.

BIG BROTHER AND PSYCHOTECHNOLOGY ASSAULT PRIVACY

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, in my speech under the Special Order on Privacy of December 14, 1973, I referred to an article from the October 73 Psychology Today which, in my view, lays out in truly appalling detail the interrelated developments of the technology of behavior. Psychotechnology, the skillful manipulation and alteration of the behavior of Americans is proceeding without the informed interest of the Congress and unless we take action soon, very real decisions about how Americans live their daily lives and about what the framework will be for the continuation of the American system of political democracy will take place at a level totally beyond the understanding of elected officials. I contend that such a development would make us irrelevant to the formulation of policy and yet we would still be held accountable for the results of this policy.

I, therefore, urge my colleagues to ponder their role in what Dr. Chorover states is an immediate problem:

With courage and insight we may still be able to seize back from technology both our freedom and dignity.

Please note that Dr. Chorover is not discussing science fiction or what may happen someday. He says we "must seize back," and so I believe we in the House must not draw back from the creation of a Select Committee on Privacy.

The articles follow:

ADDICTION AS A SOCIAL PROBLEM

(By Margie Casady)

When Stephan L. Chorover was invited to participate in a conference on biological approaches to drug addiction, he outlined a talk on physiology. Then President Nixon expounded about addiction as a social problem, and Chorover revised his talk to discuss the developing methods of controlling deviance. He knew psychologists were coming face to face with the reality physicists had agonized over when we dropped the first A-bomb: politicians decide how to use the fruits of science. Chorover intensified his investigation of the growing social-science technology, and wrote "Big Brother and Psychotechnology" (page 43) for this issue of PT.

Chorover was born and raised in New York City. He attended the Bronx High School of Science, and graduated from the City College of New York in 1955. Four years later he received a Ph. D. in physiological psychology from New York University, where he conducted research on mescaline. He then went to England for two years and studied brain-injured humans and brain-lesioned monkeys at the National Hospital in London and at Cambridge University. In 1961 he became research associate at M.I.T. He is now professor of psychology and brain sicence. Most of Chorover's research has concerned disorders that produce seizures and the effects of electroconvulsive shock and other physical treatment on learning and memory. He is completing a book on research methods in physiological psychology.

BIG BROTHER AND PSYCHOTECHNOLOGY

(By Stephan L. Chorover)

Once again, our urge to invent new technologies is outrunning our wisdom in applying them. We can surgically enter the living brain to permanently alter personality. Behavior modification, psychology's fastest-growing branch, can be defined as the "ability to get someone to do one's bidding." And the use of psychochemicals to control people is now common, notably in our schools.

"I feel very strongly that this country wants and this election will prove that the American people want . . . a new feeling of responsibility . . . of self-discipline. . . . The average American is just like the child in the family. You give him some responsibility and he is going to amount to something. . . . If, on the other hand, you make him completely dependent and pamper him and cater to him too much you are going to make him soft, spoiled and eventually a very weak individual."—Richard M. Nixon, New York Times, November 10, 1972.

"There are people in our society who should be separated and discarded. I think it's one of the tendencies of the liberal community to feel that every person in a nation of 200 million people can be made into a productive citizen. I'm realist enough to believe this can't be . . . we're always going to have our places to preventive detention for psychopaths; and we're always going to have a certain number of people in our community who have no desire to achieve or who have no desire to even fit in an amicable way with the rest of society. And these people should be separated from the community, not in a callous way, but they should be separated as far as any idea that their opinions shall have any effect on the course we follow."—Spiro T. Agnew, Boston Evening Globe, July 1, 1970.

These statements are clear and forceful. They are of special interest because they invoke some popular ideas about human nature and psychology to justify the development and deployment of repressive public policies. These ideas assert that the basic causes of our more serious social conflicts lie neither in blocked economic opportunities nor in frustrated human needs, but rather in the prevalence of obnoxious behavioral traits among certain individuals or groups.

This view holds that some people have contemptible moral and psychological defects and that their behavior is ultimately traceable to deeper sources of personal weakness. It claims that permissive parents and lenient public officials spoil people and thereby encourage offensive social behavior. It follows from this view that when we formulate public policies to deal with social conflict, we should focus not on faults in the social system, but rather on disorders of personal adjustment. In other words, we should

develop behavioral "remedies" instead of social reforms.

Biological and behavioral technologies such as neurosurgery, drug therapy and behavior modification are being used more and more as "remedies" for socially offensive behavior. I believe that this *psychotechnology* is being fraudently advanced as a rational and humane approach to the solution of social conflicts, and that it is being abusively deployed to repress social dissidence, deviance and disorder in ways that are essentially totalitarian. I want to describe how psychotechnology is being used to predict, isolate, identify, monitor and control several kinds of individual and social behavior, and show that the entire enterprise is arbitrary, arrogant, irrational and inhumane in both conception and execution.

DISEASES TO JUSTIFY SLAVERY

In 1851 Samuel A. Cartwright, M.D., delivered a detailed lecture to the Louisiana Medical Association on "The Diseases and Physical Peculiarities of the Negro Race." The Cartwright Report was published in the prestigious *New Orleans Medical and Surgical Journal*. It remains a classic contribution to the vast literature of white racism. It attempted to justify the institution of Negro slavery on the basis of "incontrovertible scientific evidence" showing the "unalterable" biological inferiority of blacks.

Cartwright used the language and presumed authority of science to show that "the slothful negro" was biologically destined for bondage by virtue of his "childlike" body and mind. He described a host of peculiarities, stigmata, disorders and diseases from which "indolent Negroes suffer" and which are "the true cause of that debasement of mind which has rendered the people of Africa unable to take care of themselves." He claimed to have discovered anatomical and physiological facts that confirmed the essential justice and humaneness of slavery.

He reported, for example, that he had found clear anatomical confirmation of, "the Creator's will with regard to the Negro." Specifically he found their knees to be "more flexed or bent than any other kind of man," and concluded that this makes the Negro, "the submissive kneebender which the Almighty declared he should be."

More importantly, we would now call two of the "diseases" he identified "behavior disorders." Cartwright insisted that slaves who ran away from their masters were not willfully disobedient. On the contrary, they were suffering from a disease of the mind. He named this disease *drapetomania* (from the ancient Greek words *drapetes* for *runaway*, and *mania* for *madness*) and suggested that the best remedy is to treat all "Negroes with firmness and kindness, and they are easily governed."

But sometimes the treatment fails, Cartwright said, because of another disease also "peculiar to Negroes." This one he named *dysaesthesia aethiopis*, or "hebetude of mind and obtuse sensibility of body." He described it as one of the more prevalent "maladies of the Negro race" and expressed wonder that it had escaped the attention of his medical colleagues for so long. Afflicted individuals, he said, tended to engage in much mischief, to slight their work, to abuse tools and break them and generally to raise disturbances. Most remarkably, he saw the disease as being accompanied by an "obviously pathological" change in the functioning of the nervous system: an apparent insensibility to "pain when being punished." The treatment Cartwight prescribed included anointing the entire body with oil and, "slapping the oil in with a broad leather strap," and then putting "the patient to some hard kind of work in the open air and sunshine."

We cannot dismiss Cartwright as a mere crank. He was a distinguished physican and a leading figure in the medical community. Nor can we dismiss his report as a quaint relic of bygone days. The mentality that spawned it lives on in the scandalous racism of contemporary "scholarship" on the genetics of intelligence. It also lives on in the "scholarship" that proclaims social dissent and deviance to be the result of diseased brains, disordered minds or inadequate histories of reinforcement.

THE "INSANE" DISSENTER

The Soviet Union has a notorious reputation for treating political dissidents as if they suffered from mental disorders. Many distinguished writers, scientists and artists have been confined to mental hospitals after speaking out against official policy. Consider the case of Zhores Medvedev. In 1969 the well-known biochemist and gerontologist was dismissed from his scientific post. In 1970 he was forcibly confined to a mental hospital where he underwent various "diagnosis" and "treatment" procedures. His only "disorder" was the insistence on writing and publishing strongly worded critiques of official Soviet policies. Yet psychiatrists diagnosed him schizophrenic, on the grounds that he engaged in two unrelated activities, gerontology and public criticism. Two noted members of the Soviet Academy of Sciences then wryly suggested that the psychiatrist should receive a Lenin Prize for discovering a new psychopathological entity—the Leonardo da Vinci syndrome. But Medvedev, like most of those who come to our attention, has an international reputation and few are ready to consider him really insane. Those who deserve our attention, therefore, are the "common people" who may be psychiatrically labeled and "treated" without provoking world opinion.

Traditionally, political criminals have been taken seriously, dealt with as enemies of the state, and punished with prison, exile or execution. Political conflict, however, involves the clash of ideas and principles—things which cannot easily be destroyed with criminal penalties. In fact, criminal sanctions often serve to emphasize the importance of outlawed ideas.

More than any other form of public behavior, political activity depends upon the credibility of the participants. In order to be credible and have a chance of success, the political individual, especially the dissident, must be perceived as a serious source of ideas. Something special happens, then, when a political dissident is authoritatively labeled "mentally ill" by someone who enjoys a position of public power and trust. When psychologists or psychiatrists "diagnose" dissident behavior as the product of an unbalanced mind, they declare (on the basis of science no less) that the individual is not to be considered a serious adversary, but rather a mere lunatic.

The political dissident successfully deprived of his presumed sanity becomes a mere invalid, and his opposition is thereby invalidated. Unless he is like Medvedev, with influential friends who know the truth, the authorities can hardly lose this game of psychological power politics. And unless the people at large stop believing in these absurdities, the authorities will continue such totalitarian tactics.

PSYCHIATRY AND THE PENTAGON PAPERS

It would be a mistake to imagine that the Soviets are alone in the deployment of psychiatric diagnoses and treatments for political purposes. A case in point from our own country is that of Daniel Ellsberg. It was clear from the outset that the Government, fearing additional disclosures and adverse publicity, was reluctant to proceed with the prosecution of the Pentagon Papers trial. It is against this background that we may inquire into the reasons for sending a White House burglary team to Los Angeles, where on September 3, 1971, they allegedly broke into the offices of Ellsberg's psychiatrist, Lewis Fielding.

According to the testimony of E. Howard Hunt (one of the accused leaders of the break-in who was subsequently tried and convicted in the Watergate case) the mission of the burglars was to obtain material for use by the White House in constructing a "psychological profile" of Ellsberg. Why? I believe that what the Government hoped to find in Fielding's files was something about Ellsberg that would suggest that he was "psychologically disturbed" on or about the time that he released the Pentagon Papers. If an argument to that effect could have been successfully advanced, the Government might have used it in at least two ways. First, it might have been used simply as a publicity device, as a means to discredit the belief that Ellsberg was a man of principle whose dramatic actions had been based mainly on political and moral considerations.

Against Ellsberg's contention that the Government had consistently lied, and that the American people were entitled at last to learn the full, sordid details about our involvement in the Indochina war, the White House might have hoped to show that Ellsberg himself was a disturbed individual whose private reasons for acting as he did were less wholesome than the reasons he publicly professed. A second way in which the Government might have sought to use psychiatric information about Ellsberg was as a means of avoiding the trial itself, and its attendant disclosures and embarrassments. After all, if a case could be made to the judge that Ellsberg acted irrationally and was therefore not legally responsible for what he had done, then the way might have been opened for a ruling that Ellsberg was not competent to stand trial and ought to be committed, instead, to a mental institution, where he would be able to receive appropriate diagnostic and treatment services. While admittedly speculative, this "scenario" is hardly implausible. It is, on the contrary, consistent with the prevalent practice of using an ostensible humane and enlightened process to achieve essentially inhumane and repressive ends.

Not every attempt to invalidate dissent by attributing it to a mental disorder is so easily recognizable as political repression. Most are even more dangerous because they are undertaken in tones of responsibile humanitarianism that leave little room to question the moral convictions that lie behind them. Cartwright's report, for example, probably arose from the very heart of his belief in the rightness of slavery. Similarly, many Soviet psychiatrists probably believe that their social system is so manifestly sane that there must be some form of mental illness lurking in a mind that would seek to change it. And if that is the case, isn't it more humane to "cure" someone than to shoot him?

The origins of this abuse of science lie partly with behavioral scientists themselves, with the choices they make about how to study man and society. Whenever we begin to investigate a social or behavioral problem, how we decide what the cause and best solution are—in other words, how we make a diagnosis—depends on what aspects of the situation we choose to study. When we decide to study a problem in a certain way, we are making a decision that has political impact, for this choice heavily influences what our conclusion will be.

A QUESTION OF SCIENCE

From a scientific point of view, no single aspect of a phenomenon can be assumed to take precedence over another. All aspects contribute equally to our understanding of it. The physicist, for example, accepts the equal validity of one theory that explains physical systems in terms of waves, and another that

explains the same systems in terms of particles. But whenever he chooses to use one, it precludes using the other. We face a similar situation when we try to describe the behavior of a human organism. We must decide whether to focus on molecules and cells, tissues and organ systems, the individual, interpersonal groups, or social institutions. All of these levels are equally important. Each provides information available from none of the others.

In conventional technological practice we tend to view "the problem" in only one way at a time. But if we start with a predisposition to identify and deal only with symptoms or disorders of the individual, as many behavioral scientists do, we adopt an arbitrary and essentially non-scientific perspective. We inevitably tend to ignore other possible approaches. Once we focus our attention on the behavior of the individual, it becomes highly unlikely that we will be disposed to deal with the larger social context in which the behavior occurs.

That context becomes for us what the physicist calls a *frame of reference*—a set of objects or events assumed to be unchanging. Thanks largely to the insights of Einstein, the physicist now knows, in elegant mathematical terms, that he cannot presume to understand the events he observes without taking into account the nature of the frame of reference and his own position in it. Many behavioral scientists and public officials responsible for dealing with social problems have yet to learn that they cannot understand the behavior of individuals without studying the context in which it occurs.

THE SYSTEMS VIEW OF CONTROL

The biologist approaches living organisms with an awareness that each living thing is really a complex system made up of other interacting subsystems and is itself part of larger environmental and social systems. The biologist also knows that the behavior of organisms exhibits a high degree of control, but can rarely point to a single center or controller. The life processes of an organism are controlled in many ways, both by the organization of its internal systems and by its interaction with environmental systems. This general systems view denies the simplistic "law and order" view that social conflicts are caused by deviant individuals who are unable or unwilling to "fit in."

Persuading people to abandon the "law and order" concept of control is one of the more serious problems facing us in the conduct of our interpersonal and social affairs. If we seriously accept the more sophisticated and scientific concept of system control, we would then think not of the individual in isolation, but as part of the larger context in which he or she behaves.

The family is a good example. It is a typical complex, self-regulating system, each member of which is vulnerable to pressures from other systems. Yet individual members are often treated as if they were not part of the larger systems of control. In many families, for example, a member occasionally begins to exhibit some form of unexpected or deviant behavior. Once the rest of the family see this behavior, they tend to close ranks and agree that the deviant person "is in trouble," "needs help," or, "ought to be taken care of." They may seek the aid of their physician, a policeman, a religious counselor, a psychotherapist, or other available social resources. Generally, the individual who has been "acting up" is duly placed in the hands of a person or agency supposedly competent to help "solve the problem."

Whether or not this brings the disturbing behavior under control is beside the point. The family presumes too much when it places the cause of the difficulty within the deviant individual. They assume that the cause is located where the effect occurs. Such an arbitrary assumption can rarely be justified scientifically when one deals with complex systems.

In asserting itself as the frame of reference, the family ignores the possibility that the problem's cause may be deeply embedded in the family system as a whole. Their group consensus may in fact function as a defense against considering this possibility. The assumption that cause and symptom lie in the same individual may protect the immediate coherence of the group, but at the cost of long-run disaster.

LIVING BOUNDARY MARKERS

This same process appears to function in larger social groups. Many social scientists contend that deviance can help preserve a social group by drawing its nondeviant members together in a posture of solidarity and mutuality. Some social systems actually seem to need deviant individuals as living boundary-markers. They help maintain the system by showing its members the limits of acceptable behavior. They also enable people to deny in themselves the bad qualities they attribute (often falsely) to the deviants.

Deviance is thus not a property of behavior itself as much as a value judgment conferred upon it by the group. If we accept this idea, we see that deviance is a pattern of behavior that a group considers so dangerous, embarrassing or irritating that it brings sanctions against it. This is an important point, because it establishes a basis for distinguishing between *deviance* and *disease*. That the definition of deviant behavior is *essentially* social and cultural suggests that it ought to vary with time and circumstance. History testifies to the fact that types of biological disease remain constant (for example, cancer, epilepsy, gout) whereas types of deviance change as society evolves. The deviant in one social context may be the witch, the heretic or the sorcerer, and in others, the runaway slave, the juvenile delinquent, the homosexual, the Jew, or the junkie.

In both families and societies practical and political interests may be served by attributing blame, by identifying symptoms as causes, and by controlling individuals whose behavior is defined to be dangerous or disturbing. But to contend that such practices have a scientific justification denies the insights of science itself and confuses authority with wisdom.

Once deviant behavior has been successfully reduced to the status of a personal affliction it has been taken out of its social context and stripped of its countercultural connotation. This is what the Cartwright Report attempted to do. It is precisely what is happening in our own society. Let us examine a few instances in which American psychotechnologists are attempting to "separate and discard" deviant individuals.

SURGERY OR SOCIAL VIOLENCE

Soon after the Detroit riots in 1967, an important letter appeared in the *Journal of the American Medical Association*. The authors acknowledged that the social causes of urban rioting are "well known," and that the "urgent needs" of the underprivileged should not be minimized. But they did not propose to deal with these causes or needs. They focused instead on the search for, "the more subtle role of other possible factors, including brain dysfunction in the rioters who engaged in arson, sniping and physical assault."

Just as Cartwright cautioned his readers not to mistake the "misbehavior" of slaves for international rebellion, the authors of this letter warned that we shouldn't believe the urgent social and economic needs of the ghetto are solely responsible for urban riots. "If slum conditions alone determined and initiated riots," they asked, "why are the vast majority of slum-dwellers able to resist the temptations of unrestrained violence? Is there something peculiar about the violent slum-dweller that differentiates him from his peaceful neighbor?"

After raising these "scientific" questions, the authors proceeded to cite evidence showing that focal lesions in the brain are capable of spurring "senseless" violent outbursts. Although the available evidence comes from patients with longstanding histories of severe epilepsy, they concluded that violent behavior in general likely has a comparable biological basis. They insisted that, "we need intensive research and clinical studies of the individuals committing the violence. The goal of such studies would be to pinpoint, diagnose and treat those people with low violence thresholds before they contribute to further tragedies."

The letter was written by William Sweet, Chief of Neurosurgical Services at Massachusetts General Hospital, Vernon Mark, Director of Neurosurgical Services at Boston City Hospital, and Frank Ervin, then a psychiatrist at Massachusetts General Hospital. Ervin is now at the University of California at Los Angeles Medical School where he is an associate of the recently formed Center for the Prevention of Threatening Behavior. In 1970 Mark and Ervin published *Violence and the Brain*, an account of their methods of identifying and treating people with "poor control of violent impulses."

In their psychotechnological approach to what they term "the dyscontrol syndrome," Mark and Ervin focus on the limbic system of the brain. This complex system plays an important role in the diverse moods and feeling-states we associate with subjective experiences of pleasure, pain, anxiety, sadness, fear and anger. Within the limbic system, a cerebral region called the *amygdala* is a main target for contemporary neurosurgeons interested in "violence and the brain."

DIAGNOSIS BY BEHAVIOR

Mark and Ervin's book claims to describe their work with patients suffering from "dyscontrol syndromes" due to "limbic brain disease." But as a scientific treatise it has many shortcomings. For example, the authors fail adequately to describe their methods of diagnosis, except to acknowledge that, "since we do not at present have any way to test directly for the presence of limbic brain disease, we must rely on two indirect methods of diagnosis. The first is to see if the violent person has any signs and symptoms of recognizable brain disease . . .," and if this fails, "to compare their behavior with that of people known to have this sort of disease."

Their book is mainly a promotional treatise. It explicitly seeks to justify as "therapeutic" the destruction of brain tissue in people who exhibit allegedly unprovoked, uncontrollable and unreasonable fits of violent behavior. They do not seriously consider the possibility that the causes of such behavior may lie elsewhere than within the brain of the individuals committing the violence. And they do not give clear and complete accounts of the sysmptoms that justify the use of radical physical treatments such as injections of various drugs, surgery on the limbic system, and electrical stimulation of the brain with implanted electrodes. Nor do they provide a critcial assessment of a number of disastrous outcomes from their "therapeutic interventions."

Mark and Ervin dedicate their book to, "the Neuro-Research Foundation of Boston, whose goals for the early diagnosis and proper treatment of the violent patient parallel our own." They and Sweet established it for that purpose and first planned to locate it at the Massachusetts General Hospital, a prestigious private institution in Boston catering mainly to the needs of middle- and upper-class patients. When scientists, physicians and administrators there raised objections, Mark, Ervin and Sweet moved it to the Boston City Hospital. This ancient, beleaguered public institution caters primarily to

black and lower-class patients from the surrounding South End.

PSYCHOSURGERY'S FRIENDS

The psychosurgical approach to violence may be regarded with disdain by much of the scientific and medical communities and may provoke apprehension among the general public, but certain law-enforcement agencies have greeted it with enthusiasm. During one six-month period, for example, the work of the Neuro-Research Foundation was aided by a grant of $109,000 from the Law Enforcement Assistance Administration of the U.S. Department of Justice. They used the money to develop methods of identifying penitentiary inmates with patterns of habitual violence and evidence of brain damage.

The number of neurobiological projects aimed at controlling the behavior of deviant individuals rather than at understanding the complex causality of social conflict is growing disproportionately. In 1971, for example, R. K. Procunier, Director of Corrections of the State of California outlined a "proposal for the neurosurgical treatment of violent inmates." According to this plan, aggressive inmates would first be taken to medical facilities at Vacaville and then to the Unievrsity of California at San Francisco Medical Center where, "surgical and diagnostic procedures would be performed to locate centers in the brain which may have been previously damaged and which could serve as the focus for episodes of violent behavior. If these areas were located and verified that they were indeed the source of aggressive behavior, neurosurgery would be performed, directed at the previously found cerebral foci."

Who would be the patients in such a program? Here is part of an official affidavit describing one inmate who was being transferred to Vacaville for psychiatric evaluation:

"——— was 25, older and more mature than the bulk of the . . . inmates. He was aggressively outspoken, always seeking recruits for his views that the institution and its staff were oppressing all the inmates and particularly the black inmates. He was proficient at karate, and his files showed that he had been observed teaching other inmates karate techniques at another institution . . . [he] had been one of a half-dozen men who led a work-stoppage and attempted general strike which had lasted for several days . . . he was continuously in contact with friends and attorneys on the outside who encouraged his activities and provided him with books attacking society. He set a fire in May as a demonstration of his political views."

Although psychosurgery has been performed on a number of inmates in the California Correctional System, the Director of Corrections' plan was not put into effect. It was stalled by public protests when news of it leaked to the press. But early in 1973, Governor Ronald Reagan announced his support for the formation of the Center for the Reduction of Life-Threatening Behavior at UCLA. This center is attempting to mount a controversial program unmistakably similar to that outlined by Mark and Ervin.

SURGERY AND SOCIAL REFORM

The new wave of psychosurgery that threatens to become a political tool has been made possible by important advances in brain-behavior research. While we are still far from a detailed understanding of how brains work, we do know that the continuity, coherence and stability of our life experience depends on the structural and chemical integrity of our brains. We know that when the brain is damaged by injury or disease, behavioral changes are likely to result. From this we have come to view certain behavior disorders as dysfunctions of the brain.

We have developed powerful techniques for treating some of these dysfunctions directly. We can treat epilepsy and Parkinsonism with drugs and sometimes with neurosurgery. We know that certain forms of mental retardation result from hereditary defects in metabolism, and we now can detect and correct some of these in infancy. Perhaps the most dramatic and gratifying examples of brain-behavior relationships are those in which the surgical removal of a brain tumor causes a complete disappearance of the symptoms.

For patients whose behavior problems clearly result from underlying brain disorders, we often have no alternative to using psycho- or neurotechnology. No amount of attention to the social environment, no amount of counseling, psychotherapy, argument, punishment or other indirect approach will suffice. We simply have no more effective or reasonable way of dealing with some disorders than by means of a direct assault on the brain itself.

But few cases are this straightforward. In many instances of interpersonal conflict, the causes are clearly social and the wisest treatment would be social reform rather than biological manipulation. The fact that we *can* alter violent behavior patterns with chemicals and surgery does not mean that a brain dysfunction or "limbic brain disease" causes them. Even if we can discover a difference in a deviant individual's brain, we cannot conclude that this causes his deviant behavior or that it is justifiable to correct his behavior by altering his brain.

Too many contemporary neuro- and behavioral scientists seem committed to a narrow, unrealistic view of human social behavior. They focus mainly on the possibility of controlling behavior. If this trend continues, psychotechnology will increasingly become a favorite tool of social and political repression.

SPARE THE SPEED AND SPOIL THE CHILD

Psychosurgery is not the only threat in this respect. For instance, no one doubts that we are in the midst of a drug crisis. But in reality it is a crisis of tranquilizers and stimulants much more than of marijuana and LSD. The use of psychochemicals to control deviant behavior is more widespread than any time in the past, and growing rapidly. Not only do doctors and psychiatrists use them to control the mood and behavior of their patients, but most Americans use them to control themselves. Their erroneous assumption is that if an individual can't cope with his social world, the problem lies within himself. The danger is that people are using drugs to overadapt themselves to the pressures of society rather than mobilizing their discontent to make society more humane.

Certainly there are cases in which the use of psychochemicals is appropriate. But to the extent that drugs soothe and eliminate tensions that otherwise would produce beneficial social changes, psychochemicals may also serve as tools of social control. An alarming example is the growing use of chemicals to control children.

Parents and teachers have always had problems controlling children. Traditionally they have used such tools as coercion with punishment or threat, and persuasion with encouragement, love and education. But these do not always work the way they are supposed to, and both families and schools frequently produce "misbehaving" children.

Many authorities focus solely on the children themselves, and fail to consider seriously that the causes of their misbehavior might lie in the social systems of which they are a part. Like Cartwright, they deny that misbehavior may be intentional or socially "meaningful." They prefer, like Cartwright, to use the social status quo as their stable frame of reference and maintain that deviant behavior is a symptom of a disturbance within the child. Some of these authorities thus declare that certain children are victims of a newly discovered disease (known mainly to American psychiatry) called "minimal brain dysfunction" (MBD). According to Paul Wender's authoritative text on MBD, it "is probably the single most common disorder seen by child psychiatrists. Despite this fact, its existence is often unrecognized and its prevalence is almost always underestimated."

Doctors can find nothing demonstrably "wrong" with the brain biochemistry or physiology of "MBD" children. They do not suffer from epilepsy, postencephalitic mental retardation or other identifiable diseases. They are diagnosed as having MBD on the basis of behavioral criteria that are socially defined. The principle symptom of MBD is "hyperactivity," but by a curious pharmacological process no one really understands, the way to slow down a hyperactive child is with stimulants such as amphetamines or Ritalin (methylphenidate hydrochloride).

DIFFERENT ENVIRONMENTS AND BRAINS

Many scientists are searching for the biochemical, physiological and structural differences in the brains of hyperactive children. I suspect they will eventually find them, and that their discovery will be hailed as evidence that MBD is a truly biological disease. This conclusion then will be used to further justify the use of powerful psychochemical "remedies" for the behavioral "symptoms." But we know from recent experiments that we can induce measurable changes in the anatomy, physiology and biochemistry of the brain by exposing laboratory animals to different experiences. Animals raised in one kind of environment develop brains that are substantially different from those of litter mates raised in radically different environments. This suggests that the diversity of life experiences can induce a diversity of brain characteristics. But it does not imply that such diversity is undesirable, or that certain characteristics are bad or unhealthy. And it certainly does not justify the use of drugs to deal with "problem children."

Even if we knew beyond doubt that the children's symptoms arose independently of environmental influences, resorting to psychotechnological management would remain highly questionable. We should never intervene without the assurance that the child's brain differences pose a larger threat to his health than does the treatment. Today, many MBD children are being treated without either assurance.

I doubt that anyone really knows how many American children are being treated with daily doses of stimulants. One practitioner who uses them estimates that the number exceeds 250,000 nationwide.

Such "treatment" sometimes continues for years, at dose levels that can produce various side effects. Undesirable side effects occur "in an appreciable fraction" of cases, according to Wender, who points out that the long-term (postpuberty) fate of the MBD child "is uncertain and his clinical picture cannot be drawn."

With the "discovery" of the MBD syndrome, the seemingly endless search for biological determinants of social problems appears to have reached a new dimension. Highly potent drugs that act on the brain in unknown ways are being deployed on a large scale to control children with no demonstrable biological disease.

The advocates of drug-management often pay lip service to alternate approaches, but generally fail to explore them. But if we let scientific method rather than technical expediency guide our efforts, we would investigate family systems and school environments as well as individual behaviors. Of course this would require serious scientific research and might involve great complexity and expense. And in the end it might turn

out that the most reasonable "treatment" would be more freedom or better schools. But as long as our priority remains behavior management, technological approaches will grow stronger.

We are laying the groundwork in childhood for the psychotechnological control of adults. In my judgment the widespread use of stimulants to control children represents an official form of drug abuse. As the tools grow more powerful, the prospects are vanishing for saving our children and for saving ourselves from this dehumanizing chemical and biological warfare.

THE "BAD" DRUG

While official forms of drug abuse continue almost unnoticed, our political leaders keep us preoccupied with the "heroin problem." Yet biologically, heroin is actually one of the least threatening drugs. Contrary to popular belief, prolonged heroin use causes no apparent tissue damages, little impairment of judgment or coordination, and no inclination to engage in violent behavior. It is not necessarily addictive; addiction occurs as a result of complex physiological and psychological circumstances that we do not understand well. And it is not a "killer" drug. Nearly all the deaths blamed on it are due either to impurities, to its adverse action with other drugs, or to the criminal and clandestine conditions surrounding its distribution and use.

Heroin use does drain vital human resources from our communities, but this is not the real cause of public concern. The real cause is crime. Our leaders are not particularly concerned with the social conditions that produce drug use, or with the fate of drug users. They encourage us to believe that the "heroin problem" is one of protecting ourselves and our possessions. Toward that end they encourage the use of psychotechnology.

In the 19th century, morphine was proposed as a cure for opium addiction. Soon after Bayer laboratories synthesized heroin, they announced it as a cure for morphine addiction. Now we have Methadone as a cure for heroin addiction, and Methadone itself is addictive. Leaders of communities that experience the most devastating effects of drug abuse know that replacing one form of narcotic with another will not solve the problem. They also know it merely soothes the effects of poverty and discrimination, enabling victimized people to live with conditions that they might otherwise attempt to change.

It is highly doubtful that heroin itself causes crime. But it is fairly certain that its high price does. If we followed Britain's example and legalized it, we could supply it for about 18 cents per prescription and eliminate the motivation for heroin-related crime. We could save billions of dollars each year. Of course, this would not "solve" the problem, but it would be a reasonable first step.

Beyond that, effective treatment programs cannot be based, as they are now, on coercive narcotic maintenance or withdrawal. They must be based on voluntary use, withdrawal and rehabilitation. And they must involve at least equal attention to the systems that produce and maintain illicit drug use. There is no rational basis for concentrating more attention on the junkie than on the systems that control his behavior. The refusal to analyze and change larger social systems is one of the reasons that programs to control individuals (like Methadone-maintenance) do not work.

Past failures have not brought about a reexamination of the basic premises, but rather a hardening of hearts. Last January, for example, Governor Nelson Rockefeller called for mandatory life imprisonment of drug sellers and proposed that bounties be offered to those who inform on users or sellers. Jerome Jaffe, formerly the Administration's highest drug-abuse official, proposed that detection, detention and treatment techniques similar to those used by the military might be used in schools and other institutions to break the back of our heroin "epidemic." [See "As Far As Heroin Is Concerned, the Worst Is Over," August.]

In spite of the failure of both legal and technological approaches to the drug problem, I see little indication that the Government will change its policy. Until a more rational approach becomes politically feasible, I expect the search for more sophisticated control techniques will continue and I know that there are behavioral scientists eager to participate in the venture.

PSYCHOLOGY WITH BINDERS

Behavior modification also has mushroomed into prominence during the last decade. It is now used with growing confidence in mental institutions, schools, business and individual therapy. Its proponents urge parents and Government authorities to give up their outmoded methods of coercion and punishment in favor of more efficient and "humane" behavior-management techniques. Their promotion has proven effective, and these techniques are catching on.

Proponents of behavior mod often distinguish it from other psychotechnologies. They generally reject the notion that deviance and misbehavior result from mental illnesses or diseases within the individual. They hold instead that behavior patterns are largely conditioned by rewards and punishments from the environment, and some behavior modifiers seriously seek social reform. But many never attempt to find the causes of the behavior problems they treat. They may even cite this as an advantage. With behavior modification, their argument goes, there's no need to waste time and money hunting for the causes of a problem in order to cure it. Behavioral engineering can "remedy" it directly.

"Behavior control," says Perry London in a book by that title, "is the ability to get someone to do one's bidding." From the viewpoint of someone in a position of power, this definition is as congenial as it is useful. Accordingly, the "behavior-modification remedy" often consists of simply giving those in authority the tools to control others. Rarely does the behavior modifier question the legitimacy of this authority and rarely does he pause to analyze the responses, the systems, and values that the deviant individual is being conditioned to accept.

Behaviorists do change the environments that shape deviant behavior. But this usually means little more than giving increasingly effective means of control to those in power. Their techniques are often based on "pressure reinforcement" and thus may not frighten us as much as the manifestly cruel "aversive conditioning" depicted in *A Clockwork Orange*. But it is precisely because they are superficially more acceptable that they may be more dangerous to all of us in the long run.

Behavior modification shares with the other psychotechnologies a narrow problem solving perspective and a naive "law-and-order" concept of control. Behaviorists often assert that all behavior can be adequately described in terms of stimuli, responses and reinforcements. This view leads to a preoccupation with only those aspects of a problem that can be analyzed in these terms, and permits only a narrow range of possible solutions.

From a scientific point of view, the idea that control involves getting "someone else to do one's bidding," is a woefully impoverished concept. Behavior is regulated in many ways, and people can be controlled by various techniques. The crucial questions, however, concern how, and to what degree we should endeavor to control each other. If we remain predisposed to study the control that can be exerted over the behavior of isolated individuals and continue to ignore the complexity of underlying systems, we may fail to discover a whole range of possible solutions to our most crucial problems.

BENEATH THE RHETORIC OF SCIENCE

Technology seems to carry a halo of sophistication and respectability in our society. We tend to associate technology with efficiency and impartiality, two of the dominant ideals of our culture. But when we look below the superficial phrases used to justify psychotechnology, we see that its deployment is neither scientific nor politically neutral. Our wisdom has fallen far behind our technical ability.

Technology, like every instrument of power, should be applied with sensitivity as well as authority. I believe wisdom is tragically absent from the growing use of psychotechnology to control social deviance and political dissent. In each case I have discussed, a narrow technological definition of "the problem" is being used to justify repressive programs. Neither the appeal to "scientific objectivity" nor the resort to humane-sounding medical terminology should be allowed to obscure their repressive intent.

There are many who would blame this state of affairs on technology itself, or on the scientific knowledge that supports it. I believe, however, that the problem lies in the social practices that permit and encourage the unbridled pursuit of power. Those who seek and hold power have found that technology can be a valuable ally. They have shaped its development and deployed its results to their own advantage.

If we are ever to discover a humane approach to social conflict, we will have to recognize that human behavior is part of a complex sociobiological *system*. If we are ever to end the use of our knowledge about brains and behavior as a tool to repress, separate and discard deviant human beings, we will have to recognize that deviance is mainly an issue of sociology and politics rather than biology and psychology. Deviance reflects a divergence of ideas and a clash of behavior patterns. We must recognize its social meaning and deal with it on this level.

Neuropsychology teaches us that human beings are varied, complex and poorly understood. If we accept this modest insight, we will take an important step away from the arbitrary and rigid technological posture into which we have become frozen. Then we may see that the obsession to control behavior ignores the subjective, sociological and historical context in which all behavior occurs. In spite of its great practical power, the purely technological orientation toward human beings is blind to these important aspects of our existence.

CURIOSITY AND COMPASSION

Once we recognize that political expediency and not scientific objectivity lies behind the growing use of psychotechnology, we will have begun to move the serious problems of human society into the arena of ideological controversy where they rightfully belong. For too long the "experts" and politicians have been allowed to carry on a mutually self-serving dialogue. They assert that there are certain "basic issues" in every important policy matter that are either too complicated or too sensitive for the average citizen to deal with. This position can never be justified in a society that claims to be democratic. I am something of an expert in neuropsychology myself, and I am certain that every citizen is qualified to pass judgment on the public policy issues of psychotechnology.

If science teaches us anything, it is to believe in doubt, respect complexity, and rigorously search for deeper understanding of the human condition. The basis of sci-

ence should be curiosity, just as the basis of our relations to each other should be compassion. Curiosity and compassion are two complementary aspects of human existence. They are part of the same system of thought, and there is no reason to drive them apart. We need both if we are to develop a humane science of human behavior.

With courage and insight we may still be able to seize back from technology both our freedom and our dignity. In the words of a poet, *No equation can divine the quality of life, no instrument record, no computer conceive it—only bit by bit can feeling man lovingly retrieve it.*

MINIMUM WAGE: A BILL OR AN ISSUE?

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. CLEVELAND. Mr. Speaker, 5 weeks ago I introduced, for appropriate reference, compromise legislation to raise the minimum wage as a substitute for the bill vetoed by the President.

This bill is identical to that introduced by the gentleman from Minnesota (Mr. QUIE), several minortiy members of the Committee on Education and Labor, and other Republican Members.

My purpose is to lend my support to legitimate and much needed catchup increases in minimum wage legislation which have a reasonable chance of being passed and signed into law.

When I joined in voting to sustain the veto of H.R. 7935, I expressed objections to it, including the absence of a youth differential and extension of the act's coverage to employees of State and local government.

The legislation which I am now, in effect, cosponsoring represents a reasonable compromise. It provides a youth opportunity wage differential for those under 18 or for full-time students. And while State and local employees would be covered by the minimum wage, overtime provisions would not apply.

We all recognize that those at the lower end of the earnings scale need to catch up; in this respect, I have been unimpressed by the argument that a reasonable rate of increase would be inflationary.

But too rapid an increase would be inflationary and disruptive, and in the absence of a youth differential would decrease the employment opportunities open to the young, inexperienced, and unskilled.

The record in support of the youth differential strongly argues for this provision in the substitute. We already have partial precedent in the law. It has been applied successfully in other industrialized nations. The substitute contains safeguards against abuse.

Civil rights spokesmen and others concerned about the tragic rate of unemployment among black youth have recognized the effect of minimum wage increases on this group. Respected economists have expressed similar concerns. When one recalls that initial entry into the world of work was one of the objectives of programs like the Neighborhood Youth Corps, it is ironic that inflexibility in the minimum wage is permitted to foreclose similar opportunities in the private labor market.

The compromise is quite similar to the vetoed bill in several major respects. Both would raise the minimum wage this year to $2 an hour from $1.60 for workers covered prior to the 1966 amendments. True, the 1974 increase under the substitute would be $2.10 an hour—versus $2.20 under the vetoed bill—with the $2.20 rate reached in 1975.

The substitute is in line with the administration's proposals, and has been pending since September 20. Are the differences so great, the opposition to the youth differential so stubborn, that supporters of the original bill are unwilling to compromise? Is their objective a bill or an issue? Workers now denied an immediate increase of 40 cents an hour are entitled to an answer.

DEATH OF CAPT. RICHARD MORGAN REES IN SOUTH VIETNAM

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BIAGGI, Mr. Speaker, it was with a great deal of shock and outrage that I learned of the death of Capt. Richard Morgan Rees, who was killed on Sunday by Communist soldiers in a brutal and senseless attack 12 miles south of Saigon.

The fact that an American soldier is killed is cause enough for concern but the particular barbaric and ruthless way Captain Rees was murdered represented one of the most despicable acts I have ever heard of.

According to American sources, Captain Rees was disembarking from a helicopter being used by the joint Four Party peacekeeping force. According to Col. William W. Tombaugh, chief of the U.S. delegation, the other members of the force were also getting out of the helicopter when suddenly, without warning Communist forces unleased a savage attack upon the group.

The next part of Colonel Tombaugh's account is the most shocking and gruesome.

In accordance with standard regulations, one United States officer stood with his arms in the air to demonstrate that the team personnel were unarmed and to ensure that the distinctive joint military commission markings were clearly visible.

He was gunned down in cold blood from two positions only 30 meters away, quite clearly close enough for the Communist soldiers to ascertain the peaceful nature of the mission.

Yet, my feelings are only partially a result of the actual killing of Captain Rees. They are also a result of the seemingly callous and indifferent attitude of the American public toward this brutal and horrendous act. Where are those who advocated nonviolence, who preached to us all during the 1960's? Why were they so quick to condemn their own Government for the use of understandable violence in warfare, but now so conspicuously silent when an enemy mercilessly murders an unarmed American soldier, who himself was trying to restore peace? Where is their inherent sense of justice?

It has been a great source of distress to me over the last several days to realize that these same advocates of nonviolence can show no consistency in their beliefs over an incident which should bring them out in unanimous condemnation of this damnable act. We all deplore violence, but there are times and conditions where it may be the only viable solution. But each and every one of us both as Americans and as human beings should be outraged and sickened over the killing of Captain Rees.

It is also inconceivable to me that the only response of the American Government to this tragic incident is to lodge a mere protest. Can they be content merely to conduct an investigation? How does one investigate such a clear-cut case of murder?

This event will go down as one of the darker days in American history, yet I will not be surprised if millions of Americans never even hear of it. The nonviolent movement in this country has had some merit, and their objectives were commendable. But the failure of many of their leading spokesmen to respond to this atrocious act of violence to me casts an indelible black mark on their credibility.

Mr. Speaker, my reasons for discussing this matter today is merely to express my feelings as an American citizen to the killing of another one of our gallant men in uniform. As we approach the Christmas season, let us look to God to bring us the lasting peace we so desperately need in this troubled world.

SELECT COMMITTEE ON PRIVACY MATERIALS

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, during my discussion of invasion of privacy on December 14, of this year, I alluded to a plan to assist probation workers in juvenile courts by computer. I commented that many other such programs were underway in the United States today and as further evidence for the necessity for the Congress to understand the new and sophisticated ways computerized information systems actually dictate the law's applications to our children, I wish to insert at this time an investigative article from the now defunct Washington Daily News of July 10, 1972. The system described in such detail by Ms. Diane Bauer has, I am informed, been dropped by the State of Maryland, but we are unaware of what has happened in the 15 other States which had adopted it.

There are those who say that my concern over using computerized decision-

making is based on something which may happen at some future time. Yet, as this article demonstrates, the technology is already in place around the country and is an additional reason for the Congress to inform itself fully of what is no longer a theory. This is an industry, Mr. Speaker, and I call my colleagues attention to the attached article because it very clearly highlights both the potential for good and for evil.

The article follows:

COMPUTER MAY PROBE COURT WARDS

(By Diane Bauer)

Maryland juveniles in the hands of the law could have their fate—jail or freedom—by a computer in Colorado that spews six to eight feet of pink computer print-out every two minutes, giving a psychological evaluation plus recommendations for $7.

Tests may be given any juvenile facing court action, either on trial as a suspect in a criminal case or as a neglected or dependent child.

The computer plan is now used in some court systems in 15 states, and Maryland would become the 16th if adopted. It would be used state-wide in Maryland.

Ten Montgomery County juveniles have already been evaluated by the computer, after taking a 45-minute multiple choice test, with results which many psychologists and psychiatrists say have "the scientific validity of a tea leaf reader's predictions" going into their permanent records.

Dr. Lee Gurel, president of the American Psychological Association's Division of Psychologists in Public Service, said the computer print-outs "make general statements that have the 'P. T. Barnum sucker effect'—like bump-readers, tea-leaf-readers and palm readers that are successful because they say very general things."

Dr. Gurel, a clinical and research psychologist and director of Special Projects of the Veterans Administration's Evaluation Service, said the computer's evaluations are "meaningless to an experienced clinician because you can say the same thing about any child—and yet it has the potential for damning him."

"It's the Ann Landers for probation officers," Dr. Peter Breggin of the Washington School of Psychiatry said. "It gives advice on therapeutic techniques you can interpret almost any way you want to."

Robert C. Hilson, director of Maryland's Department of Juvenile Services, said the department had planned to adopt this test (or a similar one) statewide by fall.

But, following inquiries into the program by The Washington Daily News, Mr. Hilson said he now "would want advice from Maryland's Commissioner of Mental Health before we go any further."

Mr. Hilson said that the purpose of the plan is that "we are looking for a better way to diagnose. . . . The probation officer needs to find out as much about the child or refer him to an agency.

"This (the computer plan) might stop kids from going to the Maryland Children's Center.

At present psychological evaluations are made by a private or state-paid psychologist or psychiatrist, if recommended by a juvenile's case worker or order by a juvenile court judge.

A judge also may order a child to spend 30 days in jail at the Maryland Children's Center to get a psychological evaluation while in custody.

It was not made clear who would order the computer test, or at what stage in the court procedure it would be used. Officials said it could be a screening tool to see if the child should have live psychiatric or psychological counseling.

The computer test itself costs 15 cents, plus $7 for the computer interpretation, saving Maryland the cost of a $100 evaluation by a psychologist, the juvenile service department says.

The test asks questions such as "Would you rather be: a. a traveling TV actor; b. uncertain; c. a medical doctor; and " 'Truth' is the opposite of: a. fancy; b. falsehood; c. denial."

On the basis of the child's answers, the Probation Service Institute in Boulder, Colo., sends back evaluations and recommendations such as:

"This boy may have relatively severe sex role conflicts, and actual homosexuality is a possibility . . . (statement applies only if this is a boy)."

It includes predictions on drug usage and suicide potential plus recommendations such as "include close watch on his friends;" "consistently puncture his fantasies;" and "must be watched closely."

Dr. Ivan H. Scheier, founder and director of PSI, says, "We don't claim it's as sophisticated as a $100 diagnosis."

He says the information in the computer which makes the evaluations comes from him and is a result of nine years as a volunteer with Boulder's juvenile court, in which he came into contact with about 2,000 cases.

He says, "Much is inference and intuition, and to a large extent the program simply recapitulates the best inferences we are able to muster. . . ."

Dr. Scheier acknowledges that the program, which he has sold to courts in 15 states and which is federally financed in some areas, depends "on my judgment alone."

"Insofar as (my) judgment is poor, the program is poor; insofar as it is good, the program is good," Dr. Scheier said.

A brochure sent to potential state juvenile court buyers, says the PSI computer can make recommendations on "To what extent is this a hard-core case? How closely must the youngster be watched, i.e., how high is the probability of further offenses, and consequently, how great is the need for intensive structured supervision?"

Maryland's Department of Juvenile Services acknowledges that the test results will be used in probation reports and that they could govern whether a juvenile does time while undergoing further evaluations.

Mr. Hilson "was not available" for comment about the allegations about the computer system plan.

One Montgomery probation officer praised the "computer shrink" plan highly in a memo to the department saying:

"The results from the computer were uncannily real. The computer printout provided me with more information and better insight than the combined results of a psychological, a psychiatric, the general aptitude test battery, a physical exam, and a vocational test battery."

He added, however, "The child who completed the testing for me is a heroin addict. At the time she took the first test, she was actually (high) on heroin having 'shot-up' approximately one hour prior to testing. She took the second test approximately a day after completing detoxification. From my understanding of the (PSI) test profile, she tested a great deal mentally healthier on heroin than off heroin. . . ."

Dr. Gurel said the program's recommendations "have tremendous potential for being abused—because somebody will think they have the authority of God behind them because they come from a computer."

Joel Crausman, a professional school psychologist in Montgomery County, said the computer's analysis is based on "flim-flam validation procedures. For these statistics they'd stone me out of the building.

"Everyone's entitled to intuitions—but not to hanging them around the kid's neck for life."

Martin L. Gross, author of The Brain Watchers, the book that triggered Sen. Sam Ervin's 1965 investigation of U.S. government psychological evaluations—which resulted in reforms of federal agency testing—said Maryland's proposed program is "unscientific, careless and psychologically ignorant. To use it is to play havoc not only with normal decency but to play havoc with scientific validity.

"Probation officers should not be permitted to give psychological tests—that's why you license psychologists. Tests should only be conducted by a psychologist—and only in a face-to-face situation."

Both Dr. Breggin, who brought nationwide and congressional attention to the abuse of brain surgery in controlling behavior problems for thousands of American children and adults, and Dr. Gurel agreed that the computer's statement are "hostile to the child."

In a bulletin to courts who use his service, Dr. Scheier recommends that the best way to prepare the child for the test is to have the judge "lay it on right from the bench that the testing is to be taken seriously."

A suggested speech to the child, to be given "loud and clear" includes, "It is . . . to your best interests to answer the questions as honestly as you can. Besides, the people who look at these tests are able to spot faking, copying or cheating . . . If we find evidence of this on your tests, it will be a bad mark on your record, but you have nothing to be afraid of if you just do your best to answer the questions honestly. . ."

Dr. Breggin said, "The stress on bullying the child into taking the test indicates PSI's attitude toward children. 'Laying it on from the bench' would just increase the child's anxiety level and would tend, if anything, to make it harder for the child to concentrate and the test even less valid."

The printed test results would go in the child's files, large portions of which are now being programmed onto a computer at Maryland state police headquarters which is hooked up to Maryland state police communications headquarters and the FBI's national computer system.

The computer system is already under investigation by the Maryland chapter of the American Civil Liberties Union as both a possible violation of privacy and a violation of a juvenile's right to confidentialness as a result of articles in The Washington Daily News.

Charles Witter, former staff director of a U.S. Congress subcommittee on Invasion of Privacy, said, "Two of the leading fakes in this nation are the mystique of the computer and the expertise of the psychologist. It was only natural that they should form this unholy alliance . . . I think you could do just as we, by reading the entrails of sheep."

Mr. Witter, whose book on privacy, "Big Brother is a Mother," is soon to be published, added, "This bogus evaluation can follow these children all their lives."

RESPONSIBLE JOURNALISM THE CRISIS DEMANDS

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. VANDER JAGT. Mr. Speaker, on December 12, 1973, an editorial appeared in the Muskegon Chronicle captioned "There's More to the Story . . . U.S. Fuel Oil Exports Up, Yes, But Read This Before Exploding." This is responsible reporting at its best. At a time when much information is being given to the reading public, I believe my colleagues will find the editorial of considerable worth.

The editorial follows:

[From the Muskegon Chronicle, Dec. 12, 1973]

U.S. FUEL OIL EXPORTS UP, YES, BUT READ THIS BEFORE EXPLODING

There has been a lot of talk—angry talk—about reports that the United States is exporting huge quantities of fuel oil while Americans are being asked to turn down their thermostats or possibly freeze this winter.

If that's true, there is plenty of reason for indignation. A sizeable segment of the public already believes the big oil companies stand to reap a bonanza while they suffer, and it seemed beyond belief that precious fuel oil was being shipped abroad in this time of domestic crisis.

The report first hit the wires last month when Rep. Les Aspin, D-Wis., cited government figures that fuel oil exports in 1973 would soar 284 per cent above last year.

That figure is still being kicked around and, under the circumstances, it *does* sound incredible. Even criminal.

But simmer down. There's more to the story.

It happens that the congressman's figures were accurate enough—as far as they went. In 1972, exports of distillate oil—mainly home heating and diesel fuel—came to 448,443 barrels. This year, the projected figure is 1,200,000 barrels, a whopping percentage increase.

But the fact is that the 1973 figure is *less* than the distillate oil exports in 1969, 1970 or 1971. Exports in 1972 were far below normal, for reasons not fully explained, so the return to about normal figures (an average of roughly 1,000,000 barrels since 1968) is less than scandalous.

The public heat generated by the report this week prompted Duke R. Ligon, director of the Interior Department's Oil and Gas Office, to rush out an explanation. Bureau of Census figures show, he said, that the 1973 reports of fuel oil represent just two-tenths of 1 per cent of U.S. total demand.

While this may amount to more than "just a drop in the proberbial bucket," as he put it, it seems clear that it constitutes no threat to the country's supplies.

It was explained that much of what is exported (buyers include the United Kingdom, Mexico, Venezuela, the Netherlands Antilles, Denmark and Japan) goes to meet long-term contracts that cannot be voided.

Further, a lot of it goes to Venezuela, where it is not consumed, but is used to dilute the extra heavy crude oil produced there, for easier shipment to the United States.

The American Petroleum Institute points out that when the Venezuela crude reaches the United States for refining, the distillate oil is retrieved and shipped back to dilute another batch of crude. Thus it becomes another "export" each time the process is repeated and pads the export figures.

The picture is full of such complexities, but this amount of explanation is sufficient, we think, to knock the cutting edge off the sensational charge that oil exports are up 284 percent.

There is much that is legitimately questionable about the government's oil policy; enough, certainly, without weighing the scales unfairly with a publicity-grabbing half-truth.

SPACE SHUTTLE IS BASIC BUILDING BLOCK OF FLIGHT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. TEAGUE of Texas. Mr. Speaker, the United States is now in its third year in the development of a Space Shuttle—a reusable low-cost earth-to-orbit transportation system. By 1980, the United States, if we remain on schedule, will be going to space routinely at low cost. It is now clear from Skylab, Apollo, Earth Resource, and weather navigation satellite experience that such a low-cost transportation system will make space a place of commerce and routine operation at reasonable cost.

A recent article in the Torrance, Calif., Daily Breeze of November 7, 1973, summarizes the Space Shuttle program today. I include this interesting article in the RECORD for the benefit of my colleagues and the general public:

SPACE SHUTTLE IS BASIC BUILDING BLOCK OF FLIGHT

America's astronauts, 20th Century Magellans who set sail so recently, may be a vanishing breed when a new generation of spacecraft carries ordinary folks into space.

The National Aeronautics and Space Administration over the years has proved the value of exploiting the new space environment. Now the agency has come up with a vehicle that can fly to Earth orbit and back routinely at low cost: the space shuttle.

Early manned spacecraft flew only once in Earth orbit or to the moon. The space shuttle will make as many as 100 flights, returning each time to runways as jet airliners do. NASA says this will slash millions from the cost of space travel.

For example, today's unmanned Earth satellites must be extralight and superdependable, once launched, they can't be repaired. But the shuttle will carry satellites to orbit, repair them, or bring them home if necessary, then put them back again.

The space shuttle looks like a fat, ungainly airplane, about the size of a small airliner. Slung beneath its fuselage is a mammoth fuel tank. Two large solid-rocket motors will boost it toward space.

The underslung tank and rockets drop off after launch * * *. After performing its mission, the craft can fly down through Earth's atmosphere and land on an airport runway.

The space shuttle will carry a four-man crew—pilot, copilot and two cargo specialists who will control a 15- by 60-foot cargo bay. Satellites, sections of space stations to be assembled in orbit, or interplanetary probes can be dropped off in space.

Nine European countries have joined NASA to build a spacelab for the shuttle. The mini-laboratory can carry scientists into space, nestled inside the cargo bay.

Experiments might include cameras to record Earth's features for environmental studies, instruments to investigate the sun and stars, medical hardware to examine the effects of space travel on people, and manufacture of exotic materials in the weightlessness and hard vacuum of space.

After his record-shattering Skylab flight, astronaut Charles (Pete) Conrad said he is one of a vanishing breed. He believes men like today's airplane pilots will command the space shuttle. With little or no astronaut training, others can perform valuable scientific tasks in space.

Nearly every state in the United States will supply NASA with parts for the space shuttle. The prime contract was let to Rockwell International's Space Division in California.

Others went to TRW Inc. in Texas, McDonnell-Douglas in Missouri, Grumman Aerospace in New York, Intermetrics, Inc. in Massachusetts, Rockwell International in Oklahoma, Sperry Rand in Arizona, United Aircraft in Connecticut and others scattered around the nation.

Thousands of men and women around the country are working on the program, feeding, housing and clothing their families, educating their kids, buying cars and homes, paying taxes—working on a program that one day will benefit all mankind.

The shuttle is the basic building block in an entire space flight system—like the locomotive is to the railroad train. Other building blocks may include a space tug to push satellites farther into space; orbiting space stations to fly in orbit for 10 years or more; and even a transportation system to return men to the moon to occupy permanent scientific bases.

PROCESS OF LAWMAKING

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BROTZMAN. Mr. Speaker, on December 11, the Daily Times-Call of Longmont, Colo., printed an interesting editorial on the subject of congressional legislative procedure.

I am inserting it in the RECORD, and strongly recommend that my colleagues take the time to read the thought-provoking message that this editorial sets forth:

PIGGYBACKING UNJUSTIFIED

Congress repeatedly attempts to piggyback important pieces of legislation in order to worm through some unpopular measure by attaching it to a piece of legislation which is desparately needed.

The latest attempt was the effort to attach a landmark federal election financing proposal to a law raising the national debt ceiling.

The country was in serious condition, in fact nearing technical bankruptcy because of the debt limitation. It was necessary to increase the debt liimt in order for government to continue functioning.

Congressional liberals attempted to use the debt ceiling bill as a vehicle to assure quick passage of the campaign financing bill.

Sure enough, there was a filibuster mounted against the campaign funding portion of the bill and the Senate finally had to give in and separate the two proposals. The Senate even held a Sunday session in an effort to get the legislation through.

This is a common practice. In far too many cases, the legislators will lump two important proposals together in an effort to slip an unpopular proposal into law.

For example, a social security increase, opposed by the president, will be added to a military spending bill which the president wants very much. Thus, the president is faced with a choice of signing both or vetoing both.

Thus, he is unable to apply decision making on the validity of each. It is simply a question of whether he wants to give up on his opposition to one item in order to gain passage of another.

This results in poor governemnt. Our leaders should be in a position to make intelligent decisions on major issues. Further, these issues should be presented as clearly as possible to assure that political leaders face up to actual issues instead of being able to hide behind a secondary issue.

Congress desperately needs to react to pressing national problems and deal with the issues facing the nation. This cannot be done as long as this process of piggybacking major proposals into one bill continues.

The House and Senate should immediately enact a law which would forbid unrelated proposals from being in the same bill.

There can be no justification for attaching election financing reform to a bill increasing

the national debt. Each of the issues should be debated and voted on separately.

The process of lawmaking is critical in a complex society. We must do everything possible to simplify and streamline this process to assure the best possible legislation is passed.

This cannot be accomplished as long as we continue to piggyback important legislation.

"IT IS AN UNSTADIUM"

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. HELSTOSKI. Mr. Speaker, one of the major issues presently confronting the State of New Jersey concerns a proposed $280 million sports complex to be built in the Hackensack Meadowlands.

Personally, I have reservations about the project, particularly with regard to its impact on the environment and the lack of a transportation plan. Virtually every environmental concern imaginable—clean water, air, preservation of a natural marsh and flood plain, excessive traffic, population congestion, just to name a few—are intertwined with this project in some way. And thus far, satisfactory plans for dealing with these factors have not been presented.

In addition, many critics of the proposed complex contend that by the time it is finished, it will cost over three times as much as is now anticipated as a result of interest to be paid from the initial sale of bonds, and that this additional financial burden will result in increased State taxes. In other words, with interest and principal, the true cost of the complex over the life of the bonds will probably be about $900 million which conceivably could be borne by the taxpayers by virtue of the moral commitment made by the State.

Presently, there are some communities in the Nation contemplating projects similar to the one proposed for the Hackensack Meadowlands. Throughout America, we have moved into an era of increased leisure time, and our interests in sports and recreation have grown quickly.

Mr. Speaker, an excellent article, concerning a large sports complex presently being built in New Orleans appeared in the October issue of Signature magazine. Entitled "It's an Unstadium . . . " and written by David Snell, the article focuses on some of the problems inherent in building a large sports complex in a highly urbanized area. I found this article informative and useful in gaining further insight into some of the problems posed by such a project. Perhaps we in New Jersey may benefit from some of the views in this article, and as a result Mr. Speaker, I would like to share this article with my colleagues:

IT'S AN UNSTADIUM . . . IT'S AN INDOOR MARDI GRAS . . . IT'S A TAX BURDEN . . . IT'S NEW ORLEANS' SUPERDOME

(By David Snell)

What is big enough and pretty enough to gift wrap the Houston Astrodome in, provided you stuff the empty spaces around the edges with a Mardi Gras parade, a couple of Creole gumbo cook-offs and a dozen or so Dixieland jazz bands to make sure the parcel won't rattle?

Nothing—at least not for awhile. But just wait until 1974, around late October. That's when New Orleans is aiming to unveil her greatest splendor since Oysters Rockefeller. The French word *"Voila!"* seems hardly broad enough to encompass the incredible concept of it all, but there it'll be—the Louisiana Superdome!

In fact it is there right now. Its colossal skeleton, fully formed, is as tall as a 27-story building and frowns upon the New Orleans skyline like an approach thunderhead. On a wet gray day the illusion is heightened by the flashes of blue lightning from welding torches which send down showers of sparks from the high steel.

Already it has become a tourist attraction. Unlike Houston's outlying Astrodome, the Superdome is downtown, right in the heart of things, and close enough to existing buildings for comparison of size. Sightseers from the nearby French Quarter are clearly awestruck.

But the Louisianians among them are mindful of the squalls of controversy which have roiled around the project from its inception. Those who are true connoisseurs of Louisiana politics, with memories of Huey Long, may even interpret those lightning flashes as long-range portents of calamitous public indebtedness.

No matter how the rest of Louisiana might feel about the Superdome and its probable future as a statewide financial burden, New Orleans is caught up in excitement and pride. There is grandeur here, of a kind that this French-flavored city can savor better than any other in America.

The projected cost of the Superdome—$153 million—is roughly five times what it cost to complete Houston's domed stadium eight years ago. Yet in New Orleans the very audacity of this expenditure comes across as a measure of the city's jaunty confidence and a symbol of its commercial renaissance. The implication could hardly be lost on its Texas archrival, Houston.

In the rarified competition of big-domedom, New Orleans gallantly acknowledges a debt to Houston. After all, the Astrodome was the pioneer, the proving ground where costly mistakes came to light. Case in point: the clear plastic roof which finally had to be painted over so that during daytime baseball games the outfielders wouldn't misjudge pop flies against the intricate patterns of the supporting girders.

The Superdome, a second-generation beneficiary of such expensively gained know-how, will have no skylight. If fielding averages suffer because of poor visibility, somebody forgot to pay the electric bill. Like its smaller big brother, the Superdome will be a climate-controlled cosmos, and its main function will be to serve as an athletic arena. But it will be so much more that its planners have nicknamed it "The Unstadium."

It will rearrange its configuration for baseball, football and other major sports such as basketball, hockey, boxing, soccer and track. In a trice it can shift gears for grand opera, symphonic concerts and theatrical productions. To provide close-in viewing of the far-off principals and soloists, a monster-size hexagonal gondola hanging from the ceiling will show simultaneous color telecasts. For sports events the six TV screens also will run instant replays.

The Superdome will be able to accommodate jazz and rock festivals—full volume or pianissimo—as well as trade fairs, circuses, horse shows and rodeos, and Billy Graham-type revival meetings. Four separate conventions could take place simultaneously in the quadrants of the building, each attended by as many as 3,000 people, at the same time a football game is playing to SRO in the main arena. None of these events would interfere with the others.

At Mardi Gras time up to now, only the chosen few could watch the carnival parades from windows and balconies along the routes of march. To stand up front on a balcony you practically had to hold the rank of Mussolini or have inherited a Louis XIV land grant. The other rib-gouging revelers, tens of thousands of them, had to marinate and mildew out in the rain at curbside. Well, the day will soon come when all that will be just a hungover memory. For those who are willing to pay for the convenience, plans are afoot to channel the Mardi Gras parades right through the Superdome—and *that* could make for history's greatest drunk-ins.

Like the Astrodome, the Superdome plans to lease luxury sky-boxes to individuals and corporations. But in New Orleans the boxes will pull double-duty—as *office suites* for companies desiring a prestige address. Just how much of a distraction that might prove to the office help on game days will remain to be seen.

"This," says Dean Gerald McLindon of Louisiana State University's School of Environmental Design, "will be the most usable public building ever designed in the history of man."

To cater to the anticipated epicurean cravings of its clientele, the Superdome has awarded a franchise to the Ogden Food Corporation to operate all stadium restaurants, cafeterias, snack bars and vending concessions. Detailed plans and menus were required demonstrating that Ogden could match both the quality and prices of the city's finest restaurants in serving exquisite local specialties.

Depending on what the hungry ticket-holder is willing to spend, his à la carte could range from simple shrimp po'-boy sandwiches to the Heaven-sent creation called pompano *en papillote*. And who knows what the hawkers in the left-field bleachers might offer for dessert? ("Hey, getcher hot creeps-suzette, eat 'em while they're *flambée!*") If the Superdome fails to become the first stadium ever to win three stars in the *Guide Michelin*, it won't be for lack of trying.

Such frills were not imagined back in the hardy pioneer days of 1965, when Judge Roy Hofheinz of Houston astounded the world by inventing the Astrodome. Lots of doubters in other cities were wont to call the new stadium Hofheinz' Folly.

"How's that again? Y'gonna try to grow grass on an indoor field?" said the wiseacres in the lawn-care industry. *"It can't be done!"*

Undaunted Judge Hofheinz thrust his chin forward and pressed right ahead, until he got daunted. The wiseacres were dead right and the Astrodome's grass died. Yet, that milestone in brown-thumbery became the mother that necessitated the invention of plastic turf.

Suddenly the concept of domed stadia made a lot of sense, especially in cities where neither snow, nor rain, nor heat, nor gloom of night stayed the faithful sports fan from slouching at his own TV set instead of queuing up at the box office. There are no rain-checks at the Astrodome.

New Orleans was really grabbed by the idea. There, the climate favors football. But baseball, as decades of minor-league frustrations have proved, is a contest of spectators vs. the elements. The annual rainfall, among the heaviest in the nation, appears to concentrate on the summer months as though there were statutory requirements that it should. When the heat of summer turns from merely miserable to flat-out ferocious, daytime attendance at outdoor sports events—or at anything else not air-conditioned—becomes an ordeal. When mosquito storms blow in from Lake Pontchartrain or the swamps above Barataria Bay, nighttime attendance is misery.

Still, here is a city blessed with as fine an audience potential as any in America—com-

posed not only of its own sports-minded residents but also of the hordes of vacationers drawn to New Orleans in all months of the year. Moreover, leaders of the business community had long chafed over the eclipsing of their city by Houston as the principal port and commercial center on the Gulf Coast.

So before that summer of '65 had passed, talk of a domed stadium was swinging through the old city like a Dixieland jam session. One day in the fall a committee of boosters went up to Baton Rouge and laid the idea before Governor John J. McKeithen. He listened with rapt attention, then slammed a gubernatorial fist into his desk and said, "We'll do it!"

Early the following year the formal proposal went before the state Legislature. It turned out that the proponents had not brought along so much as a rough sketch of what the finished product might look like. Somebody reckoned that the stadium might cost—oh, let's see now—somewhere in the neighborhood of $35 million, and for that price they could figure on seating maybe 50,000.

Of course there was acrimony and suspicion, as there always is on such occasions in Louisiana when noble public endeavor is in the offing and representative democracy is at work. Some of the suspicion peevishly centered on the fact that the plan's sponsors, for some curious reason, declined to accept a top limitation of $50 million on a project that was only supposed to cost $35 million.

But in autumn of 1966 an enabling amendment to the state Constitution was put to a statewide referendum. It provided that the bulk of the construction costs would be met from the sale of simple revenue bonds. These would be no obligation by the state or involvement of its good name and credit. Truly, here was pie in the sky—a magnificent stadium that would pay for itself with its own revenues, with no need for legislative bailout or higher taxes. The voters naturally approved it, by a margin of three to one.

With that, Governor McKeithen made like Napoleon's courier, leaping onto his horse and clattering off in all directions, to try to generate interest in banking circles in the forthcoming bond issues. As is well known in Louisiana, Governor McKeithen was and is a gentleman of the old school, tempered and balanced in the skills of government, eloquent and persuasive in the arts of diplomacy. The message of faith and inspiration which he took to the nation's financial capitals—except those in Texas—was:

"We're going to build something that will make the Astrodome look like a country outhouse!"

And Louisiana is doing its level best. Almost any comparative thing you'd care to say about the Louisiana dome and that one in Texas can be expressed mathematically by the ratio of three to two.

Total possible seating capacity, including use of the arena floor? Score it 103,400 in the Superdome as compared with 70,000 in the Astrodome.

Seating capacity for football? Figure 80,000 for the future home of the Saints, to a mere 50,000 where the Oilers gambol. Baseball? S-dome 59,000; A-dome 45,000. Height of dome above the arena floor? 273 feet vs. 208 feet. You could go on and on.

In one interesting way, however, the pattern reverses. The Astrodome sits out there on 237 acres of bald Texas prairie like a country . . . well, Governor McKeithen said it. The Superdome scrunches up on 55 acres. The Houston stadium provides on-site parking for 30,000 cars; the Superdome will be lucky to fit 5,000.

So motorists who can't get into the Superdome's own lot will just have to use commercial facilities in the area, or leave their cars at home or at their hotels and take the shuttle buses or walk. Out-of-towners may worry some about the predictions that have been made of heroic post-game traffic jams. Oh well, nobody's ever in much of a hurry to leave New Orleans anyway.

The decision to build the Superdome downtown, where real estate comes dear, was an important one, linked up with the special character of New Orleans. There were those who favored building it somewhere out in the swamps, among the cypress and alligators. But almost alone among major cities of America New Orleans' downtown area is lived in, its inner city happily and safely flocked to and strolled through, and it doesn't turn into a ghost town come sundown. The stadium commissioners opted for a downtown location because that's where all the fun is.

Meanwhile, what of the far-ranging Governor McKeithen who was out yonder somewhere with his bond prospectus, drawing comparisons with outhouses and ringing the doorbells of banks? To fully appreciate his wondrous achievement in bringing home the bacon, you've got to understand the nifty move that was finessed to make the bonds attractive.

Remember that enabling constitutional amendment that the voters of Louisiana approved? Well, right in there were a couple of little old clauses that few people paid much attention to at the time. What these clauses said was that the State of Louisiana, at its discretion, could *lease* the Superdome from the stadium commission for 99 years and take over the function of subleasing it for specific events. The rental which the State would have to pay as lessee was not spelled out.

Things rocked along in a gathering storm of invective and lawsuits as the real meaning sank in.

The State of Louisiana would indeed lease the stadium upon completion of the project. And the stipulated rental? Precisely the operating deficit of the Superdome, whatever that might be, *plus any unpaid portion of the cost of servicing any bonds that would be sold.* In other words, year in and year out, for one year shy of a century, the people of Louisiana would have to pay for their costly playpen.

Besides its income from rentals, concessions and advertising, the stadium will receive the proceeds of a 4 percent room-occupancy tax which the constitutional amendment imposed on hotels and motels in the New Orleans area. To meet the balance of the $153 million construction cost, there have been two bond issues totaling $129.5 million. Amortization figures out at roughly $22,000 a day. Add the operation and maintenance costs and you're talking about $40,000 a day just to break even—rain, shine, Mardis Gras or Lent.

But of course the New Orleans Saints pro-football team is a guaranteed tenant. Possibly, Tulane University will abandon its aging and decrepit Sugar Bowl and come in too. The 1975 Super Bowl will be Superdoomed. Then there's always baseball.

Baseball? What baseball? Unless you count the outdoor gatherings where mosquitoes feed on minor-leaguers, there ain't none.

So Ben Levy, the salaried executive director of the Superdome, is commuting these days to wherever there are concentrations of power and influence in major league baseball. Object: a full franchise for New Orleans—any old franchise at all.

And Levy talks confidently of having a team for the 1975 season, his senses highly attuned to California and the Oakland A's or the Angels. Nevertheless, two New York teams—the Yankees and the Mets—will play the first exhibition baseball game in the Superdome in early April, 1975.

But Ben Levy can't help thinking how nice it would be if the eventual franchise turns out to be an American League team. New Orleans might someday play Houston in the first indoor World Series.

There is something about the Superdome that inspires such flights of fancy. The other day Levy had to go to City Hall to take up some matters with Mayor Moon Landrieu, who is president of the Superdome Commission. After the meeting Levy returned to his own office and got to musing over the possibility that the Mayor will invite the Democrats and the Republicans to hold their National Conventions in the Superdome in '76. They could meet in opposite ends of the Hall—simultaneously! The very thought of it is enough to make a TV anchorman slip his moorings.

Pretty soon Levy's reverie was interrupted by the arrival of some people who wanted to talk about advertisng revenues in the Superdome. Somebody said it is really too bad they won't be able to make a deal with the Goodyear people for overflights by the blimp. Ben Levy pondered that for a few seconds.

"Maybe," he said, "we can figure out a way to fly the Goodyear blimp *inside* the dome!"

NEWSLETTER RECAPS 1973 ACTIVITIES

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. HEINZ. Mr. Speaker, I am mailing this week my regular Newsletter to each of the 174,000 households in the 18th District of Pennsylvania which I represent.

In it, I have attempted to provide my constituents with both a review of the major proposals and initiatives in the House of Representatives during 1973 as well as a few legislative challenges and hopes for the new year we face.

Perhaps my colleagues will find the contents of this newsletter of interest. With that in mind, I herewith reprint the text:

NEWSLETTER

DECEMBER 1973.

DEAR FRIEND: Greetings of the season and every wish for a healthy and happy New Year 1974! What with the present and predicted fuel shortages and energy crisis, perhaps this year the true warmth of the human spirit will light all our lives. In many respects, this would be a return to the tradition of families together, candles and fireplaces, and a real sense of sharing. Desirable virtues, I admit, but we must recognize that the dilemma we face will be with us long after wreaths are put away and glasses are raised to toast the challenges of a new year.

Those challenges take on special significance this year. They will be more difficult than ever, especially since the energy crisis is not easily understood, by you, or for that matter, by us here in Washington. I myself am frustrated in getting an exact idea of what petroleum reserves *really* exist and can be tapped. What we will be able to understand, however, are cutbacks in gasoline and heating oil for our homes, as well as electrical "brownouts" if they occur. There's also the real possibility that rationing, restrictions in goods and services, and other strong measures may be levied against us.

THE ENERGY CRISIS AND US

There is much all of us can do voluntarily to ease the shortages of oil, natural gas, and coal this winter. Failure to minimize waste of electricity, gasoline, and home heating fuels will necessitate that government take additional steps to conserve, allocate and ra-

tion fuels. Perhaps we can develop reasonable and fair ways to do this, perhaps not. I do know that this is on your mind. I've found out as I travel in the 18th District to meet and talk with you, at my regular "town meeting" workshops, especially, such as the one pictured here held recently in Greentree. I value these sessions because through them I get a first-hand picture of your concerns and your frustrations. In any event, your thoughtful energy conservation by carpooling, turning down the thermostat, driving more smoothly and at less than 50 mph will help avoid controls and bureaucracy other than what is absolutely necessary. Moreover, any conservation of energy will also protect jobs.

I was recently shocked to learn that American crude oil is being exported to Amsterdam, refined there, and then imported back into the United States to be sold at vast profits—obviously in violation of our domestic price controls. I am working for changes in the law to prohibit any unauthorized export of crude oil or other petroleum products, and am also supporting legislation to prevent windfall profits by anyone taking advantage of the energy shortage.

Some have suggested that an extra 30 or 40-cent tax should be placed on gasoline. I oppose such a tax increase. It would fall heaviest on those least able to pay. Instead, I'm convinced we should consider other measures, including gas rationing, as alternatives. In this connection, Congress is just now taking final action on the Energy Emergency Act. In my view this bill forces the President to make . . and allows Congress to avoid . . . too many far-reaching decisions. I don't believe Congress should "pass the buck" this way. Instead, any additional powers we give the President to cope with the energy emergency should also permit Congress a 15-day period in which to disapprove any major steps before they go into effect. In this way, we can ensure more fair and just solutions to our current problems while achieving the balance of powers the framers of our Constitution intended.

MY RECENT POLL SHOWS YOU CARE ABOUT YOUR GOVERNMENT

The response to my Nixon-Court Crisis questionaire, which went out to each of the 174,000 households in the 18th District, was swift, overwhelming, and informative. Nearly 36,000 filled-in forms were returned to my district office, representing some 70,000 opinions, since both "his" and "hers" answers were requested. The fact that people care and are concerned about how our government is being run came through loud and clear. I had the chance to discuss this recently when I fielded some very sharp questions from a group of student leaders at North Hills High School. I told them that these returns indicate to me that public confidence in our government is seriously eroded. It can be restored only if the public is willing to accept full disclosure by the President and the results of a thorough investigation of the various charges. Vital to this investigation is the continuance of the Watergate grand jury and Congressional action assuring a strong and thoroughly independent special prosecutor to complete a full investigation of all Watergate-related crimes. In this regard, I have co-sponsored legislation to have the special prosecutor subject to Senate confirmation and subject to dismissal only by the Civil Service Commission for gross impropriety and after a full public hearing. In addition, I support continuing the Watergate grand jury as well as the House Judiciary Committee's efforts to investigate what, if any, grounds exist for impeachment.

I might add that I've received nearly 5,000 pieces of mail relating to this matter, each of them expressing valuable points of view, and I am now in the process of responding to each of them. In the hope you might find the tabulations of my poll responses informative, I am printing them here, figures representing percentages:

1. Did you vote in the 1972 Presidential election?

Yes	93
No	7

2. Would you vote if a national election were held right now?

Yes	96
No	4

3. Do you intend to vote in the 1974 General Election for a governor, U.S. Senator, and U.S. Representative?

Yes	99
No	1

4. What is your political registration? (Republican, Democrat, Not Registered, Other).

Republican	54
Democrat	42
Other	4

5. Which of the following best describes your political views? (Check one)

Conservative	36
Moderate	56
Liberal	8

6. Do you feel that the office of the President is above the law under any circumstances?

Yes	10
No	90

7. With the abolition of the office of the Special Prosecutor, would you favor action by Congress to establish a Special Prosecutor's Office to pursue the Watergate grand jury investigation?

Yes	74
No	26

8. Which of the following best expresses your feelings about the President's actions to dismiss Special Watergate Prosecutor Cox and force the resignations of Attorney General Richardson and Deputy Attorney General Ruckelshaus? (Check one)

Strongly approve	18
Mostly approve	13
Mostly disapprove	10
Strongly disapprove	56
No opinion	3

9. How would you feel about impeachment proceedings if the President refuses to obey a court order to turn over Watergate tapes, telephone logs and other relevant documents?

Strongly favor	42
Mostly favor	17
Mostly opposed	10
Strongly opposed	26
No opinion	5

10. How would you describe your attitude toward elected public officials? (Check one)

Trust all	1
Trust most	22
Trust some	63
Trust none	14

MY PUBLIC HEALTH SUBCOMMITTEE VERY ACTIVE

This year has been a particularly active and satisfying one for the Public Health and Environment Subcommittee of the House Interstate and Foreign Commerce Committee on which I serve. Some of the more vital pieces of legislation I have been involved with this year include:

Emergency Medical Services.—This bill was at last signed into law by President Nixon despite a series of controversies we finally overcame. The need for this bill was obvious from the beginning, and it is estimated that because of it, as many as 35,000 Americans will be saved each year from tragic, senseless death due to auto accidents and heart attacks.

Community mental health centers.—Legislation I sponsored and on which hearings will be held early next year. I am convinced this worthwhile program must go hand-in-hand with any effort to provide a system of national health care for our citizens.

Health maintenance organizations.—I expect President Nixon to sign this important bill into law, increasing the accessability and competition among health care delivery systems, thus improving the quality and lowering the cost of such care.

Diabetes bill.—This is my legislation which would increase and extend basic research into the true causes of this terrible disease which affects as many as 1 in every 20 Americans and which is not readily understood by the average man.

Even with these and other pieces of legislation that require long hours of meetings, hearings and research, there was still time to visit with this year's National Poster Child for the Cystic Fibrosis Research Foundation, little Tracey Forehand. Tracey, a bright and winsome 6-year-old from Missouri, gave all of us the urging we needed to get busy and attempt to solve the pressing health needs of this country.

LEGISLATIVE ACTIONS IN YOUR INTEREST

It is my privilege to represent you in many ways. In some cases I prepare and introduce legislation, other times I co-sponsor bills and in other cases, amend or speak out in favor or against bills as they come up for votes. While I know I can't please "all the people all the time," I hope to maintain a respectable average and ask you to judge for yourself. Some of the more important areas this year:

War powers, enacted with my strong support over a Presidential veto, limiting U.S. troop involvement to no more than 60 days without Congressional approval.

Budget control, another example of Congress asserting its Constitutional authority. The Budgetary Control Act contains anti-impoundment provisions which were included in my amendment. In taking the offensive to fix spending ceilings and limit impoundments, Congress is getting back into the driver's seat where it belongs in setting this nation's priorities.

Truth in Government, important because it troubles me to see so many instances of officials misleading the public. I believe it's better to say nothing than to lie. For this reason, I introduced a bill to give every American the right to go to court to force the Attorney General to investigate any government official suspected of lying to Congress, the press, or the public.

Social Security. I was pleased to support the Social Security Benefit Increase Act in the House, which will barely keep even with inflation, by granting some 20 million elderly an 11 percent increase in their monthly incomes during 1974. The last increase was over a year ago, and with the cost of living up nearly 8 percent since then, raises in fixed incomes are vital. Unfortunately, still more inflation is predicted in coming months.

Scrap steel. A year-long campaign of mine to put a lid on the inflationary situation prevailing in the steel industry because of the exporting of vast amounts of valuable and recyclable scrap steel resulted in Commerce Dept. action I feel will protect local jobs and improve our economy. An export licensing policy of only 2 million tons for the first quarter of '74 was announced, just about what an amendment I proposed earlier would have done.

Railroad bill, which my Commerce Committee reported out and which, when

enacted, should finally provide a workable, if not perfect, solution for the financially-troubled railroads in our part of the country. I successfully amended the bill to provide for full public hearings before the new corporation set up by the legislation could abandon any line.

Pensions, on which Congress is moving, although not fast enough for me, to provide legislation protecting private pension plans that contain solid vesting and portability provisions. I testified before the House Education and Labor Committee in your behalf, urging a strong, workable and responsible pension reform bill.

Tax reform. I re-introduced my bill to provide for full review of tax preferences, commonly called loopholes, and forcing Congress to vote them up or down over a 3-year period. I'm also happy to say that my committee, with my strong support, voted to forbid the Federal Government from imposing parking taxes on drivers commuting into our cities.

INTRODUCTIONS IN ORDER FOR MY DISTRICT STAFF

To most of you, my hard-working District Office staff is little more than a friendly voice in the Federal Building or a letter typed for my signature. I think it's high time you got to know them better so at least you'll have some idea who you're talking to or hearing from when you have a problem with your Social Security check, the Veterans Administration, or Immigration officials, among the many problems handled by my capable District Office staff. Grouped around Dixie Wulf, seated at the phone, are, left to right, Barbara Buscemi, Mrs. Hermine Butch, my District Administrative Assistant Keith Swenson, and John McCartney. With me, they and my Washington Office staff are available to lend whatever assistance we can, so don't hesitate to write or call.

MONEY JUST WAITING TO BE CLAIMED

If you are a retired Federal employee, you might be among those who have failed to file a claim on some $26 million in retirement benefit contributions to the Civil Service Commission. If you worked for the U.S. government since 1920 and are retired and think you might qualify for some of this money, send me your name, address, Social Security number, birth date, and dates and place of your employment and we will find out whether or not you have a lump sum payment coming your way. This is just one of the ways I and my staff can be of service. If we can answer a question or get to the bottom of a problem with the government for you, please don't hestiate to contact us. Our numbers are (202) 225-2135 in Washington, and 562-0533 in Pittsburgh. And remember, although I get to meet many of you at workshops and in schools, your letters are very helpful in that they give me the benefit of your thinking on issues important to you. Please stay in touch. My door is always open.

GILMAN INTRODUCES DISASTER AID BILL FOR FARMERS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. GILMAN. Mr. Speaker, today I am introducing a bill that would permit the Secretary of Agriculture to be more responsive to our farmers in disaster situations enabling long-term refinancing of debts incurred as a result of such disasters.

As proposed, my bill would apply to any farmer, rancher, oyster planter, corporation, partnership, or other person eligible to receive a loan under subtitle C of the Consolidated Farm and Rural Development Act. This is the identical language currently used in the act for the loans that it authorizes.

Additionally, this proposed legislation would relax one of the major obstacles barring refinancing assistance to many farmers. This is the existing Farmers Home Administration regulation that bars emergency loans to refinance debts where the total indebtedness secured by liens on the farmer's property exceeds the market value of the property or $300,000, whichever is the smaller amount. I am not suggesting that any bad loan be made where the indebtedness already exceeds the market value of the property. But where the value of the property far exceeds indebtedness, the $300,000 limitation—arbitrarily contrived by the FHA in conjunction with the Office of Management and Budget—has simply proved to be too stringent a cutoff. My bill imposes a more realistic indebtedness limitation of $1,000,000.

In such cases, short-term emergency loans of the operating type have provided stopgap assistance, but it is important to note that after almost 1 year's experience under this method of financing a farmer's operation, it is becoming more obvious that many farmers may never truly recover from the Hurricane Agnes or other major disaster losses.

The vegetable farmers in my congressional district in southeastern New York, for example, suffered virtually a total crop loss as a result of Hurricane Agnes in June 1972. Most of them were able to obtain only short-term production loans. The $300,000 indebtedness limitation barred long-term refinancing of debts in several cases. As a result, there is little likelihood that these farmers can profitably recover the lost income in order to pay off the indebtedness incurred in connection with the destroyed 1972 crops.

While the future of many of these small- and medium-sized farming operations is still a big question mark, it is a fair assessment of the facts to state that these farmers were not restored to the position, economically or otherwise, that they were in immediately prior to Agnes.

I invite my colleagues attention to this problem and encourage their support of this proposal which I am introducing today, the full text of which follows:

H.R. 12072

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.) is amended by inserting at the end thereof the following new section:

"SEC. 329. The Secretary may make loans to refinance debts to any farmer, rancher, oyster planter, corporation, partnership, or other person eligible to receive a loan under this subtitle and secured by liens on real property which would not cause such person's debts to exceed the lesser of the market value of such property or $1,000,000.

A POSITIVE APPROACH TO THE ENERGY CRISIS

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. HOSMER. Mr. Speaker, as the real impact of the energy crisis becomes clear, it is increasingly important that we keep our heads in studying the problem and developing solutions to it. This is simply not the time to begin blaming one another for what is happening. All of us bear some measure of responsibility for the situation and all of us will have to contribute to a solution.

One of our chief advantages in dealing with the energy crisis is our impressive pool of knowledgeable men and women of goodwill who will occupy leadership positions in the energy sector while solutions are being identified and acted upon.

Foremost among these people is Dr. Dixy Lee Ray, a marine biologist and the highly respected Chairman of the Atomic Energy Commission. I note that she displays laudable attitudes of fairness and levelheadedness in approaching the energy crisis.

Recently Dr. Ray headed a prestigious panel which looked into the energy situation and listed findings on potential courses of action. The report which they issued earlier this month is likely to be the handbook of upcoming efforts to find a way out of the energy briar patch. The most important thing about "The Nation's Energy Future" is that it makes no attempt to lay blame or create scapegoats. The report simply declares that we can solve this problem if we simply sheathe our political hatchets and work together for the common good. There is much truth in this attitude and perhaps the holiday season is a particularly appropriate time to recognize this fact.

Mr. Speaker, columnist James Kilpatrick has described this panel and its finding in some detail. His article follows:

[From the Washington Star-News, Dec. 21, 1973]

POSITIVE APPROACH TO ENERGY CRISIS

(By James J. Kilpatrick)

Considering the rivers of information that are flowing along these days on the energy crisis, it is not surprising that little attention has been paid to a report submitted to the President three weeks ago by Dr. Dixy Lee Ray, chairman of the Atomic Energy Commission. Yet this voluminous report is the best documented and most comprehensive study of the situation I have seen thus far. It merits careful consideration.

The report is the product of five months' labor by 16 panels of experts recruited from 36 federal departments and agencies. They were assisted by 282 consultants drawn from the private sector. Their review covered more than 1,100 specific proposals for energy research and development. It seems a fair assumption that nothing of significance has been ignored.

Our energy problems, in the view of these experts, are not to be blamed upon the extravagance of Americans or the stubbornness of the Arabs. The crisis stems, in large part, from the lack of a coordinated program of research and development over the past 20 years. Obviously, the United States

not alone in its difficulties. The energy shortage is worldwide.

Looking to our own needs, Dr. Ray and her associates are optimistic. Their encouraging conclusion is that "the United States has the resources and technology for self-sufficiency." Given a sustained and vigorous national commitment, that goal can be attained. They urge five simultaneous efforts to reach it.

The first of these is to conserve the energy sources on which we now rely. That sounds elementary, but the opportunities for conservation outlined in this report go far beyond the familiar areas that have been most widely discussed. Tremendous savings can be achieved merely by salvaging wasted heat and by increasing the efficiency of energy-consuming machinery now in use.

As a second step: "Increase domestic production of oil and natural gas as rapidly as possible." Again, this goal seems too self-evident to merit discussion, but the consultants plunge head on into a controversy others have sought to avoid. They are talking of "improved drilling methods for offshore sites, release of gas from tight formations, and extraction of oil from shale." While scrupulous attention must be paid to environmental risks, "such attention cannot be allowed to interfere with production increases." For the short haul, at least, the energy is more important than the damage that may be done.

The third recommendation is to substitute coal for oil and gas "on a massive scale." This is seen as essentially a short-term measure. The fourth recommendation, tied closely to the fifth, is that we move ahead on crash programs for developing, first, atomic energy, and farther down the road, solar power.

Still more distant is the development of energy from wind currents, geothermal resources, and ocean thermal gradients, but these also must be vigorously explored.

All this will cost money. Dr. Ray and her associates call for a five-year, $10-billion program of federal research, to be closely coordinated with development efforts in the private sector. They acknowledge the political and economic pitfalls along the way: care must be taken to ensure that no industry realizes windfall profits at the taxpayers' expense, and due regard must be given to such national goals as price stabilization and consumer protection.

It is the spirit of Dr. Ray's report that is most significant. Here is no defeatism, and no wringing of hands. The energy problem—the experts do not speak of it as a "crisis"—is not beyond solution within a reasonable span of years. America, they are saying, has the imagination, the know-how, and the physical and financial resources to achieve energy independence. Let us take heart: We will make it yet.

STATEMENT ON A BILL TO IMPLEMENT THE RECOMMENDATIONS OF THE PUBLIC SAFETY COMMITTEE TASK FORCE ON RAPE TO THE DISTRICT OF COLUMBIA

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. KEATING. Mr. Speaker, today I am introducing a bill to implement some of the recommendations of the Public Safety Committee Task Force on Rape for the District of Columbia.

This task force, consisting of volunteers from public and private institutions interested in problems associated with the crime of rape, was created to study problems encountered in the administration of the laws relating to rape in the District of Columbia.

The task force report included a number of recommendations for improving the handling of rape cases in the District of Columbia. Some of the recommendations, such as those concerning police procedures, medical treatment for victims of rape, forensic medicine in rape cases, and procedures of the U.S. Attorney's office in prosecuting rape cases, may be implemented by the District of Columbia City Council.

Other recommendations, however, require action by the Congress since they involve amending the District of Columbia Code relating to the crime of rape, and the legislation I am introducing today would implement these recommendations:

First. The standard of proof for forcible rape shall require that the victim's submission was achieved by the use of force or the threat of force which put her in actual fear of physical harm.

Under the present District of Columbia statute, as interpreted by the courts, one of the elements of forcible rape, which must be proven in order for a conviction to be obtained, is commission of the act forcibly and against the will of the victim. This requires the prosecution to show sufficient force to overcome the victims resistance, or that the victim was induced to submit on the basis of "reasonable" fear of death or grave bodily harm.

The practical effect of this statute is to require the victim to choose between injury and being unable to prove a charge of rape. That is to say, if a woman now resists, she faces almost certain physical harm, the degree of which is unknown. If she does not resist but submits out of fear, she then has no "proof" that the threat was of death of grave bodily harm, or even that there was any threat at all.

No person should be required by law to make a choice between being injured and being able to prove a charge of rape. Any behavior on the part of the attacker which produces submission out of fear of any harm whatsoever should be sufficient to constitute rape. Implementation of this recommendation will achieve that objective.

Second. The crime of rape shall encompass other forms of compelling nonconsensual sexual intercourse.

This provision will expand the definition of the crime of rape to include sexual intercourse resulting from threats of harm against other persons, such as friends or relatives of the victim, threats of kidnapping, and impairing the victim's resistance to the use of drugs or intoxicants without the victim's knowledge or consent. The maximum sentence for forcible rape and these other kinds of nonconsensual conduct would be 20-years imprisonment.

Prohibited conduct would also include sexual intercourse with the knowledge that the victim is mentally incompetent to understand the nature of the conduct, sexual intercourse with the knowledge that the victim is unaware that a sexual act is being committed—for example, where the victim is unconscious—and sexual intercourse resulting from threats other than of physical harm, such as blackmail. The maximum penalties for these offenses would be 10-years imprisonment.

This provision would also prohibit sexual intercourse between persons in official custody or detained against their will in a hospital, prison, or other institution, and persons who have supervisory or disciplinary authority over them, since in these situations there is a strong likelihood that coercion is present. The maximum penalty for this offense would be 5-years imprisonment.

Third. The penalty for the crime of rape shall be lowered to bring it into line with the penalties for other serious violent crimes.

Under present law, the maximum penalty for rape is life imprisonment, and severity of this sanction has made convictions difficult to obtain. As indicated above in outlining the proposed penalties for various kinds of rape, this legislation will reduce the penalties to bring them more in line with the penalties for other serious violent crimes.

Fourth. The instruction to the jury on assault with intent to commit rape in use prior to the decision in United States against Bryant shall be restored by statute.

Prior to the decision of the U.S. Court of Appeals for the District of Columbia Circuit in United States against Bryant, the essential elements of the crime of assault with intent to commit rape were defined to juries as follows:

The Government must prove beyond a reasonable doubt: That the defendant made an assault upon the complainant; that he did so with specific intent to have sexual intercourse with the complainant; and that he did so with the purpose of carrying this intent into effect by force and against the will of the complainant.

Under the Bryant decision, however, the essential elements of the offense of assault with intent to commit rape, each of which the government must prove beyond a reasonable doubt, are: That the defendant made an assault upon the complainant; that he did so with specific intent to have intercourse with the complainant; and that he intended to rape the victim against her will and by using such force or threat of force as might be necessary to overcome resistance or make further resistance useless.

By this decision, therefore, the court of appeals ruled that it is not sufficient to prove beyond a reasonable doubt that a defendant assaulted the complainant with intent to have sexual intercourse against her will. The defendant, in the words of the Bryant opinion, must have "intent to use force at the time of sexual intercourse."

I believe that the standard instruction in use prior to Bryant sufficiently defines the elements of assault with intent to commit rape without imposing the unrealistic requirement of intent to use whatever force might be necessary to overcome resistance at the time of inter-

course as an additional element which must be proved beyond a reasonable doubt in all cases.

Fifth. An aggrevated assaults statute with a penalty of up to 10 years shall be inactive.

Under present law, there are three principal assault statutes: simple assault, a misdemeanor, punishable by a maximum of one year imprisonment; assault with a dangerous weapon, punishable by a maximum of 10-years imprisonment; and assault with intent to kill, to commit rape or robbery, punishable by not less than 2 or more than 14 years.

These statutes leave a gap in the law in rape situations. For example, there are incidents of an assault with intent to commit rape in which the victim was clearly assaulted by the defendant and suffered significant injuries, but the evidence is deemed by the courts to be insufficient to prove the specific intent to rape.

Under present interpretation of the law, such a fact situation is not infrequent, and if no weapon was used, the defendant could be convicted only of simple assault, a misdemeanor.

This provision will therefore provide an aggravated assault statute to cover assaults involving serious injury, and further provide a penalty of up to 10-years imprisonment, the same penalty as for assault with a dangerous weapon. Also, if the penalty for rape is lowered to 20 years, a rape aggravated by serious injury to the victim should be subject to additional penalties for aggravated assult.

Sixth. The crime of carnal knowledge—statutory rape—shall be limited to offenses against children below the age of 12 years.

Under present law, the elements of statutory rape are sexual intercourse with a female under 16 years of age. Neither consent nor a mistaken belief of age above 16 is a defense.

This provision of the bill will assure that a statutory rape statute be retained, but that the statute should be limited to offenses against children under the age of 12.

Because statutory age at common law was 10 years, and the Model Penal Code statements maintain that 12 years is the most common age for the onset of puberty, it is believed that a statutory age of 12 is one that will more accurately reflect the absence of an informed consent in appropriate cases.

This portion of the bill, therefore, provides that carnal knowledge shall be limited to offenses against the children below the age of 12 years, but that such an offense shall be punishable by a maximum of 20 years imprisonment.

Seventh. A "corruption of minors" statute shall be enacted protecting young persons of 12, 13, and 14 years of age from certain forms of sexual activity.

In any case of sexual intercourse or sodomy, where the young participant is below the age of 15 years but above the age of 12 years, and the older participant is between 4 and 15 years older than the younger participant, the older participant shall be imprisoned for not longer than 1 year; or the older participant is 16 or more years older than the younger participant, the older participant is at least 4 years older than the younger participant and occupies a special relationship with the younger participant such as parent, sibling, aunt, uncle, or grandparent, or the older participant is a guardian or a person with authority over the younger participant in an institution, the older participant shall be imprisoned for not longer than 5 years.

This provision would also require that in corruption of minors cases, a reasonable belief on the part of the older participant was 15 or older be made an affirmative defense.

Eighth. Forcible heterosexual intercourse and forcible heterosexual and homosexual sodomy shall be covered by the same criminal statute and treated in precisely the same manner.

All provisions of this bill relating to forcible and statutory rape and corruption of minors shall apply equally to forcible and statutory sodomy.

Under present law, sodomy, whether consensual or forcible, is a criminal offense punishable by a maximum of 10 years imprisonment. Therefore, a person who exerts exactly the same amount of force or threat of force or harm, that engages the victim in sexual acts other than sexual intercourse against his or her will, is liable to a significantly lower penalty than for rape.

In reality, however, the physical and psychic damage to the victim is just as severe in a case of forcible sodomy as forcible rape, since both are essentially crimes of violence and exertion of power over an unwilling person.

Thus, this portion of the bill provides that forcible sodomy and forcible rape shall carry the same criminal penalties, a maximum of 20-year imprisonment.

Ninth. Revisions in the law shall be nonsex specific; that is, statutes shall not refer to the actor or the victim as male or female.

This provision is included in the bill for two reasons. First, each of the proposed revisions in the law cover both homosexual and heterosexual acts; and sexual acts other than sexual intercourse may, of course, be accomplished by any two persons regardless of their sex.

Second, the definition of involuntary sexual acts includes behavior that could be perpetrated by a female upon a male, for example, intercourse with a male child under 12 years of age or intercourse with a male mentally incapable of understanding the nature of conduct.

Tenth. Explicit legislation abolishing the corroboration requirement for all offenses in the revised criminal statutes proposed herein.

The corroboration requirement has perhaps been debated more than any other area of the laws surrounding rape, probably because it is through this additional proof requirement that rape has been most clearly singled out from other crimes for special treatment.

The primary justification given over the years, both in public debate and judicial decision, for the corroboration requirement is that "for these offenses, the risk of unjust conviction is high. It is said that many rape complainants have had an urge to fantasize or even a motive to fabricate, while typically the innocent, as well as the guilty, have only their own testimony upon which to rely."

It has been found that this allegation, by now transformed into an accepted "truth," even in judicial doctrine, that women often fantasize or fabricate false charges of rape, has been repeated over and over without citing any supporting evidence.

On the other hand, it should be noted that 35 States do not have a corroboration requirement and that corroboration was not required in common law. Nevertheless, this is almost uniformly ignored in most judicial opinions.

It must be recognized, of course, that in all offenses, including rape, some false and mistaken accusations will be made. For example, it is not uncommon for a person to complain that a friend pointed a gun or waved a knife at them in assault with a dangerous weapon. It may well be that no weapon is found and the complainant has a motive to lie, but there is no corroboration requirement.

Moreover, the possibility of mistake and falsity is precisely the reason behind constitutional and judicial safeguards protecting a criminal defendant, such as the presumption of innocence, the reasonable doubt standard of proof, the right to waive public jury trial and the opportunity to cross examine witnesses, as well as other constitutional rights guaranteed to the defendant in a criminal case.

The corroboration requirement poses many other difficulties as well. Some rapes entirely lack corroboration—for example, the rapist's use of a gun may make bruises and torn clothing unlikely—and it is probable that the existence of the corroboration requirement is a factor in the significant nonprosecution rate of forcible rape charges.

The belief that a rape charge is not often prosecuted and that a conviction is difficult to obtain undoubtedly discourages many women from even reporting rapes to the police.

In my judgment, therefore, there is no justification for singling out rape and related offenses for special proof requirements not required for conviction of other offenses. It should be emphasized that this is not a provision for a more lax standard of proof than in other criminal cases, but only for the same standard of proof: proof beyond a reasonable doubt.

Eleventh. Prior instances where a defendant has claimed consent to a charge of rape shall be admissible in a trial where he raises a defense of consent to a charge of rape.

A defendant whose defense is fabrication may introduce evidence that his alleged victim has made a prior complaint of rape, not because it is impossible for a woman to have been raped twice, but because it is deemed relevant to the possibility that the charge against the defendant is fabricated. In this regard, rape is no different from other offenses.

The converse of the above, however, that another woman said that the defendant raped her and that the defend-

ant claimed consent, should also be admissible when the defendant again claims consent to a charge of rape.

It has been found that most prosecutors believe that a trial judge would now exclude such evidence, despite its probative value, under the rule that evidence of other crimes by a defendant shall not be admitted at his trial for a different crime.

Such a rule has exceptions, however, and one exception makes admissible evidence of other acts which the Government claims are criminal, but which the defendant claims are not criminal, in order to prove, by accumulation, that an innocent explanation such as accident or mistake is not responsible for the results.

For example, when a woman is charged for murder for poisoning her child, the fact that another of her children also died by poisoning at an earlier time is admissable to negate a defense that the child was poisoned by accident. Whereas it is possible that one child would accidentally poison herself, it is highly improbable that two children in the same household would do so at different times.

So too, whereas, it is possible that one woman would consent to intercourse with the defendant and then claim rape, it is highly improbable that two women would do so in connection with the same defendant.

Accordingly, this portion of the bill provides that prior instances where a defendant has claimed consent to a charge of rape should be admissible in any trial where he raises a defense of consent to a charge of rape.

Twelfth. Under no circumstances shall a complainant's prior sexual history be admitted as evidence if the circumstances which led up to it are not similar to that which the defendant alleges precipitated an act of consensual intercourse with him.

At present, when a defense of consent is interposed in a rape case, evidence of the victim's sexual history is frequently introduced. While juries are instructed that such evidence is brought out only so that they can weigh the likelihood of consent, it is clear the juries sometimes misuse the evidence and conclude that even though there was a rape, they should acquit because the woman was not "worthy of protection." Because of this real danger of serious prejudice from such evidence, I believe it should be excluded unless clearly relevant in a given case.

Some believe that when a victim has had prior sexual activity under circumstances similar to that alleged, it may be relevant on the issue of consent, whereas others believe that prior sexual acts of a victim are never relevant.

It is argued that prior sexual acts with the same defendant are relevant but not if with other persons. For example, if a defendant alleges that he picked up a total stranger in a bar and then engaged in consensual intercourse with her, the fact that she has had consensual intercourse 10 times with men she has known well would not be relevant. If she has engaged in intercourse with strangers she has met in bars 10 times in the past, this may lend credence to the defendant's story and may have some bearing on the likelihood of consent.

Therefore, this portion of the bill provides that under no circumstances should a prior act of sexual conduct by the complainant be admitted if the circumstances which led up to it are not similar to that which the defendant alleges precipitated the act of sexual conduct with him.

Finally, this legislation provides that any person who engages in a consensual act of sodomy or sexual intercourse in public shall be imprisoned for not longer than 1 year, or fined not more than $5,000 or both.

Mr. Speaker, it is widely agreed that the present laws have failed to adequately resolve the problems surrounding rape and related sex offenses.

A new approach is needed which would place the needs of the victim, as well as the rights of the accused, in a more balanced perspective.

The provisions of this bill are intended to improve the criminal laws relating to rape and other sex offenses, and to put them more in line with the laws governing other crimes of violence.

Mr. Speaker, I commend this legislation to the favorable attention of each Member of the House and strongly urge that it be promptly enacted into law.

OBJECTIONS TO SONNENFELDT CONFIRMATION MUST BE ANSWERED—PART XIV

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. ASHBROOK. Mr. Speaker, although the Senate confirmed Helmut Sonnenfeldt yesterday as Counselor of the State Department many questions which were raised during the Senate hearings still remain unanswered. Clark Mollenhoff, the Pulitzer prize-winning investigative reporter and author goes into the matter of some unfinished business in his December 16 column in the Des Moines Register.

Another source which has been following closely the controversial Sonnenfeldt case is TACTICS, the newsletter published by Edward Hunter, who coined the term "brainwashing" and who has over the years appeared before various congressional committees in connection with the subject of psychological warfare.

I insert at this point the above-mentioned Mollenhoff column and two TACTICS items of November 20 and 29, 1973:

SEES KISSINGER RISKING OWN WATERGATE

(By Clark R. Mollenhoff)

WASHINGTON, D.C.—Secretary of State Henry A. Kissinger is risking his own Watergate scandal at the State Department by issuing secrecy orders to protect a good friend.

The State Department has informed the House Internal Security Committee that Francis Niland, a former State Department security official and now a Justice Department lawyer, will not be permitted to testify about the security investigation of Helmut Sonnenfeldt, an expert on Soviet affairs.

Representative John Ashbrook (Rep., Ohio) has challenged both the authority of the State Department and the political wisdom of the Nixon administration in ordering Niland to remain silent.

At issue is the effectiveness of the State Department security procedures, possible perjury by Sonnenfeldt or others, and the extent to which the executive branch will be permitted to go in blocking a proper congressional investigation.

Sonnenfeldt, a career foreign service official, is accused of having leaked highly classified information to a foreign power—Israel. He also is accused of having lied about the alleged leak in a hearing before the Senate Finance Committee recently.

The Sonnenfeldt case is only one of many State Department cases that involve highly questionable security and unresolved problems of perjury and lack of co-operation with congressional committees.

It could be the most explosive, however, because it centers on the activity and testimony of a man who is a long-time friend of Kissinger and who, as a Soviet expert, has been privy to the nation's highest classified secrets as a staff member of the National Security Council (NSC) for the last years.

Last spring, Sonnenfeldt was nominated by President Nixon to be undersecretary of treasury—a role in which he would have had top influence in East-West trade relations.

The nomination ran into long delays in the Senate Finance Committee because of questions Senator Jesse Helms (Rep., N.C.) raised about the security investigation, and those by Senator Harry Byrd (Dem., Va.) regarding Sonnenfeldt's role in the disastrous Soviet wheat deals.

Sonnenfeldt assured the Senate committee that the U.S. had learned many lessons from the disaster and would not make the same mistakes again.

But the admission of past mistakes was not enough to convince Helms or Byrd that Sonnenfeldt should be promoted to a broader role over all East-West trade.

Senator Russell Long (Dem. La.) bent to the pleadings of the White House and gave the nomination the cautious approval of the Senate committee after the White House arranged for its edited version of the Sonnenfeldt security investigation.

The Sonnenfeldt nomination delay started when William P. Rogers was secretary of state. He resigned and Kissinger was confirmed as secretary of state.

By that time, Kissinger wanted Sonnenfeldt at the State Department as one of his top aides on Soviet affairs, and he persuaded President Nixon to withdraw the undersecretary nomination in favor of a nomination as counselor of the State Department.

This will bring the nomination before the Senate Foreign Relations Committee headed by Chairman J. William Fulbright (Dem., Ark.).

Retired foreign service officer Stephen Koczak, now the director of research of the American Federation of Government Employees, has testified that he was present when Sonnenfeldt told Israeli intelligence agents information that was so highly classified that it was restricted to only a handful of the highest-level aides to the secretary of state.

Another key witness in the Sonnenfeldt case is John D. Hemenway, a retired foreign service officer who served with Sonnenfeldt in Soviet affairs.

Koczak, Hemenway and former State Department security evaluator Otto F. Otepka contend that questioning Niland in a public session would establish the laxity of security procedures in the State Department.

Sonnenfeldt's supporters argue the allegations concern an incident that took place

more than a decade ago. They also argue that the Soviet expert's performance in high sensitive posts in government since that time should demonstrate he is not a security risk.

Sonnenfeldt's critics contend there has never been an adequate investigation of the Sonnenfeldt "leaks" and that evidence is in existence that will establish that he perjured himself in explaining his action to the Senate Finance Committee earlier this year.

State Department orders blocking testimony of Niland before the House Internal Security Committee is pictured as a "cover-up" comparable to Watergate in a matter that could be more important to national security than Watergate.

As far as Ashbrook is concerned, the confirmation of Sonnenfeldt by the Senate as counselor of the State Department will not end his drive for the full facts.

"If they haven't got something to hide, why won't they let Niland testify?" Ashbrook questions.

WHY HE WAS PLANTED IN TREASURY: SONNENFELDT CASE EXPLAINED

As of November 8, after six months, the Senate Committee on Finance has reported the nomination of Helmut Sonnenfeldt as Treasury undersecretary out of committee, but not yet to the floor of the Senate for a roll call or voice vote. At the start of confirmation hearings on May 15, Sen. Russell B. Long (D–La.), chairman, expressed the hope they could be concluded "before the day is out." He added, "I think it is the kind of thing that would be best not to carry over for a future day if we can avoid it."

What was this all about?

On Oct. 18, 1972 the United States and Soviet Russia signed a "trade negotiation agreement," in the preparation of which Sonnenfeldt played a major role. He was then on the National Security Council staff, as Henry Kissinger's principal assistant on the USSR, and on such missions as that of Maurice H. Stans, Secretary of Commerce, to Moscow. Stans, now indicted, had Sonnenfeldt as his principal assistant in preliminary negotiations.

Longterm, substantial commitments were made to the USSR, including American food and technology, in return for a promised slackening of tensions, under the label of "detente."

The full commitments are not yet made known.

Kissinger was strategically located, in the White House and State Department, to fulfill these commitments, except for certain financial arrangements. He needed, for these, a trusted collaborator who had his viewpoint. Sonnenfeldt was the man, so he was nominated by President Nixon.

He had been senior NSC staff member dealing with East-West relations, and now was to handle East-West trade as envisioned by the "detente" agreements. Although appointed to the Treasury, he had no special knowledge on taxation. He would simply be Kissinger's agent to quietly implement decisions from this key vantage post.

DEVICE TO CENTRALIZE CONTROL

Kissinger and Sonnenfeldt had served together as enlisted, German-born members of an intelligence unit under Fritz Kraemer, an immigrant, who spurred Kissinger to go on to Harvard.

Kissinger was now faced with the need to control two variable functions to keep up the momentum of "detente." First, was the national security-diplomatic factor. He himself could control this as the President's advisor on National Security, heading practically every important committee in the NSC structure.

The other factor dealt with money, its allocation at home and abroad. The "detente" stipulation to foster trade with Moscow through the granting of commodity credits required money—lots of it! The grain deal was a vivid enough example.

Financial realities could wreck Kissinger's program unless he had his man in Treasury to deal only with East-West trade, in the desired manner.

The newly created office, with this mandate, was able to instruct the other Treasury undersecretaries to collect taxes needed, and regulate the amount of currency in the money supply, while on matters of East-West trade, only Kissinger's man, Sonnenfeldt, would be the oracle from Delphi.

This clever bureaucratic setup could run around any opposition with what, in effect, was a Marshall Plan for economic and technological aid to Moscow in return for whatever "detente" might be secured.

NOMINATION MAY BE WITHDRAWN

Two months ago, when Nixon seemed determined to fulfill the commitments, Sonnenfeldt was urgently needed at the Treasury post. The Chicago Tribune of August 20 reported that Nixon might telephone Long, urging him to push ahead with the nomination.

The Israeli-Arab War, however, upset the apple cart. Congress and the President gave up plans, at least temporarily, to grant Moscow "most favored nation" treatment.

On November 7, a Senate staffer reported that the Administration had signaled it would not move forward at present for a floor vote on Sonnenfeldt's nomination. The source of the report was traced to George P. Schultz, Treasury secretary himself.

The prolonged hearings, with heavy attack upon the nomination, combined with the shift in international affairs, were having their effect. What would still be needed was a way to save Sonnenfeldt's face.

Sonnenfeldt's transfer back to the State Department, where he could work hand-in-glove with Kissinger, could be the face-saver. Long was reported anxious that this confirmation hot potato be taken out of his committee's hands, and be given to the much more agreeable Foreign Relations Committee, that is headed by J. W. Fulbright and his all-out "doves."

The vote of the Finance Committee was said by Long to have been unanimous. But three key senators were not present for the favorable vote.

One was Harry F. Byrd, Jr. (D–Va.), whose incisive questioning brought out Sonnenfeldt's lack of qualifications for a Treasury post. Asked about his position on taxes, Sonnenfeldt told Byrd:

"Well, I come from a background, Senator, in Europe where high taxes have prevailed for generations."

"I take it," Byrd then remarked, "you have no particular concern then about high taxes. I rather suspect what you are bringing out there is going to be the new line beginning in January that we are not as heavily taxed as many other countries are, so we are going to have to become more heavily taxed."

Obviously, we cannot provide an aid program for the communist nations, enabling them to cut the cost of foodstuffs so as to stall off revolt, without paying more in the groceries ourselves.

Herman E. Talmadge (D–Ga.), simply did not attend any of the confirmation hearings.

Walter F. Mondale (D–Minn.), declared the post was "one of the most important in the American government," that "I intend to vote for his confirmation," but did not show up for it.

WHAT MADE CASE EXCEPTIONAL

Normally, a nomination of this sort is routinely discharged from the committee after a session of 30 to 60 minutes. Two additional elements to this nomination made its handling exceptional.

Firstly, Sonnenfeldt has a long record of security problems. Stephen A. Koczak, who was a State Department officer in Tel Aviv, testified, for example, that at that gathering of Israeli officials, Sonnenfeldt in detail disclosed matters supposed to be completely secret. Koczak said:

"It involved all kinds of arrangements that would take place, how the Lebanese government would react to landing of American troops [in 1958 and 1959] and support services for them. It did involve the questions of the support of U.S. troops. It was the problem of the fear of the overthrow of the Lebanese government, many of whom would be highly compromised. They might be shot by some Palestinian guerrillas even now if it were known that they were in fact negotiating the landing of U.S. troops and what the arrangements were."

Second, Sonnenfeldt played a key role in the John D. Hemenway case. Hemenway testified:

"The reason I have taken a rather personal interest in Mr. Sonnenfeldt is that I have pursued the first grievance hearing in the history of the State Department. In effect, in September 1972, that hearing vindicated me by recommending my reinstatement and apology from the State Department. In the course of that hearing, I had to examine written statements submitted to the Secretary of State which contained 140 untrue or false statements.

"Now, one of those statements was either introduced by Mr. Sonnenfeldt or two ambassadors falsely citing Mr. Sonnenfeldt. At one point in my federal service history I worked for Mr. Sonnenfeldt."

Hemenway, testifying the first day, named a number of prospective witnesses, and the testimony they might give. He named Koczak, Otepka, and more than a score of others. The committee simply could not ignore all this. It had to listen. Hemenway, equipped by his own long and admired record in civilian and posts for Uncle Sam, felt he had a responsibility to disclose, to the proper authorities, the compelling facts that he knew.

He displayed sincerity, buttressed by documentation, that other knowledgeable witnesses confirmed. Skeptical senators became convinced. Against advice by more cautious colleagues, he testified against the confirmation of Howard P. Mace as ambassador, before no other than Fulbright's committee. Mace was not confirmed, the first such rejection for any career ambassador-designate in the Senate.

Between May 15, when Hemenway testified, and October 1, nothing was done in the Sonnenfeldt case. No hearings were called. During August, a desperate rescue effort for Sonnenfeldt enlisted the news and editorial help of the fake "liberal" press, led by the Washington Post and N.Y. Times, naturally.

Then, October 1 and 2, Senator Long sought to railroad the nomination through by insisting there was nothing substantive in the allegations. Hemenway thereupon produced a telegram from Otepka.

The dramatic introduction of Koczak into the affair, who had not intended to appear, set the stage for Otepka's personal appearance the next day.

Koczak spoke up extemporaneously.

ACCUSATIONS MADE UNDER OATH

The effect was that Sonnenfeldt stood accused of indiscretions, certainly improprieties, that technically could border upon espionage, that these witnesses insisted made him unfit for an office requiring discretion.

The two witnesses, appearing under oath, cited others for corroboration. Hemenway wrote Robert H. Bork, acting attorney general, on November 1, to formally raise the perjury question. In the House, John M. Ashbrook (R-Ohio), printed the letter, along with a letter of inquiry of his own to Bork, in the Congressional Record of that date.

In a news release, Ashbrook explained that

the Sonnenfeldt case was one of a number under inquiry by the House Internal Security Committee, in its examination of federal security and suitability procedures.

The release, ignored by the press, asked about a purported readiness by the Justice Department to prosecute Sonnenfeldt, but being frustrated because the State Department refused to declassify pertinent telegrams, so they could be used as evidence.

Enlightening background is found in the testimony published in the Senate Finance Committee publication, "Nominations of Helmut Sonnenfeldt," etc., on U.S. Government Printing Office sale at $1.25.

EDWARD HUNTER,
PUBLISHER AND EDITOR,
Arlington, Va., November 29, 1973
TACTICS, *Arlington, Va.*

DEAR FRIEND: The sort of conniving that one comes up against in Washington, D.C., is just now being vividly demonstrated by efforts to bring about the confirmation of Helmut Sonnenfeldt for a top Treasury post, where he can act as State Department agent in so-called East-West trade, by which Soviet Russia would get militarily strategic material and technology in exchange for a promise to let up on "liberation war" and other pressures against us. This is what really is meant by "detente."

The key figure at this time is Francis Niland, a Justice Department internal security specialist who personally conducted thorough investigations of Sonnenfeldt, while Niland was employed in the State Department. Niland, according to what this analyst is informed, is anxious to testify, to support evidence already presented under oath by Otto F. Otepka, former State Department chief security evaluator, and John Hemenway and Stephen Koczak, both former career Foreign Service officers and intelligence specialists in Soviet affairs.

Obviously, in such investigations, Niland would be brought before the Congressional Committee concerned, either in executive (secret), or public session. This testimony would be about conclusive, on top of what already has transpired. But a maneuver has just been put across by Senator Russell Long, Democrat of Louisiana, chairman of the Finance Committee, who called Niland for a private talk, not under oath, depriving others on the committee of the opportunity to hear what he had to say. Niland is said to be extremely upset over this irregularity, because he wants to testify under oath, preferably in open session where he can be fully questioned about his knowledge of Sonnenfeldt's alleged infractions. Long's action has the effect of suppressing essential evidence by barring the appearance of the key witnesses.

A floor debate is scheduled on Sonnenfeldt's confirmation in the Senate on December 10, when he will be approved if the various maneuvers, of which the suppression of Niland's evidence is the latest example, cannot be counteracted. Because of the time element, perhaps the most effective action by recipients of this special alert would be conducting Senator John Tower, Texas Republican, chairman of the Republican Policy Committee. He can be asked to urge President Nixon, especially at this time, to make good his promise not to prevent government employes from testifying before Congressional committees on alleged wrongdoing in government departments. He should allow the full facts in the Sonnenfeldt case to be brought out before the Senators who are to decide one way or another on his confirmation for a high-ranking, Presidential appointment.

Especially scandalous, and in shocking conflict with the President's promise, is the House situation. A House special subcommittee headed by Richard Ichord, Missouri Democrat, asked the Justice Department to let Niland appear before it. Justice passed the buck to State to decide. Security specialists expect that the State Department either will prevent Niland's appearance, or restrict him to testifying from elaborating in any way on the Sonnenfeldt case.

The three former State Department experts gave sworn testimony that Sonnenfeldt provided classified information without authority to a representative of the government of Israel, and that he previously leaked sensitive data to selected members of the press.

Senator Jesse Helms, Republican of South Carolina, has directly challenged the White House and Secretary of State Henry Kissinger, who had strongly urged Sonnenfeldt's appointment to the Treasury post when Kissinger was Nixon's special assistant for national security affairs, before the State Department was added to Kissinger's direct control.

Senator Helms is concerned that by denying under oath, to the Senate Finance Committee, that he was guilty of serious transgressions against security regulations, Sonnenfeldt indulged in deliberate falsehoods. By doing so, Sonnenfeldt would have to rely on injunctions of executive secrecy, which his superiors have invoked against Senators who are demanding in absolute truth.

Koczak testified as the actual witness to Sonnenfeldt's act of passing U.S. government secrets to a foreign government without obtaining permission. Otepka and Hemenway, in their official work in the State Department, obtained precise knowledge of this and other leaks by Sonnenfeldt.

My best,

EDWARD HUNTER.

P.S.—This follows up the article in TACTICS magazine of Nov. 20, 1973, entitled, "Sonnenfeldt Case Explained . . . Why He Was Planted in Treasury."

ACTION ON UNEMPLOYMENT NEEDED NOW

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. JAMES V. STANTON. Mr. Speaker, yesterday I sent to the President a letter urging his support for an expanded program of public service employment in order to combat the joblessness that is certain to result from the energy shortage. For the information of my colleagues I am inserting a copy of this letter into the RECORD.

I believe it is vitally important that we prepare for the possibility of large scale unemployment, and the suffering it would bring. As my colleagues know so well, little preparation was done for the possibility of a shortage in energy, and the result has been a frenzy of activity, the product of which is certain to be marked with the errors of haste. I hope that the Government will be able to respond to an employment crisis with more foresight and planning than it has to the energy crisis, and to this end the ongoing public employment program can be of great usefulness. Thus we ought to use it to its fullest advantage, as I have described in my letter, which follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., December 20, 1973.

The PRESIDENT
The White House.

DEAR MR. PRESIDENT: I write to you out of deep concern over the prospect of substantial unemployment in the coming year due to the energy shortage, and the failure of the Federal Government thus far to prepare for this eventuality. A shortfall in energy requiring cutbacks in business takes away not only existing jobs, but also new jobs that would have been created by normal expansion. Industries whose products use a large amount of energy but are in the category of a luxury are going to be especially hard hit. Indeed, it takes little imagination to envision the coming of a serious recession, which would cause great economic hardship.

I believe the Federal Government has an overriding responsibility to act to alleviate the human suffering caused by unemployment. There have been reports that you are considering a special program of unemployment compensation for those who lose their jobs due to the energy shortage. Action on this would be very commendable. However, I would point out to you that already in existence is a Federal program whose record for effectiveness in terms of offering meaningful jobs, rather than merely compensation, is undisputed. I have reference to the Public Employment Program, which was created by the Emergency Employment Act of 1971. I was dismayed to learn that if present plans, which your Administration supports, go into effect, this program will not be expanded to meet the increased need, and instead it will be cut back.

I need not dwell on the many accomplishments of the Public Employment Program. Over 300,000 people have received jobs working for their state or local government through funds granted by the Federal Government, and over one quarter of these have been unemployed veterans of the Vietnam era. While performing needed services for their communities in such areas as law enforcement, education, health, and environmental protection, these people have been put on their way to permanent jobs, not supported by special funding.

The proposed Comprehensive Manpower Act, which Congress probably will complete action upon in several days, continues the Public Employment Program, but at a much reduced rate. Under current law, funds are generally available to state and local government whenever national unemployment is 4.5% or above, and additional funds are available to areas with more serious unemployment. The proposed Act limits eligibility to areas of 6.5% unemployment. What sense is there in waiting until disaster has already struck an area before public employment funds will be granted? Furthermore, funding under the new Act is at about the same level as under existing law, and I believe this amount will be grossly inadequate.

There is however, a bill in Congress, S1560, which would build on the accomplishments of the Public Employment Program. It would continue present eligibility and would provide funding of over $3 billion for jobs. While this bill has already been approved by the Senate, a companion measure failed to be approved by the House in a close vote on April 18 of this year.

Your endorsement of this bill, based on the needs created by the energy shortage, would, I am certain, result in prompt Congressional action to extend and expand this program. The main reason the bill failed to pass last spring was the near unanimous opposition of the Republican members, and your influence on this issue would be crucial.

On the merits of government being—in time of emergency—an employer of last resort, there can be no question: people eager to work are given jobs which benefit both themselves and the place where they live. The administrative machinery for operating the Public Employment Program is already in existence and is functioning smoothly, and so no new bureaucracy has to be created.

Thus I ask for your cooperation, and your leadership, in enacting legislation on this

subject which is so important to the well-being of the American people.

Sincerely,

JAMES V. STANTON,
Member of Congress.

CENTRAL MIDDLE SCHOOL ENERGY SURVEY

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. CULVER. Mr. Speaker, the seventh grade class at Central Middle School, taught by Mr. Richard Frett, recently took a survey on attitudes about the energy crisis. They asked 310 adults in the town of Camanche, Iowa, whether or not they favored several possible solutions to the fuel shortage and whether Americans could reduce their use of several appliances and other items. Both the concern and initiative shown by this class and the attitudes of the respondents may have broader interest, and I therefore ask that the results be printed in the RECORD.

CENTRAL MIDDLE SCHOOL,
Camanche, Iowa, December 5, 1973.

DEAR CONGRESSMAN CULVER: My students thought that maybe you would be interested in seeing the results of a survey they took last month on the energy crisis. They interviewed 310 adults in Camanche and received the enclosed results.

Sincerely yours,

RICHARD FRETT,
Seventh Grade Social Studies Teacher.

SEVENTH GRADE FUEL CRISIS SURVEY

Please check whether you would be for or against the following possible solutions proposed by the Seventh Grade Class to relieve the fuel shortage in the United States.

1. Use other resources besides oil, such as coal, atomic power, and steam. For, 87 percent; against, 13 percent.

2. Use other means of transportation besides cars, such as bicycles, buses, and trains. For, 72 percent; against, 28 percent.

3. Have the U.S. refrain from getting involved in foreign wars which use up our fuel resources. For, 79 percent; against, 21 percent.

4. Allow the building of only smaller cars with smaller engines. For, 49.5 percent; against, 50.5 percent.

5. Ration gasoline, allowing only a certain amount to each person during the year. For, 28 percent; against, 72 percent.

6. Reduce the speed limits to save on gasoline. For, 79 percent; against, 21 percent.

7. Remove fuel consuming pollution devices from cars and allow more coal burning, even if the air is polluted. For, 28 percent; against, 72 percent.

8. Allow the off-shore drilling of oil and the building of the Alaska pipeline even if the environment and wildlife are harmed. For, 41 percent; against, 59 percent.

9. Buy as much foreign oil as is necessary to prevent any shortages in the United States. For, 65 percent; against, 35 percent.

10. Cut down on the use of energy in the home by using fewer lights, appliances, stereos, etc. For, 89 percent; against, 11 percent.

Please put a check in front of any items that you feel Americans could do without, or could drastically cut down on the use of to conserve energy in the United States. Out of 310 people. Number that checked.

146 dryers; 107 lights in the home; 219 air conditioners; 57 cars; 26 heat for the home; 295 stereos; 140 televisions; 201 power lawn mowers; 30 stoves and ovens; 75 street lights; 160 humidifiers; and 268 electric garage doors.

9 refrigerators; 136 washing machines; 185 boat engines; 270 electric blankets; 221 electric tooth brushes; 250 electric can openers; 95 power tools; 126 telephones; 125 mixers; 263 snow mobiles; 217 motorcycles; 150 electric clocks; and 220 door bells.

Do you believe that a reduction in the use of energy consuming products would harm our nation's economy and standard of living? Yes, 41 percent; No, 59 percent.

SYRIAN TREATMENT OF ISRAELI POW'S

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. KOCH. Mr. Speaker, an open letter was printed in the New York Law Journal from Bernard Katzen, chairman of the International Association of Jewish Lawyers and Jurists, protesting Syria's violation of the Geneva Convention Treaty and the rights of Israeli POW's. So many have stood silently by while savagery has been committed on Israeli prisoners and have done nothing to stop these outrages. Mr. Katzen urges, as do I, immediate action to demand that human rights be protected. His letter follows:

[From the New York Law Journal, Nov. 16, 1973]

AN OPEN LETTER TO MEMBERS OF THE BENCH AND BAR

In an effort to ameliorate one cruel aspect of the inhumanity of war, the Geneva Convention Relative to the Treatment of Prisoners of War (August 12, 1949), carefully spelled out the legal obligations of governments with regard to such prisoners. Israel, Egypt and Syria all accepted without reservation.

The Convention provides that "prisoners of war must at all times be humanely treated" (Article 13), and with "respect for their persons and their honour" (Article 14). It provides that "immediately upon capture, or not more than one week after arrival at a camp, even if it is a transit camp," every prisoner shall be enabled to write directly to his family and to the International Committee of the Red Cross, a card "informing his relatives of his capture, address and state of health." The card, a model of which is annexed to the Convention, must be "forwarded as rapidly as possible" (Article 70).

The Convention also provides that upon the outbreak of a conflict, each of the parties involved shall establish an Information Bureau for Prisoners of War, to which information on prisoners shall be forwarded for immediate transmittal through the Red Cross to the Powers concerned (Article 122). It provides, further, that Parties to the conflict "are bound to send back to their own country, regardless of number or track, seriously sick prisoners of war, after having cared for them until they are fit to travel (Article 109), and that prisoners "shall be released and repatriated without delay after the cessation of active hositlities" (Article 118).

On October 6th of this year, Syria and Egypt waged war against Israel. Prisoners were taken by both sides. Israel complied with the provisions of the Treaty in its humane treatment of Syrian and Egyptian POW's, and by submitting lists of POW's through the International Red Cross and facilitating visits by the Red Cross. Both Egypt and Syria refused to abide by the terms of the Treaty. However, on November 10th Israel and Egypt entered into a truce agreement by which Egypt did agree to comply. Israel and Egypt are presently exchanging POW's.

Syria refuses to abide by the Geneva Convention Treaty and is in flagrant violation of its commitment to the articles on the treatment of prisoners of war.

This is an appeal to the members of the bench and bar individually and collectively through their Bar Associations, to protest Syria's intransigence and to take all appropriate measures to arouse the conscience of the international community in bringing Syria into compliance with the Prisoner of War Articles of the Geneva Convention Treaty and concomitantly resolving the accuracy of reports of Syrian atrocities perpetrated on Israeli prisoners of war.

The alleviation of the agony of families, both Arab and Israeli, concerning the fate of their dear ones is a humanitarian cause which transcends partisan considerations. POWs must not be held hostage to political settlements.

The legal fraternity should not insulate itself behind the ramparts of narrow professionalism. It should achieve significant visibility on the horizon of world opinion as protagonists for the preservation of basic human rights.

Please write individually and also urge your Bar Associations and other concerned groups to write protesting Syria's violation of the Geneva Convention Treaty and the rights of Israeli POW's.

Make your views known to the Secretary General of the United Nations, the Syrian U.N. Mission and Embassy, Members of the Security Council of the United Nations, the National and International Red Cross, spiritual leaders of all faiths and international associations which are devoted to the protection of human rights.

A PRIMARY OBJECTIVE OF THE ASSOCIATION IS: (ARTICLE 3., a.)

"To contribute, alone or in cooperation with other International or National organisations, towards the establishment of an International legal order based on the Rule of Law in relations between all Nations and States; and to promote Human Rights and the principles of equality of men and the right of all states and people to live in peace."

MEMBERSHIP IN THE ASSOCIATION IS OPEN TO: (ARTICLE 4., c.)

". . . Lawyers and Jurists and organisations of Lawyers and Jurists of whatever race, colour, or creed, who identify themselves with the objects of the Association."

BERNARD KATZEN,
Chairman, American Section, International Association of Jewish Lawyers and Jurists.

BAN THE HANDGUN—XI

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. BINGHAM. Mr. Speaker, this week there appeared in New York newspapers two alarming stories regarding the proliferating movement, legal and illegal, of handguns in interstate commerce. The compelling conclusion reached is that New York City's strict gun laws are rendered useless because other jurisdictions are so lax. How much evidence must be laid before the American people before the administration and the Congress realizes that comprehensive gun control should be Federal policy?

The articles which appeared, respectively, in the December 17 edition of the New York Times and December 19 edition of the New York Post are reprinted herewith:

LAX GUN LAWS IN OTHER STATES CALLED A CAUSE OF CRIME HERE

Mayor Lindsay charged yesterday that ineffective gun laws in other states, especially those in the South, were directly responsible for gun crimes committed in New York City. He called, as he has many times, for Federal legislation to end the situation.

The Mayor's charge was contained in a statistical report prepared by his office and the Police Department that he announced he was sending to all members of Congress and to the Mayors of the largest cities.

Entitled "The Case for Federal Gun Control," the report includes data developed from a special investigation by the New York police on illegal interstate gun-running operations as well as that from other official studies. It also includes specific proposals by the Mayor for Federal gun-control legislation.

"In the past few months there has been an increased effort by Federal and New York City officials to enforce the existing firearms law in New York," Mr. Lindsay said in an introduction to the report.

500,000 GUNS STOLEN

"Data developed from this effort is presented in this document," the introduction continues. "It demonstrates the inadequacy of the present structure, which allows illegal gun-running operations to move across state lines."

The report estimates that 500,000 guns are stolen each year in the United States and that, except in New York City, there are no laws mandating specific security measures for the protection of firearms from theft.

DEADLY (GUN) TRAFFIC

It is encouraging to hear that gasoline shortages seem to be having at least one beneficial effect: a measurable decline in automobile accident fatalities on the nation's highways. Not so fortunately another form of deadly long-haul traffic appears to be getting worse.

Reporting on a well-warranted investigation that was started some weeks ago, the U.S. Treasury Dept.'s Bureau of Alcohol, Tobacco and Firearms has collected evidence suggesting a "growing pattern" of cheap handguns in interstate commerce. According to bureau director Rex D. Davis, "a corridor of traffic between the South and the New York area" is notably pronounced.

The data bear him out. Apparently almost half of approximately 2500 handguns confiscated by police following crimes in this city were sold originally in the South, most frequently in South Carolina and Georgia; two-thirds of the weapons were cheap "Saturday night specials." The national figures—four cities were studied—are comparable.

Investigations by the bureau have already turned up evidence enough for Washington to file criminal charges in scores of cases. When will the Administration and Congress make comprehensive gun control a federal case?

LOSS FOR JACKSONVILLE

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. CHAPPELL. Mr. Speaker, on December 2, Jacksonville, Fla., lost one of its long-time civic leaders. Perhaps his proudest achievement was helping to found the University of Florida. Perhaps he will be most remembered by those thousands of students who benefited so immensely from his fine generosity.

On December 4, the Florida Times Union printed an editorial which expresses the feeling of those who knew Carl Swisher. It reads as follows:

CARL S. SWISHER: 1891–1973

The circumstances that shaped the life and character of Carl S. Swisher had lasting effects on the educational life of Northeast Florida.

There was the eye trouble at the age of eight that hampered his efforts to get a formal education and necessitated his being tutored at home for a good part of that education. The deep reverence for learning, demonstrated again and again by Carl Swisher, had its roots in his boyhood.

There was the capacity for hard work and the business acumen that caused him to learn the cigar-making business from the ground up and to revolutionize that industry and help build the family business into one of the giants in its field.

There was the conviction, stemming from the forces that molded his character, "that it is every citizen's duty to make his community the best possible community in which to live."

Uncounted thousands of young people, past, present and future, have had, have, and will have, access to a better education because Carl Swisher passed this way.

He was instrumental in the formation of Jacksonville University, first helping it to acquire its first permanent home in 1943—an old mansion on Riverside Avenue—and then being instrumental in the acquisition of the present Arlington campus and the building of the university itself, as evidenced by the buildings bearing his name. Other institutions to which he contributed heavily include Bethune-Cookman College, The Bolles School, Stetson University, St. Bernard College at Cullman, Alabama and many of the area's hospitals.

He was a moving force in the cultural life of Jacksonville, the Little Theatre, the Symphony, the Friday Musicale.

Among his other civic activities were the Boy Scouts, the American Cancer Society and the tough, thankless task of serving on Jacksonville's Selective Service Board for 25 years. Carl Swisher died Sunday at the age of 82. He left his community a better place in which to live.

Mr. Speaker, Carl Swisher was not only a friend of mine and so many—he was truly a friend of mankind. He will be missed by all of us, but the heritage he has left for the people of the Jacksonville area will live on and or.. He was a great man and an outstanding citizen. This is an expression of gratitude for the life of Carl Swisher—his 82 years of accomplishments made Jacksonville, and many other places, a better place for us all.

WAYS AND MEANS COMMITTEE INVITES COMMENTS ON H.R. 5902, THE NATIONAL OIL RECYCLING ACT

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. VANIK. Mr. Speaker, the Ways and Means Committee announced today that it was inviting public comment on a number of miscellaneous tax bills. Included in the list is H.R. 5902, the National Oil Recycling Act of 1973. I introduced this legislation on March 20, 1973, and have received the cosponsorship of 31 of my colleagues.

The major thrust of this legislation is to rectify an inequity in the tax code which has existed since the passage of the 1965 Excise Tax Reduction Act. Under this act, off-highway users of new oil were granted an exemption from the 6 cents/gallon tax that applied to all sales of new oil. This exemption created a hardship for the re-refiners of waste oil for whom the off-highway market is an important part of their business. A re-refiner commonly mixes purified waste oil with new oil to come up with his final product. He must pay a 6-cent-a-gallon tax on all new oil he uses, and he is not eligible for a rebate. As a result, the re-refiner who mixes new oil with used oil in a one to one ratio has his product taxed at an equivalent rate of 3 cents a gallon.

My legislation eliminates this inequity by doing away with the off-highway exemption for lubricating oil. We must begin now to encourage the recycling of our waste oil. We are presently generating over one billion gallons of waste oil a year and recycling only one-tenth of it. This oil can be reused. The Bureau of Mines is doing important work in reformulating used oil with additive packages and coming up with a product whose performance characteristics rival those of new oil.

I encourage my colleagues and other interested individuals to comment on this important legislation. Comments should be sent to Mr. John M. Martin, Jr., counsel of the Committee on Ways and Means, House of Representatives, room 1102 Longworth Office Building, Washington, D.C. 20515. Comments should be received by the Committee no later than the close of business Friday, January 18, 1974.

MONTANA TIMBER

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, December 21, 1973

Mr. METCALF. Mr. President, earlier this year, the President's Advisory Panel on Timber and the Environment—PAPTE—released a voluminous study of the Nation's timber supply and what we should do to enhance it.

The Panel was headed by Fred Seaton, Secretary of the Interior under President Eisenhower. It made a number of recommendations, the foremost of which was to accelerate cutting on national lands until certain private forest lands come into their own.

As I read the report, I was struck by the constant emphasis on increased timber cutting and the relative absence of concrete recommendations for conservation or environmental safeguards. I find that my reaction is shared by Dr. Arnold Bolle, professor of forestry, and former

dean of the forestry school at the University of Montana. Dr. Bolle is one of the leading national experts on management of our natural resources.

Dr. Bolle, writing in the Sunday Missoulian and on 16, December 1973, gives a lengthy explanation of the report and concludes that:

PAPTE is a crash program. Its recommendations largely ignore established policy. We have good laws and we are just beginning to learn how to live with them. Multiple Use, Wilderness, National Environmental Policy Act and others are mentioned and largely violated.

Dr. Bolle also feels that the continued cutting of our public forests as long as old growth is standing is not only destructive of the resource but also inhibits development of needed new technology. He cites impressive research findings to show that a modernized timber industry could increase the output of products enormously simply by using more efficient methods.

The PAPTE report deals with large, aggregate national figures. It is easy to talk of slight increases in national cutting percentages, but when those increases are concentrated in a handful of Western States, the destruction can be devastating.

Mr. President, I feel Dr. Bolle has made a contribution to the understanding of this important issue, and I ask unanimous consent that his article be printed at this point in the RECORD.

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

MONTANA TIMBER ECONOMY WOULD BE DESTROYED

(By Arnold W. Bolle)

(NOTE.—On Sept. 24 a presidential advisory panel released a report concerning timber and the environment. What does this mean to western Montana? Arnold Bolle, professor of forestry and former dean of the University of Montana Forestry School, explains that it means a lot.—The Editor)

The report of the President's Advisory Panel on Timber and the Environment (PAPTE) is of particular concern to us in Montana because its main recommendation is to accelerate the harvest of old growth timber on the national forests of the West.

The document is long and complicated: 541 pages of which 115 pages are report and 426 pages appendix of staff reports which provide the basis for the report. It seeks to provide a formula for resolving all conflicts surrounding forest lands while meeting our needs for forest products and simultaneously enhancing the environmental values. It promises to do all these things on the basis of an increased annual appropriation of $200 million.

It is easy to criticize or praise the report in far too limited a context. People are already talking past each other on this basis. As an attempt to reconcile diverse interests in a common effort in support of a new program for the national forests, the report is a failure. So far it has only increased the polarization of interested groups.

The panel was established by the President on Sept. 2, 1971, to "advise the President on matters associated with increasing the nation's supply of timber to meet the growing housing needs while protecting and enhancing the quality of our environment." The panel did both of these things, but did not reconcile them very well.

The immediate problem in 1971 was to hold down skyrocketing timber prices. "Timber changed from a glut on the market to a scarce item." The panel has both short range and long range recommendations concerning timber supply and environmental quality, but the emphasis on the short run timber supplies was primary and may account for the pro-industry bias of which PAPTE has been accused. The report, dated April, 1973, was released in September. The President declared himself pleased with the report. Secretary of Agriculture Butz, in a separate statement, considered the additional funding highly unlikely.

TIP OF THE HAT TO ENVIRONMENT

PAPTE emphasizes that, "forest resources are to be cherished, nurtured and used." In its concern for the environment it calls for "expansion of recreation and wilderness areas, protection of water supplies, protection of fragile soils on erodible steep slopes by their withdrawal from timber harvest, protection of wildlife including rare and endangered species." It urges acceleration of efforts "to complete the national wilderness preservation system as rapidly as possible including quasi-wilderness in the East."

On the basis of thorough analysis of available research the panelists conclude that, "timber harvesting, where properly planned and supervised, does not cause flood, significant soil erosion or impoverishment of wildlife habitat. However, the potential of modern logging machinery, when improperly used, to cause significant damage should not be dismissed, nor should the need for careful supervision of logging operations be disregarded."

And again, "the panel finds that the nation faces neither scarcity of forest land nor standing timber; neither scarcity of forest wildlife nor recreational opportunities, nor existing and potential wilderness areas."

It concludes that, "forests are not merely growing in a physical sense, they are growing in importance, in economic output, and social possibilities as well. The challenge to the nation and to those directly involved in forest management is to optimize forest multiple use potential."

PANEL RECOMMENDS SEVERAL THINGS

While the high price of timber in 1971 was the chief concern of the panel, it was also concerned in the long run cyclic movements in the price of timber and in maintaining supply. The panelists are convinced the nation can meet its supplies if sufficient investment is made in timber growth. They show that the growth on our forest lands, which cover approximately one-third of the continental United States, is only about 25 per cent of its biological potential. The application of known methods of forest management could accelerate this growth to at least double by the year 2020.

These investments, however, have to be made now if we are going to provide the estimated timber needs at this time, and that is the basis for the recommendation for an increased appropriation, in the form of an investment, of $200 million annually.

The panel admonishes that no increase in cuts should be made unless this investment in management is made. This is an important precaution repeated several times throughout the report. The panel recommends further that the forest land not set aside for other uses after careful consideration of wilderness recreation, etc., be classified as primarily timber producing lands.

This does not jibe very well with the panel's earlier remarks about multiple use. Chief of the Forest Service McGuire declared this recommendation illegal.

The panel also recommended an early warning system on price fluctuations and government manipulation of housing funds and loans to even out the cyclic movements in timber demand and price. This calls for controls of the type we have not been using customarily.

The panel found that timber demand is firm and inelastic and not much substitution is possible. When demand and prices are up, many users, such as home builders, are not able to cut back. Transport may be inadequate, strikes and unfavorable weather may prevent expansion of output. Plant capacity is limited and extra equipment and labor may not be readily available. The industry, therefore, needs more time to adjust.

In addition to the warning system for short run price demand rises, housing programs should be planned well ahead and move more gradually so that timber can be released by increased sales on the national forests.

The panel recommends that more timber should be under contract at all times, and perhaps its most important recommendation is that the idea of an evenflow sustained yield management of output of timber from the forests be abandoned for a cyclic or unevenflow which could be then related to anticipate housing demand, lumber demand, high prices. It is on this basis that the panel, in 1971 and 1972, recommended the accelerated increased cut on the national forests for the next decade or two. Of course, since then, as could have been predicted, the price of timber has started to move back down, the demand is down, housing starts are down for a variety of reasons.

THE IMPACT ON WESTERN MONTANA

However, it is the short run recommendations to meet timber demand that are perhaps most startling and of most significance to us in Montana. The biggest problem facing foresters, says the report, is the rate of liquidation of the old growth timber. The rate of cutting old growth timber on the national forests has been paced to the growth of second growth timber or timber that was burned in earlier times.

There is in general a considerable gap between the volume of old timber available and the young growth coming along. The present plans of management call for liquidation of old growth at the rate that will carry us to the time in which timber industry can move to the younger timber. Most of the old growth is in the West, on the western national forests. The forests of the Southwest are moving into a "third forest." Almost all the private lands in the West, the North and Northeast have been cut over and the industries are now depending on second growth timber.

CUT NOW, PAY LATER

The report is concerned primarily with softwood timber, (coniferous forests), and since its recommendations deal mostly with the old growth, the effects concern mainly the West. PAPTE estimates that if the proper management is instituted, the rate of old growth liquidation can be accelerated by 50 to 100 per cent. This could start immediately if the money were promised.

We see a new term called "allowable cut effect." A sort of cut now and pay later idea. You can harvest now at the rate of anticipated returns on present and planned investment. This is all right if you know what is going to happen as a result of those anticipated investments in management and if you are assured that you are going to get those results.

This is where the weakness lies, and if there is any weakness in getting the money, we are likely to find ourselves over-cutting seriously. I would like to see about 10 years of operation on the new level of management to test results, and also the funding, before we greatly accelerate cut.

Even if we get the money, Montana could get hurt. The panel emphasizes that it is concerned with the national supply of timber. It recommends accelerated cutting of old growth on the national forests for a period of one to two decades, then moving our dependence on timber to the private lands,

particularly industrial lands which have been cut over and will be ready for harvest about that time.

This is a gamble. No provisions are made to assure their supply. There are no recommendations for regulations, for example, which may be needed to assure the supply. Under PAPTE's plan, the forests of Montana would be overcut during the next one to two decades with little regrowth and second growth available for harvest after that. The industry would move to the large industrial land holdings on the West Coast and in the Southeast. To be sure, as the panel puts it, it would not make any difference to the national supply where the timber came from, but it could have serious effects on Montana's timber industry.

In the Rocky Mountains we have to depend for future supply on relatively extensive management of low quality sites. Intensive management based on expected high returns to management will necessarily be on the highly productive sites in the Northwest and the Southeast. So we must manage our old growth to bridge the gap to the second growth timber which will be coming along later, but we can increase our industry by greater utilization, more efficient manufacture, greater utilization of waste materials at the mill and the woods, the use of smaller materials, dead trees, salvage, etc., on sites of low aesthetic, wildlife and watershed values.

PANEL IGNORED IMPORTANT POINT

PAPTE's recommendations are based on the idea that the forestry supply is flexible and can be considerably increased. I agree.

But there is another flexibility which they largely ignored, and that is the potential to increase output of wood by greater utilization. The staff paper by Jerry Seaman regarding project STRETCH of the Madison Forest Products Laboratory is a refreshing change of pace.

The laboratory's project STRETCH looks at a new type of flexibility in the timber supply. In PAPTE it is reported that approximately 4 billion board feet can be saved annually by greater utilization at the logging site, in the sawmill, by veneer processes, particleboard, and more efficient building. (Actually 4 billion is a conservative figure. When I visited Madison a few months ago their figure was more than twice that high.)

There is a further potential saving of 6 to 8 billion board feet by diverting saw logs now used for pulp. Pulp mills could use other wood wastes or chips from smaller logs and the larger sawmill sized logs could be sawed for lumber. Using round wood (mostly logging wastes) for pulp and chipboard could double the production of the forests of this region.

Seaman's plan calls for the use of X-ray scanners, computers, various edge gluing and laminating proceeses to extend the use of wood. His most promising product is flakeboard, which can be made to duplicate the qualities of either plywood or lumber at competitive prices and can be made from low grade materials.

This process could make usable a vast area of low grade forests in this country—areas which are not now being used. The net result of his disclosures would greatly extend and expand the amount of raw materials available in this country and wipe out the threat of timber famine indefinitely.

STRETCH comes out as the best alternative to increasing allowable cut in this country. This may be why the National Forest Products Association (NFPA), unbelievably, protested this project last year. A number of individual forest industries disagreed with NFPA.

TECHNOLOGY NEEDS EXTENSION

The low price of timber depresses our reliance on innovative technology. In fact, a good friend of mine in the industry was very unhappy with a recent order for accelerated cuts because he said it acted as a deterrent to innovation.

Our brightest hope for becoming more competitive on national and international markets is to extend our technology in forest products as we have in most other commodities. One way of improving manufacturing efficiency would be to base timber appraisals on the national forests on the use of the most efficient manufacturing equipment available. Even if we got the $200 million a year and expanded our production as PAPTE recommends, we should move as rapidly as we can to improve technology. PAPTE says these words, but I don't quite believe them. I would like to see the $200 million distributed perhaps one-half to improving growth of forests, the other one-half, though, to technological improvement. It would be interesting to see which pays off best.

PAPTE is a crash program. Its recommendations largely ignore established policy. We have good laws and we are just beginning to learn how to live with them. Multiple Use, Wilderness, National Environmental Policy Act and others are mentioned and largely violated.

Accelerating the cut of residual timber will clash head-on with the 1972 Water Pollution Control Act, and its requirement for control of non-point pollution from forest land. In the Rocky Mountain region we would have to cut the remaining timber in watersheds already cut to the danger point of hydrologic balance and a massive invasion of roads into unroaded areas. Our earlier cuts favored the best sites, so that even to continue present levels of cut we tend to become increasingly dependent on poorer sites which are more likely to erode and are more costly to harvest.

WHOLE PICTURE TOO OFTEN IGNORED

I heartily agree with the panel's recommendation for a National Forestry Board or Council at the presidential level after the model of the Council of Economic Advisors and the Council for Environmental Quality. One of our big problems is that forestry matters are dealt with at too low a level in government. Our knowledge of the problems is coming from interest groups and agencies with increasing narrow specialization, so we end up with partial and biased knowledge and we don't get a look at the whole picture. We do not have—and we need to develop—a broad picture of what we want from our forests for the nation in total and for now and into the future.

The rush to designate all public forest lands for committed uses such as PAPTE recommends, wipes out our options. The main freedom we ought to be preserving for the future is the freedom of choice to meet new and developing needs, and so I agree that a national council on forestry problems should be developed. I agree and have agreed in the past; the idea is not a new one with PAPTE or with me. Forestry decisions have now become political decisions too often made in private. We need the decisions to be broad and public.

Marion Clawson, a member of the board, urges industry to become very active in pushing for support of PAPTE, "Before it dies like previous reports." I am afraid that is its fate, that at this time a recommendation for a large increase for internal improvement seems to be out of the question. By the time we move to it our thurst may have changed. The PAPTE report has some good things in it, but it may only become a useful reference or an interesting document sitting unread in various libraries.

OIL SHORTAGE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. KEMP. Mr. Speaker, I think the following article by the very able columnist Henry Hazlitt, best explains where we are in the fuel shortage, and where we should be going if we really want to help the millions of consumers in the country in the most constructive manner.

The article follows:

[From Human Events, Dec. 22, 1973]

THE OIL SHORTAGE IS NOT AN ACT OF FATE, IT IS THE GOVERNMENT'S FAULT

(By Henry Hazlitt)

The oil and gasoline measures announced by President Nixon in his talk of November 25, plus the measures that would be forced on him by Congress if the National Energy Emergency bill becomes law in anything like the form it passed the Senate, are likely to create the maximum disruption and the minimum relief.

They are a headlong response to the hysterical demands that Washington do something! The typical politician's idea of Doing Something is almost invariably to pass a law or an edict forbidding somebody else from doing something.

The one measure that would be more efficacious than all others combined would be the immediate repeal of all the price controls that have been straitjacketing our economy for the last two years—or failing that, at least the repeal of all price controls on petroleum or its products. No other step would have a comparable effect in assuring that fuel oil and gasoline would be conserved and be employed first only in their most essential uses.

Instead, there are shrill demands for rationing, with no concern for the insoluble problems this would raise.

On what basis are ration coupons to be issued—per car, per household, per capita? How are the issuers to distinguish between "essential" and "non-essential" driving? With everybody given an incentive to lie, to get as many coupons as possible, how are the issuers to distinguish the liars from the truthtellers? None of these problems trouble the legislators who now demand rationing. The rationing is to be "fair," and everybody knows by instinct what fairness is.

Another idea now in great favor with the bureaucrats is to impose a federal surtax on gasoline. Compared with rationing, at least, this does have the merit that it would give the user a direct incentive to conserve gasoline. But who would know where to fix the rate?

If the tax were too low, it would not be enough to do the job. If it were too high, it would unnecessarily reduce travel and production. It would in any case be too rigid to take account of constant changes in the demand and supply of gasoline. It would surely be kept long after any crisis had passed. And it would do nothing whatever to encourage the production of or refining capacity for gasoline and fuel oil. It would in fact tend to do the exact contrary.

By far the most urgent step toward a solution of the problem would be to remove all price controls on oil products. These price controls, which have been in existence in one phase or another since Aug. 15, 1971, have encouraged wasteful consumption and discourage both immediate production and the expansion of capacity.

Last summer, long before the Arab coun-

tries threatened to choke off our supply, the press was running feature stories on the shortage of gasoline. But our officials weren't worried about the shortage. All they were worried about was keeping down the price.

At the end of an article in its July 23 issue, the *U.S. News & World Report* was writing: "On July 10, the Cost of Living Council announced a nationwide investigation of the petroleum industry—from the oil well to the gas pump—to determine whether prices have been increased illegally. If violations are found, officials said, prices may be rolled back to mid-May levels."

Lifting the ceilings, letting the market prices of oil products go up, would give each of us a direct and immediate incentive to economize on oil products. A genuine free market would let the price go up to the point where supply and demand came into balance.

A recent survey of the National Association of Purchasing Management found that "almost everything is in short supply," notably aluminum, castings, chemicals, coal, copper, cotton, forgings, oil, paper, plastics, propane, steel, tires, valves and zinc. A few of these shortages, of course, are the result of special situations; but the overriding reason is price controls (combined with the false export stimulus created by devaluations of the dollar).

What the price-control fanatics have never remotely understood is the tremendous importance of *relative prices*. It is the constant daily changes in price relationships in a free market that are constantly changing relative profit margins and hence constantly guiding production out of one commodity and into another. A free price system not only maximizes production but balances it as among the tens of thousands of different goods and services. When price controls are imposed, the effect over time is to lead to more and more unbalanced production and to create increasing shortages and bottlenecks.

The longer price controls are imposed, the more harm they do in reducing and distorting production; yet the longer they have been in existence, the more politicians and even businessmen lose the courage to ask for their repeal.

They are met with two main arguments. The first runs: "If you take price controls off gasoline (say), the poor man will be forced to buy less; he will be hurt more than the rich man." This argument can of course be applied equally well to any commodity whatever, as long as it bears any price and is not given away free. One of the great functions of a free market and a free price system is that it forces consumers to economize most on the commodities in shortest supply.

The second main argument runs: "If you take price controls off widgets, the widget companies will make exceptionally big profits." So they may. And it is precisely this that will encourage more people to go into the widget business and increase the supply, until the profit in making widgets falls to the profit in making other things.

It is our government's obstruction that has done most to produce the increasing shortages that now plague us. This includes the shortages of petroleum products. For more than a decade, beginning in 1959, our government put arbitrary limits on the amount of oil that could be imported. By years of inaction and outright hostility, Congress prevented construction of an Alaskan pipeline. By regulating natural gas for the last 20 years as a "public utility" the government has forced down the price arbitrarily, so discouraging exploration and production and encouraging wasteful consumption. And today the government is still creating shortages everywhere, and intensifying the energy shortage, by imposing and keeping price controls.

As Thoreau put it more than a century ago: "Government never of itself furthered any enterprise, but by the alacrity with which it got out of its way."

JAMES McCORMICK

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. BURKE of Massachusetts. Mr. Speaker, today I join with the citizens of Quincy, Mass., in mourning the death of a man who was dedicated to the future of Quincy—its youth. James F. McCormick, Sr. devoted his life to the betterment of the Quincy youth through the educational system in Quincy. A selfless, compassionate, totally dedicated man, Mr. McCormick spent countless hours working for the people of the city of Quincy—through the school committee, the Quincy Park and Recreation Board, the mayor's youth committee, South Shore Council on Alcoholism, and the Saint Ann's Boys Scouts.

A man of Mr. McCormick's caliber will be sorely missed. Mr. Speaker, at this time I would like to submit for my distinguished colleagues, an article taken from the "Quincy Sun," a weekly newspaper, which so aptly describes the sentiments of all those who experienced the kindnesses and warmth of James McCormick. The article follows:

THREE MAYORS AMONG THOSE IN FINAL TRIBUTE TO JAMES MCCORMICK

(By Tom Henshaw)

He was called the father of the Quincy Vocational Technical School.

He served on the Quincy School Committee for 13 years, four of them as vice chairman.

And, when he retired from public life two years ago, Jim McCormick went back to school and got a high school diploma of his own.

James F. McCormick Sr., 60, of 100 Reservoir Rd., died Nov. 27 at Peter Bent Brigham Hospital, Boston, after collapsing at his home on Thanksgiving night.

He was buried Saturday in Pine Hill Cemetery, West Quincy, after a funeral mass in St. Agatha's Church, East Milton, attended by the top echelons of political and educational life in Quincy.

Mayor Walter J. Hannon directed that the city's flags be lowered to half mast in honor of "a totally dedicated man who gave so much of himself for Quincy.

"Truly, he was the father of the Quincy Vocational Technical School. It was through his tireless efforts that the school finally became a reality.

"His death means a great loss to the city for which he served so diligently without remuneration."

Mr. McCormick, a stock broker in business life, was born in Boston and had to quit school at the age of 16 to help support his family working as a page boy in the Boston Stock Exchange.

He worked his way up to messenger, rail clerk and then bookkeeper with the New York Stock Exchange firm of E. J. Kitching Co. of Boston. When Kitching went out of business, he started over as a messenger with Chandler Hovey Co.

He was manager of Hovey's trading department at the age of 25 and a year later passed the first test ever given by the New York Stock Exchange for registered representatives.

He was a junior partner in Mixter and Co. and later became manager of the Quincy office of A. C. Allyn and Co. and associate manager of the Francis I. duPont and Co.'s Quincy office.

He was manager of the Quincy office of H. C. Wainwright and Co. of Boston and New York at 1245 Hancock St. at the time of his death.

Mr. McCormick ran for Quincy School Committee in 1955 and 1957, failing both times. He was appointed to the board to succeed Paul K. Duffey in 1959 and that started his political career.

He served as vice chairman of the School Committee in 1966–67 and again in 1970–71 before retiring in 1971 to run unsuccessfully for mayor.

Mr. McCormick started campaigning in 1960 for construction of the Quincy Vocational Technical School and his efforts were rewarded in 1967 when the school was opened on Coddington St.

"Upon his retirement from public life in 1971, Jim returned to school and worked toward qualifying for a high school diploma," said School Superintendent Dr. Lawrence Creedon last week.

"This goal was reached last year when, in a special ceremony, the Quincy School Committee awarded its former vice chairman his high school diploma.

"James F. McCormick was a very great friend of the Quincy public schools.

"He loved young people and took a fatherly pride in their accomplishments.

Mr. McCormick was chairman of a Quincy Lions Club scholarship fund started this year in memory of the late Capt. Edward Alan Brudno, the Quincy man who was a prisoner of war in North Vietnam.

He was also chairman of the Quincy Park and Recreation Board from 1966–71, chairman of the Mayor's Youth Committee in 1969, former leader of St. Ann's Boy Scouts and a member of the board of the South Shore Council on Alcoholism.

He was past president of the Quincy Lions Club, a charter member of the Quincy 100 Club, a member of the National Securities Traders Association, the United Commercial Travelers, North Quincy Knights of Columbus and the Quincy Elks.

On behalf of the School Committee, Vice Chairman Paul C. Kelly said:

"He served the city for many years, not only in the school system but in the parks and recreation department. He was devoted to this city and gave a great deal of himself to it over a long period of time."

Said former Mayor Amelio Della Chiesa:

"He always wanted the best of education and teachers for our school children.

"In my opinion he was one of the finest members of the school committee. He certainly was a dedicated man and it was a pleasure to work with him."

Said former Mayor James McIntyre:

"He was a man who dedicated much of his life to the city of Quincy, not only in the school committee but in so many ways committed his personal life to the city."

Mr. McCormick leaves his wife, Mrs. Nancy [McNally] McCormick; two sons, James F. Jr. of Norwood and John A. of Quincy; four daughters, Mrs. Nancy Devine of North Quincy, Mrs. Mary Hayes of Quincy, Mrs. Patricia Peters of Decatur, Ga., and Mrs. Theresa O'Connor of Hawaii; and 15 grandchildren.

Rev. Edward O'Brien, pastor of St. Agatha's Church, was the celebrant of the funeral mass. Those in attendance included:

Mayor Walter J. Hannon, former Mayors Amelio Della Chiesa and James R. McIntyre, Senator and Council President Arthur H. Tobin, School Committee Vice Chairman Paul C. Kelly, School Committeeman Charles T. Sweeney.

School Superintendent Dr. Lawrence Creedon; Maurice J. Daly, assistant superintendent for vocational education; Wilfred Nolan, coordinator of elementary education; retired school teachers Ruth and Edna Abbiatti.

Edward T. Lewis, former city manager and executive secretary to Mayors Della Chiesa and McIntyre; former Fire Chief Thomas F. Gorman; George Smith Jr. of the Planning Board; Joseph Graziani, Milton town treasurer.

Quincy businessman Larry Antonelli, Federal Mediator John J. Sullivan Sr., Everett Tatreau, president of the Quincy Lions Club, former Lions President Arthur Gillis; Henry Bosworth, publisher of the Quincy Sun; and Quincy Parks and Recreation Board.

Jack Osterman, assistant superintendent for personnel; Stephen Moynihan, administrative assistant for business affairs; Peter Chrisom, principal of North Quincy High School, Robert Laign, president of the Quincy Education Association; Harold Crowley, former QEA president and Quincy teacher Anna Robison.

Funeral arrangements for Mr. McCormick were handled by the Keohane Funeral Home, 785 Hancock St., Wollaston.

"HILLTOPS" EDITORIAL IN NEW YORK TIMES OF DECEMBER 25, 1955 IS APPROPRIATE FOR READING AT THIS CHRISTMAS SEASON

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, December 21, 1973

Mr. RANDOLPH. Mr. President, the story of Christmas will never grow old. It grows richer and newer with each retelling. Over the past 20 centuries, writers have tried to express the meaning of this miracle in terms of their own understanding. Each relates to his own interests and his own surroundings. To me, the story of Christmas is beautifully portrayed in an editorial in the New York Times almost two decades ago. It is entitled "Hilltops," and was written by Hal Borland while a member of the editorial staff. Mr. Borland is a nature writer who lives at Salisbury, Conn., and he contributes weekly nature articles to the Times. He is the author of several books; his latest is "Seasons." The editorial appeared on December 25, 1955. As a man of the hills, I understand the close kinship of Christ's life with the hills. I wish to share it with my colleagues. The editorial was clipped by me from the New York Times 19 years ago and I have told hundreds of persons of its message.

I ask unanimous consent that the editorial be placed in the CONGRESSIONAL RECORD.

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

"HILLTOPS"

It was the shepherds on the lonely hilltop, out where the night sky lay close and the feel of the earth was familiar to their feet, who heard the angels singing and followed the star. They followed it over the hills to the hill town of Bethlehem and it was there, in the stable at the inn, that they saw the wonder. In a stable on a hill in Judea.

It was there among the hills, that the story began, where the stars came close and the night winds were the winds of song. And, as we know the later story, the hills and the open country where He was born were to be always there in His life and in His teachings. His parables had the strength of the hills and their simplicity. He knew the land. He knew it intimately, and its birds, its beasts, its shrubs and bushes. The sermon in which the enduring principles for which He stood were probably most simply and eloquently set forth is still known as the Sermon on the Mount. He knew the seaside and the valley, but best of all He knew the hills. And in the end He climbed the fearsome slope of the hill known as Gethsemane.

The story is both brief and simple. Luke, the physician, set it down in four hundred words. Others expanded it, but always and ever it had the thread of the hilltops running through it, the everlasting hills, where it began. It was on the hilltop that the unforgettable words were said: "Fear not." And the enduring song: "On Earth Peace, Goodwill Toward Men." We read the story again and again, and always with the hush and the awe, and with the sense of stars gleaming on the hilltops.

LEVITTOWN ALTERNATIVE PROGRAM—INNOVATION IN PUBLIC EDUCATION

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. LENT. Mr. Speaker, there appears to be a great interest on the part of educators to make school curriculums more relevant to the real world. For example, there is a movement toward the "high schools without walls" program and the "universities without walls." The staffs and students convene periodically in theaters, meeting halls, large public auditoriums and homes. The students' pursuit of knowledge is done in law offices, places of business, hospitals, and the like. However, this program is still in its experimental stage and it is still premature for us in the Congress to responsibly comment on its results.

Another thrust to relate the academic curriculum to real life activities has been made by the U.S. Office of Education with its emphasis on career education. The impetus there has been to bring into the school a knowledge of the world at work. Thus curriculum modification is being made from the kindergarten through the senior high levels. However, the world of work is only one part of the real world that we wish our youngsters to know and be able to deal with.

Therefore, between these two programs I would like to advise you of a third one which is achieving much success and recognition on Long Island and in New York State. The program of which I speak is known as Levittown alternative program. I wish to commend the Levittown School District in general and Mr. James Farley, the program director, in particular, for their pioneering efforts in this innovational educational approach.

The Levittown alternative program is a forward-looking curriculum supplement. It consists of bringing in speakers every day from all walks of life. These experts give a short talk on their area of expertise and then open themselves up for questions.

Strangely enough, the project started out as a more planned approach to providing coverage for teacher absences. If a teacher becomes ill and reports this to the school officials in the morning of his absence, there is not much time to obtain a substitute teacher. And more times than not, that person does not have the subject background of the teacher who will be missing. So Levittown decided to act rather than react. Levittown chose to bring in specialists to speak a number of times during the day along with providing several other educational options for the youngsters of absent teachers, as well as those members of the student body who, with permission of their teachers, wished to participate. These additional options consist of enrichment films, independent study and small group seminars.

One of the byproducts that resulted is that, financially, it is less expensive to provide the Levittown alternative program than to pay the wages of substitutes each day. Levittown during the past 2 years has actually effected a savings and in turn has offered an added enrichment feature for youngsters seeking to know more about the world around them.

TRADE REFORM ACT

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. GIAIMO. Mr. Speaker, when the House of Representatives voted 272 to 140 earlier this month to approve the Trade Reform Act, I was among those who voted against that bill. After careful consideration, I decided to oppose the trade bill because I believe the Congress must stop delegating its proper responsibilities to the executive branch.

Under the bill approved by the House, the President is granted sweeping powers to conduct this Nation's foreign trade as he determines best over the next 5 years. He can be a free trader or a protectionist without any clear direction from the Congress because the Trade Reform Act makes no serious effort to establish any policy guidelines.

At a time when there is so much being said about the erosion of congressional authority, I was most disappointed that the Trade Reform Act made no real effort to establish a congressional policy. Admittedly, this is difficult, but I think Congress must face the difficult problems if it is to live up to its responsibilities.

Our policies have permitted unilateral tariff reductions, yet we have been frozen out of other trading blocs. Our industrial plant is aging and inefficient, yet millions of dollars are being exported for foreign plant expansion. Our dependence on foreign energy sources is increasing, yet many of the goods we import are

nonessential and adversely affect our balance of trade. At the same time, we have experienced food shortages, largely because we lack a trade policy that defines essentials.

While I am not in favor of a protectionist policy, I am concerned by the probability that increased imports under the bill will lead to higher unemployment, and that the only answer proposed seems to be in taking care of the unemployed without trying to keep them at work.

The President, of course, can address many of these problems under the authority given him by H.R. 10710. It may very well be that I will favor many of the policies he adopts, but I believe the Congress should have done more toward establishing policy guidelines for foreign trade as the Constitution contemplated. Since the rule under which the trade reform bill was considered basically permitted only a vote for or against the bill, I decided to cast my vote against this abdication of congressional authority.

A TRIBUTE TO DR. PAUL DUDLEY WHITE

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. O'NEILL. Mr. Speaker, I wish to call to the attention of my distinguished colleagues a fitting and noble tribute to a great physician and fine humanitarian, Dr. Paul Dudley White, which appeared in the Belmont Herald.

We are all only too well aware that the life of a great physician is a selfless one dedicated to the cause of humanity. Most importantly, it is a life of service and personal sacrifice in the name of clemency and the common brotherhood of man.

Mr. Speaker, I salute the fine tribute to Dr. Paul Dudley White and ask unanimous consent that it be printed in the RECORD as follows:

TRIBUTE TO DR. WHITE

(By Maurice Goldsmith)

In Memory of Dr. Paul Dudley White "For Services Rendered." Who shall measure devotion or put a price on sacrifice? Who shall assess the long war against the power of death? Or set a sum upon the gift of life? There is a service beyond the measure of a fee. A cause above remuneration. An ideal for which there is no price. This is the service—the cause—the ideal of a great Physician and Humanitarian. How shall we reckon it and by what formulae? How much for the laughter of a little child rescued out of crisis? What's the cost of discouragement? Who can pay for a sleepness night? Name the price of a cure? There is no algebra for it, no scribble of figures, no proper value. For this is a service as large as life and as manifold. It is a soldier crying in agony on a thousand battlefields. It is the terrible word "why?" under the surgeon's probe. It is the end of pain. It is hope. It is the lonely unending quest for knowledge. It is the fight against ignorance, sloth, superstition. It is the dumb unspeakable joy in the kiss of a parent. It is the rock of grief. It is cold rain and pounding storm and bone-weariness and the new-born babe grasping its first breath in the grey dawn. It is all this and the quiet glory of the job done, dedicated to service in the name of mercy and the common brotherhood of man.

Dr. Paul Dudley White will be remembered not only as a brilliant and dedicated physician, but also for his personal qualities as a warm and giving human being truly dedicated to the cause of humanity. He will be sorely missed by millions the world over.

EDUCATIONAL TECHNOLOGY IN HIGHER EDUCATION

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. KOCH. Mr. Speaker, Prof. Seymour N. Siegel, director of the City University of New York, Office of Educational Technology, recently wrote an article on some of the problems in the use of educational technology in higher education. Professor Siegel is former director of WNYC, a good friend and one whose work has been highly regarded. I am appending this article which appeared in Broadcast Management Engineering for the interest of our colleagues at this point:

IS INSTRUCTIONAL TECHNOLOGY MORE THAN A PROMISE IN HIGHER EDUCATION?

(By Seymour N. Siegel)

Comparing apples and oranges is traditionally the wrong thing to do in the American classroom. It might be equally frowned upon to compare farmers with university professors. But the introduction of technology into American higher education has been likened to the beginnings of the agricultural technological revolution. Robert Thomas, formerly vice chancellor for communications for the State University of New York, said some time ago, "The fundamental problem in both instances in the basically conservative constituency with which the innovators had to work . . . on the one hand self-employed farmers free to pursue their own ways without interference and deeply conservative and resistant to change; on the other hand, tenured faculty members relatively free to pursue their own ways, and again, conservative and resistant to change. Neither group was likely to embrace technology warmly, yet gradually over a period of time a technological revolution in agriculture did in fact take place. The fruits of that revolution have resulted in greatly improved products at lower production cost per unit."

Americans have always had confidence in the ability of technology to solve any problem even before a particular technological process had been invented. It would seem that with the availability of television, computers, film, and cassettes—to say nothing about the great strides in cable television—somewhere along the line the machine might be harnessed to assist in teaching and learning. The fact is, however, that all over America, educational technology with slight exceptions is being-used minimally.

Almost two and a half decades ago, the educational community in the United States managed to achieve unanimity in the presentation of a case before the Federal Communications Commission for the reservation of television channels for education. The glowing promises of scholars and academics, of educational administrators, and school board chairmen, of politicans and government officials, as well as the practitioners of educational broadcasting, that the new technology would be the answer to many of education's problems were persuasive. The commercial broadcasting industry was caught off guard and more than 250 valuable channels were reserved for education. The performance by educational television stations throughout the United States, certainly in the field of higher education, has not met the promise. They have gone public. The euphemistic change in title from "educational television" to "public television" is more than that. It may well be that educators and non-commercial broadcasters "overspoke" themselves 20 odd years ago. Some hard-nosed reading of the testimony before the FCC might even allow the conclusion that this was one of the outstanding snow jobs ever achieved before that regulatory body.

In the context of the "go-go years" in the nation's financial community, it's interesting to note the high degree of correlation between the rates of support for public stations from school systems and the efforts to use the stations for instructional purposes. Back in 1966 the Ford Foundation's Fund for the Advancement of Education published a report which flatly stated that an educational station's income "from school programming is the most secure foundation of its solvency." In the intervening years there's been a sharp decline in the amount of support received from schools for television services. In New York State, for example in 1968–69, the educational stations averaged a little over 16% of their income from this source. In 1972–73, the estimated income has apparently dropped to 5% of the public stations' total income. This reluctance of schools to pay for television instructional facilities may have a serious impact on public stations' fiscal problems, but it is indicative of the overall decline in commitment to the promises made in the original petition for licenses years ago.

The onus for this failure to perform as promised should not perhaps be placed entirely on the technicians who operate public stations. The 1973 Report of the Legislative Commission on Expenditure Review of Educational Television in New York State devotes considerable space to an analysis of under-utilization: ". . . television was originally expected to be a prime instructional instrument replacing teachers and providing the central component for a complete instructional system. It was envisioned as a live, as well as taped, medium through which a professor could lecture with maximum coverage. A great deal of campus equipment and physical plant were designed and acquired under the influence of this "total teaching" concept but, after a period of time, this concept was abandoned.

Because there was a need for interaction between teacher and student, televised instruction on the campuses of the State University of New York is now used as a means of providing instruction for only part of a course. It's the general policy that no more than one-third of any three-credit course be taught by television. A great many programs are recorded on tape and seldom shown live. In other words, despite the considerable expenditure for equipment and hardware, television is used only as a supplement to traditional instruction. Because of the need for redesigning teaching methods which are necessary to accompany any major technological introduction, and since these have not been implemented in a manner conducive to achieving either an increase in productivity or a decrease in total costs, instructional television has remained peripheral to instruction."

As in the City University of New York System, where the Chancellor's Committee on Educational Communications has recently re-

ported an investment of more than five million dollars for hardware, and an almost equal annual expenditure for the maintenance and operation of that hardware, questions as to television's proper role in the State University System still remain. While instructional television serves many purposes "its real function on the campus has not been adequately defined to preclude its haphazard and wasteful use." Problems of campus acceptance and integration remain.

SOME HOPEFUL STEPS; OBSTACLES TO OVERCOME

Considerable positive steps are being taken at CUNY. Negotiations for consortium-sharing of resource and possible co-production with CUNY and the California State System are far advanced and may have salubrious effects on high costs of acceptable software. Studies on the potentials of the cable and the formation of a community "education user committee" are new constructive developments.

In evaluating the overall problem, however, it has been often stated that there's considerable indifference or outright antipathy toward using technology in higher education. The major objection by faculty seems to be based on reams of research which almost always suggests "no significant difference" in learning performance in the use of technology vis-a-vis conventional modes.

The few faculty members who have been "doing something with technology" have a deep-seated feeling that reliance on instruction of one's own design is pure virtue. There is almost an insurmountable feeling that most educational televised programs, for example, are poor programs, especially if done by somebody else. Most educators believe that television lessons, films, and computer programs are of poor quality, and do not meet individualized needs.

Problems of incompatibility and poor design in equipment are being overcome, but slowly. This, of course, has haunted the audio-visual field in education almost from the beginning. To administrators, the rapidity of obsolescence which is characteristic of the communications revolution seems to be a cultural shock of overwhelming proportions.

The details of advanced planning in obtaining accessibility to both hardware and materials seem to be more than most faculty members care to cope with. Copyright problems always seem to lift their ugly heads, and the normal difficulties of the identification of cogent material are much more complex than merely flipping through a textbook.

With the normal lack of know-how and training in instructional technology, and the exclusion of media specialists from central planning, the greatest utilization of technology has been in the area of enrichment or enhancement, not in "stand-alone" instructional capability. (See box, Modumath.)

Despite the hundreds of millions of dollars which have been expended over the past two decades, on hardware and on materials, the penetration of new learning materials and media into higher education has been shallow. What many people feel is needed now is somewhat less financial support for the invention of equipment and more financial support for the development and utilization of what one already has.

It may seem an oversimplification to suggest that the capabilities of instructors would be expanded by the use of technology. To relieve them of the need to personally prepare and deliver elementary course segments, that change little from year to year, might normally be considered a welcome development. It would seem that time-saving methods would be provided which would permit the drilling of students in knowledge that must be mastered if the rest of the term's course content is to be fully understood. Certainly the capability for demonstration and illustration would be expanded. It would seem logical to believe that this would permit more time for preparation, as well as time for meeting with students and providing individual counseling and advice.

There is a pervading feeling that there is a lack of definitive administrative commitment to the use of technology throughout the educational establishment. This has to do with the reward system within higher education. Such goodies as tenure, promotion, and salary, go to the most productive in terms of research and writing, and not to those faculty members who are interested in improving the quality of instruction, or in reaching more students at lower costs. What seems most important at this juncture is the utilization of existing mediated courses prepared by someone else. Released time, salary improvements, and professional recognition would seem to be imperative. Any new reward system which might be devised, and which might provide faculty incentive for both participation and utilization, would be a plus in the introduction of technology.

Both the McMurrin Report, published four years ago, and the more recently published report by the Carnegie Commission on Higher Education, emphasized the fact that a college instructor purely as a purveyor of information is obsolete. His new role, not necessarily yet recognized by faculty, is the utilization of educational technology to make him a master of the resources of learning, with time and opportunity to cultivate students as individual human beings.

There also appears on the horizon a need for new instructional professionals in higher education. To assist professors, there will have to be a considerable number of information specialists, media technologists, and instructional technologists to create the necessary software.

From the Aspen Program on Communications and Society, from the Rand Corporation, and from Harvard University's program on informational technology, among others, numerous reports and studies are being released concerning the potential of cable television for instructional purposes. Even though this is but another delivery system, many dedicated and enthusiastic individuals tend to disregard the 20-year experience with ETV and ITV. Meetings, seminars, and conferences are being held in various parts of the United States to study the potential of cable as a delivery system for educational materials to attract new clientele, i.e., to bring the store to the consumer. There is considerable study and resource being exerted in the direction of non-traditional and innovative means of improving learning performance. In higher education there is considerable thought being given to opening up the avenue of accreditation to all who need post-secondary education. Together with the growing budgetary crunch in both public and private institutions, all hold promise for the adoption of technology for the delivery of instruction. And cable holds forth two-way capability as well as the elimination of the scarcity factor inherent in over-the-air transmission.

One study points out that "if 20 years of largely futile experimental instructional television has shown anything, it is that such efforts stand or fall on the professional quality of the programming. Whether educators like it or not, television is firmly entrenched as an entertainment medium, and educational programming must compete in effect with all sorts of non-instructional, even mindless, fare." And this means expenditures of large sums of money. Hundreds of thousands of dollars will have to be invested in high level production of visually mediated courses. Universities are no longer dealing with captive markets. They are in a competitive situation which needs and requires serious consideration of the advantages and opportunities of the technological revolution in higher education.

While there are success stories here and there in various institutions in the United States, there are no simplistic answers available as to the precise "how" and "when" of the solutions to technology's application to education. Whether it be cable or computer, cassette or closed circuit, it will require considerably more resource to apply technology to instruction on an accelerated scale to meet the Carnegie Commission's expectations for the 1980s or the year 2000. The price of course will be high. Technological revolutions are not purchased cheaply in any field, particularly not in a field as wondrously resistant to change as higher education. While it may in fact become a fact in time, the educational technological revolution is not yet at hand.

SOCIAL SECURITY

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. SEIBERLING. Mr. Speaker, reserving the right to object, I would like to ask the chairman a question about this bill. I certainly do commend the acting chairman for getting out a bill which is acceptable to the other body on this very important subject. However, I have been greatly concerned about the implications of future increases in the social security costs, because each time we increase social security benefits we raise the payroll tax. It is gratifying that this time it has been done in a manner that makes the tax somewhat less regressive than it already is, but I wonder if the acting chairman could tell the House what steps are being taken in the committee to try to develop a less regressive method of financing social security, either by putting a part of the cost into general revenues or some other means.

Mr. ULLMAN. Mr. Speaker, if the gentleman would yield to me, as to this specific bill, I think it is a very responsible bill in that we have taken a minus 0.76 deficit in the long-range actuarial position of the social security trust funds and brought it back down to a minus 0.51, which the actuaries tell us is within the responsible range.

We have not in this bill made any immediate increase in rates, but we have increased the base, as the gentleman knows, from $12,600 to $13,200 as of the first of the year. Also, I want to say to the gentleman that we have spent a good deal of time discussing the very matter that he has raised within the committee, and in our committee report on the bill on page 7, which I urge my friend to look at, the language is very clear in setting up a study to do exactly what the gentleman suggests. We need to try and get this social security program tax on a less regressive basis and to find mechanisms that will keep the fund responsible but at the same time stop this drift that we have had toward more and more regressive taxation.

Mr. SEIBERLING. Mr. Speaker, I might say that the gentleman and his committee are deserving of great commendation for proceeding with that

study, because not only is the payroll tax becoming unduly burdensome for the middle and lower income workers in this country, but I think we are going to run into increasing resistance to future increases in social security benefits because of the tremendous burden that is now being placed on the working people of the country.

Mr. Speaker, I withdraw my reservation of objection.

THE KARAMANLIS SOLUTION FOR GREECE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. ROSENTHAL. Mr. Speaker, the recent military revolt in Athens which overthrew another military government, raises serious questions about both the stability of Greece and about the wisdom of past American policy toward that country.

Since the parliamentary government of Greece was overthrown in April 1967, we have practiced a policy of uncritical support for the military regime of George Papadopoulos. We did this, ostensibly, to insure the continuing operation of American air and naval bases. This cynical policy has eroded badly the traditional Greek friendship for the United States.

The United States faces sharply reduced options today in Greece. We can either use all of our influence with the present interim military government to seek a democratic restoration or we can continue to drift, hoping that somehow our military base rights will survive in an increasingly turbulent political environment.

George Anastaplo, professor of political science at Rosary College, Chicago, recently wrote the following letter which was published in the Chicago Tribune on December 11. Professor Anastaplo gives one prescription for the return of democracy to Greece. He suggests that the present military government recall Constantine Karamanlis, the most successful of postwar Greek Prime Ministers, who directed the country for nearly 8 years.

I think Professor Anastaplo's views are well worth reading:

DECEMBER 10, 1973.

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 strongman, especially one with so much recent experience in torture of his fellow citizens. 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) comprised, 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.

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? Everyone should realize by now that phony constitutions and fake elections cannot work in Greece today.

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

OIL PROFITS KEEP RISING

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. HELSTOSKI. Mr. Speaker, virtually every American knows that our Nation is in the throes of a severe energy shortage. People in north Jersey, for example, as a result of the shortage have begun to modify their lifestyles. The notion of driving merely for enjoyment, for one thing, is almost passé; and the predominance of single passenger vehicles on the highways has begun to decrease. In addition, my office, and many other offices, have been inundated with inquiries from constituents in search of specific information concerning how the crisis will affect their businesses and their lives.

Yet, while our national concern grows each day and experts everywhere offer only pessimistic predictions, the profits of the large oil companies, ironically, continue to skyrocket. As a result, many citizens are cynical about the shortage, and believe it has been manufactured by the oil companies themselves.

Mr. Speaker, nevertheless, the facts show that the oil companies are now enjoying record profits. To illustrate this, I wish to share with my colleagues some statistics which have recently come to my attention. The following information, which appeared November 5 in U.S. Oil Week, vividly underscores the fact that the oil companies themselves have succeeded in remaining unscathed by this so-called crisis:

SOME MAJORS COMPLAIN DESPITE BIG THIRD QUARTER EARNINGS JUMP

Our final tabulation of third-quarter oil company earnings appears below. Last week several more companies reported record high earnings. Also last week, oil company executives were quick to point out that some of the booming figures were the result of depressed earnings in 1972. The execs were critical of those who would maintain that the higher earnings were the result of contrived shortages and antitrust violations:

	Net income 3d quarter (millions)	Percent gain	Net income 1st 9 mo. (millions)	Percent gain
Amerada Hess	$43,800	294.0	$113,879	88.0
Amer. Petrofina	9,200	----------	20,222	58.0
Arco	59,784	16.0	178,488	37.0
Ashland [1]	24,400	17.0	85,200	25.0
Citgo	28,600	61.0	104,800	24.8
Clark	9,154	284.0	22,413	349.6
Commonwealth	9,200	3,965.0	----------	----------
Continental	54,200	38.0	153,400	24.1
Exxon	638,000	80.0	1,660,000	59.0
Getty	33,700	57.5	90,100	22.9
Gulf	210,000	91.0	570,000	60.0
Imperial	----------	----------	111,000	39.6
Kerr-McGee	13,191	17.0	44,100	20.0
Marathon	30,700	36.0	82,500	49.0
Mobil	231,200	64.1	571,200	38.4
Murphy	15,175	379.9	34,598	371.3
Occidental	----------	----------	55,400	7,153.0
Phillips	53,850	43.0	143,700	30.0
Shell	83,600	23.0	253,300	41.0
Skelly	----------	----------	27,260	9.5
Sohio	18,000	14.0	62,500	55.0
Standard of California	226,000	50.6	560,500	39.7
Standard of Indiana	147,300	37.0	389,800	32.0
Sun	573,000	45.8	154,900	43.2
Tenneco	53,300	20.0	149,300	12.9
Texaco	307,358	48.2	838,917	34.8
Union	50,700	61.0	129,100	44.0

[1] 4th fiscal quarter.

A FAREWELL TO A FINE FRIEND

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. MILLER. Mr. Speaker, it is my privilege to join with my House colleagues on this occasion to pay tribute to our distinguished friend, Mr. Ernest Petinaud, who is retiring after more than 40 years service on Capitol Hill.

I recently attended a reception honoring Ernie, and was deeply moved by his comments on that occasion. He said then:

To me whenever a man or woman is elected to the Congress, he instantly becomes my friend, regardless of his or her race, creed, or political persuasion. I have continued to maintain that feeling through the years of my service in the House of Representatives Dining Room and thank God I have never had to regret that attitude and manner.

Long after leaving the Congress and the hustle and bustle of Washington, my wife, Helen, and I will remember the thoughtfulness of Ernie and his charming wife Jeannette. More than the maitre d' of the Members' dining room, Ernie himself is an institution. Always on the job and always cordial, he seems to take the greatest pleasure in doing things for others.

His consideration for the Members of Congress, their families, our staffs, and

the thousands of visitors to the Capitol Building is unmatched in sincerity and I know that I echo the sentiments of all who know Ernie well, or who have met him only once, in saying that we appreciate his hard work, his personality and his perseverence.

He is one in a million.

Ernie called his retirement the "end of an era" and, indeed, it is. He has been a familiar figure at the Members' dining room for more than three decades. Ernie told me once that he most enjoyed the atmosphere of friendship on Capitol Hill. The fact is that it is persons such as he who create that atmosphere, and we're all extremely grateful for it.

We wish Ernie and Jeannette the very best for years to come.

ISRAELI PRISONERS OF WAR HELD BY SYRIA

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. RONCALLO of New York. Mr. Speaker, two of the recurring and tragic realities connected with any war situation are once again manifest in the aftermath of the latest Arab-Israeli conflict. The first is the cold-blooded and opportunistic attitude adopted by some nations in handling the prisoners of war they have captured during the course of hostilities. The second is the apparent unwillingness or inability of the world community to enforce universally approved directives of international law regarding treatment of such prisoners.

As far as can be determined, Syria is currently detaining some 100 to 150 Israeli soldiers. While this may not seem to be a huge absolute number, in proportion to Israel's population it is the equivalent of 10,000 Americans being held by enemy forces. We have but to remember U.S. actions in Indochina on behalf of 1,000 American POW's to recognize the justification and urgency of Israel's concern. The cynical manipulation of these unfortunate noncombatants on the part of Syria is in blatant violation of the Geneva Conventions of August 12, 1949. It is clear that Syria has refused in any way to comply with the very minimal standard of morality and there is growing evidence that acts of the most barbaric and hideous quality have occurred.

After the Syrian forces that had penetrated the region of the Golan Heights had been driver back. Israel defense troops discovered proof that 28 Israeli soldiers, who had been taken prisoner by the Syrians, had been murdered in cold blood after their capture.

The bodies of 11 Israeli soldiers were found at the Hushneyah crossroads.

Seven bodies were found at Hushneyah village.

Three bodies were found at Tel Faris.

At least 7 Israeli POW's were murdered by the Syrians at the Israel defence forces strong-point on Mount Hermon.

In the light of the condition in which the bodies were found, it is clear that the Israeli soldiers were murdered systematically and in cold blood after they had been taken prisoner: They were blindfolded, their hands bound, and in some cases their legs were bound as well.

The material follows:

MURDERED IN COLD BLOOD

HUSHNEYAH

The bodies were found in a wadi concealed methodically but not completely by stones and shrubs. In every case, their hands were bound behind their backs with laces taken from their own boots, and their eyes were blindfolded with rags or bits of clothing. Some of the bodies were found unclothed and unshod. Examination of the bodies discloses that the prisoners were shot at very close range. Every body was riddled by a number of bullets. Considering that some of the bodies were found unclad and stripped of all their personal belongings, including identity discs; it has been possible to identify only six by name.

HUSHNEYAH VILLAGE

The murdered Israeli P.O.W.'s were found all together in a field near the village, their hands bound, their eyes blindfolded. Of the seven bodies, only three could be identified by name. Five of the bodies were found with their upper parts bare. Two other bodies were discovered dressed only in undershirts. All the bodies were found, as said, together in one spot. Beside the bodies were found shirts of the murdered men. On examination, it was seen that the shirts were intact and not pierced by bullets. Empty cartridges were found only a metre away from the bodies. One of the murdered men was found with his legs bound.

TEL FARIS

Here the bodies were found in a ditch, the hands of all three of the murdered men tied with rope. The men were clad in their underwear only. All had been shot at very close range. All have been identified by name.

MOUNT HERMON STRONG POINT

At least 31 soldiers of the Israel Defence Forces surrendered on 8 October 1973 to a Syrian force which surrounded the position. According to the testimony of Syrian Forces, the last 5 of the 31 Israeli soldiers to emerge from the strong-point when the garrison gave itself up were shot dead while their hands were raised and they were unarmed. The testimony in question affirms that the 5 Israeli prisoners who were shot were murdered on the specific orders of the officer commanding the Syrian battalion on the spot.

Two other Israeli soldiers were murdered as the line of prisoners marched towards the neighbouring Syrian strong point. According to the evidence of the Syrian prisoners, orders were given to the Syrian escort to kill every Israeli prisoner who lagged behind. Two of the prisoners had difficulty in walking because they were wounded, and they were accordingly shot dead by the Syrian soldiers.

The purpose of the Geneva Conventions is to prevent prisoners of war from being made into political pawns and to safeguard their most elementary rights as human beings. We must make it clear to the Syrian Government that rules of law do not depend for their force on the bargaining position of the parties involved at any point in time.

I have cosigned a letter to Secretary of State Kissinger calling upon him to instruct the U.S. Representative to the United Nations to introduce a Security Council resolution asking Syria to fulfill Geneva Convention requirements by providing the International Red Cross with a full list of prisoners and permitting the Red Cross to visit POW facilities and contact those held captive. This letter also calls for the immediate exchange of wounded prisoners. It is our moral duty to call upon the International Committee of the Red Cross to take, at once, the necessary steps to condemn the barbaric and disgusting crimes that the Syrian Government has taken and to insure that proper and full protection be extended to all Israeli POW's. It is my sincere hope that the United States can pressure Syria to honor her commitments to human decency and bring about a full exchange of prisoners.

I work and pray for a favorable resolution for Israel in this latest conflict and shall do all in my power to assist in any way possible.

ERNEST PETINAUD

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, Decmber 20, 1973

Mr. PRICE of Illinois. Mr. Speaker, I join my colleague from Illinois, Mr. FINDLEY, and I congratulate him for his foresight in giving recognition to the years of honorable and dedicated service to the membership of the House by the friend of all of us, Mr. Ernest Petinaud.

Others before me today have traced Mr. Petinaud's long years as maitre de of the House Restaurant and have discussed many interesting experiences he has been through since he began work here in 1925. Ernie came to Washington before Mr. Smith and was here to welcome him in the movie "Mr. Smith Goes to Washington." In fact, reruns of that famous movie would show Ernie prominent in the cast.

In my years in the House I have never heard Presidents or any of the many foreign potentates who have visited here receive the enthusiastic applause which Ernie received tonight, not once, but twice—at the beginning and the close of the many tributes to him—everyone from the heart of the Members who have known him so well. I was thrilled as I joined in the thunderous applause as Ernie and his lovely wife stood in the gallery to acknowledge the tribute.

One Member spoke of the consideration Ernie has always shown to the Members and their wives, saying the wives would join in this evening's tribute. I can certainly say that Mrs. Price, who has so often spoken of the kindness and thoughfulness of Ernie, would have loved to have been here to witness this well-deserved tribute.

I think it was the gentleman from Ohio, Mr. CARNEY, who unveiled Ernie's wrestling career. I can say with authority that he has maintained his love for all sports. I am only sorry that Ernie's friend, Sam Muchnick, of St. Louis, president of the National Wrestling Alliance, could not be here tonight to witness the acclaim given to Ernie by the House membership.

REPORT OF THE 1ST SESSION, 93D CONGRESS

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. PRICE of Illinois. Mr. Speaker, the 1st session of the 93d Congress has been historic. Exercising needed leadership at a time our governmental system has faced its severest test since the Civil War and the depression, because of an executive branch crippled and crisis-ridden by unparalleled scandal has earned this Congress a special place in American history.

As we prepare to celebrate our Nation's 200th anniversary we can readily appreciate the wisdom of our Founding Fathers. Their efforts have produced a remarkable political system with sufficient flexibility and durability for handling crises that would render total chaos in other nations. That the administration has not collapsed under the weight of Watergate and former Vice President Agnew's clouded departure is living testament to the work of the 1787 Constitutional Convention.

The session has reflected congressional concern over restoring public confidence in the Government. Congress has acted decisively to strengthen its partnership with the executive branch and the capability of the Federal Government for meeting the problems facing the American people. Congress has continued to reform itself in order to improve its public accountability. It has initiated and deliberated upon legislation concerned with important public policy, particularly that relating to the energy crisis and the economy.

EXECUTIVE-LEGISLATIVE RELATIONS

Debate over the partnership, heated at times, has centered on revitalizing the Federal Government so that it effectively conducts public business. Congress has reaffirmed its constitutional role in decisions involving the commitment of U.S. military forces to combat areas. Overwhelmingly, the Congress has adopted a war powers resolution establishing guidelines delineating the roles of Congress and the President in the warmaking process. Overriding President Nixon's veto of the resolution, the Congress has made it clear that it expects to participate as a full partner in this crucial policy area.

Earlier in the session, Congress enacted a measure banning bombing or other military activity by the United States in Indochina after August 15, 1973.

Congress is reasserting its constitutionally prescribed check and balance role by improving its capability of reviewing the executive branch's budget proposals. The Congress has moved toward creating a joint budget committee that would enhance congressional oversight and participation in the budget making process. In the interim, the chairmen and ranking minority members of the budgetary and finance committees have been meeting with Office of Management and Budget officials on next year's budget. Also, the budget control legislation which should be finalized early next session defines the President's authority on budgetary impoundments of funds. A number of Federal court decisions, totaling about 50, have upheld Congress' position that the congressional mandate must be followed by the Executive unless Congress acts otherwise. To date, some $12 billion has been impounded by President Nixon.

The House has enacted a resolution providing funds for the Judiciary Committee to undertake its investigation into the question of impeachment of President Nixon. The committee will recommend to the full House either for or against further action. It is expected to report its findings by April of next year.

CONGRESSIONAL REFORM

Congress continues to build upon the foundation it laid last year when it enacted the Campaign Reform Act and instituted improved voting procedures in the House. Improved selection methods of committee and subcommittee chairmen, modification of the seniority system, increased public access to committee meetings and improved policy assessment capability have been implemented since January.

A select committee appointed by House Speaker ALBERT has undertaken the most comprehensive study of the House committee system since the 1946 Legislative Reorganization Act. The purpose of the study is to find ways to improve and strengthen committee operations. Because the committees are the lifelines of the legislative process the study may have profound impact on how the Congress operates in the years to come.

Campaign finance reform efforts have made headway during the session. The House Administration Committee has indicated that it will report out a campaign finance bill based upon its recent hearings in the early part of the second session. In the wake of Watergate the question of how we pay for politics in this country is looming as an important policy question that must be resolved if confidence in our political system is to be restored.

THE ENERGY CRISIS

The Arab oil embargo crystallized the energy crisis facing this Nation. Long in making the crisis has been accelerated by the Arab policy. Congress has been warning for some time that the country faced a severe energy shortage. Unfortunately, the administration did not heed congressional advice until after the crisis had hit.

Congress provided the President with authority to impose fuel allocation several years ago. In April the Congress strengthened this authority when the Economic Stabilization Act Amendments were enacted. This was subsequently improved upon with enactment of the Emergency Petroleum Allocation Act. The Congress could see the energy shortages and fuel allocations coming and provided the President with the authority to deal with them.

Additionally, Congress is completing action on the Energy Emergency Act which seeks to minimize and make as equitable as possible the economic hardships associated with the energy crisis. Among other things, it provides for increased utilization of coal, protection against job loss, limitation of windfall profits, tighter control over petroleum exports, and congressional oversight of any proposed fuel conservation measures.

Earlier, the Congress enacted the trans-Alaska pipeline legislation to increase oil production for the United States. Congress has also appropriated $23 million more than the President's budget request for coal gasification and liquefaction. Increased funds have been appropriated for geothermal, solar, gas, and nuclear power research. Unfortunately, more than $20 million in energy research and development money has been impounded by the President's Office of Management and Budget.

To improve administration and policymaking in energy research and development, the House has approved creation of the Energy Research and Development Administration. This new agency will be responsible for directing the proposed $10 billion program aimed at achieving a national capacity for energy self-sufficiency by 1980.

Other energy-related legislation the Congress has considered this session includes implementation of year-round daylight savings time, reduced highway speeds, urban mass transportation operating subsidies, and Federal highway assistance which authorizes in our area the on-grade rail crossing elimination project on U.S. Highway 460. The project is designed to improve highway safety, eliminate hazardous crossings, and improve railroad operations which will produce energy savings.

THE ECONOMY

Directly related to the energy crisis is the state of our economy. Faced with the prospects of inflationary recession the Congress extended the economic stabilization program providing the President with the necessary authority to fight inflation.

To protect the elderly and disabled from the ravages of inflation Congress has boosted social security benefits by 11 percent in a two-step increase. The first 7 percent increase is effective in March and the second 4 percent increase takes effect in June. Veterans will receive a cost-of-living increase in their pension rates and income limitations as soon as the House and Senate can work out their differences. This should be one of the first orders of business in the new session.

Pension reform legislation is nearing final congressional action. Designed to protect workers with private pensions the legislation has passed the Senate and should be cleared for House consideration early next session. It is one of the most important pieces of legislation awaiting congressional approval.

A new farm program has been established as Congress has enacted the Agriculture and Consumer Protection Act. It encourages production of food in order to meet increased demands and forestall shortages. The measure establishes a target price concept for farm commodities

under which no support payment will be made if the market price exceeds the target price.

Congress has voted extension of the Public Works and Economic Development Act, the Airport and Airways Development Act, and Rural Electrification Act amendments, all of which are designed to strengthen the economic base of the country.

The Railroad Retirement Act has been amended to permit disability benefits to the children of retired railroad workers if their disability begins before age 22. Full retirement benefits under the program have been authorized at age 60 after 30 years of service instead of age 65. Extended unemployment compensation benefits have been approved in States with an unemployment rate of more than 4.5 percent.

Congress has approved a comprehensive manpower act designed to improve training and employment opportunities. The bill enables local areas to act as sponsors for manpower programs.

To spur economic development in the 23d District, Congress has appropriated $20,080,000 for seven area navigation and flood control programs. Included are: St. Clair-Madison County interior flood control program, $1,200,000; Cahokia Creek low-water dam construction, $900,000; Kaskaskia River navigation project, $8,700,000; Alton lock and dam, No. 26 project, $1,500,000; Silver Creek flood control programs, $180,000; Chain of Rocks navigation lock construction, $4,100,000; and the Mississippi River navigation channel regulating works program, $3,500,000.

HUMAN RESOURCES

Congress has approved a health maintenance organization program for improved health care delivery and reduced medical costs. It has extended the basic public health training, hospital construction, and health research programs. Federal assistance has been authorized to develop local emergency health care services.

Increased Federal assistance under the school lunch and child nutrition programs has been voted. Funds have been authorized to prevent health damage from lead-based paint and final action is underway for establishing a comprehensive child abuse prevention program.

The Older Americans Act has been extended. It provides Federal assistance to help the elderly. The vocational rehabilitation program has been strengthened. Despite Presidential opposition to the cost, the program provides assistance to States for vocation rehabilitation programs, with special emphasis on helping the most severely handicapped.

In closing, it is noted that Congress will have a heavy workload when it returns in January. I am confident that the Congress will continue to take the necessary action to promote this Nation's general welfare. As the most representative legislative body in the world, it is our responsibility to protect the rights and interests of the American people. I firmly believe that with the help of the American people we will be equal to the occasion.

SPEECH OF JUDGE ABRAHAM H. LIPEZ

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. JOHNSON of Pennsylvania. Mr. Speaker, recently, I had the honor of attending the testimonial dinner of Judge Abraham H. Lipez on the occasion of his retirement. I felt his speech was such a moving one that I respectfully submit it as part of the RECORD.

RESPONSE OF JUDGE ABRAHAM H. LIPEZ AT TESTIMONIAL DINNER HELD DECEMBER 1, 1973

This is an emotional moment for me. The presence here tonight of so many of my long time friends, the distinguished guests and the generous comments of the speakers make it difficult for me to contain myself.

It is almost twenty-one years since I was appointed Judge and sworn in before many of you whom I see here tonight.

As some of you may remember, I had been a general practitioner especially active in trial work. However, it did not take me very long to realize the great difference between a judge's approach to legal problems and that of a lawyer. After all the lawyer's approach is partisan and largely dictated by the needs of his clients. Hence, his energies, his research and thinking is directed towards that end; whereas, the judge must decide between the conflicting self-centered claims of the litigating parties. And the trial itself I found was a far cry from the objections one makes as a lawyer compared to being the target of barrages of objections, and the necessity of shooting from the hip in making instant rulings.

And soon I learned the meaning of the soul-searching experiences a judge goes through in the isolation and loneliness of trying to decide—perhaps the fate—perhaps the liberty—perhaps the property—of the people before him. I was awed by the power vested in the judge in making decisions in which he had such a wide discretion—decisions which could change the whole course of a person's life.

Should a person be placed on probation, or should he be imprisoned? If so, for how long? Should a youngster be counselled and remain home under supervision or is he now beyond the control of his parents and the community, requiring some kind of institutionalization. To whom should custody of the child be given between bitterly contending parents? For whom should he decide in non-jury actions and what should be the nature and extent of a decree or judgment. Should he set aside a verdict and grant a new trial in those delicate weighing situations in the interest of justice. These are but a few of the countless problems which are the almost daily lot of a judge.

So often I was surprised by novel situations which seemed to arise, raising questions of first impression or changes in the law where the appellate courts had reversed their prior holdings. Sometimes I wished I was in the position of those judges Mr. Justice Miller used to talk about, who said that a prime factor in shaping the law in our western states was ignorance; these first judges did not know enough to do the wrong thing, so they did the right thing.

Perhaps I longed for absolute principles of law to guide me to right decisions. Maybe I had been unduly influenced by the quotation from Lord Coke which I saw almost daily as student at the University of Pennsylvania Law School inscribed over the stairway to the balcony that, "The known certainty of the law is the safety thereof." My naivete in believing that certainty was attainable was especially impressed upon me during my years on the Bench. I soon concluded that in many areas the law's only certainty was its uncertainty—that today's certainty often became tomorrow's fallacy.

Most of us had believed that at least in the field of science, certainty could be attained. Then over a generation ago, scientists announced their Principle of Uncertainty based on the observation that all knowledge is limited and, therefore, not absolute; that after all science is a very human form of knowledge and hence, as the noted mathematician Bronowski recently stated, "every judgment in science stands on the edge of error and is personal."

All of us who have spent our lives in the law, recognize the applicability of these observations to the law, which so often is vague and variable. Yet, how can it be otherwise for the stuff of law is life and the experience of mankind. Judges are only too aware that their judgments stand on the edge of error; that time may disprove their most cherished concepts.

Judging is indeed a humbling experience. How can a judge ever know he's decided wisely. Only time can tell. You will remember Shakespeare has Mark Antony saying:—"The evil that men do lives after them. The good is oft interred with their bones."

Perhaps the same may be said of a judge's mistakes.

Well, I'm sure I've been in error many times—for I am but a fallible human being. I have so often been assailed by doubts and I have never failed to consider that I could be wrong. But decisions had to be made—thousands of them, and I can only hope that on balance they have been right ones.

Well, how can one sum up the challenge of twenty-one years as a judge—what can one say to all of you who have touched me so deeply by your presence here tonight.

I borrow from that great Judge Learned Hand, who said in his 84th year:

"By some happy fortuity man is a projector, a designer, a builder, a craftsman; it is among his most dependable joys to impose upon the flux that passes before him some mark of himself, aware though he always must be of the odds against him. His reward is not so much in the work as in its making; not so much in the prize as in the race. We may win when we lose, if we have done what we can; for by so doing we have made real at least some part of that finished product in whose fabrication we are most concerned:—ourselves. And if at the end some friendly critic shall pass by and say, 'My friend, how good a job do you really think you made of it all?' We can answer, 'I know as well as you that it is not of high quality, but I did put into it whatever I had and that was the game I started out to play.'"

With all my faults, and they are legion, and with all my errors, and they are many, I did put into my job everything I had. Perhaps it was not of high quality—man is not granted omniscience, but I tried to be right with my conscience and my God, and can only hope that I have made some contribution to the pursuit of justice.

And so tonight, on the eve of my farewell as your Judge, I say to you, my fellow citizens of this county—thank you for the opportunity you gave me to be your Judge through the years—and to you, my fellow workers, thank you for the years of devotion and loyalty. And to all of you here tonight, my heart overflows with gratitude for this demonstration of your feelings.

I make but one request—that you accord my able successor, Judge-elect Carson Brown, the same cooperation and consideration in carrying on the difficult duties and responsibilities of this office which you have given me through the years.

YWCA STATEMENT ON ABORTION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. RANGEL. Mr. Speaker, the YWCA, an organization with a Christian purpose and a long history of thoughtful concern for the ethical implications of legislative action, is deeply disturbed about the present threat to the Supreme Court ruling that abortion is a private matter between a woman and her physician.

The majorty of their more than a million members had been convinced that Federal and/or State laws in the area of abortion that permit one group of people to impose their views on another are unconstitutional and an invasion of privacy. They believe that any woman should be able to have access to safe medical abortions if this seems the solution that she and her physician decide upon in her best interest.

The issue of moral and ethical values related to abortion must be considered from many perspectives in a nation of such religious, cultural, and racist diversity as exists in the United States. A highly ethical stance must also concern itself with the quality of life for the living as well as for the potential of life. The coercive effects of laws which limit a woman's right to decide in this area are also of paramount ethical concern. The YWCA believes that the individual rights and liberties of all citizens and the right of privacy guaranteed by the Constitution must be respected. In further explaining this position, the YWCA has prepared a position statement on abortion. I now submit it for the RECORD, for the benefit of my colleagues:

POSITION STATEMENT OF THE YWCA OF THE U.S.A.

NEW YORK, N.Y.

In the 24th National Convention of the YWCA of the U.S.A. in Boston, Mass., April, 1967, the delegates voted to work to liberalize the abortion laws, and in the following three year period many YWCAs studied the issues, attended hearings in their State Capitals, and kept in touch with the results of liberalization. Across the country members became convinced that repeal of abortion laws was the answer because laws with specifications can discriminate against the poor who cannot afford to travel to places where legal, safe abortions are available. These women are at the mercy of unskilled abortionists working under unsanitary facilities.

The decision to give emphasis to the repeal of all laws restricting or prohibiting abortions performed by a duly licensed physician was voted in the 25th National Convention of the YWCA of the U.S.A. in Houston, Texas, in April 1970. Delegates representing 48 states were selected by their local Associations, and voting delegates were empowered to cast their votes, keeping in mind the best interests of the total YWCA. The decision to support repeal of restrictive abortion laws was passed unanimously.

In the 26th National Convention in San Diego in March 1973, delegates voted to "support efforts to provide safe, low-cost abortions to all women who desire them."

In line with our Christian Purpose we, in the YWCA, affirm that a highly ethical stance is one that has concern for the quality of life of the living as well as for the potential for life. We believe that a woman also has a fundamental, constitutional right to determine, along with her personal physician, the number and spacing of her children. Our decision does not mean that we advocate abortion as the most desirable solution to the problem, but rather that a woman should have the right to make the decision. Along with the YWCA many religious, social work and medical groups have endorsed repeal of laws because this makes it possible for a woman to have access to safe medical service if this seems the solution that she and her physician decide upon. This point of view is taken by many women who themselves would not seek an abortion.

Because the YWCA voted as its overall imperative to work to eliminate racism wherever it occurs in institutions, it has a concern that no woman should be deprived of services that others can have, but it also is concerned that no women be pressured into decisions which are not in their best personal interest.

SOCIAL SECURITY TAXES

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. SYMMS. Mr. Speaker, the Washington Star-News carried a very enlightening editorial this morning about the social security system which I would like all Members of Congress have available to read. The burden of taxation in this country is scandalous, and I am glad to see some members of the press putting the picture into perspective.

I am only sorry the Congress has not gotten the message yet.

The editorial follows:

SOCIAL SECURITY TAXES

Some startling information on the impact of Social Security taxes was revealed the other day in hearings before the House Ways and Means Committee. It is that more than half of all American households pay more Social Security taxes than they do income taxes. To put it another way, the bite for Social Security is higher for them than it is for all the other multitudinous functions of the federal government.

Now, the Congress is considering yet another increase in the tax to finance further increases in Social Security payments. Somewhere along the line, a halt has to be called. It was never intended that the Social Security System enacted in 1936 would become such a drain on the wage-earner.

As Representative Karth of Minnesota, a member of the Ways and Means Committee, said: "People already are beginning to rebel, and if we increase the rate substantially there will be an open rebellion."

Under existing law, the tax rate for a worker is 5.85 percent on income up to $10,800, which comes out to a maximum of $631.80 a year. Next year, the wage base on which the tax is levied was scheduled to go up to $12,600, which means the maximum tax would be $737.10 for the year. A new proposal in Congress would raise the base to $13,200 in January, meaning a maximum tax of $772.20.

The person hardest hit by the Social Security tax is the low-income worker. The 5.85 percent tax is extracted from his pay no matter how small.

A number of proposals have been made to reduce the burden on those least able to pay. The Nixon administration is reported to be considering eliminating the tax on workers with income below the poverty level. Some would have a graduated tax—small at the low-income levels and increasing at higher income levels. Some would keep a flat rate but impose a firm cutoff point and make up any deficits by appropriations from general tax funds.

It seems to be time for Congress and the administration to take a serious look at whether some basic changes need to be made in the method of financing. The Social Security System has been of such enormous benefit in alleviating poverty among the elderly that nothing should be done to endanger it. But the simple truth is that the point will come—if it is not already at hand—when the workers will rebel against the payroll taxes that finance the system.

THE 10-HOUR DAY, 4-DAY WORKWEEK AS A RESPONSE TO THE ENERGY CRISIS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. RANGEL. Mr. Speaker, the daily worsening energy crisis demands both swift and determined action to use what resources this Nation possesses in the most practical and efficient manner. Measures to ameliorate fuel shortages this winter and certainly for many years to come are of instant importance.

I am submitting for the information of my colleagues a copy of a letter sent by the President of the National Federation of Federal Employees to President Nixon concerning the NFFE proposal that a 10-hour day, 4-day workweek for departments and agencies in the Federal Government be placed into effect at the earliest possible time.

The implementation of the NFFE proposal would be a significant contribution toward savings in both fuel and electrical power at a time when these scarce reserves must be apportioned in the national interest.

The letter follows:

NATIONAL FEDERATION OF FEDERAL EMPLOYEES,

Washington, D.C., December 13, 1973.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As Americans, as taxpayers and as sharers in the freedoms and responsibilities of citizenship in our great nation, employees of the Federal Government are concerned and deeply involved in the energy crisis now facing us.

Scores of thousands of these dedicated career civil servants are represented by this union; the oldest and largest independent general organization of employees in the Federal service.

We are confident that the measures your Administration has taken and will take in the foreseeable future to assuage the fuel shortage and its attendant widespread deleterious effects upon the national economy will reflect what we know to be your own genuine concern with the problem and its many serious ramifications.

It is toward this end that the National Federation of Federal Employees submits the following proposal; one which would at the same time render appreciably less the consumption of energy by Federal departments

and agencies, while accomplishing this important contribution with minimum disruption of vital government services to the people.

The National Executive Council of this union has authorized me to propose that, by Executive Order, you place into operation the earliest possible time a 10-hour day, 4-day work week in the Federal Government, except for such agencies and installations wherein presently constituted work weeks are essential in the national and public interest; the basic work week to consist of 4 consecutive 10-hour days, followed by 3 consecutive days off. Hours worked in excess of 10 hours per day or 40 hours per basic work week to be considered overtime hours.

Institution of the 4-day week at this time would result in substantial savings in fuel with respect to the heating of and supplying of power to public buildings. To those who question 2 additional hours of fuel consumption per work day, we would answer that maintaining heat and power in a public building for 2 more hours would be negligible compared to that expended for an entire day. Moreover, the driving to offices by car would be reduced by 20 percent. These actions would be a significant contribution to solution of the immediate problem facing the nation this winter.

Implementation of this plan by the Government could serve as a catalyst for private industry, as well as setting an example of positive action in a national emergency by Federal employees, so often unfairly accused of putting self-interest first.

There are, of course, obvious objections to be expected to a plan which calls for a longer workday, but we feel that they do not constitute a valid reason for failure to act on the NFFE proposal and to set the program in motion to secure its many advantages, nationwide, at the earliest possible date. Indeed, there already has been too much delay in the implementation of decisive plans and policies to meet this ever-deepening crisis.

Mr. President, we are aware that no one plan or action can solve the energy problems confronting us. This organization is eager, however, to contribute in full measure toward amelioration and eventual solution. Because we are convinced that others should do no less, we commend this proposal for your consideration.

I am available at your convenience for further consultation on this or any other Federal employee-management relations matter to which our more than half-century of experience and dedication can contribute.

Sincerely,

NATHAN T. WOLKOMIR,
President.

STRENGTH OF OUR FOSSIL FUEL

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. PICKLE. Mr. Speaker, the Nation needs to know the strength of our fossil fuel reserves in oil, gas, and coal, as well as electric power and all methods for meeting our energy needs. Our Nation needs to know exactly what our economy requires in the way of energy in order to continue to function. A great deal of this information is already being collected by the Federal Trade Commission and other governmental agencies but it has not been properly coordinated. Therefore I think it is desirable to set up a separate entity to gather the vital statistics on our energy needs as well as our energy reserves.

Recently Senator JACKSON and other Senators introduced a bill that attempts to accomplish this purpose. The provisions classifying information confidential or secret may need to be reexamined and possibly strengthened in order to adequately protect information that concerns our national security or information that might affect reasonable competitive equities necessary in our free enterprise system. Nevertheless this bill can serve as a vehicle to provide essential information necessary to us if we are to adequately solve our energy requirements.

Therefore, I am introducing today the Energy Information Act, a bill establishing a national energy information system in the Department of Commerce so that other Members may study it and offer suggestions to me. It is likely that a new and different version will be introduced after the recess but the basic information must be given whether in this form or in another. This is information that should be given, information that is needed by our Government and information that hopefully will help us solve the energy crisis.

NEEDED: A NEW BALANCE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. CRANE. Mr. Speaker, in the wake of the Supreme Court's January decision allowing just about any abortion on demand, many citizens throughout the land, including several of my colleagues, have rallied around the most visible and most obvious means of redress, a constitutional amendment to prohibit abortion on demand. I share their fervor, and agree completely that something must be done to limit unscrupulous destruction of the unborn, but I have my own doubts about the effectiveness or feasibility of that approach.

For quite a while I have been interested in another possible means of redress known as the jurisdictional limitation, that is, for Congress to pass a law simply declaring that abortion is beyond the pale of the Supreme Court, legislating that the Court has no power to make any decisions on it one way or another. I have tried to explain the advantages of this approach, and I am glad to see that, its magazine, Young Americans for Freedom, is also looking into the possibility. YAF, a nationwide youth organization of some 50,000 members, has taken a position against abortion, and at the national convention this past August the membership adopted a very strong resolution against the decision.

The article I refer to, "Needed: A New Balance" appeared in the December issue of New Guard, YAF's monthly magazine. Its author, Bascom Slemp, covers Washington affairs for another conservative journal, The Alternative. I wish to commend this article to my colleagues' attention, especially those with whom I share a deep hatred of abortion, and ask them to consider the jurisdictional limitation. It is certainly an avenue to explore, as this article demonstrates, and I might hope reading it would produce a fruitful exchange of ideas.

The article follows:

NEEDED: A NEW BALANCE

(By Bascom Slemp)

In recent weeks the phrase "constitutional crisis" has made increasing headlines. Critics both within and outside government are debating the viability of our political process in its present form.

But although Watergate, and the constitutional questions surrounding the President have come to overshadow all other political events in terms of press coverage, if not public concern, a constitutional question is now being posed which could have even more far-reaching implications. The question being posed by some constitutional lawyers and many of our national legislators, is to what extent Congress can control the jurisdiction and power of the Federal courts to redress alleged violations of Constitutional rights. Although the question is not entirely novel, it has taken the Supreme Court's decision on abortion to move it into the forefront of debate.

In the Supreme Court's 7 to 2 decision earlier this year, the majority of the court determined that during the first three months of pregnancy abortion is a right of the individual's privacy. Needless to say, this decision has evoked extreme emotional response on both sides of the political spectrum, with very little middle-ground. Although no one can ignore the social and moral questions involved in this decision, many constitutionalists are now asking whether or not the Supreme Court has stepped too far into the legislative arena and, if so, what Congress can do?

Father Daniel Lyons, S.J., in a recent article in the *National Catholic Register*, argued that Congress could pass a law restricting the appellate jurisdiction of our Federal courts. And indeed, based on judicial precedent and interpretation of the U.S. Constitution, Father Lyons' position is essentially correct. Under Article III (Sections 1 and 2) of the U.S. Constitution, Congress has within its power to "from time to time ordain and establish" inferior courts and to make "exceptions" and "regulate" the appellate jurisdiction of the Supreme Court.

Critics of this expansive interpretation argue, however, that the extent to which Congress may restrict the jurisdiction of the courts is not settled when it would, as for example in the 1948 case of *Battaglia* v. *General Motors Corporation*, be exercised in a way that violates other specific provisions of the Constitution, i.e., deprives "any person of life, liberty, or property without due process of law." Taking this interpretation within the context of the Supreme Court's recent decision on abortion such suggested restrictions might be indicative of a weakness in a Congressional Act attempting to prohibit the courts from hearing abortion cases. In the abortion decision the Supreme Court interpreted the due process clause of the Fourteenth Amendment so as to include within the right of privacy a woman's decision whether or not to terminate her pregnancy. The implication is that any Congressional attempt to preclude a woman from attempting to remedy a deprivation of that right in court may, in effect, deny her due process of law.

Even on the issue of busing, some constitutional lawyers who do not share this broad interpretation of Article III argue that a more limited view is appropriate. They contend that in general all the cases which

have dealt with the question of the separation of powers have dealt with Congressional curbs arising from the Common Law and Federal Statute. In other words, the rights affected were not constitutional rights. The same, they argue, might not be said on the issue of abortion, or even busing. Opponents of the expansive interpretation would consequently also attempt to defend the Supreme Court's decision on abortion and busing under the Fourteenth Amendment, i.e., no state shall deny to any person within its jurisdiction the Equal Protection of the Law, by citing the 1969 court decision in *Shapiro v. Thompson:* "Congress may not authorize the state to violate the Equal Protection Clause".

But although legal precedent is not so clear that Congressional action in this area would escape challenge, proponents of this expansive interpretation are confident that early constitutional history, as well as more recent judicial decisions, will support their viewpoint.

One of the earliest test cases on this question was the 1865 case of *Daniels v. Railroad Company* in which the Supreme Court said:

. . . it is for Congress to determine how far, within the limits of the capacity of this court to take, appellate jurisdiction shall be given, and when conferred, it can be exercised only to the extent and in the manner prescribed by law. (In these) respects it is wholly the creature of legislation.

Some of the cases from modern history also seem to indicate that modern statutory precedent supports an expansive view of Congressional authority to regulate lower Federal court jurisdiction. The most commonly cited cases in modern history in which Congress used its constitutional right to restrict the jurisdiction of both inferior courts and the Supreme Court to hear certain cases are: the 1932 *Norris-LaGuardia Act,* the *Johnson Act* of 1934, the 1942 *Emergency Price Controls Act,* and the 1965 *Voting Rights Act.* Probably the most explicit support for the expansive viewpoint came in the constitutional challenge to the *Norris-LaGuardia Act.* In the 1938 challenge (*Lauf v. E.G. Skinner and Co.*) the Supreme Court said: "There can be no question of the power of Congress thus to define and limit the jurisdiction of the inferior courts of the United States."

It is clear then that some unresolved questions remain pertaining to Congress' authority under Article III of the U.S. Constitution to accomplish a partial or total withdrawal of Federal Court jurisdiction in such areas as abortion and bussing. A further point which critics of the recent Supreme Court decision on abortion often fail to mention is that even if Congress were to pass an Act which would preclude abortion from the jurisdiction of the Supreme Court, such legislation would not operate ex post facto. Thus an Act would not repeal the Supreme Court's decision on abortion. It would first be necessary for Congress to pass a Constitutional Amendment which would guarantee the right to life of the unborn child (the Hogan amendment), or return the jurisdiction of abortion to the states (the Whitehurst or O'Brien amendments). Nonetheless, given the current debate on the "constitutional crises" and the alleged decline of Congressional power, this is certainly a subject which deserves the attention of the United States Congress.

Such legislation would reestablish Congress' basic authority to regulate the jurisdiction of inferior courts and the appellate jurisdiction of the Supreme Court. And in this particular case a simple majority in Congress could prevent the Supreme Court from ruling on abortion (and possibly even bussing) again. Given the reluctance to date of the House and Senate Judiciary Committees to initiate hearings on the remedial legislation pertaining to abortion, the introduction of legislation, which would control the jurisdiction and power of the Federal Courts and redress violations of constitutional rights, would also provide a vehicle for a discussion on the ethical and constitutional questions surrounding abortion.

For years some of our Congressmen and Senators have spoken with concern about the increasing centralization of power in the Executive branch, and the growing advocacy role of the Supreme Court. These spokesmen now have the opportunity (if we might use a Nixonian phrase) to give us deeds and not rhetoric, action and not words. It is an opportunity which should not be neglected.

THE ENERGY SQUEEZE

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Ms. HOLTZMAN. Mr. Speaker, the energy crisis facing this country is a grave matter and I believe it requires thoughtful and decisive action. In this regard, I would like to commend to the attention of my colleagues an article by Mr. Chester Bowles, former director of the Office of Price Administration, that appeared in the New York Times. Although he recommends a "drastic program," his suggestions may warrant serious consideration.

THE ENERGY SQUEEZE: EITHER/OR

(By Chester Bowles)

ESSEX, CONN.—Unless drastic steps are taken soon the present chaos of the petroleum industry will bring our economy to a halt and will ultimately erode the economic basis of our society. The following actions by the U.S. Government are, I believe, essential:

(1) The Government must assume direct responsibility for the operation of the entire petroleum industry as it did successfully during World War II.

(2) The Government should place price ceilings on all petroleum products at every level from the refinery to the price the consumer pays at his local gas station or to his fuel dealer. These ceiling prices should be set at levels that reflect the present prices of crude oil, allowing profit margins that are generally fair and equitable.

(3) Clearly, these price ceilings cannot be maintained in the face of rising prices of crude oil. Consequently, all crude oil from domestic or foreign sources should be purchased only by the Government and then resold to the refineries at prices which reflect the price ceilings. If, as seems likely, crude oil prices continue to rise, the Government will, of course, take a loss on this operation which may be substantial. This loss, which constitutes a subsidy to the consumer, is justified by the fact that we are faced with a national emergency, the burden of which should be carried by all of us as taxpayers.

(4) In addition, some form of rationing will most certainly be required. Mr. Nixon, whose expertise on this complex subject was gained during his brief service as a junior official of the San Francisco regional office of the Office of Price Administration, warns us that rationing will only create black markets and further expand our bureaucracy. This overlooks two essential points: the World War II rationing system was directly managed, not by the bureaucrats, but by some 300,000 unpaid volunteers working at local rationing boards, and to argue that we should avoid rationing because it creates black markets is like arguing that we should refuse to pass laws against breaking and entering because they will create burglars. During the war, moreover, the black market, although troublesome in the early stages, was eventually brought under control.

During World War II, the consumer allotments for gasoline, fuel oil, diesel oil, etc. was only half the prewar consumption. Under these conditions rationing was essential. If, as some experts now assert, our present oil supply is no more than 15 per cent short of our normal requirements, it might be possible to squeeze through by lowering our thermostats, cutting our driving speeds, and similar voluntary actions. As an alternative to our wartime rationing system, it has been suggested that every car owner be given the same basic ration, and that those who require more, could purchase it legally at a higher price. This system provides the well-to-do with whatever they require, while lower income families would be called upon to make the major sacrifices. This would be truly unfair.

This is a drastic program. But if the shortages are as great as the Government and the oil industry say they are, I do not see how we can get by with less. Only with the combination of price ceilings, major Government subsidies and rationing can the general public be assured of a fair share of whatever supply may be available at stable prices, with reasonable profit to the petroleum industry.

THIRTIETH ANNIVERSARY OF INTERNATIONAL HOUSE

HON. LINDY BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mrs. BOGGS. Mr. Speaker, in the midst of World War II, some 30 years ago this month, my husband Hale Boggs joined with 13 other business and civic leaders in the city of New Orleans to establish an organization designed to foster peace and good will among all men, an organization to flourish in peacetime and to discourage war. That organization was International House.

The inscription in the foyer, "Dedicated to world peace, trade, and understanding," of International House's building on Gravier Street in New Orleans best describes their purpose in inaugurating this new venture.

Certainly, the driving force behind the founding of International House was the late Rudolph S. Hecht, then chairman of the board of the Mississippi Shipping Co.

Now, in the years since its founding a score or more cities in our country have followed the highly successful pattern of New Orleans' International House, and organized similar institutions themselves.

It was December 28, 1943, when the articles of incorporation for International House were signed in New Orleans, and a unique and farsighted plan for peacetime was born. The establishment of this progressive organization was a significant factor in assuring there would be no return to "isolationism" in my part of the country. Its purpose was, and is, to develop and promote trade and commerce between the people of the whole Mississippi

Valley and those of the nations of the world, particularly the countries in our own hemisphere. In the three decades since its founding, International House has served as the great catalyst for the benefit of the port of New Orleans, and business and industry throughout the Mississippi Valley. Its success has been phenomenal, and this success has been showered on all who have worked through International House.

Since the founding of New Orleans in 1718, trade has always been the very life's blood of the city. International House's greatest contribution to our city has been its efforts to provide the tremendous increase in the past 3 decades in the volume of imports and exports handled by the port of New Orleans, which is today, and has continued to be, in most postwar years the Nation's No. 2 port, next only to New York City. The fine work of the officers and staff of International House has helped the port of New Orleans to enjoy this great development and prosperity.

My husband Hale had the honor and privilege to be the first executive secretary of International House. In November 1943 the completed plans for establishing this now world-famous organization were announced, and the next month, its articles of incorporation were signed. The 13 distinguished citizens of New Orleans who joined in forming International House were: William G. Zetzmann, who served as its first president; Wilmer Hayward; George H. Terriberry; Leonard K. Nicholson; E. O. Jewell; Charles Denechaud, Sr.; Salvador D'Antoni; A. B. Paterson; George E. Schneider; Eddie F. Lebreton; Theodore Brent; W. P. Flower; and Solon B. Turman. Many of these men are no longer with us to celebrate this anniversary but their good works live after them and are a daily reminder of their vision and their dedication.

In its membership, International House boasts the leading business, civic, and professional leaders of many communities, who represent all forms of transportation and every kind of business and industry engaged in trade and commerce.

International House is a nonprofit organization supported by its 2,600 members, and is a fine example of the fruits of energetic and imaginative men working together under our free enterprise system. It is literally an "international clubhouse" which sells no physical products. But it does sell, or promote, friendship and good will, trade and commerce, throughout the world.

What was it that prompted this group of leaders in New Orleans to envision such an organization and work toward its establishment during World War II? During the war our port was enjoying a great boom, and the most immediate reason was their determination to maintain New Orleans as the Nation's second port in the postwar era. Our businesses and industries, especially those geared to the war effort, also were thriving. In 1943 the port of New Orleans handled a total of $657 million in combined imports and exports. What would happen to this boom when the war ended? How could we maintain New Orleans' position in trade and commerce in the competitive postwar years?

They believed the establishment of an organization like International House was the answer.

Through the spring and summer of 1943 the idea for an international clubhouse to foster trade and commerce between the Mississippi Valley and the nations of the world advanced toward reality. By the time the articles of incorporation were signed in December, a total of more than $500,000 had been raised to help establish International House. This institution has fostered the reputation of New Orleans as a truly international, cosmopolitan city. Our port has continued to reign as America's second port. Scores of businesses and industries in Louisiana and other States drained by the waters of the Mississippi and its tributaries have realized the benefits of the constructive work of International House. All of this has been done through the basic concept, in the words of Paul Fabry, the managing director of International House, that:

> Friends always do business easier than strangers, and strangers can, and do, become friends through understanding and trade.

A list of the many projects International House has executed successfully are innumerable, but I would like to cite some of the most prominent ones over the years. They are:

The annual trade and cultural missions of International House members to nations all over the world.

The annual Pan-American press seminars which bring together leading editors of America with those of all media in Latin America.

Scholarships to deserving Latin American students for attendance at American colleges and universities which are provided through the Cordell Hull Foundation.

Two-way tourist promotion between New Orleans and the Mississippi Valley, and the nations of Latin America particularly, although travel to and from Europe and Asia also is promoted. International House members often guide VIPs through New Orleans and the Deep South.

Special programs for foreign students who are attending universities in Louisiana and Mississippi.

Periodic publications and directories to complement the cultural and trade works of the various Government departments and agencies.

Special exhibits for foreign artists in this country and exhibits of our art abroad.

Various educational television programs sponsored by International House.

Probably the most publicized and most successful work that International House does to promote trade and commerce through New Orleans and the Mississippi Valley is through its many trade and cultural missions to countries all over the globe. Their purpose is to spread the name of New Orleans and its port, to cite the advantages of engaging in trade and commerce through the port and with the businesses and industries of my city and in the Mississippi Valley. Most of these missions have been to the nations of Central and South America, but there have been several to western Europe, to Africa, to the Soviet Union and the eastern European countries, and to the Far East.

A very worthy and continuing program sponsored by International House is the foreign language instruction it provides at very low cost to New Orleans citizens. It offers regular courses in Spanish, French, English, German, and Italian.

Another of the splendid services which International House provides to American businessmen and those of other nations is through its Thomas F. Cunningham Reference Library. This specialized library on world trade matters was established with the founding of International House, and today its multilingual staff members answer questions of all kinds from all over the world. In effect, the Thomas F. Cunningham Library serves as an international information service on world trade and enjoys a worldwide reputation.

Some of its old periodicals cannot be found in any other library in the New Orleans area, and thus the International House library is a well spring not only for the businessman, but also for the student and the scholar.

The cornerstone of the daily operations of International House is its world trade development department, whose principal job is to bring buyers and sellers together from the four corners of the earth. The work of this department is enhanced through its close contact with American and foreign chambers of commerce, U.S. Government Foreign Service posts, foreign government representatives living in the United States and trade promotional organizations over the world. The department also studies the results of other American city missions to foreign countries for the purpose of trade, travel, and cultural promotion, and participates in many annual international trade conferences.

Another vital department of International House is the international relations department, which serves as guide and host to both government officials and private citizens from around the world when they visit New Orleans. This department also directs International House's student exchange program, through which hundreds of students have received scholarships and other forms of financial assistance. International House administers the Cordell Hull Foundation, which is a nonprofit corporation to aid needy and worthy students from Central and South America to obtain a college education in America through special loans.

Mr. Speaker, International House was the first American World Trade Center, and today it is still going strong and continues to serve as a prototype to most of the 85 "newcomers" in this field in some 32 countries around the world.

While there remains a justified and continued interest in Latin America, the thrust of International House now is worldwide and it plays an important role in the World Trade Centers Association, founded in New Orleans in 1968. This includes projects in the U.S.S.R., the Peo-

ple's Republic of China, and African nations.

Mr. Speaker, on the 30th anniversary of the founding of International House, it is with a feeling of intense pride that I salute all those, both past and present, whose vision, dedication, and hard, effective work have made of International House such a bright and successful venture toward a better world for all.

A CONGRESSIONAL TESTIMONIAL TO THE HONORABLE ARMEN BOYAJIAN AND COMMEMORATION OF THE 15TH ANNIVERSARY CELEBRATION OF THE PATERSON LYRIC OPERA THEATER, THE RESIDENT OPERA COMPANY OF WILLIAM PATERSON COLLEGE OF NEW JERSEY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. ROE. Mr. Speaker, object d'art, the entertainment and artistic talents of our people have always provided a necessary expression of the spirit from the doldrums of everyday living and contributed a most important element of cultural enrichment to all of our people. They provide quality of life and the opportunity for re-creation and diversion after toil—for that's what "recreation" means—refreshment and strengthening of the spirit of each and every citizen of our country.

Mr. Speaker, today, I would like to call to the attention of you and our colleagues here in the House the professional expertise of the Honorable Armen Boyajian, a native Patersonian of my congressional district, who has achieved an esteemed place in our community, State and Nation, as a concert pianist and accompanist for many artists of the Metropolitan and New York City Opera Companies. May I also highly commend to you the Paterson Lyric Opera Theater—PLOT—organized by Mr. Boyajian in 1958, which has flourished under his direction as a professional workshop for talented young singers and artists to a fully recognized opera company and just recently the resident opera company of the William Paterson College of New Jersey, performing full-length operas and graduating many of its members to the Metropolitan and city opera.

Mr. Boyajian's choral group includes volunteer students, businessmen and women and senior citizens. In tribute to all of his good works and in commemoration of the 15th anniversary celebration of the Paterson Lyric Opera Theater, a testimonial dinner was recently tendered in my hometown of Wayne in honor of Mr. Armen Boyajian under the auspices of leading citizens, connoisseurs and patrons of art dedicated to the preservation and enhancement of our cultural heritage. The committee members and supporters of this anniversary celebration program are as follows:

PROGRAM

Introduction: Bianca Hancock.

DINNER

Master of ceremonies: Ivan Charters.

Guest Speaker: Frank Gratale.

Guest of honor: Armen Boyajian.

Presentation: Lenny Kotz and Bianca Hancock.

Entertainment: Dancing.

Committee: Bianca Hancock, Charles Marootian, and Richard Boyajian.

Tickets: Dorothy Malizia and Joseph Hancock.

Souvenir program: Mary Weinheimer.

Cover: Dorothy Weinheimer.

Publicity: Pat Comer, Milena Jost, Janet Sellitto, and Minerva Wiener.

Guest Book: Willane Ennis

Reception: Debbie Fraser, Suzanne Giglio, Judy Telep, and Dorothy Weinheimer.

To the many generous contributors, thank you:

Mr. & Mrs. M. Aliotta, Peter & Geraldine Beversluis, Mr. & Mrs. Nazareth Boyajian, Grace Castagnetta, Nancy Eaton, Mr. & Mrs. Norman Feldhun, Margaret Fromentin, and Mr. & Mrs. John Jansen.

Ruth M. Kutner, Doris Montville, Katherine & Walter Pelensky, Denice Poschowicz, Sherwood Stedman, Selema Steinberg, Mr. & Mrs. Samuel A. Wiener, Mr. & Mrs. David Cassells.

BOOSTERS

Sally & Louis Albano, Teresa Apolei, Avagardo Family, Lucille Bender, Orlando Calcagano, Mr. & Mrs. David Cassells, Mr. & Mrs. D. Comer, Mr. & Mrs. Anthony Cornetto, Sam & Vera Cuccinello, Mr. & Mrs. E. Cupo, Mrs. J. Cypranowski, Mr. & Mrs. E. D. Arnese, Glori D. Arnese, Rose de Flora, and Isabel Bograd Fleiss.

Betty de Francesco, Mrs. Italo de Francesco, Rose Marie de Francesco, Diane de Lauiso, Gloria de Lucca, Debbie Fraser, Canio Del Vento, Domenic de Marco, Josephine de Marco, Anthony & Mary de Nova, Ron & Maria de Stefano, Elaine di Ricco, Joseph Dorfman, Ann & Renee Ennis, and Mr. and Mrs. William Ennis.

Kathy Flatley, Joseph & Victoria Fiore, Edward & Louise Fuller, June Fiske, Mr. & Mrs. Frank Geddes, Jennie Giannantonio, Suzanne Giglio, Mr. & Mrs. Robert Gorun, Mr. & Mrs. Frank Gratale, Philip John Graziano, Jason & Neil Hancock, Joseph & Bianca Hancock, Tom Honnick & Family, John H. Humber, Mr. & Mrs. Richard Jost, and Mr. & Mrs. Karney

Daniel Keith, Elaine De Francesco Keith, Mr. & Mrs. G. Kornbluth, George & Elsie Krause, John Lacz, James La Mont, Mr. & Mrs. J. La Sala, Mr. and Mrs. M. Laskowski, Sal & Nancy Longo, Mr. & Mrs. P. Richard Macaluso, Jennifer Malizia, Richard Malizia, Emily Manzi, Larry & Gloria Marcantonio, and Charles Marootian.

Frank Martino, Anita Meyers, Elio Messano, Louise Micca, Theresa Minnocci, Mr. & Mrs. Joseph Murano, Joyce Nieto, Lois Nordling, Ann R. Pepoon, Mr. & Mrs. E. Patrizio, Mr. & Mrs. Al Passaretti, Jean Perriner, Angela Profita, Eve Queler Opera Orchestra, N.Y.,

William & Rose Rosato, Kathern Saccoman, Sue Schell, John Scalafani, Janet Sellitto, Regina Serniak, Daniel R. Serritello, Annemarie Stark, John & Sonia Takoushian, Ruth Thompson, Beverly Triggan, Carl Wegmann, Isabelle Wegmann, Judith Weinberg, The Weinheimers, and Irma Zuberer.

The success and splendor of the performance of the Paterson Lyric Opera Theater and its artistic and musical director Armen Boyajian is eloquently reported in a recent news article that appeared in the Paterson News, one of New Jersey's most prestigious newspapers, under the byline of the distinguished correspondent James A. Marnell. With your permission, Mr. Speaker, I hereby submit Mr. Marnell's feature story to be included at this point in the RECORD of our congressional proceedings. The news report is as follows:

PLOT IS A HIT AT SHEA

(By James A. Marnell)

WAYNE.—William Paterson College should feel a deep sense of pride as its resident opera company—The Paterson Lyric Opera Theatre—has just concluded its brilliant inaugural production of Giuseppe Verdi's "Don Carlo."

"Don Carlo" is a musical-tragedy of multidimensions, involving a vast array of emotions, and the Opera Theatre's performance was well above the mean. This success ought to insure the beginning of a long and rewarding tenure for PLOT, as the Opera Theatre is called.

Armen Boyajian, who founded PLOT in 1958 and who is its artistic and musical director, has added more form, more breadth to PLOT with an orchestral accompaniment in the pit of the new Marion Shea Center auditorium. This is in addition to the regular soloists and choral members. The new contingent is composed of 35 members, some of whom are student music majors.

For the "Don Carlo" production, the bolstered musical accompaniment provided dramatic pluses in just the right spots. And there were certainly plenty of "right spots" in this most difficult opera.

While Verdi created a splendid score, he nevertheless weighted the production with the torment of emotions, including the conflicts of paternal love, jealousy and friendship. But there were other themes as well.

There was the theme of anti-clericalism, for instance, which placed the church above all, a condition incidentally which Verdi decried. Verdi was only too happy to be able to throw some mud—if you please—on the Grand Inquisitor in Paris.

"Don Carlo" is a four-act opera, and it is somber and profound. It centers on the aborted and subsequent fatal love affair of Don Carlo and his stepmother, Elizabeth of Valois. Elizabeth is married to Philip II, King of Spain, but before her marriage had been betrothed to Don Carlo. For "reasons of state," Philip decided to marry Elizabeth, who apparently is more able to make the adjustment than Don Carlo, the son of Philip.

Philip eventually discovers their relationship and misreads their intent. And in the meanwhile, Don Carlo's political ambition runs headlong into an obstinate Philip. Don Carlo wants to rule over the newly conquered Flanders, but is rejected. In a fury, he draws a sword on the King, but his comrade Rodrigo intervenes and disarms Don Carlo.

Philip confers with the Grand Inquisitor, and the two talk of bringing about Don Carlo's death. The finale sees Don Carlo being dragged off in the chapel—where all four acts take place—to "eternal peace."

The entire production—including the period costumes and the delicate, tasteful chapel set—provided the near-capacity gathering at Shea Center with a most pleasant evening. Given the circumstances of this heavy, compelling, powerful opera, "Don Carlo" easily could have been translated into a boorish affair. But talents like Edward Perretti (Don Carlo), Maria Mastrangelo (Elizabeth), David Cornell (Philip), Dante DiFiore (Rodrigo), and Mary Swanson (Princess of Eboli) instead guaranteed a par excellence performance.

The Don Carlo-Rodrigo tenor-baritone duets were sheer delight, bringing cries of "Bravo" throughout the auditorium, as did the marvelous area duet of Don Carlo and Elizabeth in the final act. This was preceded

by Elizabeth's glorious prayer, "Tu che la vantai' conoscesti del mondo" (Thou, who knowest the frailty of mankind"), sung with remarkable empathy.

DiFiore, as Don Carlo's most loyal friend, Rodrigo, provided an excellent tonal bridge between the smallness of Perretti's tenor voice and the booming intonation of bass Cornell as Philip.

Certainly, a kind word must be extended to Robert Swanson (the Grand Inquisitor), Frank Bardol (a friar) and to Suzanne Giglio, who portrayed Tebaldo and the celestial voice. And enough couldn't be said for Regina Serniak and Philip Graziano for the scenery and lighting, costumes and the commanding solid stage direction.

Mr. Speaker, I am pleased and honored to have this opportunity to present the foregoing background information to you and seek national recognition of the good works of Armen Boyajian. I am sure you will also wish to join with me in extending our heartiest congratulations and best wishes to the members of the Paterson Lyric Opera Theater on its 15th anniversary celebration as well as to Mr. Boyajian and the William Paterson College of New Jersey on this outstanding partnership bringing together talented artists, college campus and local community residents in a common endeavor for the musical relaxation, recreation, and enjoyment of all of our people. We do indeed applaud their outstanding achievements and wish them continued success and happiness in all of their future endeavors.

RONCALLO POSITIONS ON ENERGY AMENDMENTS

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. RONCALLO of New York. Mr. Speaker, due to a severe illness in my immediate family, this House was kind enough to grant me a leave of absence for Friday, December 14, after 12 o'clock noon. Had I been present, I would have voted as follows:

Roll No. 668, Relax Clean Air Standards for part of United States, "No."

Roll No. 669, Permit busing for Racial Balance, "No."

Roll No. 670, Time limit for debate, "Aye."

Roll No. 671, Strike enacting clause, "No."

Roll No. 672, Federal Government to use economy cars, "Aye."

Roll No. 673, Windfall exemption for independent producers, "No."

Roll No. 674, Plan for Mass Transit support, "Aye."

Roll No. 675, Committee Rise, "No."

Roll No. 676, Additional unemployment assistance, "Aye."

Roll No. 677, Exempt late-hours convenience stores, "Aye."

Roll No. 678, Expanded definition for Agriculture, "Aye."

Roll No. 679, Embargo of Petroleum Exports if unemployment, "Aye."

Roll No. 680, Naval Reserves exclusively DOD, "No."

Roll No. 681, Windfall exemption for small producers, "No."

Roll No. 682, No freight rate bias vs. recycled materials, "Aye."

Roll No. 683, Committee Rise, "No."

Roll No. 684, Embargo unless does not contribute to shortage, "Aye."

Roll No. 685, Relax Clean Air Standards for part of U.S., "No."

Roll No. 686, No oil for military uses in Indochina, "Aye."

Roll No. 687, No oil for military uses in Israel, "No."

ADDITIONAL SPONSORS FAVOR HOUSE OIL INVESTIGATION

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. GUNTER. Mr. Speaker, I have been encouraged by the support Congressman BILL LEHMAN and I have received in a very short period of time among the Members of the House who agree that we should appoint a select committee to investigate the Nation's oil and gas industry.

In addition to the 37 sponsors of such legislation filed with the House yesterday, I am pleased today to add the names of the Honorable SPARK M. MATSUNAGA, of Hawaii, and the Honorable ROBERT A. ROE, of New Jersey.

What is striking, Mr. Speaker, is the diverseness of this group of 39 Congressmen. It numbers two committee chairmen, conservatives, liberals, Democrats, and Republicans. I intend with the new year to seek additional support from other Members of the House who believe it is high time we investigate and judge for ourselves what we have in the past too readily relied on as the facts as presented by the gas and oil industry.

It is not only the Congress, but the new Federal energy apparatus we so recently established that has been making assumptions based on questionable figures on fuel supply and demand.

If we continue to rely on the information as presented by the oil and gas industry as fact without making our own independent inquiry, then, as the Washington Post points out this morning in its lead editorial:

Bad statistics inflict their own punishment.

I commend the editorial entitled "The Unknowns in the Oil Shortage" to my colleagues:

THE UNKNOWNS IN THE OIL SHORTAGE

The biggest mistake that anyone could make, in oil policy, is to assume that he has accurate and complete figures on fuel supply and demand. The second biggest mistake is to assume that anybody else has accurate and current figures. This truth is slowly dawning on government officials here and around the world. It apparently is one very large reason why the governments of the industrial nations, including this one, are being very cautious about rushing to drastic conservation programs like rationing. They have learned not to trust their own figures. While the political perils of underestimating the coming shortages have been obvious from the beginning, governments are beginning to think about the political perils of overestimating them. Presidents and prime ministers are going to have to take a jump in the dark, and it is not an appealing prospect.

Here in Washington the new Federal Energy Office is contributing generously to the confusion by publishing weekly supply and demand figures for oil, suggesting that the government knows much more than it actually does. If the Federal Energy Office were held to the same salutary labeling requirements as the people who make sausage, it would have to attach a tag to its weekly "Energy Scorecard" identifying the contents as 90 percent hokum and 10 per cent wishes for the New Year. The original idea had a certain catchy appeal: the scorecard was to let the American people know each week how the battle against the shortage was going and doubtless, to crank up a glowing sense of public participation. The difficulty is that there is no way of knowing how the battle is going. It takes several months to collect data on retail gasoline sales. The demand figures in the unfortunate scorecard are only the shipments of petroleum products out of what the industry calls primary storage, which means the major terminals. From there they go to a vast variety of wholesalers and distributors, and from there on to retailers. Whether they are storing it or selling it, and at what rate, nobody will know for months.

Bad statistics inflict their own punishment. When Mr. William E. Simon, the head of the Energy Office, published the first weekly scorecard two weeks ago, it showed a sudden drop in demand. That, according to the administration, showed a heart-warming public response to Mr. Nixon's appeal for conservation. But last week's scorecard showed a sudden rise in demand. Does it mean that the consumer is now thumbing his nose at conservation? That the American motorist gave conservation a week's try and got fed up? Not at all. It only means, according to those persons who regularly work with these figures, that they always bounce around a lot and do not give any reliable indication of retail sales trends.

The scorecard's weekly imported figures are behaving much the same way. The first scorecard showed imports going into a nosedive, precisely as the administration had warned they would. But to everyone's embarrassment the second week's scorecard showed imports actually increasing. Nobody seems to have much of an explanation for that one, except to say that, once again, the figures certainly do bob around a lot.

The first step in making any rational decision is to face up to the unknowns. Mr. Simon has now got himself into a rather awkward posture by overlooking that rule. He has promised an announcement on rationing by the end of the month. He has pushed a variety of voluntary programs to save fuel, and suggested that the response to the voluntary programs will determine whether we must go into a mandatory rationing. But, as he has now learned, there is no way to find out in time how successful the voluntary programs are proving.

If the energy czar doesn't know what's going on, who does? Those who follow the conspiratorial theory of the oil crisis suspect that the great international cartel must have the crucial data in a vault somewhere. (Americans suspect that the vault is in London, while Europeans assume that it is in New York.) But the quality of the information available in the inner circles of the big oil companies is open to some doubt. The British government is the majority owner of one of the biggest companies, British Petroleum, and Britain does not seem to have enjoyed any better intelligence in recent months than anyone else.

Even the Arab oil states may not know with any certainty how much is being produced by whom. There is quite a lot of leakage in the production cutbacks, further complicating the job of estimating the exact extent of the shortages. Iraq has stated quite openly that it will produce as much as it can

Libya, for all of its frothing rhetoric, appears to be doing approximately the same. There are reports that others may also be shipping a bit more than their public pronouncements might indicate. That does not substantially change the prospect for the United States, where the shortages are far beyond the capacity of covert trickles to fill. But wise governments will not make major decisions based on the latest fluctuations on statistical charts of dubious accuracy.

Wise governments will, instead, prepare for the worst and then wait to see what happens. That, Mr. Simon hints, may be exactly what he will recommend to the President. It would mean deciding immediately what kind of rationing to impose, and if it involves coupons and stickers it would mean distributing them as rapidly as possible. Everything would be done but setting the date when it would take effect. That strategy would give the government the ability to respond immediately to a danger that will be profound, but the dimensions of which cannot yet be precisely measured.

THE SAHEL DROUGHT: A CONTINUING DISASTER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. RANGEL. Mr. Speaker, for 5 years drought in the "Sahel" region of western Africa has been a fact of life for 23 million human beings. It has been estimated that 6 million lives are threatened in Chad, Mali, Mauritania, Niger, Senegal, and Upper Volta. And there is no end in sight to all of this.

I once again ask that Congress carefully consider the efforts of Congressman DIGGS and Senator HUMPHREY to provide relief to those suffering people. There is no time to waste.

I now submit an article which describes the inadequacy of the effort we are making to provide desperately needed funds.

THE SAHEL DROUGHT: A CONTINUING DISASTER

(By Herschelle S. Challenor)

Although more than two weeks have passed since Mr. Nixon assured President Laminzana of Upper Volta that the United States would continue to provide assistance to the West African Sahel countries stricken by the drought, no new authorization has been announced. Moreover reliable sources indicate that the House Senate conference committee on the foreign aid bill failed to restore the Diggs' amendment which earmarked $30 million for the Sahel and committed the United States along with other donors to develop a program for long range rehabilitation of the area.

Arriving at a time when American officialdom is preoccupied with armed conflict in the Middle East, President Laminzana said of the Sahelian drought, "it is another form of war. There are not bombs or bullets but the people die away."

Laminzana was a logical spokesman for the Sahel states since his country hosted two key meetings of the affected countries of Senegal, Mali, Mauritania, Niger and Chad, and the Voltan Minister of Agriculture, Cpt. Antoine Dakoure spearheaded the African six member Inter-State Committee for drought control.

While some of these states began taking measures to counteract the drought as early as 1971, it was not until the March meeting at Ouagadougou that the Sahel six took the critical step of declaring their countries disaster areas. Slow to respond, the international community did not launch a famine relief campaign until May 1973. Then the Food and Agricultural Organization (FAO), designated to coordinate the international emergency relief effort by United Nations Secretary General Kurt Waldheim, called for contributions of $15 million. By late September only $5.7 million had been donated. Japan was the second largest contributor after Sweden. Although the World Food Program (WFP) estimated that these countries required 1,080,000 metric tons of food grains, the world community has provided only 625,000 metric tons.

The second Ouagadougou meeting was held two months after the U.N. sponsored meeting on coordinating famine relief at Geneva June 27, and was in part a response to it. Ouagadougou II provided a forum for Africans from the six affected states to devise a common strategy for drought control and set guidelines for meeting their medium and long term development needs. By insisting on a solely African definition of rehabilitation needs, the Sahelians both angered and frustrated the participating representatives of donor countries, U.N. specialized agencies and international voluntary association.

From August 30 to September 6, African experts from the six states and the Gambia outlined a number of development projects costing nearly $3 billion. Included among them was the development of water resources of all four major river systems in the Sahel region: the Senegal River Basin, the Niger River Basin, the Volta River and the Lake Chad systems; major reforestation programs, utilization of Earth Resources Technology Satellites (ERTS) to study potential underground water and other resources; creation of a meteorological and food supply early warning system; integrated pasture and livestock development projects and the creation of a regional center for arid lands research.

This $3 billion price tag was whittled down to about $1 billion over ten years by the Ministers from the six states, after some persuasion from the United States and other donors. Although the five chiefs of state—President Tombalbaye of Chad sent a representative—endorsed the $1 billion Ministerial report, they enthusiastically applauded the Niger President, Hamani Diori's call for a Marshall Plan for the Sahel zone.

Paradoxically though France has special interests in this region, the United States sent the highest ranking government delegate to the meetings in the person of Maurice Williams, the Special Drought Coordinator and the President's special representative. In a statement to the New York Times correspondent, Mr. Williams said that it was not enough to restore the Sahelian countries to the status quo ante, new technology should be introduced to totally rehabilitate the area. Such pious statements have not been reflected in policy.

The U.S. has committed nearly $47 million of the $135 million given to the Sahel area by the international community. However, the U.S. allocated $50 million for relief in the Philippines and $318 million for Bangladesh. A large percentage of the American contribution is spent handling and transporting the food—primarily sorghum. The Agency for International Development (AID) pays the Department of Defense $1,300 per flight hour for the airlift the U.S. operates in Mali and Mauritania, which in effect results in foreign aid to the U.S. military establishment. The commander of the professionally run airlift is Colonel Solomon Harp, III, a Black tactical bomber pilot who has served in Korea and Viet Nam.

A special American AID task force that was seeking small projects that can be funded in the drought area within the next two months that will address the recovery problems of adequate food supply and refugee resettlement, has just returned to the U.S. Shortly before the September Ouagadougou, II meeting, AID announced a grant of over $1 million to the Massachusetts Institute of Technology to conduct a "scope of work" study which would define the broad outlines of medium and long range rehabilitation requirements for the Sahel area. In the aftermath of the Ouagadougou meeting, this charge seems both wasteful and redundant.

Preliminary estimates indicate that this year's harvest is far below normal. And if, as some scientists suggest, this drought is the beginning of general world wide climatic change resulting from man-induced pollution, the situation in the Sahel will become more critical in the years ahead. One recent report indicated that as many as 12 to 15 refugees were dying per day in a camp near Niamey, Niger. Constant vigilance will be required to keep the problems of the Sahel in the minds of U.S. policy-makers and to wrest from this government the necessary financial commitment that this area requires.

THE NEW YEAR

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. WALDIE. Mr. Speaker, the coming of the New Year is not only a time for celebration, but is also a moment when we can reflect upon the strains of the past year and anticipate some of the trials of tomorrow.

I recently received a particularly thoughtful and perceptive letter in this regard from Mr. Harold S. Stein, Jr., president of Crane Pest Control in San Francisco, which I would like to share with my colleagues as we break for the Christmas recess:

DECEMBER 6, 1973.

HON. JEROME WALDIE,
House of Representatives,
Martinez, Calif.

DEAR MR. WALDIE: Once again, at year's end, may I express my very personal thoughts about the subject we often refer to as "quality of life."

In view of current conditions, this is a most difficult letter to write. During the past year as a citizen, parent and businessman, I have felt besieged by the myriad opposing issues with their peculiar justifications and yet apparent incompatibility with cherished values.

I want a world of peace, but cringe at the thought of economic compromise with justice. I need to believe in my government, but not to the extent that blind faith mutes the voice of my conscience. Most importantly, I need the assurance that problems of the future will be dealt with forthrightly to the benefit of our nation and all mankind.

We have neatly labelled one of the more visible of these problems as the "energy crisis," replete with international politics, domestic shortages and a growing awareness that the natural resources we have taken for granted are actually finite.

But on deeper reflection, I believe that the real energy crisis most intimately related to our quality of life has to do with human energy, both physical and of the spirit. We are buffeted by a multitude of political, social, technical and economic forces. We will either control or be controlled by them.

Do you and I and all citizens have the collective energy, the commitment, the courage

and the reverence for democratic principles to sustain us in this confrontation?

Can we give unwavering defense of human rights, human dignity in the face of national and international stress?

Are we willing to demand less in order to achieve more for the generation of our children?

As 1973 comes to a close our nation is gasping for breath. The surge of events has left us bewildered, frustrated, maybe angry. And yet, will you share with me the faith that our democratic system and our human resources provide us with the capacity to heal seemingly irreparable wounds?

Sincerely,

HAROLD S. STEIN, Jr.

MORE ASSASSINS GO FREE

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. BRASCO. Mr. Speaker, the other day, a number of innocent people, including some Americans, were brutally murdered by Arab terrorists in the latest airplane hijacking.

This time, the kidnapers took the plane on a long odyssey of terror, finally ending with their walking off the plane in Kuwait with their hands raised in the victory sign.

While the world watched, the murderers were taken into a travesty of custody, which will eventually and inevitably end in their being freed without trial or punishment.

Never in my life have I seen or heard of such an outrage as this heinous crime. Never before in my life have I observed such craven behavior on the part of a group of so-called developed nations, who cringe when such a crisis is forced upon them by a band of modern mad dogs, armed with Soviet weapons and determined to force their rule of savagery upon innocent people.

The world and what passes for international organizations stand shamed before history because of their collective and individual cowardice. People join together in a society for primarily mutual protection. That is what we pay taxes for.

An international organization is like a nation, only on a much larger scale. People or members subscribe to its tenets and join its ranks for some form of reassurance that their existence will be made a smidgin safer or easier because of membership.

Where are the international organizations? They are not to be seen anywhere, challenging the international terror and murder presently stalking the world's airports and airways.

The nations of Western Europe and Japan are giving them their cue, crawling before the Arab States in the name of ending the oil boycott. Where is the so-called honor of these nations? Their self-respect? Do they really think anything will be solved by giving in to these barbarians, who murder POW's, break contracts, unilaterally raise oil prices, indulge in international extortion, and a variety of other criminal acts?

We are witnessing another repetition, only on an ever more vast scale, of what happened to Czechoslovakia in 1938. Israel stands up to these people, and she is deserted by the international community.

Emboldened by their success in these areas, the Arabs only heighten their demands, requiring more in the way of international concessions. Next they will demand the right to use the family toothbrush, to eat off the family plate, and to exercise the droit du seigneur on the lady of the house.

Consider what results have emerged from previous international indugence of such assassins. Thirteen different hijackings have ended in the Arab countries in recent years. In several of these cases, coldblooded murder has been done by Arab terrorists to innocent, totally guiltless human beings. In one other case, the American Ambassador to the Sudan was murdered.

In no case was there any doubt as to the identity of the murderers, or the fact that murder was done. In each case they even proclaimed their guilt with pride, and were acclaimed in the Arab world as heroes. In each case they were incarcerated, held in a playful way for a time and finally quietly released. Occasionally, the releasing government bowed in the direction of foreign visitors or public relations, stating something to the effect that there was insufficient evidence to hold a trial, or some such idiotic excuse.

Shortly thereafter, the guilty parties were roaming the streets of Arab capitals, being lionized for their feats of derring-do and courage.

Certainly this is true of the butchers who perpetrated the unspeakable atrocity at Munich last year. Yet the only nation which has the courage to stand up to these people and fight back is almost totally alone in the world community today, and the few nations who dare to side with her are also considered pariahs; Holland being the foremost example of this situation.

Now we have the latest unspeakable crime. Everyone bleeds publicly and deplores the sad situation in the Middle East. No one indicates that the terrorists are an establishment subsidized by the Arab countries, paid by them, and treated as public heroes in their press. No one points out that they do not speak for any organized group of people, and that they have a vested interest in further bloodshed and turmoil.

Instead, the world yields to them while it deplores and wails over their actions. It is a spectacle of international hypocrisy that defies description and beggars imagination.

As long as we allow Israel to be abandoned and terrorists to be free, we shall have much more of the same. Who will it be tomorrow? And who will bet that Kuwait or any other entity will ever brings these murderers to trial, much less to justice?

WELLESLEY SHOWS WAY IN RECYCLING

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mrs. HECKLER of Massachusetts. Mr. Speaker, the recycling of waste materials into useful products offers one of the most meaningful ways of conserving this Nation's resources. And the community of Wellesley in my 10th District of Massachusetts, I am proud to note, has one of the most innovative and successful recycling programs in the country.

Much of the credit goes to the talented Martha Stone, town public works commissioner, and the dedicated group of women who worked with her to establish the recycling center. Working with these energetic ladies was the town's able environmental coordinator, Terry Colby.

Wellesley has now recycled used cardboard milk containers into stationery and paper tissue in what is believed to be the only program of its kind in America. I would like to share with my colleagues an excellent story about this program which appeared recently in the Boston Patriot Ledger:

WELLESLEY RECYCLES MOOS TO A-CHOOS!

(By Barbara Merguerian)

WELLESLEY.—Used cardboard milk containers have been successfully recycled into stationery and paper tissue in what is probably the only program of its kind in the nation.

Martha Stone, town public works commissioner reported yesterday that she has been informed that 22 tons of the containers, which were collected in a pilot program and shipped to a plant in Augusta, Ga., have been successfully reprocessed.

"We are receiving $25 per ton and they pay the freight," Mrs. Stone said.

"This is the only program of its kind that we know about in the nation," Mrs. Stone said. "It is certainly the only one on the Eastern seaboard."

Wellesley residents deposit their used cardboard milk containers at the town recycling center while most of the elementary schools also have a collection program.

The technology to recycle the containers has been well-established in the industry, Mrs. Stone said, but it has never before been economically feasible.

EXPERIMENT

The industry reprocesses unused containers that have been printed wrong, but it has not successfully reprocessed used containers before.

In one experimental industry program in the Midwest, the costs of collecting the used cartons made the process unprofitable.

In Wellesley, collection costs are minimal because residents have been instructed to deposit their used containers at the town recycling center at the town incinerator, along with newspapers, cardboard, glass and tin.

Beneath the plastic coating, these containers consist of long-fiber virgin pulp that is top quality, according to Mrs. Stone.

The pilot program here for collecting milk cartons was begun a year ago when a Cincinnati firm agreed to purchase them, according to Mrs. Stone.

However, by the time the town collected the 22 tons of cartons necessary to fill a railroad car, the Cincinnati firm was no longer interested in the purchase.

VOLUME INCREASE

"I was two months on the telephone before I found a paper broker in Chicago who found a mill in Augusta that would give us a chance," Mrs. Stone explained.

Volume of the deposited cartons has increased here due to a collection program in most of the town's elementary schools.

In addition, a collection program will begin at the junior high school, with the cooperation of the student government, in January, and plans are being made for a program at the high school.

Mrs. Stone is now looking for better ways of storing the cartons at the recycling center to keep them clean.

At the present time they are set outdoors where they collect silt and grime.

The Augusta company has offered to pay a higher price if they are received in a cleaner condition.

GREAT POTENTIAL

Mrs. Stone believes the program has great potential not only in towns such as Wellesley, which incinerate their waste, but also in towns with sanitary landfills.

Because of the plastic coating, milk cartons do not disintegrate in a sanitary landfill.

For Wellesley, in addition to the income from the sale of the cartons, the town will be saving the $10.65 per ton it will be paying for the disposal of waste when the new private incineration system is put into effect in January.

Carton collecton is an excellent program for students in the 70 colleges in the Boston area who are looking for projects of this kind, according to Mrs. Stone.

The only problem is that the cartons have to be completely drained of all milk or they will soon begin to sour.

All that is necessary is a paper dealer who has access to a railroad spur line and who will provide bailing and storage until a railroad car is filled, Mrs. Stone said.

RECYCLING CENTER

Prior to her election to the board of public works Mrs. Stone was active in the citizens' Action for Ecology group which established the recycling center at the town incinerator.

The town has no municipal refuse collection system, so residents regularly deliver waste at the incinerator.

The recycling program was subsequently taken over by the town and it incurs expenses of about $15,000 annually for monitoring and transportation.

Revenue from the sale of recycled materials this year is now over $12,000. With an increasing volume of materials deposited at the recycling center and rising prices paid for recycled goods, the program may well become self-sufficient or even profitable in the near future.

ERNEST PETINAUD

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. CARTER. Mr. Speaker, I want to point out that I have known Ernest Petinaud for 9 years, and he is certainly one of the finest maitre d's I have ever seen. He never fails to be courteous and helpful, and he always attempts to see that Members, Members' families, and guests are properly seated. His appropriate attention to every situation and his expert handling of various arrangements are characteristic of his knowledge and ability. Without doubt, Ernest Petinaud is a gentleman of the highest caliber, and, as the minority leader stated, "Vaya con Dios,"—go with God.

ENERGY CRISIS

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. DELLENBACK. Mr. Speaker, as we come to the end of our first session of Congress I feel it is time that we take a close look at what we in the Congress have done to help find a solution to the energy crisis that is now upon us.

Two years ago, the Interior Committee, of which I am a member, held energy hearings and at that time I urged the Congress and the President to do whatever they could to move toward finding a solution to the impending shortages.

Today we are not much closer to finding a solution and I find this kind of foot dragging on the part of the administration and the Congress deplorable.

We are fortunate, in a sense, that the recent Mideast embargo on oil exports came at the time it did. Most experts have agreed that, considering our Nation's history of a tremendous steady increase in consumption of energy, an eventual crisis was inevitable. The United States has simply been incredibly greedy when it comes to consuming energy, and we have been becoming more and more dependent on foreign sources to supply the additional amounts of oil and gas required each year.

If the energy crisis had not come upon us until a few years from now, by then we would certainly have been far more dependent on Mideast supplies than now, maybe almost irreversibly so. Had this occurred, our situation in international relations could well have been grim. Right now Japan and Western Europe are finding out what it can mean politically to be predominantly dependent on Mideast oil as the Arab threat of an oil embargo in those areas proves to be an overwhelmingly powerful diplomatic weapon. They are in a position that we must never permit our Nation to be placed in.

And what if the present crisis had hit us some years ago? Each year has brought important progress in the development of our technological capacities which now enable us to explore alternative sources of energy for ourselves, bringing us closer to the goal of self-sufficiency. There is no question that even a very few years ago we would not have been as prepared to pursue alternative sources within our own boundaries as we are now.

We are fortunate then that we, in Congress, and the administration have the opportunity to meet this challenge. And that we must do.

As I see it, we must take action in three major areas, reorganization, conservation of energy, and research and development of alternate sources of energy.

Over the past few months the structure of the Energy Policy Office has changed considerably. In the past, energy policy has been managed on a piecemeal basis, with the Department of Interior, the Atomic Energy Commission, the National Science Foundation, and the Environmental Protection Agency among those departments most involved in the policy setting functions. Early this year the President established an Energy Policy Office in the White House under the direction of Gov. John Love to oversee energy policymaking. Recently, Governor Love resigned and the President established a temporary Federal Energy Office and appointed William Simon as Director. Congress now has before it a bill to establish a Federal Energy Administration which if passed would assume the responsibility for energy policymaking which is currently vested in many other departments. I am hopeful that Congress will act on this proposal early next year.

The Congress also is considering legislation to establish an Energy Research and Development Administration which would centralize the various forms of energy research and development engaged in by the Federal Government into one agency. This bill passed the House on December 19 and will go to conference with the Senate passed version in the near future.

I am pleased to see that Congress and the administration are taking steps to coordinate the heretofore fragmented approach the Federal Government has taken to energy policymaking and research and development.

Another area which deserves more attention is the field of energy conservation. This Congress I have cosponsored several pieces of legislation which would increase the Federal funding level for research into energy conservation measures. I also supported amendments to the bill to establish the Energy Research and Development Administration to help stress the importance of energy conservation to any national energy program.

This Congress recently passed legislation to establish year round daylight savings time for a 2-year trial period. This will go into effect on January 6 and could reduce energy demand by as much as 2 percent. Another piece of legislation passed recently by the House was a bill to establish a national 55-mile-per-hour speed limit. In this time of energy shortage, I feel strongly that we must take every reasonable action we can to conserve our scarce fuel supplies. While this kind of move is an inconvenience to all of us, and certaintly not by any means a total solution to our problems, it is a step in the right direction and I voted in favor of the measure.

Massive conservation campaigns have begun all over the country as many industries and private citizens turn down their thermostats, form car pools and in

other ways reduce their energy consumption. In a recent interview Russell Train, Administrator of the Environmental Protection Agency, stated that our Nation's energy demand is rising 5 percent a year, and suggested a 2- to 3-percent growth rate as a desirable goal. In light of this I recently sought the adoption of an amendment to an energy bill to study the best way to accomplish this without hurting the nation's economy. I feel strongly that energy conservation will be playing an even greater role in the future in helping relieve our energy shortage. I have supported and will continue to support sound moves in the field of energy conservation.

The third area which demands more attention is the field of energy research and development. The Environment Subcommittee, on which I serve, of the Interior Committee has been holding hearings on major energy research and development bills this year. One of the bills we are considering is one I have cosponsored which would increase the energy R. & D. budget for the study of alternate sources of energy such as solar, geothermal, wind, tidal, coal gasification, coal liquefaction, and others.

The President indicated his commitment to increasing R. & D.'s efforts by announcing a $10 billion 5-year program to start at the beginning of fiscal year 1975. The Congress is also continuing to move in this area in order to facilitate coordination of these programs. I supported the recent bill which establishes the Energy Research and Development Administration because I feel a central coordination like this is necessary. However, I did support efforts seeking to strengthen the bill in the area of policy direction.

The Congress has moved quickly in other areas too. The Senate and House recently passed the Alaskan pipeline bill which would eventually make available our crude oil reserves in Alaska. In spite of certain unfortunate provisions in the bill, I am pleased that this bill passed as it is clear that the Nation badly needs this oil.

On November 13, the House passed the Emergency Petroleum Allocation Act which would put all petroleum products on a mandatory allocation program. I supported this bill because, while it will not increase available supplies, it should assure that those which are available will be equitably distributed. It was signed into law on November 27 and regulations were issued on December 13. I feel it is important that the available supply of petroleum products be equitably distributed, but I do have some reservations about the proposals as they now stand and have been in contact with William Simon's office to try to change this.

The gasoline allocation section disturbs me, because I fear it does not have the flexibility to deal with special hardship cases such as have occurred in the Fourth District. My State of Oregon was particularly hard hit by the gasoline shortage this summer which caused a great number of gasoline station closures. Because of this many of our smaller towns have been left with few functioning gasoline stations, and this has proven an extreme economic hardship to a series of areas. I am hopeful that the final guidelines will take into consideration these special circumstances so that these towns and smaller communities will not be even more harshly penalized by an unfair allocation system. I wrote Mr. Simon urging him to consider calculating gasoline allotments on a town-by-town or area-by-area basis rather than station-by-station in order to relieve this inequity.

Another major piece of legislation that the Congress has acted on this year is the Emergency Energy Act which gives the President the authority to put energy conservation measures into effect such as gas rationing, reduced speed limits, et cetera. It passed the House on December 15 and is expected to be enacted by the end of the year. I voted against this legislation, because I feel it is careless, reckless legislation that is likely to cause more problems than it solves. Instead of responding to the energy crisis by taking responsibility for decisions on its own shoulders, Congress has chosen to give the President vast and often vaguely defined new powers.

In the tremendous push to get this bill through, the House ended up spending only 1 minute of debate on each of the last 10 or so amendments, some of which were critical. Even at that, there were some 40 amendments scheduled that had never been dealt with when all consideration of the bill stopped.

I particularly object to provisions of the energy bill that would permit overriding the National Environmental Policy Act of 1969. As severe as the energy crisis is, I think it can be weathered without totally undermining the important progress the Nation has made in recent years toward protecting our environment.

I also am opposed to an amendment approved by the House to ban the allocation of fuel for busing students to schools other than those nearest their homes. This amendment is nothing more than a back-door attempt to prohibit busing for the purposes of desegregation, disregarding court decisions, and ignoring the Constitution. It is not an energy-saving measure and it has no place in this legislation.

If this bill does pass as is expected, it will give the President the authority to ration gasoline if he chooses. Up to now President Nixon has said that he will resort to gas rationing only as a last resort. But the fact is that the Nation faces an acute oil shortage, and it is estimated that we will have to cut gasoline consumption by 25 percent over this winter. If we are to meet this goal, it is clear we are going to have to face more stringent measures than those that have been announced so far.

The two most frequently discussed possibilities for the future are, first, increasing the Federal gasoline tax to force people to cut down on gasoline consumption; and, second, implementing a rationing system. I feel that both have serious disadvantages.

Perhaps the most obvious disadvantage to an increase in the Federal gasoline tax is that it would work a particular hardship on the poor whose jobs may well depend on gasoline. Pleasure driving could become a pastime reserved strictly for the wealthy.

Moreover, economists have warned that a significant increase in the gasoline tax could have a depressive effect on the economy and lead to higher unemployment.

A straight gasoline rationing system poses its own problems. It would require a huge administrative bureaucracy that would be costly as well as unwieldy. And experience from World War II tells us that rationing is hardly ever fair and leads to "black marketing."

With these very significant problems in mind, what is the answer? A system of "semirationing," now under consideration by the administration, seems to make a good deal of sense. Semirationing would combine aspects of rationing and of taxation, hopefully minimizing the weaknesses of each approach on its own.

Under semirationing a substantial Federal tax would be placed on all gasoline. At the same time each person would be given a ration of gas stamps for a certain weekly allotment of gasoline. Those stamps could either be used to pay the tax at the time the basic allotment is purchased or they could be redeemed or sold for cash. Any person purchasing more than the basic allotment would pay full price therefor, including the tax.

The hardship on low-income persons would be much less than if the tax on gas were increased with no rationing. Since people could still buy gas without stamps, there would be very little profit in black marketing. Since the additional cost would be to pay a tax, the oil companies would not profit. Finally, the amount of money taken out of the economy would be less than a straight increase in the gasoline tax, reducing the likelihood of a recession.

One thing is clear. The problem is not going to disappear. The administration should move firmly and swiftly, and I have urged them to do exactly that.

The Congress still has many proposals under consideration which would in one way or another help ease the shortage we are now experiencing. I am hopeful that the Congress will move swiftly, yet act carefully, on these proposals which include authorizing the construction of deepwater ports, looking into the desirability of deregulating natural gas prices at the well head, modifying the tax incentive system for encouraging oil exploration, establishing Federal criteria for powerplant siting, opening up new offshore oil reserves, and also tapping our Elks Hill reserve. These and many other proposals must be studied carefully but rapidly by Congress and the administration in the new year. We owe the country some answers on these questions.

While the Congress and the administration do have some direct control over certain aspects of the energy crisis, there are others which are more difficult to get a grasp on. Currently, the United States imports around 25 percent of its total petroleum consumption. This comes from the Mideast, Mexico, Nigeria, and other countries. Recently, this supply

has been cut back for political reasons which has led both to decreased supply and increased prices.

While there are price controls in effect to help curb inflation in all sectors of the economy, the petroleum industry has been allowed to pass through product cost increases. Since oil is in demand the price has soared, taking with it the price of petroleum products such as gasoline. This cannot be helped when we are dealing with foreign imports, but it disturbs me to hear of domestic oil companies having some of the highest profits ever. I am checking to see whether there have been studies to measure a profit variance accurately with an eye to introducing legislation to curb excessive profits if that is what the study turns up. While I strongly favor free enterprise, I feel it would be unfair for the petroleum industry to profit unduly from the troubled times the country is now experiencing.

As well as being concerned about the price increases which have been brought on by the fuel shortage, I have been disturbed over recent reports that the United States is exporting oil. In an attempt to learn more about this situation I have been in contact with the Cost of Living Council, the Department of Interior and the Subcommittee on Energy and have learned that, while the exporting of oil is a legitimate concern, the United States currently exports only 1 percent of our total consumption of petroleum products and half of these to the U.S. Pacific Territories. We export less than one-tenth of 1 percent of our heating oil and import 30 times as much petroleum and petroleum products as we export.

More important, our petroleum exports are, to a large extent, exports in name only. For example we receive imports of heating oil three times as large as our exports from the same countries to which we export. Some of our exports are lubricants and fuel for foreign facilities producing and refining petroleum for the United States. Because of this and because our exports are generally part of agreements with nations from whom we import more than we export, an embargo on petroleum exports could hurt this country far more in the long run than it could help in the short-run.

As we in the Congress, and the administration continue to wrestle with this very difficult problem we must be certain to study our actions carefully so that in haste we do not reverse some of the environmental or social advances that we have made. While we must move ahead quickly in order to solve the problems created by the energy crisis we must remain aware that there are other limited natural resources besides coal, oil and gas, such as our clean water and clean air.

I look forward to the next year as one offering promise of and potential for great strides in this field. I am pleased that the Nation is responding to the crisis and I feel confident that we can overcome it if the Nation continues in its firm commitment to find a solution.

THE 1973 BINGHAM POLL

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. BINGHAM. Mr. Speaker, every year I send a questionnaire to registered voters in the 22d Congressional District in the Bronx, N.Y., to learn the views of my constituents on selected public policy questions.

I have just completed the tabulation of 7,750 questionnaires which have been returned to my Washington office. The tabulated answers to several of the questions have already given me valuable guidance in casting my vote on issues before the Congress. For example, 68.5 percent of those responding to the questionnaire opposed giving favorable trade terms to the U.S.S.R. until the Soviets take steps to increase freedom of emigration in their country. My constituents' views were reflected in my votes to deny such trade terms through amendments which were adopted by the House on the trade reform bill earlier this month.

Among the other significant tabulations are the 72 percent favorable response to the concept of Federal assistance to citizens groups to deter and report crime, the 68 percent favorable response to some form of public financing for election campaigns for Federal offices, and the 59 percent support for an investigation of impeachable offenses which may have been committed by the President.

The questionnaire follows:

1973 BINGHAM POLL

(Results in percentages)

1. At this time, I think—

(A) President Nixon has basically done a good job and should not be further bothered. Yes, 40.5; No, 51; Don't know, no opinion, 8.5;

(B) the House should conduct a vigorous investigation of Mr. Nixon's conduct to determine whether he has committed impeachable offenses. Yes, 59; No, 34.5; Don't know, no opinion, 6.5;

(C) President Nixon should resign. Yes, 40; No. 45; Don't know, no opinion, 15;

(D) President Nixon should be impeached and removed from office if he fails to resign. Yes, 45; No, 44; Don't know, no opinion, 11.

2. I think the President's nomination of Representative Gerald Ford to be Vice President;

(A) 61.5—should be voted on by the Congress as soon as a full investigation of his background is completed;

(B) 31—should not be voted on until the question of President Nixon's own tenure in office has been resolved;

(C) 7.5—don't know, no opinion.

3. When Representative Ford's nomination to Vice President is voted on by the Congress, I think—

(A) 61—he should be confirmed;

(B) 24—he should not be confirmed;

(C) 15—don't know, no opinion.

4. Do you favor a Federal program of assistance to citizens' groups to encourage and cover costs of citizen activities to deter and report crime? Yes, 72; No, 6; Don't know, no opinion, 12.

5. Public funding of election campaigns for Federal offices (President and Congress) has been suggested as a way of ending the kind of corruption revealed during the Watergate crisis. I feel that such use of Federal tax dollars—

(A) 22.5—should not be supported;

(B) 37—should be supported on a matching basis—a dollar of public funds for every dollar raised in small contributions—and within strict total campaign expenditure limits;

(C) 31—should cover completely the costs of running for Federal elective office, together with a ban on private contributions;

(D) 9.5—Don't know, no opinion.

6. As far as giving favorable trade terms to the Soviet Union is concerned, I think we should—

(A) 68.5—not give such terms until the Soviets take steps to increase freedom of emigration in their country;

(B) 17.5—grant favorable terms without consideration of freedom of emigration;

(C) 14—Don't know, no opinion.

A CONTINUING STORY IN THE DRAMA OF GIVEAWAYS IN THE FEDERAL OIL SHALE LEASING PROGRAM

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. VANIK. Mr. Speaker, I have today introduced a bill to protect and preserve publicly owned Federal lands that otherwise stand to be misused in the recently announced Federal prototype oil shale leasing program.

Mr. Speaker, for background, the Federal oil shale lease program will initiate commercial-scale operations to mine oil shale rock, and then process it to recover the otherwise solid form of oil it contains. Six tracts of land, each about 5,100 acres in size, will be leased starting in January 1974. Colorado, Utah, and Wyoming will each have two leased tracts.

Shale oil can be recovered from its parent rock in three different ways. Two of the processes, the most environmentally destructive but also the cheapest and most efficient methods, involve an actual removal of the oil shale rock from the ground and a crushing and grinding operation to prepare it for the "retorting" process that heats the shale until it yields its oil contents. After the oil is recovered, the "spent shale" residue is discarded.

Mr. Speaker, the soil-colored, floury, spent shale is essentially sterile after the 900° heat of the retort process. Experiments by the oil industry and also by concerned citizen groups have shown that it is virtually impossible to make plants live on processed shale without large amounts of fertilizer, water, and careful care and supervision. The Department of the Interior Final Environmental Impact Statement also voiced pessimism over the prospects of revegetating spent shale.

Additionally, because the compact shale rock must be crushed and broken up in the mining process, the volume is increased by at least 10 percent, thus requiring large amounts of land for dis-

posal. Because deep mining operations require special methods, that process will be able to return only 600 percent of the mined shale to the mines, leaving almost half of the mined shale to be disposed of above ground.

The Notice of Sale remarks to the Federal Register's oil shale lease program announcement imply that oil industry developers are to be allowed to dump any or all of these massive amounts of processed shale on nonleased Government lands. This amounts to nothing else but a large Federal giveaway since the oil industry will not be required to pay for these additional lands. The quality of the lands will naturally suffer severely.

Mr. Speaker, this is an unconscionable abuse of public land. The Department of the Interior, in the Notice of Sale remarks, lists statutory authority for such dumping under section 101 of the Public Land Administration Act (43 United States Code 1362), but that provision certainly did not anticipate the massive amounts of shale that would have to be dumped in a commercial application of oil shale technology.

My bill, Mr. Speaker, very simply requires that the oil shale lessee use only the 5,100-acre leased tract acreage for disposal of waste shale, with violations resulting in an end to the remaining years of the 20-year lease.

This legislation is not meant to harass or limit the developers of oil shale. It is meant to assure the American public that their lands will not be mistreated or given away, rent free, to a profit-making private industry.

Mr. Speaker, the entire oil shale program is rapidly turning into a giveaway of rich resources of the public domain. There are trillions of dollars of shale oil on public lands and a large part of it is being turned over to private development at ridiculously low land rental and mineral royalty rates. Billions of dollars of public oil shale lands are also being transferred to one particular State in exchange for relatively valueless land. Now, we find that the public land is going to be used as a garbage pit for the shale wastes of the private shale oil developers.

Mr. Speaker, I am for the development of new forms of energy and the opening up of this enormous national oil shale treasure—but in our rush and panic over the energy crisis, we are giving away the public interest. If the oil monopoly needs extra space to dump their wastes, then they should pay a rental for it out of the excess profits which they now enjoy at the public's expense.

But better yet, it is time that we develop these lands in the public interest—for the public and by the public.

I believe that the public oil shale lands of the American West can provide this Nation with one of those important policy choices which could shape the direction of our Nation for years to come. These first leases are the equivalent of the Muscle Shoals controversy of the 1930's. Forty years ago, during another crisis, this Nation saw fit to turn the Muscle Shoals project into the TVA project—and thereby rejuvenated a whole section of the Nation. Today, if we would demand the public's interest in the oil shale lands—if we would develop a TVA-type project, we could begin a new energy policy in this Nation. This new policy would be one that breaks the monopoly of the oil companies, and provides new reserves of fuel at fair prices, while at the same time insuring the environmental rehabilitation of oil shale lands.

THE SUCCESSFUL PEOPLE-TO-PEOPLE PROGRAM OF THE CITY OF CORAL GABLES, FLA.

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. FASCELL. Mr. Speaker, one of the most important tools in the growth of friendship and understanding among the peoples of all nations is the special project conducted abroad by private U.S. citizens. The greatest factors in improving relationships—certainly as far as the Western Hemisphere is concerned—are the work and efforts of hundreds of nongovernmental organizations and groups of people.

Such efforts, both sectarian and nonsectarian, help millions of people in Latin America in thousands of ways and create the opportunity for North Americans to get to know Central and South Americans, and vice versa. These relationships provide a mutual understanding of, and respect for, all involved and do much to dispel the myths which often, without good reason, sow the seeds of distrust and discontent between individuals from diverse backgrounds.

More good will is achieved through such programs than could ever be achieved by the millions upon millions of dollars spent on impersonal government-supported programs.

I am delighted to call to the attention of our colleagues that for the ninth year in a row the city of Coral Gables, Fla., in my congressional district, has been awarded the Reader's Digest "Best Overall Program Award" for its people-to-people program with the Colombian city of Cartagena. The vitality and viability of this project is a tribute to the people of both cities but, particularly, to the people of Coral Gables.

Coral Gables has made its program a true community project. The hallmark of the Coral Gables program might best be summed up with one word—participation. Literally hundreds of citizens from all walks of life actively take part in the program. In addition to individual participation, the Coral Gables program is aided by civil and service-oriented organizations such as the Chamber of Commerce, Lions, Kiwanis, Rotary, Civitan, Knights of Columbus, Women's Club, and a host of others.

The Coral Gables-Cartagena sister city program clearly demonstrates the impact and effectiveness of such people-to-people projects. The Coral Gables program is making a significant contribution to a larger national effort. I would urge each of our colleagues to encourage similar programs all over the country.

I extend my congratulations to Mayor Bob Knight and Commissioners Bob Brake, Al Jacobson, Bill Kerdyk and Bill Chapman, along with City Manager Jimmy Robinson and his assistant, Joe Mantinan, for their support and efforts in behalf of this outstanding program.

ERNEST PETINAUD, THE MEMBERS' FRIEND

SPEECH OF

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. KLUCZYNSKI. Mr. Speaker, I rise to pay tribute to a special type of person, and a good friend, Ernest Petinaud, who, I am sorry to learn, has decided to retire.

To begin with, may I cite one of Dr. Samuel Johnson's frequently quoted remarks—

> There is nothing which has yet been contrived by man by which so much happiness is produced as by a good tavern or inn.

We do not have to strain this saying too far to allow this meaning to apply to a good restaurant. The Members' restaurant in the House has been a good restaurant, and has always been a very pleasant one, largely because of Ernest Petinaud.

This man not only saw that our bodies were well fed in a congenial atmosphere, but he gave us some real soul food by his genial and generous desire to make our daily brief stays with him as pleasant as possible. We owe Ernie a lot, and I am pleased to have this opportunity to pay tribute to a truly great personage.

There is still another old English verse that comes to mind in thinking of Ernie—

> Who ever has traveled life's dull round might sigh to think that he has found his warmest welcome at an inn.

It is no exaggeration that for most of us one of the very warmest welcomes we have had in our daily rounds—which in truth can be sometimes dull and routine, or even depressing—was from Ernie. No matter how dull or overcast the day, there was a welcoming smile on his face remindful of the Sun breaking through some gray clouds. After a very short while the genuine welcome at the door became something to look forward to every day.

Ernie Petinaud will be greatly missed, but he can be certain that our sincere thanks and wishes for all that is good for him will go with him into his future years.

My personal best wishes to Ernie and his lovely Jannette. May they always experience the happiness they have placed in our hearts.

LET'S KEEP IRS NONPOLITICAL

HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. LITTON. Mr. Speaker, October 17 I introduced legislation which together with our other efforts, such as the war powers bills and our appropriations mandates, reasserts the role of Congress as the prime policymaker, thus placing restraints on arbitrary power and renewing our people's confidence in American political institutions. My bill seeks to bolster an obviously sagging public confidence in our tax system by preserving the confidentiality of income tax returns and information. Confidence in our tax system, heretofore a glorious hallmark of the American system—and a vital American monopoly—like so many other matters in the Watergate era, is on the wane. Testimony before congressional investigating committees, as well as recurrent rumor in and out of the press, strongly support my belief that the temptation to trade information on file with the Internal Revenue Service for shoddy political ends has proven irresistible. Quick enactment of my bill, coming on top of earlier successful efforts to prevent abuse of confidential information filed by classes of American taxpayers, will make unmistakably clear that the Congress is opposed to Big Brother tactics and in favor of the citizens' rights to privacy.

Since the beginning of the year, I have been doing everything within my power to block bureaucratic schemes which would lay bare information contained in individual tax returns.

On January 17, 1973, the President issued Executive Order 11697 which authorized the Department of Agriculture to inspect farmers' tax returns, the stated purpose being to obtain data about farm operations for statistical purposes. The scope of the order was very broad and went beyond the mere statistical needs of the Agriculture Department. In my remarks of May, before the Subcommittee on Foreign Operations and Government Information of the House Government Operations Committee, I noted some of the dangers of such a broad tax inspection operation. In fact, the breadth of the order was a surprise to even agriculture officials who had requested a more restrictive order tailored to their particular needs. During public hearings held on March 28, Department officials admitted that the authority given them by the order was broader than necessary but stated that they would be opposed to attempts to rescind it.

At that time, I introduced a bill in the Congress that would have limited the scope of tax inspection by the Agriculture Department and rescinded the broad mandate of Executive Order 11697. Letters and inquiries directed to USDA officials failed to elicit their support for this legislation. At that time I asked the question why USDA was willing to embrace the broad authority which had been given them in the Executive order—authority which was subject to abuse and posed a great danger to the American farmer—when legislation specifically tailored to their needs was pending. The answer became clear later.

In the face of mounting opposition to the Executive order, the President issued a revised order on March 27. While the revised order somewhat limited the scope of information available and access to the information, it still made farmers' tax returns an open book and the basic issues of privacy and political pressure, alluded to in my prior remarks, remained.

Eventually, the real purpose behind the original Executive order was revealed, though, and, like in so many other instances in this administration, our worst fears had come true.

In responding to inquiries from the House Subcommittee on Foreign Operations and Government Information, the Department of Justice dropped the following bombshell:

> The Original Order was prepared by the Department of the Treasury in language designed to serve as a prototype for future tax return inspection orders.

Another letter addressed to Norm Cornish, deputy staff director of the same subcommittee, signed by Don Paarlberg, Director of Agricultural Economics at USDA, said:

> We understand the first Order was designed as a model to be used by other departments requesting Executive Orders . . .

The fears that I had expressed in my earlier remarks of a proliferation of Executive orders authorizing myriad Government departments to snoop on the tax returns of American citizens were now a reality, for that indeed seemed to be the intent of the administration. The invasion of the privacy of American farmers was not to be the exception to a tradition of tax return confidentiality, but the model for a wide-scale erosion of the rights of privacy of all Americans.

There is a very clear desire on my part and on the part of my colleagues here in the House of Representatives to preserve the confidentiality of tax returns. This desire has been demonstrated by the interest generated following the introduction of my bill, H.R. 9093 on July 20. Over 90 Members of Congress have cosponsored this bill to date.

Although these earlier efforts seem to have temporarily stalled the drive toward victimizing the American taxpayers, more lasting steps will have to be taken to prevent any future recurrence.

The House Government Operations Committee has since issued a bipartisan report, following unanimous acceptance of its subcommittees—Foreign Operations and Government Operations—recommendations, which calls on the Agriculture Department to halt its efforts to gain access to the private financial information of 3 million farmers, and that appropriate congressional action be undertaken in amending section 6103 of the Internal Revenue Code to make tax returns explicitly confidential, except as otherwise limited for tax administration and law enforcement purposes.

Accordingly, I have introduced legislation (H.R. 10977) which, if enacted, would substantially alter the current treatment of tax returns, making the information contained therein inherently private rather than inherently public record.

Under these new rules, tax returns will be available for inspection by certain groups and entities, solely for purposes of tax administration and/or law enforcement.

My bill would still allow for the inspection of information by select groups for valid purposes. In so doing, it would dismiss current apprehensions that tax files will be used for questionable purposes.

As noted at the outset, there is a great uneasiness in our political system today. Cynicism regarding our legal institutions is considerable. Allowed to continue, it will impair and ultimately destroy not only our tax system but all of what we have heretofore regarded as hallowed institutions. Adoption of my bill marks a step in the right direction. It will offer evidence that the American experiment is alive and well and that ours is a Constitution for both "rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances."

AIRLINE SERVICE

HON. PIERRE S. (PETE) du PONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. DU PONT. Mr. Speaker, a few months ago, I testified on behalf of the State of Delaware before the Civil Aeronautics Board in a litigation to oppose the withdrawal of airline service to the city of Wilmington, and thereby the entire State of Delaware.

Since that day, Mr. Speaker, the energy crisis has come down upon us with a vengence. Even though the CAB has yet to rule on the Delaware case, Eastern Airlines and Allegheny Airlines are availing themselves of the crisis to withdraw the service that the CAB has yet to permit them to do. Low-profit runs is the reason given. Mr. Speaker, certainly they are low-profit runs as now being operated. Schedules are disjointed, inconvenient, and infrequent. Surveys clearly show that we in Delaware need, use, and deserve air service. If Eastern and Allegheny would give us the service we need, I think they would quickly see the low-profit runs turn into moneymakers.

I again protest the plans to withdraw air service from Delaware, Mr. Speaker, under the guise of an energy shortage, or any other guise. Delaware can support first-rate service. It cannot support second-rate service.

LET US NOT SAVE FUEL AT THE EXPENSE OF OUR SCHOOLS AND HOSPITALS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. RANGEL. Mr. Speaker, most school officials are frustrated and upset by the present fuel crisis. They recognize the problem and they want to cooperate with State and Federal officials in doing their part to solve it, but they are concerned by what they see as developing policies which are placing education very low on the list of priorities.

They have been told to cut back on heat and to reduce gasoline consumption by curtailing transportation for children. Yet, they see stores, shopping plazas, streets, theaters, and similar places blazing with lights. They know of government officials still using their gas-guzzling limousines and of the President's plans to winter in Florida, with little evident concern for the crisis that confronts the Nation.

Schools, senior citizens, and local services should have the highest priority in the allocations of now scarce fuel resources.

To further explain this problem I include in the RECORD a letter from the New York State School Board Association, Inc., to New York State Commissioner Ewald B. Nyquist concerning the need for adequate fuel allocation to the schools and a press release urging that children not be shortchanged during the energy crisis:

NEW YORK STATE
SCHOOL BOARDS ASSOCIATION, INC.,
Albany, N.Y., December 12, 1973.

Mr. EWALD B. NYQUIST,
Commissioner of Education,
State Education Building,
Albany, N.Y.

DEAR COMMISSIONER NYQUIST: As you know and would expect, most school officials are frustrated and upset by the present fuel crisis. They recognize the problem and they want to cooperate with state and federal officials in doing their part to solve it, but they are frustrated by what they see as placing education very low on the list of priorities.

They have participated in meetings conducted by the State Education Department and they read the bulletins on the energy crisis which your Task Force has disseminated. They know you—and all of us—should be and are examining all possible alternatives in resolving this crisis.

But then having been told to cut back on heat and to reduce gasoline consumption by curtailing transportation for children, they see stores, shopping plazas, streets, theatres, and similar places blazing with lights and all kinds of automobiles, buses, and trucks running helter-skelter, with little evident concern for the crisis that confronts us.

Earlier this week Mrs. Janet W. Richardson, NYSSBA president, and Mrs. Barbara D. Reimers, president of the National School Boards Association, issued the joint release which is enclosed. This statement voices our concern for meeting the present crisis and our willingness to help, but there is a limit as to how far our associations and local school officials can go successfully without help from higher authorities such as you, the Regents, the Legislature, and the Governor.

We believe firmly that our state officials must reach out to the public and let them know that education is important. If education does not warrant a place on our list of priorities, then we all must conclude that education is not very important in our daily lives or to our society.

We call upon you, the Regents, the Governor, and our legislative leaders to speak out on behalf of the children of this State to get the message across that our priorities must be placed in proper perspective and that our school children should not be expected to bear a disproportionate load in resolving this crisis. Children should learn to accept their responsibilities, but they should not be the first shock troops. Adults bear that responsibility.

While we urge you to take stronger action, President Richardson, President-elect George Hillman, Our Board of Directors, and I offer to you whatever assistance we are able to provide.

Sincerely yours,
DONALD G. BROSSMAN,
Executive Director.

[PRESS RELEASE]

DECEMBER 10, 1973.

ALBANY, N.Y.—The presidents of the New York State School Boards Association and the National School Boards Association today urged the nation's energy crisis decision-makers to give schools a high priority status in allotment of scarce fuels.

"We will teach a sad lesson", NYSSBA president Janet W. Richardson and NSBA president Barbara D. Reimers said today, "if we give higher priorities to nonessential use of energy and assign a lower pirority to our more than 50 million school children". The statement was made following a meeting of the board of directors of the New York State School Boards Association held in Albany this past weekend.

The longtime school board presidents from Painted Post, New York, and Branford, Connecticut, said they agree with Health, Education and Welfare Secretary Casper Weinberger when he told a school boards convention recently that:

"I don't see any reason why the reduction of fuel supplies need necessarily adversely affect schools or hospitals. I think it is a matter of priorities, and these are our very highest priorities", Mr. Weinberger said.

The presidents of the state and national school board organizations of elected public school officials urged school policy-makers to share in conservation of energy in areas that do not affect the health and welfare of children.

They said, on the other hand, that "school leaders must find creative solutions to the energy shortages rather than over-reacting with ill-conceived programs of closing schools, cutting heat and light, neglecting food services, cutting recreational programs, and reducing the school year".

Granting that the schools must share the national necessity to conserve energy wherever possible, Mrs. Richardson and Mrs. Reimers said that a nationwide survey of states and school districts made by NSBA last week revealed that widespread efforts by schools to reduce fuel consumption are already under way.

Noting that schools must, and are, sharing the national necessity to conserve energy whenever possible, Mrs. Richardson and the board of directors called on the State Education Department to provide general guidelines and assistance to the local school districts in the state.

While this problem will affect local school districts in different ways, we urge each district work with the other districts in its area. "We firmly believe that the energy crisis should not be paid for by our children through restriction of their educational programs."

AMERICANS MUST FORGIVE, LOVE, AND UNITE

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. VANDER JAGT. Mr. Speaker, as we approach Christmas and the New Year, we hear deepening cries for a renewal of brotherhood, love, and forgiveness, and for a recognition of our common dependence upon God's will.

Yesterday, Senator MARK HATFIELD introduced a joint resolution calling for a national day of humiliation, fasting, and prayer, a time to rekindle the values that are the foundation of our Republic. The initiative has poignant and meaningful precedent in President Lincoln's comparable acts of faith amid the darkest days of our civil conflict. Senator HATFIELD'S resolution was immediately adopted by the Senate, and awaits House consideration early in the coming year.

The message of Rev. Sun Myung Moon, founder of the Unification Church International, represents another inspirational appeal to America, one which is especially appropriate at this time of national political tension, I am pleased to bring this message to the attention of my colleagues in the House of Representatives:

AMERICA IN CRISIS—ANSWER TO WATERGATE—FORGIVE, LOVE, UNITE

Ever since I was 16 years old, I have constantly encountered the presence of God. I have been able to share with the world numerous insights that He has shown me. On January 1, 1972 God spoke to me again in my prayers. He told me to go to America and speak to the American people about hope and unification.

In obedience to God's call, I came and began the Day of Hope tour. In 1972 I took this message to seven American cities. The current nationwide speaking tour began in Carnegie Hall, New York on October 1, 1973, and will go to 21 American cities, declaring a message of hope and unification.

After New York, I spoke in Baltimore, Philadelphia, Boston, Washington, D.C., New Orleans, Dallas, Tampa, and Atlanta. The kind welcome I received in these great American cities deeply moved me. I am especially grateful to the mayors and other officials who responded by proclaiming "The Day of Hope and Unification" in their communities.

My travels in America have shown me a troubled land. The moral and spiritual decline is tragic and shocking. Many people are no longer proud to be Americans. The American nation seems mortally wounded in spirit and soul by the tragedy of Watergate. We are witnessing a crisis probably unprecedented in American history. The situation is very serious.

It is more than a political, social and economic crisis; it is a crisis of the human soul. This is not only the problem of the man in the White House; it is a crisis for all of us.

On November 10, 1973 I took two weeks out from my tour and returned to Korea. I spent that time for prayer and meditation in a desperate search for an answer and new hope for America.

Today we hear so much about America's troubles—what is wrong and who is to blame, what should be done and what cannot be done. Vicious accusation is becoming a daily staple in the American diet. Hatred and bitterness are killing the human soul. Some people cry out "Impeach the Presi-

dent". Opinion is divided, and the people talk on. Should the President remain in office? Should the President resign or be tried?

We were all eye-witnesses to America's assassination of her President, John F. Kennedy, in 1963. But today, without many realizing it, America is in the process of slowly killing her President once again.

A bullet killed Kennedy, yet the nation united in a common feeling of sorrow and repentance.

This time the "bullet" of hatred and accusation is capable of destroying not only the President, but the nation with him. In a war of hatred, no one is the winner.

All thinking American people feel grave concern for the future of their country. Some American history it is disappointing and even believe America has been struck a fatal strange that no one is asking, "What is the blow. However, at this critical moment in will of God?" If America was conceived as "One Nation under God," then the answer must come from Him. Have we stopped asking?

I bend my head and place my ear upon the heartbeat of America. I hear no one seeking the solution from above. We keep on criticizing, and the nation sinks—we criticize some more and the nation falls even farther, deep into greater peril. Now is the time for America to renew the faith expressed in her motto "In God We Trust." This is the founding spirit that makes America great and unique. God blessed America because of this spirit. Furthermore, America is fulfilling a vital role in God's plan for the modern world. God is depending on America today. Therefore, the crisis for America is a crisis for God. An answer must come from above, from God, from the one who has the answer. I have prayed to God earnestly, asking Him to reveal His message.

The answer came. The first word God spoke was "Forgive."

America must forgive. Whatever wrongs have been done, whatever mistakes are being made, America has a noble deed to perform. America must forgive. The Watergate affair is an error, not only the error of a few men, but the error of humanity, the error of the American people. The Lord's prayer says, "Forgive us our debts as we also have forgiven our debtors." If we want God to forgive us, we have to forgive each other first.

The Watergate is not merely a test of the President. The Watergate is a test of America's faith. How will this nation stand before God in the midst of moral crisis? Can this nation, which was founded 200 years ago based on the Christian tradition, uphold that same tradition today? Can this nation prove its generosity and mutual forgiveness? Can it love? This is the test for the American people. Long ago the American settlers on the New England shores made many grave mistakes. But with their trust in God they came through many crises. They could then lead America to prosperity.

The Bible speaks of the time the scribes and pharisees tested Jesus. They brought him a woman to be stoned. She had been caught in the act of adultery. Mosaic law demanded retributive justice. But, Jesus' message was forgiveness. He stood up and said to them, "He that is without sin among you, let him first cast a stone at her . . . and they which heard it, being convicted by their own conscience, went out one by one, beginning at the eldest, even unto the last: and Jesus was left alone, and the woman standing in the midst. When Jesus had lifted up himself, and saw none but the woman, he said unto her, 'Woman where are those thine accusers? Hath no man condemned thee?' She said, 'No man, Lord.' And Jesus said unto her. 'Neither do I condemn thee: go and sin no more!" (John 8:3–12). Nobody dared to cast the first stone!

Who among you will be the one to cast the first stone? This is no time to cast stones upon your leader. This is no time to cast stones upon one another.

I have been praying specifically for President Richard Nixon. I asked God, "What shall we do with the person of Richard Nixon?" The answer did come again. The second word God spoke to me was "Love. It is your duty to love him." We must love Richard Nixon. Jesus Christ loved even his enemies. Must you not love your President?

What do you do when a member of your family is in trouble? Do you criticize him and tear him apart? Of course not. You guide him. You comfort him. You love him unconditionally. You belong to the American family, and Richard Nixon is your brother. Will you not then love your brother? You must love the President of the United States.

This nation is God's nation. The office of the President of the United States is, therefore, sacred. God inspired a man and then confirms him as President through the will of the people. He lays his hand on the word of God and is sworn into office. At this time in history God has chosen Richard Nixon to be President of the United States of America. Therefore God has the power and authority to dismiss him. Our duty, and this alone, is that we deeply seek God's guidance in this matter and support the office, itself. If God decides to dismiss this choice of His, let us have faith that He will speak.

I continued in prayer, and the third and last word God spoke to me was "Unite." "America must unite".

Let us unite in the spirit of forgiveness. Unite in the spirit of love. Now is the time for national repentance. Love is the power to unite. America once knew how to come together to create a powerful nation for goodness upon the face of the earth. America is a beautiful land to behold, a nation of all nationalities, all races and all religions united together into one working whole. The source of power has been love and faith in God and in one another.

The crisis in America today can be overcome. We must rekindle our faith in God and reunite ourselves in love, America's destiny is inseparable from the destiny of the world. America's well-being affects the plan of God. God chose this nation as His champion in His modern day dispensation. With the bi-centennial celebration a few years away. God is testing America through the Watergate problem. America must demonstrate unity in love and forgiveness. Let us renew our faith in God for this has been the wellspring of America's power. America must live the will of God. She has no alternative.

Who am I to say this to the American people? I am not even a citizen of the United States. I am a Korean, a guest.

However, I do this because I love America as much as my own country. This is a country God loves. And I love God and He is our Father in Heaven. Wherever God my Father dwells, there is my country. Indeed, the Father's country is also the son's. America belongs to those who love it most. I am as concerned for America's well-being as for my own. This is the foundation of my courage to speak out on this issue.

Furthermore. I waited; I waited long. I anticipated that some great American Spiritual leader or evangelist would rally America around God above the Watergate at this stormy and depressing time.

However, there has been no American spiritual leader speaking out for unity. I heard no articulate voice in the wilderness crying this to Americans. By this time, God spoke to me again. "Fear not! Remember Jonah in Ninevah. Speak out!" and I obeyed.

And this is why I am doing this.

As Founder of the Unification Church International, I have declared the next 40 days, starting December 1, 1973, as a period of prayer and fasting by our members all over the world.

In this we are determined to awaken our nation to this national emergency. America must unite in her Christian tradition of love and forgiveness in the face of the grave crisis created by the Watergate. We hereby launch this National Prayer and Fast for the Watergate Crisis as the only way to heal and unite this nation.

This is indeed the day of dismay and moral crisis. Yet, this is also a great opportunity for America, an opportunity in which the American people can demonstrate America's true greatness in faith and courage. Historically great peoples have proved their greatness not during normal situations but in crises.

This is the time the American people must act as a great people who put trust in God. Then this day will be a day of new hope and unification.

"In God We Trust." In these four words lie America's key to survival and prosperity. America must live the will of God, and God's command at this crossroads in American history is Forgive, Love, and Unite!

SOLAR HEATING AND COOLING INCENTIVES

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. MARTIN of North Carolina. Mr. Speaker, I am introducing today a bill amending the Internal Revenue Code to provide tax deductability for solar energy-powered environmental conditioning apparatus installed by homeowners, in addition to improved new insulation and heating and cooling facilities.

This bill is based on one introduced earlier by the gentleman from Maine (Mr. COHEN), with cosponsors including myself. This bill introduced today differs from the one previously introduced in two ways.

First, it specifically includes solar energy apparatus among the items qualifying for a tax deduction.

Second, it restricts deductions under the amendment to those costs incurred for energy-conserving improvements in fulltime residences. By specifying that, to qualify for a deduction, the cost be incurred on a residence normally expected to be occupied most of the year, we can avoid having the taxpayers subsidizing vacation and weekend homes which would not give us a substantial energy payoff.

I find no major fault with the previous bill, of which I am a cosponsor. However, with legislation likely to arise next session providing for solar energy demonstration projects, I believe we must begin looking toward tax incentives to encourage utilization of a new technology. For a while after industry starts producing solar heating and cooling systems, we can expect those systems to be relatively expensive. We want them to be more than toys. We want them used by millions of American homeowners. They can, and I believe they will, contribute substantially toward meeting our mid-range energy demand in the residential

sector. But, to get them used by middle-income Americans, the costs will have to be reasonable. Until economies of scale can work the prices down, the most effective method is a tax incentive.

I am well aware this will cost money. If we are talking about $3,000 to $3,500 for a solar unit, fully installed, on top of the stand-by system, we can foresee about $750 per unit in revenue lost to the Treasury. If, over 5 years, a million taxpayers take advantage of this tax break, it will cost three-quarters of a billion dollars, or $150 million per year. That is a substantial sum, but not as substantial as what would be needed to underwrite new solar R. & D. programs. I believe that the existence of a ready market for residential solar units will, of itself, perfect the technology we hope to demonstrate as a result of other related legislation.

We can create the ready market with a tax deduction. A taxpayer is likely to finance his solar unit by borrowing. Getting a $750 tax break in the first year will cover his downpayment and related costs. Energy savings in succeeding years will service the debt.

When industry gets going on a fully commercial basis, producing these solar units at competitive costs, we should then repeal this provision.

A JUST AND LASTING PEACE IN THE MIDEAST

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. MAZZOLI. Mr. Speaker, recent news accounts of the murder of innocent airline passengers and the hijacking of a Lufthansa airline by Palestinian terrorists is shocking, distressing, and deeply appalling to all who are dedicated to peace and to the dignity of human life.

And, certainly, this barbarous act cannot serve to facilitate or smooth the Mideast peace talks in Geneva which began today.

Another impediment at these talks is Syria's failure to abide by the Geneva Accords with respect to its treatment of the Israeli prisoners of war it now holds captive.

I have joined over 130 of my colleagues in demanding the Secretary of State Henry Kissinger exert every influence on Syria, directly or indirectly, to secure the release and/or accounting of the Israeli prisoners it now holds.

The acts of brutal terrorism by fanatic Palestinians, the inhumane and illegal actions of Syria regarding the POW's are outrageous, because they are crimes against human nature and regrettable because they might undermine the current peace talks.

Hopefully, basic human decency will prevail in the final analysis. But, the parties to the talks must not be diverted nor deterred from fulfilling their objective: establishing a just and lasting peace in the Middle East.

TRANSPORTATION NEEDS OF THE HANDICAPPED

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mrs. CHISHOLM. Mr. Speaker, the energy crisis may be a blessing in disguise for the long-term prospect, but in the interim many people will suffer. Poor people, workers, truckers, plastic producers, schoolchildren, independent gas station owners, farmers, automobile manufacturers, and many more will be victims, but the people who will possibly suffer the most are the 25 million handicapped Americans.

We need to consider the needs of the handicapped when implementing measures to meet the energy crisis. Very little has been said about the handicapped and their need of gasoline for cars. This need exists and it is a drastic one. Many handicapped people are solely dependent on various supportive agencies for their medical care, socialization, diagnosis, vocational evaluations, training, and employment. This necessitates a need for large amounts of gasoline so the volunteers can get to their handicapped outpatients.

It is indeed important to realize that handicapped people are not able to use public transportation because of the manner in which it is designed; therefore, many must rely on their own specially equipped vehicles to go to work, to attend a school, and just to live. Some people say to let them use carpools, but many handicapped people will tell you that the average commuter does not want to be bothered by the "extra responsibility."

If President Nixon implements a gas rationing system I call on him to set up a special exempt status for the handicapped people who use cars and for the agencies which provide supportive services. During World War II the handicapped were exempted; I see no reason why it should not be done in this crisis. If President Nixon chooses the other option of higher prices, I suggest that we heavily tax the increasingly rich oil companies and make appropriations to the handicapped and poverty programs.

Just suppose for a minute that a handicapped person has to go to a college way out in the country and because of rationing could only get 3 gallons of gas, but he or she decides to go because its important. What will happen if this person runs out of gas on the way home in the middle of the night on a snowy dark road, but cannot walk anywhere to get help. This kind of situation is a very real possibility. Of course there are many real situations. There are many preschool programs for the severely multiple handicapped that are not connected at all with the public school system. These young children have to depend on private volunteer programs for transportation to and from the facilities. The need is there; it cannot be ignored.

EFFECTIVENESS OF FOREIGN OR DOMESTIC POLICY MUST BE A SENSE OF REALITY

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. SYMINGTON. Mr. Speaker, about 2 weeks before the latest Mideast war I prepared remarks for a meeting which was not held. On reading them over in the light of developments since that time including the war itself, the pending negotiations in Geneva, and the domestic political repercussions of those negotiations, I thought it might not be inappropriate to share these thoughts with my colleagues in the House.

A cornerstone of any effective foreign or domestic policy must be a sense of reality.

America's concept of world order or global morality cannot simply piggyback upon that of another nation with which it has even the most deep-rooted affinity. We have not allowed this to be the case with our oldest friends in the family of nations.

We must always set our own policies in the light of our perception of what is not just "best for us" but what set of conditions is best calculated to permit us to engage most effectively in the great work of preserving peace in the world, perhaps the world itself in this thermonuclear age—with a minimum of injustice. Let us not continue to delude ourselves that we have the wisdom, much less the power, to ordain and maintain justice in the family of nations. We have a mandate to try. I believe that. But history and common sense compel a certain modesty, and its corollary, caution. It could even be said we have a few loose ends to tie up here at home as we tender our enlightenment to others.

As a great power our responsibility in the peace search extends well beyond a willingness to proffer our "good offices" to negotiations between other powers. Our vision and our preparation must reach beyond the line of those discussions to that bleak moment in time at which the world would arrive should they fail. If we are then strong only in moral purpose or resounding rhetoric, we cannot dampen the explosive charges.

In what must our strength consist? In a world where speed of movement, reliability of communications, and magnitude of production determine a nation's self-confidence and influence upon others, then, other than the spirit of its people, its technology base is its principal resource. And each nourishes the other. Conversely, a diminution in one produces a reduction in the other.

Let us look now at the productive capacity of America as related to demand. It is leveling off and beginning to decline. If energy sources diminish relative to demand as they are expected to do over the next decade, given the most optimistic resolution of pending questions re nuclear fission, coal gasification and liquefaction, solar, and geothermal research and development, and of course

alternative oil sources such as Alaska, then we would at least hope to be able to face the oil producing nations of the Middle East, not as penitents, not as supplicants, certainly not as threatening aggressors, but as a nation and people whose policies have not proved patently prejudiced against those of their interests which objective reasoning would deem legitimate as distinct from their other possible aims. Among the latter, for example, might be the destruction of their neighbor, our friend, Israel, or even the maintenance of agreements and structures toward that end. Among the former might well be the return of certain lands occupied since the conclusion of the 6-day war—even as General Dayan has recently suggested. More precise delineations still await negotiations which have not yet occurred. They await, too, a broad multinational initiative for the resettlement of refugees. The delicate fabric of such negotiations might also benefit from the cement of great power investments in agriculture, water development and other areas of shared need throughout the Middle East. The sums would be considerable when looked at alone, but minuscule compared to the cost of putting out a great fire there, if, indeed the firefighters would be working together at that point.

What is needed then in my view is a vigorous and fair-minded initiative on our own part, in close concert with others if possible. Certainly Europe and Japan have as much or more at stake given their reliance on Mideast oil. Nor has the Soviet Union with its evident interest in free-world trade a great deal to gain by remaining aloof, or, worse, working to frustrate progress in this regard.

But the U.S. Government, in order for it to move with the necessary confidence and dispatch, must have the overwhelming support of the American people. From time to time we relearn the old lesson that effective government here depends on the consent of the governed. This is such a time. Is there such support? Until the American people are sufficiently informed of a situation, the goals to be achieved, and the alternatives, their "support" is a reed whose thickness would be dangerously tested by the first storm of demagoguery. For we must realize that the best policies will produce such winds.

My hope then is that the President will take the American people into his confidence, share with them the full outlines of the dangers ahead, and the perilous choices they require. Then he should tell us the course he would chart and ask our help and support. That I think, generally, is the formula for a successful Presidency and a secure America.

Certainly there are those in the country and in the Congress who believe our Mideast policies to be forever in thrall to the passions of ethnic identity. And a certain paralysis sometimes intrudes on the discussion. But we must not confuse awareness, poignant memory, or the sensitivities that only kinship can confer, with the clearheaded perspective America needs. Americans of Italian, German, Slavic, Irish, English, African, Latin, Japanese, Cherokee, and Sioux origin, to name a few, have undoubtedly been given cause to grieve by the circumstances of history, and the cruel national choices they provoked. But there is no blood in the rich veins of America which has not met that test. The reason is perhaps too simple to be noticed. It is that there is such a thing as America. And it is a new world. Its citizens are American citizens. And the decisions of their freely elected governments are American decisions. This, as I said earlier, is no guarantee that they will be correct, but that they will be the American distillation of the wisdom and love of us all for our country, and our collective faith that its honest expression at the point of the President's pen is the best we can do for ourselves and our world home.

MURDER BY HANDGUN: THE CASE FOR GUN CONTROL—NO. 61

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. HARRINGTON. Mr. Speaker, at this festive time of year, most people are caught up with holiday preparations and tend to put serious matters aside. But homicides will not stop because it is Christmas or Hanukkah. Handguns will still be used to kill more than five people every day.

It is too late for Congress to act on the handgun legislation pending before the Judiciary Committee this session. When Congress reconvenes in January, however, strong handgun control legislation should be one of the first orders of business. As I have said before, the responsibility for a large part of the crimes committed with handguns is shared by Congress. With each passing day, we all commit an act of omission by refusing to pass the legislation that would prevent a large majority of these crimes from occurring. Therefore, I urge my colleagues to look into their hearts during this holiday season and ask themselves if they can condone the recurring tragedies committed by handguns.

Included below is a recent article from the Washington Star-News:

AS AMERICAN AS APPLE PIE

(By Robert Sherrill)

The revolver, the repeating rifle, the metallic cartridge, smokeless powder, pump action, bolt action, self-loading, and other firearm perfections have helped establish the American way of life and have sanctified the names Colt, Winchester, Sharps, Remington, Smith & Wesson, Gatling, Derringer, Thompson, Browning, and Savage.

To say that these weapons have helped establish the American way of life is actually too modest a judgment; they are a part of America's life, and we respond to and with guns in a very American way.

Could any response be more American than that of the two New York youths who shot and killed a storekeeper because they had asked for apple pie and he had offered them Danish pastry instead? Or the husband who shot and killed his wife for being thoughtless enough to run out of gas on the way home? Or the jivey New York youth who shot the discotheque manager who wouldn't sell him a ticket? Or the Maryland host who decided to restore gaiety to his party by shooting the guest who refused to stop arguing with his own wife?

Or the New York woman who killed one and wounded two in a gunfight over a parking space; or the Virginia woman who, claiming she was run off the road by another motorist, climbed out of her car with a .38 pistol in hand and dispatched the driver who had irritated her—one year after her husband had been arrested for shooting another motorist in a highway dispute?

What speaks more eloquently of rootless America than the Californian who expressed his irritation toward his Glendale landlady by shooting her with a six-foot-long German antitank weapon? Seeing a parked motorist discard a crumpled cigaret package on his front lawn, a Washington, D.C., suburbanite picked up the rifle he always kept handy at the front door and shot him dead. What other nation's environmental movement could inspire such zeal?

We have flattered ourselves in pretending that the gun-control debate in this country is based on philosophical differences. We like to think that we hang on to our guns and buy more, and then more, because of our "frontier heritage" or because, as one Texas historian wrote for a government publication, "A boy still becomes a man, usually on his birthday or at Christmas, when his father gives him a gun (and) in his gun ownership he is following a tradition that goes back to John Smith and Jamestown and has persisted ever since." Or we like to talk about how, by God, nobody's going to come into our homes and rape our wives.

Such convictions do have a profound influence on the debate, of course, but they are not the biggest obstacle to establishing reasonable gun controls.

The individual emotions wrapped up in gun-ownership could be dissipated. Plinking at tin cans can get extremely boring. Waiting for the burglar who never arrives will ultimately make any man feel foolish. Owning a gun just because Daddy owned one is not the most persuasive argument in an increasingly sophisticated society. Arming for bear in a city that supports only rats and mice would strike most people as nonsensical. The tradition that was made at Jamestown can be unmade, in time, in New York City.

But none of these changes will happen—none can happen—because of one insurmountable hurdle: the money in guns and ammunition and all the concomitant services and auxiliary equipment.

It's a very big business, big enough to prevent the rest of us from coming to terms with each other. Gun owners spend an estimated $2 billion a year, at the minimum, on this business—quite enough money to keep Congress and all state legislatures apprised of the desires of the gun and ammunition manufacturers, retail gun dealers, sports-clothes manufacturers, gun-magazine publishers, antique-gun dealers, hunting-resort owners, and "conservation" groups who get a kickback from ammunition sales. At bottom, it isn't tradition but trade that controls this issue.

There's a bright side to it. The trade does have a lilt. Madison Avenue responds with all its heart: a military surplus submachine gun was offered for sale as "The Perfect Father's Day Gift".

In the good old pre-1968 Gun Control Act days, when only money stood between the citizen and his own private war, perhaps the acme of advertising was reached by the Serv-

ice Armament Co., of Ridgefield, New Jersey:

U.S. 60mm Morter (sic) complete with bipod and base plate etc. An ideal item for your den or front lawn can be easily packed into trunk of any automobile. This is the perfect tool for 'getting even' with those neighbors you don't like. Perfect for demolishing houses or for back yard plinking on Sunday afternoon."

Since we already have many millions of guns on hand, it isn't always easy to figure out what to do with the 5 million new guns that come off the proud U.S. assembly lines each year for civilian consumption, but somehow we do make a place for them. We find them very useful, tucked into the night-table drawer for security or tucked into the belt.

We use them to conclude dreary marriages with much more passion than the marriages ever knew in their most romantic moments; the Houston real estate executive who pumped 24 bullets into his wife was giving her more attention than she was accustomed to receiving.

And, to mention the most important of the many other uses of the firearm in America, the gun, of course, provides the prime requisite for our most profitable industry: crime.

To be sure, white-collar crime does not depend on it, but in a democracy it is fitting that a trade be open to the lowest as well as to the highest, and without the gun the underprivileged would be cut out of much crime that now is profitable.

As an inmate of the Joliet penitentiary, a former stickup artist, explained wtih impressive simplicity to a visiting reporter, "With a gun in your hand, it's a little bit more easier to control the situation, no matter grocery store, bank, or what it is. I mean, you can't go in wtih a broomstick and secure any authority for an armed robbery."

Some contend that peaceful citizens are at the mercy of gun abusers because there are so many guns available and because it is so easy to obtain a weapon if one is not immediately available. Where there is a will, there is a weapon.

Just how many guns are floating around the country is anybody's guess "experts" have appeared before congressional committees in recent years to estimate everything up to 200 million guns, or about one per person for the entire population.

The National Commission on the Causes and Prevention of Violence guessed 90 million in 1969. It's a guessing game that depends very much on the mood, shortly after John Kennedy's assassination a writer for the Reporter magazine got carried away and estimated one billion guns in America comes only in spurts in this country and cools swiftly. In 1971 the National League of Cities, an organization representing fifteen thousand municipalities, advocated federal laws prohibiting interstate sale of all firearms to individuals and mandating a minimum ten-year sentence for the use of a firearm in any federal, state, or local crime.

But the very next year it withdrew this advocacy and by a lopsided margin voted down a substitute resolution calling for national legislation to prohibit the manufacture, importation, sale, and private possession of handguns. Apparently the smaller cities, which predominate in this organization, had lost sympathy with the gun problems of their big brothers.

Some ask, why not arm everyone? It's the only proposal that was not seriously made during the Great Gun-Control Debate in Congress during the last decade, and considering the categorical bilge, historical cant bogus piety, and flimsy sociology that accompanied most other suggestions, it would seem to be at least a refreshing alternative.

It has been the most remarkable Congressional debate of modern time. On no other recent legislative question has so much passion been spent, with so little effect.

There are probably 50 million more guns loose in the land today than there were on the day President Kennedy was assassinated in 1963—an event which most people thought would bring about rigorous gun controls almost immediatley.

And although there were a few restrictions put on the sale of guns by legislation passed in 1968—the first gun-control law passed by Congress in 30 years—generally speaking, the traffic in guns for either criminals or law-abiding citizens is as brisk as it has ever been.

THE "MONEY WEAPON"

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. WOLFF. Mr. Speaker, I would like today to bring to the attention of my colleagues and the American people an article which appeared on Monday in the Washington Post entitled "The Money Weapon," by Victor Zorza. I have already distributed this article to members of the Foreign Affairs Committee during our recent deliberations. The column vividly points out how the Soviet Union has actively encouraged the Arab oil interests to go even beyond their outrageous blackmail of the free world evidenced by the oil boycott. Yet we are told by supposedly responsible spokesmen in our own State Department that we will not even now alter our policies toward the Arab States. I wonder how long this country will continue to absorb the abuse and humiliation of these blackmailers.

The article follows:

THE "MONEY WEAPON"

(By Victor Zorza)

The new Arab decision to use the "money weapon" against the West is being dismissed by Western bankers in as cavalier a manner as some experts once dismissed the oil weapon, but the Kremlin has high expectations from it.

The economic ministers of the Arab League member-states met in Cairo earlier this month and agreed to begin the "gradual" withdrawal of Arab funds from Western banks. Financial experts concede that if the Arabs withdrew the $10 billion they now keep in Western banks, or any major part of it, this could play havoc with the intricate economic and financial mechanism of the Western world.

But, they contend, the Arabs would do no such thing, because they could not find a better home for their money—which is much like the earlier argument than the Arabs could not stop selling oil to the West, because they could not drink it. Moscow, on the other hand, is telling the Arabs that they certainly ought to use the money weapon—and give the money to the Russians.

The Arabs, say the Western bankers, would not be as simple-minded as to do that. But the Kremlin, which knows that it cannot dupe the canny Arab finance ministers, has devised a round-about way to achieve its purpose.

A typical Moscow broadcast, just before the Arab League meeting, complimented the Arabs on their "effective" use of the oil weapon, but reminded them that their potential was "not confined to oil alone." The withdrawal of funds, it said, could have "a great effect" on the Western countries which were helping Israel in its "aggressive policy."

After the Arab League meeting, Moscow welcomed the decision to begin the gradual withdrawal but evidently felt that this did not go far enough. An inflammatory broadcast promptly sought to arouse Arab suspicions with talk of an international Zionist conspiracy. In terms reminiscent of the Protocols of the Elders of Zion, it linked the "oil monopolies" with Jewish-controlled banks, and the Rothschilds with the Rockefellers and the Gettys.

It mattered little that the Rockefellers and the Gettys were not Jews, Moscow explained, since they were beholden to the Jews. They profited from the industries which supplied arms "to the Israeli aggressors at low cost." Had it not been for Arab oil, which was "the life blood of modern industry," hundreds of major factories in the West "would have ground to a halt." That was just before they had indeed ground to a halt in Britain.

What Moscow now seems to be concerned about is that the Arabs might weaken in their resolve to use the oil weapon, and it is therefore urging them to supplement it with the money weapon. The West's major industrial corporations, it says, are "subservient to the Zionist banking capital which dominates, according to economists, 80 per cent of the financial system of the West." And yet the Arabs put their money in these banks which "use Arab capital to develop the war industry and to give direct economic and financial aid to Israel."

When the money theme of recent broadcasts is examined against the background of what the Russians have been saying to the Arabs over the years, it adds a further strand to the pattern which has begun to emerge lately. Now the "reactionary Arab oil kings" who insist on keeping their money in Western banks are seen to be "secretly" in league with Western imperialists and Jewish capitalists, and, indeed, with Israel itself. The aim of this international conspiracy is to preserve Israel's power and to protect the kings against the "Arab revolutionary movement," in which the Communists would one day play a leading part.

Moscow's recent pat on the back for King Faisal of Saudi Arabia is certain to be followed, sooner or later, with a blow under the belt. The Kremlin expects that when the "reactionaries" are overthrown, the Arabs would establish the political and economic links with the Soviet Union which would not only give it a share in the Mideast's oil, as has been suggested, but would also help to redirect the flow of Arab oil money to Moscow.

This is the long-term plan, which depends to some extent on continuing tension to produce the sparks that would ignite the flammable revolutionary material lying around the Mideast. In the short term, as another Moscow commentary on the Arab League decision made clear, the Arabs must withdraw the money from the West because "tomorrow" another devaluation could again cost them hundreds of millions of dollars. At the same time Moscow warned them that if they used it to buy shares in Western industry, as some Arab leaders propose, their dependence on the West would only increase.

The way out of the dilemma, according to Moscow, lies in using the Arab money withdrawn from the West to buy, from a certain country that remains coyly unnamed, the equipment, machinery, and whole factories which it would supply—unlike you know who—"on the basis of equal and mutual economic cooperation and cordial and honest assistance." That way, it said, the Arabs would be "assured" that their money would not be used to finance Israeli aggression, "which is what is happening now."

Of course, as Moscow has often told the Arabs, its own interest is entirely unselfish. It certainly wants them to use the money weapon, but for their own good only—or so it says.

PROBLEMS OF BLACK MAYORS IN THE NEW SOUTH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. RANGEL. Mr. Speaker, the election of black elected officials, particularly mayors, in the South, has heralded a new era for black people and politics in this area of the country. This new era reflects a coming of age of political power long repressed and the flowering of alliances between blacks and whites based on the reality of growing black voting power.

The new era does not mean, however, a waving of a magic wand to eliminate the social and economic problems of the rural South. A black face in a public office formerly occupied by a white does not mean automatic benefit for the black voting population, no matter how great the difference in sensitivity toward the problems of the poor between the two.

Kenneth S. Colburn, deputy director of research for the Joint Center for Political Studies, has just completed a study of 39 southern towns with black mayors. The results of his study indicate that these mayors, and their towns, continue to suffer from the neglect of Federal and State governments that has victimized the ruraly South in the past.

The Boston Globe, in a recent series of articles on the Colburn study by John Robinson, makes the point that no matter who holds elected office in these towns, the solution to the problems they face in common must begin with a Federal commitment to solve the problem of poverty in rural America.

I place the Robinson articles in the RECORD for the information of my colleagues:

BUILDING A RURAL AMERICA

(By John Robinson)

There are at least 46 black mayors in nine of the 11 states of the old Confederacy. A few, like Maynard Jackson in Atlanta and Clarence Lightner in Raleigh have inherited essentially urban areas, with all the promise and problems that the nation and the cities across the country have been trying for a decade to cultivate and cure.

Their difficulties have been endlessly studied, publicized, addressed and otherwise dealt with. The search to turn the urban environment from a self-destruct projectory has absorbed billions of tax dollars with varying degrees of success. That is as it should be. But the vast majority of black officials in the South (as well as their white counterparts) inherited rural towns and cities with unique problems only dimly perceived by the affluent urban-suburban middle American.

For the most part, these rural spots have no formal budgets, few operational functions and virtually no history of problem solving.

A study authored by Kenneth S. Colburn of the Joint Center for Political Studies in Washington reports the following disconcerting facts based on an analysis of 39 southern towns with black mayors:

30 percent have per capita incomes below $2000 with at least four towns below $1000.

Nearly a third of the housing units lack one or more plumbing facilities.

More than a quarter of the housing units are without flush toilets.

Roughly a quarter of the units are considered overcrowded.

About two-thirds of the housing units are owner-occupied but, because of poverty, lack of municipal services and ignorance, few can tap sources of funds for basic improvements.

President Lyndon B. Johnson had a feeling for the rural poor and it was his intensity of feeling that channeled some measure of assistance to Appalachia and the rural South as well as to cities. (Walter Lippmann once wrote that, on the theme of poverty, Johnson had "fire in his belly.") But urban rioting and pork-barrel mentality in the Congress swung the emphasis of the War on Poverty to the powerful, populous urban states.

Johnson's several attempts to reallocate some of that emphasis by pooling resources of rural counties and towns and dispensing more funds through Office of Economic Opportunity programs faltered in the face of the ever-increasing appetite of the Vietnam war.

Thus, many rural towns, particularly in the South and especially those with a majority of black citizens, appear little better off than they were eight years ago. The Joint Center's report seems to bear this out, as do the data from the Departments of Commerce and Labor which supplied some supplementary statistics.

While stating that the record of Federal aid to the communities studied in the report was "sketchy," the author concludes, "It is fair to suggest that it (Federal aid) is far below the level required to meet even the most basic needs."

The needs are clear and the mayors interviewed for the study are in agreement: financial aid to improve the quality of life, technical assistance to the black mayors and a special designation for the towns and others like them to focus the energies and resources of the existing Federal bureaucracy on their needs, their aspirations and their reasonably achievable goals.

Johnson once wanted to create a rural America so promising to youth that they would not flee to overcrowded cities as soon as they could save the bus fare. It is a healthy and desirable possibility.

PROBLEMS OF BLACK MAYORS IN SOUTH

(By John Robinson)

The world of the cities and towns of the new South that are spawning black elected officials by the dozens is centuries apart from the troubled, still decaying urban environment of the industrial North.

The problems that both worlds share are magnified a hundred times over in the old Confederacy. The biggest difference is the degree in which state and Federal responses to these problems have been mustered and implemented.

This view, not at all new nor held solely by discriminated racial minorities, is greatly supported by a recent study authored by Kenneth S. Colburn of the Joint Center for Political Studies in Washington. The study is the result of a request from southern black mayors for assistance in documenting the needs and problems of southern communities headed by black mayors. It could be the starting point for an improved national response much in the way studies by Banfield, Wilson, Moynahan and Glazer among others helped share the last decade's response to urban problems.

The record of blight, decay and neglect in the South may not be more shocking than in northern cities but the resources allocated and squandered, to some degree, to address the problems were lavished on the North. This was probably as much owing to the wish of the bureaucracy to still truculent voices in seething ghettoes as it was due to a real feeling that the fate of the nation was somehow identical to the fate of the cities. In terms of population density, that fear has its sticking point. However, that does not detract from the sorry scene down South.

There are now 46 black mayors of southern cities and approximately 1200 black elected officials. For the generations that lived through Jim Crow, interposition and nullification, this is a monumental achievement.

There are, however, a host of problems which these newly elected officials face, many of them because of unconscionable neglect by white officials who preceded them. Most of the mayors govern small cities and most are without prior administrative experience. There is no machinery administered by experienced, talented personnel. Many mayors serve on a part-time basis. There is still racial discrimination, which has its telescoping effect in education, jobs and housing. And there is the all pervasive poverty, of a sort that is rarely experienced in the North.

Twenty eight of the 46 towns have per capita incomes below the non-farm poverty level ($1900) as defined by the Department of Labor. Fifteen of those are below the level for farming districts ($1600). At least 15 towns have twenty percent or more housing units without flush toilets. Places like Edmonson and Mitchellville, Ark. and Princeville, N.C., have 75 percent or more of their units without toilets. The problems of overcrowding, certainly not one confined to the South, is nevertheless acute. Sewerage, clean water supply, health facilities are scandalous rarities.

The mayors believe their major problems are solvable and over the short-run rather than in two or three generations. In a future column I will report some of their thoughts in the problem-solving arena.

INDEPENDENT PROSECUTOR ADVOCATED

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. HUNGATE. Mr. Speaker, the Illinois State Bar Association's bulletin the Bar News has an article in which I am sure my colleagues will be interested.

The article follows:

[From the Illinois State Bar News, November 1973]

INDEPENDENT PROSECUTOR ADVOCATED—ISBA ASSEMBLY SUGGESTS CONGRESS APPOINT WATERGATE PROBER

CHICAGO.—The Assembly of the Illinois State Bar Association approved a resolution November 3 advocating the creation by Congress of an independent Office of Special Prosecution to further investigate the Watergate controversy.

The resolution, which was adopted by the policy-making body of the ISBA by a vote of 59 to 16, was introduced by David P. Peskind of Aurora.

In introducing his resolution Peskind criticized President Nixon for his recent firing of Archibald Cox and quoted American Bar Association President Chesterfield Smith in saying, "The President . . . instituted an intolerable assault upon the most rudimentary and basic principles of justice."

The resolution reads: "Resolved that the Illinois State Bar Association advocates the appointment of an independent prosecutor to investigate the Watergate affair and other

matters and that the Congress of the United States, consistent with the provisions of Article II, Section 2 of the Constitution, or such other power as may exist, create by legislation an independent Office of Special Prosecution in relation to the matters in question and now under investigation."

ISBA President William P. Sutter, who presided at the Assembly session, said: "There is nothing more important than to clean up and bring to an end the present situation. When the current Watergate matter is ended, the better off the country will be."

He added that the resolution was not to imply that the special prosecutor that Presiden Nixon had just appointed, Leon Jaworski, was not qualified, but that the ISBA Assembly feels that the only route for the guarantee of an independent investigation of the matter is through Congress and not the executive office.

AMERICA, THE BEAUTIFUL

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. HANRAHAN. Mr. Speaker, at a time when the troubles of our Nation run high, I found the following article a warm and very pleasant intermission from the type of journalism which seems to dominate our newspapers. I hope my colleagues will enjoy this article:

IN PRAISE OF AMERICA

(The following editorial was broadcast over Toronto radio by commentator Gordon Sinclair.)

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

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

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

I was there. I saw it.

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

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

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

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

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

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

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

I can name you 5,000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble? I don't think there was outside help even during the San Francisco earthquake.

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

I hope Canada is not one of these.

THE ENERGY CRISIS IN PERSPECTIVE

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. HEINZ. Mr. Speaker, recently a valued constituent brought to my attention an important article from the November 30 edition of the Wall Street Journal. "The Energy Crisis in Perspective," by W. Philip Gramm, analyzes how incentives to develop nonpetroleum based energy forms will result from the rapidly rising world crude oil prices.

Mr. Gramm argues that as the era of cheap energy comes to an end, many of the more expensive and, until now, more exotic, energy forms will become economically feasible. And higher prices will attract private capital into taking the risks necessary to develop the supplies of clean energy we need for national security and economic stability.

I urge my colleagues to study Mr. Gramm's article, for it provides another important perspective on the present energy crisis:

THE ENERGY CRISIS IN PERSPECTIVE

(By W. Philip Gramm)

Much of the prevailing rhetoric on the "energy crisis" expresses the kind of logic: Since there is just so much oil, coal, natural gas and other energy sources, sooner or later we are going to run out. We must, therefore, begin to ration these resources not only to meet the current crisis but to conserve energy in our time and move the day of reckoning further into the future. Americans have been "energy pigs," according to Stewart Udall, and have been operating on the misguided assumption that there is no limit to the quantity of energy. Since we are at the end of the era of cheap fuel and dealing with a problem without precedent, strong and previously unacceptable policies are called for: government regulation of the production and distribution of energy.

Ignored is the fact that mankind has frequently experienced instances of increasing scarcity, and by ingenuity and free action has solved all of them. In fact, we are currently experiencing the *second* major energy crisis in American history.

From the colonization period until the Civil War the major source of artificial lighting in the U.S. and Europe was whale and sperm oil. Since there were no good substitutes for these oils as sources of light, the world's supply of artificial light depended almost exclusively on the whaling industry. People did not need computers to project that the supply of whales could not keep pace with the rapid expansion in demand.

Sperm oil rose from 43 cents per gallon in 1823 to $2.55 a gallon in 1866. Whale oil rose from a low of 23 cents in 1832 to $1.45 a gallon in 1865. As prices rose, gas distilled from coal became an economically feasible substitute causing whale oil demand to fall off sharply in Europe.

In 1859 sperm oil was over $1.36 a gallon. But that same year, an event which in nine years would end the whale oil crisis forever occurred; petroleum was discovered in Pennsylvania. In the meantime, the demand of the Civil War boomed whale oil prices. Not only was there increased demand, the war disrupted production. Conscription of whaling vessels as freight ships and the capture or destruction of ships by Southern privateers caused a decline of more than 50% in the number of U.S. ships in whaling and a 60% decline in tonnage. By 1866, sperm oil had reached a high of $2.55 a gallon.

The high prices for whole and sperm oil between 1849 and 1867, provided a growing profit incentive to develop an efficient refining process of crude petroleum and induced kerosene. Beginning in 1867, kerosene broke the sperm and whale oil market and prices tumbled. By 1896, sperm oil was cheaper than it had been in any recorded period—40 cents a gallon—but whale oil lamps were no more than relics for succeeding generations.

TWO VITAL FUNCTIONS

Aside from providing an incentive for the development of petroleum products rising whale and sperm oil prices performed two other vital functions. Rising prices caused consumers to act out of their own self interest to economize the use of oil. Rising prices gave an inducement for producers to increase output of whale and sperm oil through increases in investment, improvements in technology, and increased labor input. The rise in prices from 1820–1847 included a rise in the tonnage of whaling vessels of almost 600% and produced numerous technological improvements in the whaling industry. It appears that rising prices caused output to increase perhaps by 1,000% or more. Had government possessed the power and volition to ration whale and sperm oil to hold its price down or to levy a tax on oil to reap the gains from the price rise, the shortage would have been catastrophic and the advent of kerosene and other petroleum products might have been delayed for decades.

The whole oil crisis is a case study of how the free-market system solves a scarcity problem. The end product of this process of discovery and innovation is the Petroleum Age in which we live. We owe the benefits and comforts of the present era to free enterprise and the scarcity of whales.

The history of our first "energy crisis" demonstrates that there is no reason to believe that we face long-term doom. If technology were suddenly frozen, some of the dire projections being made now might be realized in several hundred years or less, depending on which "expert of the week" one believes. But technology is *not* frozen. It is instead progressing at a rate unprecedented history. The Petroleum Age will pass as did the Stone Age (and the Whale Oil Era). The real danger is that we may foolishy restrict the exploitation of current sources and allow them to become valueless. Only if we eliminate the market incentives for innovation and investment will we face a real, long-term "energy crisis."

Though there is no long-term "energy crisis" there is a short-term problem. Economic science teaches that shortages cannot exist in free markets. In free markets prices rise in order to eliminate shortages. "Crisis" as opposed to simple scarcity, results from market disruptions; and the *only* sector of society which possesses the power to disrupt a large market is the government. Government price ceilings on natural gas at the well-head have been one of the most disruptive public policies. By setting the price of natural gas artificially low, the government has stifled the in-

centive of producers to increase supplies, while the artificially low price has stimulated demand. Furthermore, since profits are low at these artificially low ceiling prices, investment and exploration have fallen off sharply.

Price controls have also had a detrimental impact on the supply of petroleum products and the construction of refinery capacity, essential to increasing domestic energy supplies. Due to the pressure to keep prices below what the free market would specify, shortages of petroleum products have occurred at both the retail and wholesale levels. Had prices been allowed to rise, the quantity supplied would have expanded to meet the quantity demand; and each consumer would have had direct incentive to economize on usage. We are only now beginning to realize the distorting impact on the production of inputs essential to fuel production (drilling equipment, tubular steel, etc.) which four phases of price controls have produced.

Environmental legislation and court action also have had a significant impact on the supply and demand for energy. Injunctions against atomic and conventional power plants have prevented the supply of electricity from keeping up with the demand. The injunction against the Alaskan pipeline has impeded the growth of oil supplies. Pollution control devices on automobiles have increased fuel consumption and, thereby, increased the demand for gasoline. Mass conversion from high sulphur to low sulphur fuels in order to comply with EPA regulations to abate pollution has caused a change in the composition of energy demand from plentiful, cheap sources of energy to scarcer more expensive ones.

The energy crisis has made it clear that pollution abatement has a definite cost to society. Only by understanding the costs involved in various forms of pollution abatement can we choose how much environmental protection is optimal.

The bureaucratic method of looking at the supply and demand for energy products differs substantially from the market-directed approach. The bureaucrat presumes first of all that the supply of the product is absolutely fixed. Price does not matter. A price rise, he argues, will not put more oil in the pipelines—at least not before the next election. People "need a certain amount" of the product, and they will always buy the same quantity regardless of price unless they are too poor to afford it at all. These views are, of course, economic nonsense. In weighing the various courses of action which might be followed in minimizing the cost of dealing with the current energy problem it is useful to make a ball park estimate of the price level that the free market would yield in the shortage period.

ESTIMATING OUTPUT AND DEMAND

Estimates of how much the demand for energy sources would decline in a period less than a year, if prices rose by 1%, range from roughly 0.2% to 1.2%. Estimates of how much the quantity supplied would rise in the same period, if prices rose by 1%, vary from roughly 0.6% to 2%. A reasonably conservative estimate is that a price rise of 1% will provoke a decline in the quantity demanded of 0.5% and a rise in the quantity supplied of 1%.

The practical importance of these estimates is that a 10% shortage in the supply of fuel at current prices would yield a free market rise in price of less than 7%. If we are more pessimistic about the shortage and assume that demand exceeds supply by 20% at the current price, we might expect a price rise of less than 14%.

The above estimates, though conservative, do not take account of the disruption produced by the crisis atmosphere that surrounds this issue. Since the magnitude of the crisis has been blown out of all reasonable proportions and people fear shortages and rationing, hoarding by both the supplier and demanders is a genuine possibility. In the very short run (up to three months) we might expect prices to rise above the long-term market price. After roughly one to three months we should expect the crisis mania to pass and a general dishoarding to occur so that prices would fall to a level below the above estimates. The estimates are of course based on the assumption of unhampered market adjustments. Government attempts to interfere with this market process would tend to shift the estimates upwards.

The first step in solving the energy shortage is to allow the free market system to work. *All price ceilings and government controls should be eliminated.* Such action would greatly stimulate the supply of energy sources and eliminate shortages. Prices would rise but the expansion of output would hold prices to the minimum which current conditions dictate. Furthermore, the free market will insure that energy will be allocated to the highest priority users. Price increases are not pleasant, but they are better than low prices and no energy. If these higher prices work hardships on the less fortunate among us, special provisions, which would be preferable to the distortions and waste of rationing, could be provided for this small minority.

There is an additional advantage of allowing domestic prices to rise. As prices rise in the U.S., the cost to the Arabs of maintaining the restriction on sales to the U.S. will get higher. If we simply allow the market to work, the agreement to restrict sales to the U.S. will break and with it Arab unity will break. The Arabs are playing a dangerous game. If we allow prices to rise we can expect the development of new domestic sources such as oil shale and domestically produced substitutes for petroleum.

COSTS AND CLEAN AIR

Another step in solving the energy problem is to *inform society of the cost of environmental and ecological programs and allow the people to chose.* If people want the end products of such programs, they will have to pay the cost in higher energy prices. Without adequate information, society will not be able to decide which programs are worth the cost and which are not. If people prefer cleaner air to lower fuel cost they can choose to convert from coal to oil. If they choose lower fuel cost they can burn cheaper and dirtier fuels. Such a system seems preferable to allowing a bureaucrat to decide for them.

To increase supplies we should *open the continental shelf for drilling* but make firms liable for oil spills and other forms of ecological disturbances. Most oil spills are not from drillings but from tankers. By employing the Naval oil reserves, the continental shelf and areas which will become economically feasible at higher prices, output could be greatly expanded.

We should *institute peak-load pricing for electricity in shortage areas.* Brownouts and blackouts occur because in peak use periods overloads occur. By charging more for power in peak use periods, nonessential use would occur in nonpeak load periods when power is cheaper. Under the current system there is no incentive to spread out power use. Peak load pricing could minimize overloads in the current system and allow time for supply sources to catch up to peak load demand.

A LETTER FROM MR. JAMES A. RICHARDS

HON. JOSEPH J. MARAZITI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. MARAZITI. Mr. Speaker, I submit for consideration a letter from one of my constituents, Mr. James A. Richards, dated December 10, 1973, which I feel will be of interest to the Members of the House of Representatives and the citizens of this Nation.

This letter is typical of the many that I have received in recent weeks.

The letter follows:

ANNANDALE, N.J.,
December 10, 1973.

DEAR CONGRESSMAN MARAZITI: I voted for the President. I am pleased with his record. During the Viet Nam war he kept his word. Every troop withdrawal was met. He told me no lies unlike the man who served before him.

We have had no new wars. We seem to be calmer now than we were two years ago. My income tax has been going down the past three years while my income goes up. He ended the draft. He got the 18 year old vote. Although inflation is bad, I believe he has the right idea.

So as you can see, in spite of the television, there are people who are happy with Nixon.

I think, it does no good to go around trying to impeach the President. Perhaps next week the television will leap out that the President painted the oval office without first asking the director of parks and playgrounds.

That is where this whole issue of impeachment belongs, in a playground. OK, so some don't like him. I did not like Kennedy or Johnson, and they brought me a war. All Nixon did was make peace.

Now that they kicked him down and rubbed his face in the dirt why don't they leave him alone.

He is my President too.

JAMES A. RICHARDS.

ERNEST PETINAUD

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. ROONEY of New York. Mr. Speaker, with the retirement of our friend Ernest Petinaud as maitre d' of the Members' dining room in the Capitol, a long and warm era ends here on Capitol Hill. Ernie will be sorely missed by all those who have known him and who have been greeted by his usual warm handshake, broad smile, and hearty hello.

During his more than 40 years of service to the House of Representatives and its membership, Ernest has been able to number among his many friends the great and the famous who have worked in this Chamber.

His consideration for the Members of Congress, their families, their staffs, and the thousands of constituents who come to the Capitol every year was unmatched in sincerity and warmth. I know that I echo the sentiments of all of us who have known Ernest in saying that we appreciate his hard work, his personality, and his perseverance.

When asked recently by one of our colleagues what he would miss most about working on the Hill, Ernie answered without hesitation: "I will miss the atmosphere of friendship."

He went on to paraphrase the great Will Rogers by saying that he has "never met a Member he did not like."

Mr. Speaker, it goes without saying

of course, that I personally never met a Member or anybody else for that matter, who did not like Ernest Petinaud.

We shall all miss Ernest and I feel it a privilege to join with all the other Members and his friends in wishing him a long, happy and well-earned retirement. The editor in chief goes back into the woodwork.

GARBAGEMEN AND CONGRESSMEN

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. BAUMAN. Mr. Speaker, as one Member's thoughts on the crisis of public confidence in government and its leaders, I would like to share with the House the contents of my weekly column entitled, "Garbagemen and Congressmen" and as I do so I would also like to wish my colleagues a happy new year.

The article follows:

GARBAGEMEN AND CONGRESSMEN

(By Congressman BOB BAUMAN)

WASHINGTON, D.C.—You may recall reading a few weeks ago about a Lou Harris poll which showed that only 18% of the American people have a great deal of confidence in the President, while 52% of all Americans have a great deal of confidence in the man who collects their trash. There was a great deal of chuckling when the poll was made public, and most people wrote it off to the Watergate scandal. But a close examination of the poll data shows that more serious conclusions are to be drawn from this survey.

The poll was conducted in September, 1973, at the direction of the Senate Subcommittee on Intergovernmental Relations. Harris was commissioned to survey public attitudes toward government at federal, state, and local levels throughout the country, and some of the results were startling.

While the comparison between public confidence in trash collection and the Presidency got most of the attention, few noticed that the Senate and House of Representatives did not fare much better. While 18% had "a great deal of confidence" in the White House, only 29% felt that way about the House, and only 30% about the Senate.

An even more telling response came when the interviewers asked, "What do you feel are the two or three biggest problems facing the country?" Understandably, 72% said the economy/inflation. The same response was at the top of the list when the question was asked a year ago. But the second most numerous response was "integrity in government," the answer given by 43% of those polled, up from only 5% a year earlier.

The tabulations brought Mr. Harris to remark, in summing up the results of the survey, that "The key to any kind of successful leadership must be iron-bound integrity. This matter of honesty and straight dealing is one that has the public deeply alarmed. It cannot be underestimated."

Fully 67% of those polled said that there was a general lack of trust and confidence in government, while 70% said that corrupt politicians were a major problem in America.

It is time, I believe, for public officials to turn over a new leaf, and these survey results provide hard evidence that the public will insist on it. Full financial disclosure, not only of campaign receipts and expenditures, but of personal financial stature, should be required of every public official. Whether fairly or unfairly, numerous scandals concerning the expenditure of funds collected by the Committee to Re-elect the President last year have resulted in a general public cynicism about political campaign financing at all levels. This doubt and cynicism can be dispelled only if full, honest, and complete public disclosure of campaign financing is mandatory.

Questions about the President's personal finances have in turn raised questions about the personal finances of every other public official. Just as early and regular disclosure of Mr. Nixon's personal finances would have staved off much of the deepening doubt which now plagues his administration, it will save all of us from doubt and suspicion about other elected officials at all levels if personal disclosure becomes commonplace. It is something I have long favored.

It is also vital, of course, that all of those involved in the Watergate affair and the subsequent cover-up be brought to justice. Many have already been tried and convicted. But the continuing controversy over the missing tapes, and other developments, demonstrate that the case is far from closed. However painful it may be, all of the facts in the Watergate case must be brought to light, for if they are not, the loss of public confidence in government may become irreparable.

Finally, it should be noted that one bright light did shine through the survey results, which indicates that there is still hope for elected officials who wish to regain the confidence of the public. By a large margin, Americans still hold to a firm belief that our governmental institutions are sound, and they continue to have faith in our system of government. Present concern stems not from shaken beliefs in the structures of federal, state, and local governments, but from doubts about the manner in which those governments are being run today. Significantly, Mr. Harris sums up the results of his survey by concluding that ". . . there is virtually no evidence that the American people are spoiling to change the basic structure of their free and voluntary society." If anything, Harris says, Americans are looking for more contact between elected officials and the public, "as well as more division of the labor of governing among the federal, state, and local levels."

As we begin the year 1974, I pledge to you my continued support of these values and recognize my duty to exercise my responsibilities as an elected official honestly, and with integrity. It is my sincere hope that the new year will bring a renewed faith and confidence in our governmental institutions, as we work to correct that which has disappointed us in the past.

ERNEST PETINAUD

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. DE LA GARZA. Mr. Speaker, saying "adios" is always a wrench to the heartstrings—and we are saying "adios" now to our good friend, Ernest Petinaud who's leaving the House of Representatives restaurant as its maitre d' for the easy life. It will be nice for his wife and family to have Ernest home—but his departure will make a change for all of us.

The words, "loyal," "faithful," "helpful," "cooperative," "kind"—just begin to describe Ernest—all that and even more—a great ambassador of good will—the real American story all over again of the poor immigrant boy rising to heights of true professionalism and widespread respect for his abilities. That is the story of Ernest Petinaud.

Coming from south Texas, I have a bilingual constituency—and Ernest had a particular penchant for recognizing those who spoke Spanish and always welcomed them in the most fluent of those dulcet tones—as he leaves us, we say to him, "Vaya con Dios, Ernesto—que siempre tenga todo lo mejor en esta vida."

WHAT GOVERNMENT SHOULD DO IN THE ENERGY CRISIS

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. KYROS. Mr. Speaker, there is no more pressing subject today than the energy crisis. Therefore, I wanted to take this opportunity to share the following article with my colleagues. Its author, Mr. Edward Falck, is an oil and energy expert who has had extensive experience with the energy shortage during World War II. His excellent article, which appeared in the Public Utilities Fortnightly, is insightful and timely, and I commend it to my colleagues' attention at this point:

WHAT GOVERNMENT SHOULD DO IN THE ENERGY CRISIS

(By Edward Falck)

(EDITOR'S NOTE: The legislative situation in Washington is fluid. Events concerning energy are outpacing even daily newspapers. In this situation, rather than discussing specific bills and events as normally done in this space, it was felt the Fortnightly could make a better contribution by opening a discussion relating to the basic thrust of that legislation: How government should approach rationing and allocation of fuels. A logical place to begin is to explore some of the lessons of the past when the supply of energy was threatened. We contacted Edward Falck of Washington who was Director of the Office of War Utilities from 1943 through 1945. His views, which follow, reflect not only experiences of that earlier "energy crisis" but also his strong, personal advocacy of how government might approach the present dilemma. The Fortnightly invites letters and opinions from others toward the end of helping government formulate a program that will have the least deleterious impact on people's lives, the economy, and utilities. Above all, to help government obtain a program that will work.)

I have been asked to express my views on how government might approach the problems of rationing and fuel allocation in today's energy crisis, based on my experience with the Office of War Utilities. There are similarities between the fuel supply problem then and now. But there are differences, too. In order to provide the necessary rationale for my conclusion that a new government agency is needed, it is necessary to recall briefly those earlier times, the atmosphere, and my own role.

The war between Germany and Britain, France, and their allies was in full swing in 1940 and early 1941. President Roosevelt was concerned with defense mobilization in the event the United States might become involved. The Office of Production Management had been created.

One question of major concern was the "readiness" of the electric industry to meet power requirements in the event of war. The President had asked for a report on this important subject and one was prepared and presented by Mr. Kellogg of the Edison Electric Institute and Gano Dunn, a well-known engineer. The Roosevelt advisers believed this Kellogg-Dunn report was too conservative and did not allow for probable contingencies that might greatly expand the requirements for electric power. At this point, President Roosevelt called upon Julius A. Krug, then manager of power with the Tennessee Valley Authority, to come to Washington. Mr. Krugg, called "Cap" by his friends, asked me to leave my work with Consolidated Edison Company of New York, Inc., to come to Washington as a "Dollar-a-year man" and be his deputy.

NEEDS ESTIMATED

My first assignment was to forecast the peak electric power requirements that would occur under conditions of full military and civilian mobilization. In this work I had the highly competent assistance of an able statistician, Constantine Bary, who had been loaned by Philadelphia Electric Company. We estimated power requirements would peak in the year 1943 at a level very substantially higher than had been predicted in the Kellog-Dunn report. Immediate steps were taken to expand the hydroelectric capacity of TVA and the Bonneville Power Administration and also to expand the steam power-electric generation capability of important private power systems serving defense production loads.

The Office of War Utilities had a quality organization of men and women. Their morale was always high. No one complained when called upon our staff to work long hours. Everyone knew "there was a war on." (Government workers today exhibit no such knowledge toward the energy crisis.)

Our personnel was recruited with great care to balance out conflicting points of owned electric companies, federal agencies such as TVA, Bonneville Power, Federal Power Commission, and Rural Electrification Administration. We made every effort to prevent the use or abuse of the priorities-allocation system to further the special interests of any particular company, public versus private ideology, etc.

We gave much thought to avoiding conflicts of interest. Judge John Lord O'Brian, who was general counsel of WPB, set up guidelines that helped keep the entire operation of WPB above suspicion and beyond wrongdoing. First, it was a rule that no Dollar-a-year official could pass on priorities or allocations affecting his own industrial or utility company. Secondly, all top policy determining jobs were held by governmental employees on the government payroll. No Dollar-a-year man could make any important policy decision. (When I accepted appointment to be Deputy Director of the Office of War Utilities in 1943, I was forced to resign my job with Consolidated Edison and go on the federal payroll.)

POLITICAL CLIMATE

The political climate in 1941–43 was very different than it is today. Although a small minority of right-wingers were strongly opposed to President Roosevelt and even accused him of conniving to induce the Japanese attack on Pearl Harbor, the vast majority of Americans were solidly behind the President and the war effort against Nazi Germany and Japan. There was little or no dissent when Americans were called upon to accept gasoline rationing and electric dimouts.

We did not fear the political effect of decisions to restrict public consumption of energy for nonessential purposes. For example, we prohibited use of outdoor lighting for advertising, display, and ornamental purposes. We prohibited night baseball and football games. We turned the lights off on Broadway. Today, one may wonder whether the government will go this far in an effort to balance energy requirements with available energy supply.

It may be noted that unless nonessential uses of electricity are curtailed, there will inevitably occur power shortages which will force the cutting off of electric service to essential, even vital, uses such as schools and hospitals.

What is needed first is establishment of categories of essential uses and categories of nonessential uses. To do this involves the making of top-level value judgments in terms of the national public interest. Consideration must be given to the impact of electric power curtailment upon national defense, industry, trade, and employment.

BURDEN BORNE EQUITABLY

Also, a balance must be sought between and among power supply areas throughout the country. The power shortage should be shared insofar as possible on an equitable basis.

During World War II we acted on the basis of judgment and common sense without the benefit of lengthy time-consuming studies, reports, hearings, and debates. Today we have had too many studies and hearings and not enough decisive action.

Governor Love has stated many times that priorities solve no supply problem; they merely allocate the shortage. I agree with this generalization. The only way to solve an energy shortage is to increase energy supplies and cut off or dampen energy requirements. Shifting energy requirements from natural gas to propane or to fuel oil and from fuel oil to coal does nothing to cure the overall energy shortage. We must find ways quickly to increase production of all our hydrocarbon resources, coal, oil, and natural gas. This will take time. Meanwhile, we must have curtailment and rationing.

ASKS BOLD ACTION

One of my few criticisms of Governor Love and his staff is their reluctance to proceed boldly with mandatory fuel curtailment and rationing. There has been too much table tennis between the administration and the Congress as to which branch of government would be willing to take the political heat for inaugurating these something-less-than popular rationing programs.

There are ageless imperatives which it would do no harm for the current generation of regulatory writers to learn. Among these are: that nonessential and less essential uses of energy or other scarce resource must be prohibited with sanctions against violators and broad enforcement. Another rule is that the regulations must be written in understandable English. A third, perhaps most important, is that the philosophy behind the regulations must be one of reasonableness and fairness so that the public will be convinced of their equity and will help in their enforcement. This means the regulations must be equitable as among groups; viz., labor *versus* management; large *versus* small business; rural *versus* urban populations, etc.

SEES EARNINGS HOLDING UP

I do not think the energy shortage will result in a sharp decline in electric utility sales or earnings. The shortage may cause a shifting of demands during the day and the seasons of the year that will improve average annual load factor. Also, the shortage of natural gas and house-heating oil is bound to result in greater use of electric service—even in spite of the well-known fact that converting oil or gas into electricity is less efficient, thermally speaking, than using the same oil or gas directly for thermal application.

If electric utilities can increase their winter (off-peak) sales and decrease their summer (on-peak) sales, their annual load factor will improve. As for increased cost of coal and oil for generation, most electric utilities have fuel escalation clauses in their commission-approved rate schedules, so that they are fairly well protected from the inflation in cost of purchased coal and oil.

What is much more important, as a threat to future net income of privately owned electric utilities, is the necessity to replace old low-interest bonds and debentures with new securities bearing very much higher interest rates and more onerous provisions for amortization of the principal of such new issues.

The Office of War Utilities was created by the chairman of the War Production Board, with the approval of President Roosevelt, as an autonomous agency, within the War Production Board. The President of the United States had delegated to the chairman of the WPB the mobilization authority which Congress had given to the President. The WPB chairman, in turn, delegated to the Director of the OWU such authority as was necessary to regulate and control the utility industries.

WORKED WITH MANUFACTURERS

In addition to planning and implementing the expansion of these industries to meet wartime requirements, the OWU had responsibility for allocating and scheduling the manufacture and delivery of critical components such as steam and hydraulic turbines, large boilers, transformers and switchgear, etc., to meet the more urgent defense requirements in the U.S., Canada, United Kingdom, Soviet Russia, and other allied countries.

The authority of the OWU was plenary. It transcended the authority of the Federal Power Commission, the Department of the Interior, the TVA, and so on, insofar as priorities, authorization of new construction, and allocation of service were concerned. This temporary eclipse of peacetime agencies was essential in order to have a central, fast decisionmaking authority to help achieve the national purpose in record time. The OWU co-operated to the fullest extent and under conditions of maximum secrecy and security to mobilize the electric power resources needed for the production of the atom bomb. This was then known as the "Manhattan Project."

LESSONS FOR TODAY

What lessons might be gained from the procedures adopted by WPB that might be helpful today in solving the energy crisis?

The first lesson it seems to me that we learned in operating the Office of War Utilities was the great importance of having a staff of individuals who were competent, objective, and dedicated. The second lesson was the importance of having available all the relevant information and statistics needed to make major decisions on an objective basis of fact. A third lesson was the absolute necessity for centralizing authority and responsibility in a single agency that could operate with speed and decisiveness.

We felt strongly then, as I do now, that the regulatory agencies, such as the Federal Power Commission, should not be used because their method of operation under the Administrative Procedure Act, requiring as it does public hearings, interventions, court appeals, etc., is too time-consuming. In times of emergency, we cannot afford the luxury of such snail-paced regulatory decision making.

As an example, I might mention the current history of FPC approvals for new projects involving the importation of liquefied natural gas (LNG). The Columbia LNG proceeding before FPC required more than four years between the date of initial appli-

cation and final FPC approval. I am not suggesting that FPC is entirely at fault. There were adversary interventions by environmentalists and others. Energy shortages require a faster system of decision making.

ADVOCATES NEW AGENCY

The fourth lesson is that we urgently need in government at a very high level an agency that can perform affirmative functions in beefing up power supply and energy resources. Such an agency should have broad responsibility for planning and co-ordinating major expansions of energy facilities, working cooperatively with both private industry and public groups. It should have the authority to schedule production of equipment and also authority to break bottlenecks that are interfering with the progress of any authorized energy program. Such an agency should be able to issue necessary directives to other departments of government that may be delaying the rapid completion of any new energy project or program.

It is fortunate that the U.S. has received an "early warning" signal of Arab intentions and ultimate use of oil as a political and/or military weapon in world affairs. The answer by the United States, an answer often suggested in Congress by Senator Jackson (Democrat, Washington), is to make the United States as self-sufficient as possible and as quickly as possible. As soon as we attain that goal, we can happily purchase all of the crude oil that the producing countries agree to sell to us. Even if there is a peace treaty between Israel and the Arab countries, we should be on guard with respect to future *dependence* on the Middle East oil supplies.

I would recommend setting up an agency of government that would push ahead vigorously to aid business and industry to increase energy supplies and electric power-generating capacity. Today, most of our federal agencies have jurisdiction to stop or veto new projects; e.g., Federal Power Commission or Environmental Protection Agency. However, the value judgments as to which industry or class of consumer should receive power or fuel and which should be cut off cannot be made either by the energy companies themselves or by any government energy department. Such decisions affect national security, national defense, Gross National Product, employment, and the public interest in its broadest significance.

That is why I recommend re-establishment of an Office of Emergency Preparedness or a National Security Resources Board. Such an office or board would report directly to the President and to a joint committee of Congress as well. Only such an agency would have the capability of setting national goals, national priorities, and values.

TRIBUTE TO ERNEST PETINAUD

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. McCLORY. Mr. Speaker, Ernest Petinaud is both a friend an an institution. No individual who has come into my experience during my service in the U.S. House of Representatives has displayed greater warmth or genuine affection towards me and my family than this great man of the U.S. Capitol.

As a true personification of the very best in American character and personality, Ernest Petinaud reflects in word and action those cherished qualities of love and understanding which bring comfort and satisfaction to one's fellow man.

My wife, Doris, who has had frequent contact with Ernest Petinaud, shares the same opinions which I have endeavored to express here. In a very real sense we love and honor this man of dignity, stature, and of human affection.

In this tribute we wish also to remember his faithful wife, Jeannette, and his family. This family will now have more opportunity for being together and I join in extending to Ernest and Mrs. Petinaud best wishes for good health and much happiness together.

AN ALTERNATIVE TO PUBLIC FINANCING OF POLITICAL CAMPAIGNS

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. MARTIN of North Carolina. Mr. Speaker, I do not believe there breathes a Member who does not see the need for some change in the way we raise funds for political campaigns. Nobody likes to ask for money and nobody enjoys the prospect of having to explain away later a contribution that seems legitimate when made. Unless we completely ban private political contributions, we will probably never eliminate these problems. Such a ban, however, would raise constitutional as well as practical difficulties.

What we can, and must do is increase the number of small donors in order to minimize the influence of large donors—be they the corporate directors, the labor czars, or the playful rich. Or, we could go to public, direct financing of candidates.

I am today introducing a very simple piece of legislation—less than a page in length—opting for the first alternative. I propose we double the political contribution tax credit to $25—$50 in the case of a joint return—and quadruple the related tax deduction to $200—$400 in the case of a joint return. There is no doubt in my mind that such a step, adequately publicized, will spur contributions from middle income and lower income Americans.

I offer this proposal as an alternative to public financing. I do so because I firmly believe that public financing of candidates is wrong. I would not relish having to explain to my constituents why either I or a given constituent's least favored public official got a check from the Treasury to finance his or her campaign—or, even worse, why some candidate viewed with distaste got more, because of some matching arrangement, than some other candidate viewed as being the paragon of all virtue.

Can you imagine the operation of public financing? If it were based on matching funds, the donor list would have to be submitted to someone in this city and verified and a calculation made and a check written and mailed. If the Government in such a case does no better than it does with my constituents who are due tax refunds and VA educational benefit checks, I can see these Federal checks arriving with Santa Claus, long after campaign creditors have sent their 10th dunning letters.

On the other hand, if there were no matching requirement, we would have to choose between financing every candidate who files, versus financing only those who can meet some hypothetical test of candidate viability. There are many of us serving here who just were not viable candidates when we began campaigning and there are some who have not been elected on "major party" tickets. If we finance primary candidates, then the doors are wide open to an unlimited number of beneficiaries. If we finance only those primary candidates who show certain support evidenced by signed petitions, we must validate petitions and bar a citizen from signing more than one. If we do not finance primary candidates, they will be financed as in the past and there is a problem of funds not expended being available for a general election. And, if we finance only party nominees, we effectively eliminate independents and minor party candidates. We will make dark horses extinct and gray horses very much darker.

But, we must find a way to minimize the role of the "fat cat."

Yet, we must remember that one man's "fat cat" is another's deeply concerned citizen. Over reliance on big donations imperils a candidate's objectivity as seen by his constituents. That is true whether the big donor is a corporate executive with certain goals in mind, a labor union leader with certain goals in mind, or the scion of a wealthy family with certain goals in mind. We should not adjudge one category of big donor more public spirited than the other, or less. All give us a way of advancing particular views.

We must minimize their importance. Realistic campaign spending ceilings, coupled with enforcement of the statutes already on the books, with incentives for the smaller donor can help do the job.

An improvement in the tax break for the smaller contributor can be a significant factor. It is indirect Federal financing, but it is totally dependent on each taxpayer's free choice among candidates. The citizen picks the candidate and is in part underwritten for his choice. The candidate with no supporters would get no free support. The doubling of the tax credit makes it really worth considering for all but the poorest. Any organization or interest group could impress on its members and friends the utility of the tax credit. It is the perfect vehicle for the lower income citizen who knows he will owe the government something but whose income is not so structured as to make itemizing worth his while. Quadrupling the tax deduction will spur donations from those in the middle income group who do itemize and who just do not seem to bother with the deductible political contribution allowance because it is too low.

This proposal must be accompanied by

realistic campaign spending limitations. An overabundance of funds, we know now, can be as dangerous as a shortage of funds. We must see that the coffers do not overflow. That is the function of other legislative initiatives which are under study.

BERTRAM M. BERNARD

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. EILBERG. Mr. Speaker, at the end of this month, my good friend, Bertram M. Bernard, district director of the Philadelphia District of the Immigration and Naturalization Service, will retire after 32 years of service to his country and community.

I have known Bert since he came to Philadelphia in 1966. As a member and now chairman of the Immigration Subcommittee, I have come to know him to be a hard working and compassionate administrator who compiled one of the finest records in the service.

Additionally, Bert Bernard is a man who believes in serving his community. Over the years he has given his time and talent to helping his neighbors, young people, and his fellow workers.

At this time, I enter into the RECORD an article published in the Philadelphia Evening Bulletin about Bert Bernard and the record of his service to his community.

DISTRICT HEAD OF IMMIGRATION TO RETIRE AFTER 32 YEARS WITH U.S. AGENCY

(By Henry W. Messaros)

Bertram M. Bernard, district director here of the U.S. Immigration and Naturalization Service since 1966, said yesterday he will retire at the end of the month.

Looking back on his service here, Bernard said the cases that were of most interest to him involved national security.

But, he said, he can't recall any names of persons in the cases.

DID NOT LOOK AT NAMES

"I can't ever remember names," Bernard said. "They were subversive-type cases and I always took the position not to memorize the names of persons involved.

"To be fair in reviewing these types of cases, I always felt that it was best not to look at the names. Names, can often take your mind away from making the proper and final decision."

Bernard, who will be 60 in January, began his career as a naturalization examiner in 1941 and worked up through the ranks.

FIVE THOUSAND PERSONS

His job here has been to enforce the immigration and naturalization laws in Pennsylvania, Delaware and West Virginia. He figures he's over-seen the admission of more than 50,000 persons as naturalized American citizens in this area.

Bernard said two names he does remember are Jack Paresi, of Hazleton, and Russell Buffalino, an upstate businessman. They weren't cases involving subversion and national security.

Bernard sought to block Paresi, an Italian from becoming a citizen, he said, because of his alleged involvement in the rackets and alleged participation in a number of murders.

BUFFALINO CASE

"But we lost out, he explained, "because the Federal Government couldn't produce any corroborating witnesses."

Immigration and Naturalization won the case against Buffalino after taking it to the U.S. Supreme Court several times, Bernard said. The government wanted Buffalino deported to his native Italy because of his alleged participation in underworld activities.

"But even though we won," Bernard said, "Buffalino is still here because Italy has refused to take him back. We're stuck with him because nobody else wants him."

Bernard, a lawyer, has been honored by the Philadelphia Bar Association for his work in his field. He also has been honored for starting a federal program which allows federal employes to go to college while on the job and for another involving the tutoring of slow-learning children by employes of his agency.

When he retires from his $33,000-a-year post, Bernard plans to serve as a consultant to attorneys and companies with problems dealing with naturalization. He also hopes to continue teaching immigration law at Temple University.

MOVE TO MARGATE

Bernard and his wife, Esther, live in Mt. Airy with their son, Harvey. Another son, Dr. Robert W. Bernard, a physician, is married and lives in New York. After he's retired a while the family plans to move to Margate, N.J.

During his career, Bernard has worked in most of the large cities of the East, and some in the Midwest.

"I think the people in Philadelphia and the surrounding areas are the warmest I've met," he said.

BERTRAM M. BERNARD—SERVICE RECORD

In Burlington, Vermont, he was awarded a citation for his contributions to the educational welfare of youth by the Vermont Educational Association on recommendation of the Burlington Teachers' Association.

To foster an appreciation of the culture and historical heritage of ethnic and racial groups within this country, Mr. Bernard has served (and is still serving) as a member of the Board of Directors of the Ethnic Heritage Affairs Institute, Inc. of Philadelphia, Pa.

To assist newcomers to this country to adapt to our American way of life, he has become a member of the Board of Directors of the Nationalities Service Center, a constituent member of the American Council of Nationalities Services.

In pursuit of his efforts to provide a college education to federal employees, Mr. Bernard has virtually singlehandedly established a successful Community College educational program in the several federal establishments leading to Associate Degrees in Urban Affairs and Business Management, enrolling approximately 500 students in the past school year.

Mr. Bernard has served in various capacities in the Boy Scouts of America for the past 25 years, serving as Cubmaster, Scoutmaster and most recently as Chairman of a District Exploring Committee of the Philadelphia Council.

He is an officer and member of the Board of the Adult Education Council of Philadelphia, giving his time and efforts in support of the cause of adult education.

He has been an officer, including president, of the Northwest Neighbors' Association, a civic organization in Northwest Philadelphia, serving the needs and interests of his neighbors and the community at large.

He has been and still is a prime mover and coordinator in Operation G-I-V-E, a project sponsored by the Philadelphia Federal Executive Board to provide tutoring by federal employee volunteers to underachievers in the fourth, fifth and sixth grades of the primary schools in Philadelphia.

He is an active participant in a civic organization known as the Northwest Task Force on Youth, dedicated to provide employment and recreation as an antidote to gang activity.

He received the 1970 Citizenship Award from the Philadelphia Bar Association in recognition of his effective leadership, personal interest and ceaseless efforts in the enhancement of U.S. citizens and citizenship education of our youth.

THE RETIREMENT OF SENATOR SAM ERVIN

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. TAYLOR of North Carolina. Mr. Speaker, with a feeling of personal loss, I learned of Senator SAM ERVIN's plans to retire from the U.S. Senate at the end of 1974.

Senator ERVIN rose from a small-town lawyer to a position of national leadership and to become a national celebrity, and managing through it all to retain a warm folksy humility which has endeared him to his State and the Nation. Long after Watergate has faded from memory, SAM ERVIN will be remembered because he held firm to the belief that ours is a nation of laws, not of men.

In the April 16, 1973, issue of Time magazine, SAM ERVIN was described as "the last of the Founding Fathers." Uncle SAM, as his friends affectionately call him, stands for the "Spirit of '76" and the "Spirit of Patriotism."

He has fought for his belief in government as provided in the Constitution whether it caused him to be tagged as "liberal" or "conservative." He has neither sought controversy; nor has he tried to avoid it. He has marched down the path carved out by the Nation's earliest statesmen and is certain to take his rightful place among them.

In my opinion, Senator ERVIN today is held in higher national esteem than any other governmental leader from North Carolina during the history of this Nation. Western North Carolina's Zeb Vance became a North Carolina legend. Senator SAM has become a national legend.

James J. Kilpatrick commented in his column that "if SAM ERVIN did not exist, as Voltaire once remarked of God, it would be necessary to invent him." SAM ERVIN does exist and the Nation is better off because of it. He is indeed "the right man in the right place at the right time."

As SAM ERVIN leaves "the Senate for sunset," I hope that his years of retirement will be long, pleasant, productive, and useful, as his public service career has been. I hope that he, like Harry Truman, can spend many years as a senior statesman in the Democratic Party. Evelyn and I wish many years of health and happiness for Sam and Margaret Ervin.

TAPES: A TECHNICAL MONOGRAPH FOR THE LAYMAN

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. WOLFF. Mr. Speaker, the American people have rightfully been concerned with the many questions that have arisen recently in the public discussion of the Presidential tapes and the special Watergate Grand Jury. There seems to be a great amount of confusion as to what can or cannot be done to edit or alter electronically recorded material. My constituent, Joseph L. Stern, an expert with 30 years of experience in broadcasting, communications and electronics, has written a comprehensive, unbiased, technical monograph for laymen, so that individual Americans can better understand the events taking place in Washington. There are many sophisticated techniques that can be applied to recordings of this type, and Mr. Stern has contributed to our comprehension of the employment of these techniques.

I believe that the article, reproduced below, is informative and important reading for all Americans:

TAPES—A TECHNICAL MONOGRAPH FOR THE LAYMAN

(By Joseph L. Stern)

ABSTRACT

Audio tape recordings and tape machines are commonplace to most Americans. Tape recordings are accepted as permanent records of sounds and voices. They are assumed to be susceptible to editing, copying and creative production techniques. The electrical signal applied to a tape generally leaves a mark, or signature. There are various sophisticated laboratory processes which can be used to read these marks which may permit identification of the machine or machines used to produce the tape. Edited tapes and copied tapes may also be identified as such—i.e. not original. Authenticity and integrity of tapes may be confirmed or denied by existing laboratory techniques.

INTRODUCTION

The audio tape recorder is a familiar device to millions of Americans. Tape recorders varying in price from $15 to $15,000 are used daily throughout the country for business and recreation. These versatile devices form the backbone of broadcasting, serve as dictation units in business offices, are a source of high fidelity music, are used to record conferences and telephone conversations, and perhaps a baby's first words. They are also used for sophisticated scientific data recordings.

Tape recorders were developed in the mid-1940's, applying the simple physical principle that magnetized material memorizes the manner in which it became magnetized:

In an audio tape recorder an electrical signal generated by a microphone is fed to an electromagnet, creating a magnetic field of energy near the ends of the magnet. When a piece of plastic tape, coated with iron oxide particles, is passed through this magnetic field at a fast even rate, the particles become magnetized. The iron oxide particles become magnetized in groups, forming a pattern corresponding to the sounds picked up by the microphone. When the same piece of tape is later moved over the ends of a similar electromagnet connected to an amplifier and a loudspeaker, a fair reproduction of the original sounds is produced.

Many sophisticated tape machines are available in today's market ranging from portable cassette recorders through complex dictating machines and on to the extremely high fidelity machines used in the broadcasting and recording industries. All utilize essentially the same electrical principles and permit varying degrees of fidelity and/or selective editing and mixing of information.

An original tape recording of a broadcast interview, for example, may be edited in length, or have words or paragraphs inserted, or deleted. Facilities are available in many tape recorders to allow for the insertion of material between that already recorded or the overlaying of background music, voices or other sounds. The post-production edited tape resulting from such activities is what is normally heard in radio broadcasts or on the sound track of motion picture films.

In the record industry, many separate recordings are made simultaneously of the individual instruments in a musical ensemble or from different microphones at different locations. These separate recordings are carefully edited and mixed together to form the desired creative illusion.

In dictating machines it is more or less standard procedure for the person dictating to make corrections on the tape by backing the tape up to the point where he wishes to insert a correction and then, recording. With careful control, words or sentences may be eliminated, replaced or added in a manner allowing the tape to sound like one continuous recording.

Dictating machines are generally operated by a switch on a hand-held microphone during recording and by a foot-switch when playing back or transcribing. In most modern machines the hand-held switch controls both playback and recording while the foot-switch controls only playback and not recording. In many offices playback-only versions of dictating machines are used for transcribing to avoid the possibility of accidental damage to a tape.

ARE TAPE RECORDINGS PERMANENT?

The magnetic signal placed on the tape is generally permanent under normal storage conditions. Tapes kept at reasonable "human comfort" temperature and humidity may last indefinitely so long as they are stored away from strong magnetic fields such as those near powerful transformers or motors.

Accidental Erasure. Accidental erasures are possible under certain circumstances. In cases where a reel of tape is exposed to a magnetic field from a high-powered device, the resultant damage is usually partial erasure. A reel of tape lying flat on a table near a powerful transformer would probably suffer erasure in a manner which would cause periodic interruptions in the taped material when played back. An accident of this type would probably "wipe" or erase a band or wedge of information extending from the center to the reel edge. When the tape is unwound as it is played, the result would be gaps in the sound at spacings equivalent to the circumference of the tape on the reel.

This may be more easily understood by assuming that the accidental magnetic field is a paint brush which paints a stripe on the side of the reel. When the tape is unwound there would be periodic paint marks on the tape, each mark representing an erased or damaged portion of tape.

A reel of tape could be completely erased if it is immersed in a strong magnetic field which fully surrounds the reel. Commercial devices are available to professionally erase tapes prior to a recording session and these units require that the tape reel be slowly rotated in the intense magnetic field to ensure complete erasure. Accidental erasure is rarely complete.

Erasure During Playback. It is possible to erase or damage a tape while it is being played but only under most unusual circumstances. If a tape machine is operated in the "play" position, the "record" portion of its circuitry is not operative. If it were, the machine would be erasing the tape as it moved and the listener would hear no sound. All machines have a system of interlocking which prevents recording unless an overt action is taken to press both the "record" and "play" buttons, at the same time. It is a very rare case where this interlocking circuitry fails and, if it did so during a playback, the listener would hear no sound.

If a tape machine is being operated as a transcriber, without a microphone connected, and both the "record" and "play" buttons were pressed at the same time, the result would be that the tape passing the erase and recording heads would be erased. If there were strong magnetic fields from transformers or motors near the tape machine at this time, it is conceivable that a 60 or 120 cycle per second hum signal could be recorded on the tape. It is likely however that the magnetic field causing this hum would also partially erase the outer layers of tape on the reel nearest to the magnetic field. It is also quite likely that the outer layers of tape on the reel farthest from the magnetic field would also be partially erased, but to a lesser degree. Unlike the case noted above, there would not be periodic erased portions on the outer layers of the tape since the reel of tape would have been rotating within the magnetic field very much like the action of a professional erasing machine.

Erasure by the tape machine is rarely complete and some residual sound is usually left on the tape. This is usually inaudible when played on a simple tape machine but may be made audible with laboratory facilities. For complete erasure a professional, intense magnetic field, rotating erasing machine is required.

CAN TAPE EDITING BE DETECTED?

When editing is professionally done it is virtually impossible to *hear* if the tape was edited. With careful laboratory analysis, however, there are many types of editing that can be detected. If there are a number of tapes that were allegedly made on the same machine and with the same microphone and room conditions, it may be possible in the laboratory, to determine the minute differences between the tapes, assuming one was edited and the other was not. The same type of analysis may be possible on one tape, comparing portions of the tape with each other.

Voice-Operated Control. If the tape has been recorded in a system using a voice-operated start/stop system, each conversation will have a very small time-lag before the recording is started, with the possibility that part or all of a syllable will be missed. This should be detectable throughout the tape, at the start of each conversation. This same "lag" could be purposefully introduced while editing, minimizing detectability. Careful study, however, could show whether or not the "lag" in starting was the same throughout the tape and if the "lag" and transient start of each conversation matched throughout, as well as whether or not the "lag" in the stop of the recording was also the same throughout.

Erase and Bias Signals. Measurement of the erase and bias signals on the tape may show if the tape was all recorded on one machine or if editing had been performed using a different machine. Many tape machines provide an erase signal immediately preceding the recording action; if this comes from a separate erase head it may be possible to ascertain in the laboratory, the frequency and amplitude of the erase signal and to compare it with the machine allegedly used for the recording. Another signal on the tape, not audible, is the bias signal used to improve the clarity of the recording. In some machines this signal can be found during quiet

periods or immediately following a portion of recording. The frequency and the amplitude of these signals can be measured in the laboratory. They should be the same throughout a tape made on the same machine, and not edited.

Print-Through. Many times the signal on one layer of tape will "print through" to another layer of tape causing what may sound like an echo or the crosstalk of another word or conversation. This is usually caused by the close proximity of the two magnetic signals on a tightly wound tape with the resultant transfer of some energy, from layer to layer throughout the reel. The consistency of this "print-through", if present, would be indicative of the authenticity or integrity of the tape as unedited.

Since the signal produced by "print-through" is very low level, it might not be carried in a copying operation and this lack could be detected. A copy could be consistent with no "print-through" whereas an edited tape might show changes in print-through".

Track Alignment. Every tape machine has its particular mechanical alignment. The position of the magnetic recording head relative to the position of the mechanical guides which carry the tape in front of the recording head, determines the location of the recorded magnetic "track" on the tape. While in no way as distinct and unique as fingerprints, there are determinable differences between machines which could be a major aid in learning if a tape were made on one machine with portions edited in from another machine.

A laboratory analysis can show if the recorded "track" throughout the tape has been consistent and compares properly with the mechanical alignment of the machine allegedly used. If there are differences at various points in the recording this would indicate that a portion of recording on the tape came from a different machine.

It must be noted that a copied tape however, will show only the track location of the machine making the copy. While differences in track location will show if more than one machine was used, a tape with no differences should show a track location consistent with the machine allegedly used.

Residual Hum. Many recording systems will pick up 60 or 120 cycle per second hum signals from the AC wiring in the room, from desk lamps, or other devices. Quite often these signals are of such a low intensity that they cannot be heard in playback but are still measureable in the laboratory. If the recording was all made on one machine with a fixed microphone setup, there should be a consistent hum "signature" on the tape. If it is found not to be consistent this might indicate that editing had been performed.

In a laboratory setup it may be possible to measure the frequency of the residual hum signals and to compare it with that on other portions of the tape, to determine if the hum signals properly relate to the location where the tape was allegedly recorded. The hum pickup characteristics of the machine and microphone system used should also be compared to the tape signals.

Spectral Signature. A spectral analysis of the signals, made with sophisticated laboratory equipment may serve to show if the entire tape was recorded with the same equipment in the same room. The analysis is similar to now accepted "voiceprint" techniques and should allow a determination of the effect of microphone placement and room acoustics on a known voice. It should also allow determination of the constancy of these effects throughout the tape, particularly for the same speaker.

The recordings in question may have been initiated at times by sounds other than voices and also have quiet periods when outside sounds may be recorded. An identifying pattern of room acoustics and repetitive outside sounds could be found by spectral analysis.

CAN THE MACHINE USED FOR TAPING BE IDENTIFIED?

In addition to the location of the recorded "track" on the tape, there are a number of other characteristics of tape machines that can be used to determine if a tape was made on a particular machine or if there were more than one machine used in recording on any one tape.

Mechanical Signature. In the laboratory it is possible to make a detailed mechanical inspection of both the tape and the machine allegedly used to see if the two conform. There may be repetitive marks on the tape caused by mechanical guides, slightly eccentric rollers and pressure capstans which can be made visible in a laboratory. In some cases there is creasing of the tape caused by guides and in others there is a rippling of the tape edge due to a minor misalignment of the tape guides relative to the reel location.

If the tape has been replayed on other machines a number of times, however, the playback machine will also introduce a mechanical "signature" which can obscure the marks made by the recording machine.

Tape Tension. The mechanical drive of the tape machine, along with the torque applied by the takeup reel will provide tension on the tape which will effectively stretch the tape. It is possible that a measurement can be made in the laboratory to determine the location of the recorded signal relative to the position of the erase signal and this measurement should conform to the machine allegedly used.

Tape Speed. Minor variations in speed are often found on different machines which may slightly alter the pitch of the sounds when played back. If the tape is alleged to have been made on one machine it is likely that the tape speed will be constant throughout a recording. Inserts made on another machine may be detectable.

If the tape has been copied the speed variations will not show through except as possible minor shifts in pitch. In such a case an analysis of individual speakers' voices would have to be compared with the sound on the tape to detect if a second machine was used. Again, a reference recording from the machine in question is required.

Magnetic Energy. Under certain circumstances the amount of magnetic energy applied to the tape by a particular machine may be measured in a laboratory. If a tape has not been copied, but has been edited on other than the original machine, a laboratory analysis of the tape may show this. If the entire tape has been copied on another machine, this type of test may not produce meaningful information.

Transition Information. When a tape machine starts and stops there may be finite differences between machines, in the timing of getting "up to speed" and the time at which the recording is started. This is a very fine measurement and might be performed in the laboratory by physically coating the tape with fine magnetic particles in solution, to microscopically analyze the pattern created at "starts" and "stops" of the recording. A test tape from the machine in question, started and stopped by the automatic voice-operated relay system, is required for comparison.

Bias Field Location. Different designs of tape machines contain different recording, erase and bias head configurations. In some all three functions are included in one head assembly. In others the erase head precedes the recording head. In still others a bias head is set opposite the recording head creating a crossing of magnetic fields during recording. Careful laboratory analysis can identify the residual signals on a tape, allowing comparison with the magnetic sample from the machine allegedly used.

CAN A "DAMAGED" TAPE BE RESURRECTED?

There are times when spurious unwanted signals may be recorded over a desired tape recording and there are a number of methods available to eliminate these undesired signals, allowing the original material to be retrieved. Through the use of laboratory audio processing, it may be possible to filter out the unwanted signals, allowing the desired material to be heard.

"Inaudible" Sounds. Selective amplification and enhancement techniques are readily available in the laboratory to bring out desired voice signals and reduce room, exterior and hum noises or signals which may reduce intelligibility under normal playback conditions.

Hum signals. Unwanted interference from hum, caused by alternating current devices, will have a constant frequency of either 60 or 120 cycles per second. A discrete frequency can easily be filtered out of a tape playback to allow the original material to be heard. In the filtering all frequencies in the voice presentation that are 60 or 120 cycles per second will also be filtered out, mildly affecting the fidelity.

If the unwanted hum signal is extremely intense however, it may act like an erase signal and completely obliterate all previously recorded material. Sophisticated laboratory processing, with selective amplification and enhancement of signals, should be able to bring out portions at least.

There are also methods of masking which can be used to cancel out unwanted signals such as hum. In such a case the hum signal on the tape is amplified and recorded on another tape. It is then played back during the playback of the original and mixed with it in such a manner as to cancel out the hum. Many other analytical and processing procedures for determining tape authenticity and integrity are available in the laboratories.

JOHN F. KENNEDY REGULAR DEMOCRATIC CLUB OF QUEENS URGES SUPPORT FOR ISRAEL

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. ROSENTHAL. Mr. Speaker, the Congress has emphatically voiced its support for Israel by voting to provide $2.2 billion in emergency military aid to help Israel rebuild her defenses following the October war.

Israel is the bulwark of democracy in the Middle East. Her loss would result in total Soviet-Arab dominance over that part of the world.

In recognition of this, the board of directors of the John F. Kennedy Regular Democratic Club of Queens unanimously passed the following resolution which I am inserting in the RECORD at this point:

Be it *resolved*, that the John F. Kennedy Regular Democratic Club urges the Queens representatives in Congress to support the independence and defensible boundaries of the State of Israel, and it is further

Resolved, that our representatives make known to the "Administration" our opposition to any pressure on the State of Israel to accept a compromise which would endanger its capacity to defend itself from surprise

Arab attacks, and be it further

Resolved, that the United States should, under no circumstances yield to Arab blackmail, and be it further

Resolved, that our duly elected Representatives of Queens County use all the influence of their high offices to effectuate the mandate of their constituents with courage and firm resolve.

H.R. 12066: PROPOSED FEDERAL REAL ESTATE SETTLEMENT AND ESCROW ACCOUNT ACT

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

MRS. SULLIVAN. Mr. Speaker, in preparation for further hearings early in the next session by the Subcommittee on Housing of the House Committee on Banking and Currency into real estate settlement abuses, I am today reintroducing as a separate bill—with some significant changes—the major provisions of a settlement reform statute we approved in the Subcommittee last year as title IX of the 1972 omnibus housing bill. The bill is H.R. 12066.

Title IX was severely weakened in the full committee last year by adoption of a substitute sponsored by the gentleman from Georgia (Mr. STEPHENS), but the omnibus housing bill to which it was attached subsequently died in the Rules Committee and the House never had an opportunity to vote on the issues involved in this controversey.

Meanwhile, the Housing Subcommittee has held 2 days of hearings earlier this month on proposed Federal standards for real estate settlements. Virtually the entire real estate industry and spokesmen for lawyers specializing in title and settlement work have enthusiastically endorsed H.R. 9989 as introduced this year by Mr. STEPHENS containing the provisions of his substitute last year to title IX; at subsequent hearings, however, we will hear from consumer-oriented experts who will undoubtedly point up the inadequacies of H.R. 9989 and discuss the need for stronger consumer protections such as were contained in the original title IX and in the version I am introducing today.

Among other things, the new bill proposes formal machinery for dealing equitably with the estimated $9.4 billion of home owners' funds annually set aside by mortgage lenders—almost always in non-interest-bearing escrow accounts—for payment of taxes and casualty insurance premiums when due. Lenders are usually able to invest these amounts in short-term interest bearing paper or otherwise use the money temporarily for their own financial benefit. The sections of the new bill dealing with escrow funds are based on the results of a comprehensive study of residential real estate escrow accounts made at my request in the past year by the General Accounting Office.

NEED FOR LEGISLATION

The mysteries—and shocking surprises to most home buyers—in connection with the charges made for closing a home purchase have long been a source of dismay to the average family in entering into the biggest financial transaction of their lives, the purchase of a home. At the time of signing a contract to buy a home, the purchasers are usually called upon to commit virtually every cent they can scrape together for the purpose of making a downpayment. Only after the purchasers sign the agreement to buy a home do they begin to learn of the sizable additional amounts they will be called upon to pay at the time of settlement.

If a family has previously purchased a home and had experience with the last-minute nightmare of finding the money to pay unexpectedly high closing costs, it will try to prepare in advance for the settlement charges it anticipates will be made. Even when they ask for this information, however, the purchasers are nevertheless often given deliberately understated estimates of what the closing costs will actually be. The experience in the title company or settlement office when the final transfer ceremonies take place is almost always financially and emotionally traumatic for the buyer.

In addition to the high—and sometimes unconscionable—settlement charges themselves, there is the sense of bewilderment over what some of the charges are for, and why they are made. Unless the purchaser has his own lawyer present for the settlement, he is usually "advised" by a battery of lawyers and real estate people representing other parties to the transaction that such-and-such is the required charge and you have to pay it. The most ironic aspect of this experience is that the fees for the services of all of the experts participating directly or indirectly at the closing, including fees for services which may not actually have been performed—in other words, kickbacks to lawyers and side-payments to developers and commissions for originating a loan or referring business to a particular title company—are all paid for by the purchaser although the services rendered, or claimed to have been rendered, are primarily for the benefit of other parties to the transaction, not the home buyer. He just pays the mysterious charges and staggers out of the settlement office in a state of financial shock, wondering what hit his bank account so many resounding blows he had not expected and was not prepared for.

One of the problems, of course, is that of communication—making sure that the home buyer knows in advance what payments and fees, legitimate or otherwise, are involved in taking title to his home. There is now general agreement throughout the real estate industry that the buyer deserves to have a written statement of the prospective settlement charges in advance, and an explanation of what they are for.

But in the absence of legislation requiring such advance notification, many real estate brokers and lenders fail to provide advance notification, and do not even provide the required truth in lending disclosure form on the credit charges until the actual day of settlement, when the disclosure information is buried in a mass of other papers which all have to be signed at one time.

But equally important with advance notification—and such notification of the settlement charges should be required to be made as far in advance as possible, either at the time of entering into the contract to buy the house or, at the latest, at the time of applying for a mortgage—is the need to assure the home buyer that the settlement fees he is going to be charged are fair and reasonable, and do not involve charges for legal work not done, or for disguised kickbacks to persons with no moral right to a share of the settlement charges.

Another area of serious abuse in the transfer of real estate is the fictitious sale of property to "straw parties" at inflated prices in order to try to establish an artificially high market value. Although the fictitious sales price will show on the real estate records, the property itself has not actually changed hands, and is still held by the true owner, but in the name of a relative, friend, business associate or employee, who is perhaps paid a nominal fee for acting as a "straw." Low-income families, particularly, have been victimized by such practices when buying a home from a real estate speculator who had previously kited the alleged market value of the property through one or more sales to straw parties. In cases brought to light in the Banking Committee, lenders with close business ties to real estate speculators were willing to accept the alleged previous selling price to a straw party as a legitimate indicator of the property's market value, and issue a mortgage based on the fictitiously high value. Two of the biggest victims of this kind of speculative skullduggery have been the Federal Housing Administration and the Government agency which insures deposits in savings and loans, the Federal Savings and Loan Insurance Corporation, which ended up owning many of the overpriced homes involved in straw party transfers.

The bill I am introducing addresses itself to all of these problems, as did the version of title IX I sponsored in the Housing Subcommittee last year. Changes from last year's version are based on further study of the effectiveness of some of the proposed solutions.

The provisions on escrow accounts, as I said, developed from information amassed in a General Accounting Office study of the costs to lending institutions of maintaining such accounts for the payment of taxes and insurance compared to the benefits the lenders derived from the use of the nearly $10 billion annually handled in such accounts.

Home buyers have been indignant over the fact that such accounts generally pay no interest. Lenders have contended that if they had to pay interest on these accounts, the costs of maintaining them would make them uneconomical. The GAO, while inconclusive on the feasibility of requiring interest to be paid on such accounts, nevertheless points out that many larger mortgage lenders do derive substantial revenues or other benefits from temporary investment or other use of the moneys put aside in escrow.

FINDINGS AND PURPOSE

Mr. Speaker, in passing this legislation Congress would be making a determination that consumers throughout the Nation—especially low- and moderate-income family consumers—must be protected from widespread abusive, inequitable and fraudulent real estate transaction practices which have bilked our citizens of billions of dollars and have caused enormous hardship and deprivation. These practices make the consumer easy prey for housing speculation, result in grossly inaccurate housing appraisals and are characterized by inflated or completely unjustified real estate settlement commissions, fees, and charges. It is the purpose of this act to protect the consumer (a) by eliminating self-serving conflict-of-interest situations between lenders, sellers, and all others providing real estate transaction services; (b) by establishing a standard for reasonable real estate settlement transaction costs; (c) by requiring advance disclosure to both homebuyers and home sellers of real estate settlement commissions, fees, and charges in order to provide buyers and sellers alike with the knowledge and opportunity to protect their interests; (d) by establishing an efficient, uniform system of recording real estate transactions; and (e) to encourage the establishment of an equitable system for the payment of real estate taxes and hazard insurance.

MAXIMUM SETTLEMENT CHARGES

First, and most crucial, the bill calls for the establishment by the Secretary of Housing and Urban Development, in consultation with the Administrator of Veterans Affairs, the FDIC, and the Federal Home Loan Bank Board, of maximum charges which can be imposed for each of the principal kinds of charges incident to a residential real estate settlement in any "federally related" mortgage loan. This is without doubt the most controversial section of the bill. A federally related mortgage is defined generally as one insured or subsidized by a Federal instrumentality; or issued by a lending institution regulated by or whose deposits are insured by the Federal Government; or eligible for purchase by a federally established secondary mortgage market such as FNMA; or issued in whole or in part by any "creditor" subject to the Truth in Lending Act who makes or invests in residential real estate loans aggregating more than $1,000,000 a year. This would cover virtually all purchase money first mortgages and most second mortgages.

The Secretary of HUD already has the authority under section 701 of the Emergency Housing Act of 1970 to impose maximum settlement charges on FHA-insured or VA-guaranteed mortgage loans, but has not put such maximum charges into effect. Former Secretary Romney, who carried out a comprehensive study of this issue following passage of the 1970 act, proposed a regulation to carry out section 701 before he left office, but his successor has declined to put it into operation. My new bill retains this authority but provides that any maximum charges imposed under section 701 of the 1970 act of FHA and VA transactions would be superseded by those imposed on all federally-related mortgages. Most of the lobbying activity last year against title IX was aimed not only at blocking maximum charges on federally related mortgages generally, but also at the repeal of section 701 of the 1970 act. The Stephens substitute reflects the industry position on this issue of maximum charges—none would be imposed under H.R. 9989.

STANDARDIZED FORM

Next, my bill provides for the development of a single, standardized Federal settlement form to be used in all transactions covered by the definitions of a federally related mortgage loan. Among other things, the form would clearly itemize charges imposed upon buyer or seller and specify which portion of a title insurance premium covers the lender's interest in the property and which portion insures the borrower's interest.

SPECIAL INFORMATION BOOKLETS

In addition, the Secretary of HUD would be required to prepare and issue special information booklets outlining to every home purchaser the nature and purpose of every charge incident to a real estate settlement, indicating the maximum allowable charges, spelling out the rights of buyers in arranging for the performance of some settlement services; and explaining the pitfalls and unfair practices to be avoided in a settlement.

ADVANCE DISCLOSURE OF SETTLEMENT COSTS

At the time of entering into a loan commitment to issue a federally related mortgage, the lender would have to provide to the prospective borrower and to other parties, including any Federal agency insuring or subsidizing the loan, an itemized disclosure in writing of all charges which will arise in connection with the settlement. In the event the exact charge in any instance cannot be determined that far in advance, it would be permissible to provide a good faith estimate of that particular charge.

PROHIBITION AGAINST KICKBACKS

It would be a criminal offense, subject to a fine of up to $10,000 and/or imprisonment up to 1 year, for any person to accept or furnish "anything of value" for referring business incident to a residential real estate settlement.

PROHIBITION AGAINST CERTAIN ATTORNEY FEES

No attorney who performs any legal services in connection with a real estate settlement may receive a commission for issuance of title insurance on the property involved in the transaction.

LENDER AND BUYER SHARE EQUALLY IN PAYMENTS FOR TITLE SEARCHES, PROPERTY SURVEYS, AND PROPERTY EXAMINATIONS

The lender and buyer would be required to share equally in the payment of all charges, fees and commissions assessed in connection with a federally related mortgage loan for title searches, surveys of property boundaries, and examination of property boundaries.

TITLE INSURANCE PAYMENT

Any fees charged for title insurance to protect the lender's interest would have to be borne solely by the lender.

TAX AND INSURANCE ESCROW ACCOUNTS

Like the two preceding sections, this provision of the bill is new this year.

It provides that on federally related mortgage loans the borrower may elect to pay his own taxes and casualty insurance premiums when due, but if he elects to have the lender set up an escrow account for this purpose, the borrower and lender may mutually agree between them as to whether interest shall be paid the borrower on his escrow deposits, and what rate of interest is to be paid.

When the borrower elects to pay his own taxes and insurance, the lender would have the right to step in and pay the amounts if overdue, and assess the borrower for any deficiencies, plus interest.

Retained in the new bill is a provision from last year that lenders maintaining escrow accounts may not require monthly payments in excess of one-twelfth of the estimated annual amounts due for taxes and insurance.

DISCLOSURE OF PREVIOUS SELLING PRICE

As rewritten this year, the provision of last year's bill on disclosure to a buyer by the seller of the previous selling price of a home which had changed hands in the preceding 2 years must be made not at the time the loan commitment is being obtained, but prior to the signing of the sales agreement. If this information is furnished at the time the buyer is arranging to obtain a mortgage, it is too late for him to back out of the sales agreement upon discovering he is paying an obviously excessive price, based upon the amount of a recent sales price of the same property plus any improvements made in the property in the 2-year interim. The only obligation on the lender regarding the previous selling price is to make sure at the time of entering into the loan commitment that the seller has actually given this information to the buyer prior to the point of signing the sales agreement.

Disclosure of the previous selling price or prices is one important method of uncovering and checking out fictitious sales through straw parties during the previous 2 years.

OTHER PROVISIONS CARRIED OVER FROM 1972 BILL

The remaining provisions of the bill are carried over with little or no change from the original title IX of the 1972 housing bill.

They include:

A prohibition of any fee for preparation of a Truth in Lending disclosure form; establishment of a demonstration program by use of computers to record land parcels in a number of areas of the country to determine the feasibility of a national uniform computerized system of land parcel recordation in order to facilitate and simplify land transfers and mortgage transactions; regulation of conflicts of interest in title company operations and authority for title companies to provide full services through the employment of persons qualified under State law to perform such services; and required disclosure to insured savings institutions of the identity of any person receiving the beneficial interest of any loan obtained through an agent,

trustee or other person acting in a fiduciary capacity.

DIFFERENCES BETWEEN SULLIVAN AND STEPHENS BILLS

Mr. Speaker, from a quick glance, the Stephens bill, H.R. 9989, sounds enough like the original title IX of last year's housing bill, and like the bill I have introduced today, to convince many people that it is an effective measure to protect consumers in the purchase of a home. As a matter of fact, it contains numerous sections taken almost verbatim from last year's title IX, such as: the requirement for a uniform Federal settlement statement; the issuance of special information booklets; advance disclosure of settlement costs; a prohibition against kickbacks in title settlement fees; a limitation on the amounts which can be required to be deposited in tax and insurance escrow accounts; required disclosure of previous selling price; prohibition of fees for preparation of Truth in Lending disclosure forms; establishment of a demonstration land parcel recordation system; a prohibition against sellers dictating the selection of a title insurance company; and requirement of full disclosure to an insured lender of the identity of the person receiving beneficial interest of the loan.

H.R. 9989 also retains the provision of last year's title IX for a study of escrow accounts by the Federal Reserve Board.

There is, of course, some reason for consumer gratification in the fact that the real estate industry's support for the provisions of H.R. 9989 reflects a recognition that many of the practices which have grown up in the real estate industry in the transfer of residential property can no longer be defended. But there is more to this than meets the eye, as will be noted in comparing H.R. 9989 with the original provisions of last year's title IX and the provisions of the bill I have introduced today.

The most important difference is that H.R. 9989 not only deletes any authority to set maximum settlement charges on all federally related mortgage loans but actually repeals the existing authority of section 701 of the Emergency Housing Act of 1970 for the setting of maximum settlement charges on FHA-insured and VA-guaranteed mortgages.

A survey ordered by former Secretary Romney following enactment of the 1970 act clearly established the need for protecting purchasers of homes with mortgages insured by FHA or guaranteed by the VA from unconscionable settlement charges and practices. Secretary Romney came before our subcommittee last year, and later the full committee, to describe his plans for implementing section 701 of the 1970 act and stated that the Department would move expeditiously to put maximum charge regulations in effect in those areas of the country where prevailing charges were found to be excessive.

However, after Secretary Romney left the Department, HUD apparently lost its interest in implementing section 701 of the 1970 act. It has failed to do so. One reason given by the Commissioner of FHA for this failure is that the House Banking and Currency Committee late last year, in the omnibus housing bill, voted for the Stephens substitute which would repeal section 701. An action by one committee of the Congress to recommend repeal of a statute certainly does not change the law. In the meantime, however, many purchasers of homes under mortgages backed by FHA or the VA are paying inflated and unjustified settlement charges which HUD could reduce on specific items by 50 to 75 percent in some areas in the Nation.

Secretary Romney pointed out in his testimony before us that even if Congress did not require maximum settlement charges on conventional mortgages, the maximum settlement charges imposed on FHA and VA housing, as authorized under section 701 of the 1970 act, would serve as a guide and yardstick for all home purchasers in those localities to determine what fair and equitable settlement charges should be. Of course, this was an aspect of section 701 that those engaged in the business of handling real estate settlements were not anxious to see go into operation.

While repeal of section 701 of the 1970 act and blocking of any maximum settlement charges on federally-related mortgages appear to be the main objectives of H.R. 9989, there are other important differences between this bill and my settlement reform measure which will be brought out in our subsequent hearings. My bill is aimed primarily at the buyer's protection, as a consumer measure. I hope the Housing Subcommittee will once again approve the stronger version of the legislation, as it did last year, and that we can then defeat efforts in the full committee to weaken it, in contrast to what happened in the full committee last year.

ORIGINS OF THE LEGISLATION

The serious abuses in the residential real estate settlement field were first brought to the attention of the Banking and Currency Committee in 1969 after Chairman PATMAN appointed an ad hoc Subcommittee on Home Financing Practices and Procedures to investigate speculative housing sales activity in inner-city housing in the District of Columbia. This investigation grew out of a series of articles in the Washington Post on the operations of the Republic Federal Savings and Loan Association which had financed a large number of inner-city residential properties purchased and resold at unconscionable prices by real estate speculators victimizing low-income families in the District. Republic was so badly damaged by the resulting inevitable foreclosures that the Federal authorities insuring its depositors against loss moved in and ordered the association merged into another savings and loan. The Federal Savings and Loan Insurance Corporation, as part of the merger deal, had to assume ownership of many of the abandoned properties covered by the bad loans.

As chairman of the special investigating subcommittee in 1969, I had the assistance of Congressmen JAMES M. HANLEY and FRANK J. BRASCO of New York on the majority side, and on the minority side, former Congressman Chester L. Mize of Kansas and the present junior Senator from Maryland, the Honorable J. GLENN BEALL, JR. In our investigation, in addition to alarming instances on the part of lenders in joining with unscrupulous speculators to inflate the value of inner city housing, we uncovered the outlines in the District of Columbia of the FHA 235 scandal on subsidized housing which was later documented in great detail by the full committee in a comprehensive national investigation.

In the course of our ad hoc subcommittee inquiry into real estate abuses in the District of Columbia, we also went into the matter of settlement charges and settlement practices. Section 701 of the 1970 Emergency Housing Act reflected the disturbing information we developed.

Subsequently, another series of articles in the Washington Post, by Ronald Kessler, spotlighted the widely varying settlement charges in different areas of the country. This led to the introduction by Chairman PATMAN of the parent committee of a bill in the 92d Congress dealing with settlement reform which formed the basis for the provisions of title IX which I sponsored in the Housing Subcommittee. Many of the provisions of title IX later won the support of Secretary Romney following the survey into FHA and VA settlement charges which he had made in conformance with the Emergency Housing Act of 1970.

The issue of settlement reform has been thoroughly studied and the need for action fully documented.

THE GAO STUDY ON ESCROW ACCOUNTS

Last year's title IX directed that a study be made by the Federal Reserve Board into the feasibility of requiring interest to be paid on tax and insurance escrow accounts. When the 1972 housing bill died in the Rules Committee, I then asked the GAO to make such a study. In the course of its investigation the GAO attempted to determine the costs and profits made, or losses sustained, by lending institutions in maintaining escrow accounts.

Out of an estimated 19,000 lending institutions and mortgage bankers involved in the residential mortgage market, GAO sent questionnaires to a randomly selected sample of 971 commercial banks, mutual savings banks, savings and loan associations, and mortgage bankers. It received 684 responses, from 70.4 percent of the sample institutions, who reported owning or servicing about $80.2 billion in residential mortgages.

The mortgage bankers included in the survey reported that they did not earn income from escrow funds because they generally deposited them in noninterest-bearing custodial accounts. But the mortgage bankers did acknowledge, however, that they use escrow collections to establish lines of capital credit with banking institutions.

Of 505 other lending institutions contacted, only 220 reported any gross income from escrow operations: 29 percent claiming annual gross income from this source under $10,000; 51 percent under $25,000; and 83 percent under $100,000.

Only three institutions—1.4 percent of those providing data—reported annual gross income from escrow accounts in excess of $500,000.

Of the 505 responses from banks and savings and loans, 96 reported they did not require or maintain escrow accounts; 246 said they maintained them, but they did not report either income or costs, or both, in connection with their escrow accounts; and 163 furnished data on the estimated profitability of these operations. Among the 163 which gave data, 52 reported overall losses from escrow operations; 17 said costs and revenues were about equal, and 94 said that escrow operations resulted in a net profit.

In following up with 18 sample institutions which had reported cost and profitability data, the GAO found that in all but one instance the data was not supported by accounting records or specific cost studies. In the remaining instance, the institution's own studies showed the escrow operation not profitable. Subsequently, the GAO itself made its own cost analyses at four institutions. This part of the study showed that the profitability or loss to the lender of maintaining escrow accounts and investing the funds temporarily varied widely according to the method used of allocating to the escrow operation a pro rated share of the institution's operating costs. Where costs were figured only on the basis of overhead and general and administrative costs that would be avoided if the escrow operation were eliminated, the four institutions studied in depth showed profits ranging from $8.48 to $18.77 per escrow account.

The economic point most clearly established in the GAO study is that the Nation's taxing bodies benefit significantly from the maintenance of tax escrow accounts by mortgage lenders, since tax payments are always made promptly by lenders and in large amounts, compared to the many small payments which would have to be accounted for from individual homeowners paying the taxes directly.

VOLUNTARY ARRANGEMENT FOR PAYING TAXES AND INSURANCE

The GAO study was carefully constructed and conscientiously pursued by highly competent investigators. But it was inconclusive as to whether it is feasible to require interest to be paid on escrow accounts without causing excessive cost burdens on smaller lending institutions.

Hence, my new bill does not require payment of interest on escrow accounts. The existence of escrow accounts for taxes and insurance assures to the home buyer and to the lender, both, that the necessary funds to pay these essential costs will be available for payment when due.

On the other hand, there is no question that a great many home buyers are perfectly capable of setting aside in interest-bearing accounts of their own the funds to pay taxes and insurance premiums when due, and would be conscientious about paying those necessary costs related to homeownership. To be required to deposit substantial sums with the lender each month to cover taxes and insurance, and derive no interest income from the money so set aside, is a mortgage loan condition many financially responsible homeowners bitterly resent. Such escrow accounts are required in all FHA loans, and are generally required on conventional mortgages as well.

Therefore, in order to assure equity both to the lender and mortgage borrower, my new bill gives the home buyer the right to pay his own tax bills and insurance premiums, with the right accorded to the lender to step in and pay these costs when the borrower fails to do so on time and assess interest penalties on the borrower to cover the added costs. At the same time, if a borrower prefers to have the lender set up an escrow account for these purposes, the bill encourages lender and borrower to bargain on the terms and conditions of the escrow arrangement, including any interest rate they can mutually agree upon for the nearly $10 billion in such funds now being placed in such accounts during a year. But no set interest rate would be imposed by law on escrow accounts under the bill as introduced.

THE STATES AND THE ENERGY CRISIS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Friday, December 21, 1973

Mr. HARTKE. Mr. President, I ask unanimous consent to print in the Extensions of Remarks, a resolution adopted by the National Conference of Lieutenant Governors at their convention in Phoenix, Ariz., on December 1. The resolution pertains to the role of the States in meeting the energy crisis.

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

NATIONAL CONFERENCE OF LIEUTENANT GOVERNORS,
Phoenix, Ariz., December 1, 1973.

RESOLUTION CONCERNING THE STATES AND THE ENERGY CRISIS

Whereas, the nation now faces serious needs to conserve and allocate its supplies of energy in various forms, since available and foreseeable supplies fall short of meeting normal demands; and

Whereas, the states are responding in imaginative and effective ways to cooperate in the attainment of national goals for reducing waste and curtailing other consumption of energy; and

Whereas, situations differ between and among states, and even within individual states, in the extent to which specific energy conservation and allocation measures can be implemented with minimal impact on the economy and on social well-being; and

Whereas, the states are in a better position than are federal authorities to adapt a national program in such a manner as to minimize the undesirable and avoidable impacts of such programs as are now or will become involved;

Now, therefore, be it resolved, that the National Conference of Lieutenant Governors urges the Congress and the national Administration to assure the retention of a meaningful, primary role for the several states to fill in any and all energy legislation enacted and administrative steps taken, while still assuring the achievement of national energy conserving goals.

FINANCIAL STATEMENT OF CONGRESSMAN CHARLES W. WHALEN, JR., AND FAMILY

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. WHALEN. Mr. Speaker, I fully supported the action taken by the House of Representatives in requiring Members to report certain sources of income to the Standards of Official Conduct Committee. However, the credibility of Government now is so low that I feel it is incumbent upon me to make a full disclosure of my income and assets. President Nixon has done this, as have other public officials. I do not believe that there should be a double standard, one which applies to the executive branch and another for the legislative branch.

The following is a statement of my wife's and my combined net worth, as of January 3, 1973, and a breakdown of our income tax return for the year 1972. I also am providing this same information for our six children: Charles E., age 13; Daniel D., age 11; Edward J., age 9; Joseph M., age 7; Anne E., age 6; and Mary B., age 1.

Similar reports will be provided in early May 1974, upon completion of my family's tax returns for 1973.

The statements follow:

FINANCIAL STATEMENT AS OF JANUARY 3, 1973: CHARLES W. WHALEN, JR., AND BARBARA G. WHALEN

ASSETS

Cash, $1,443.73.

Ninety-day notes—General Motors Acceptance Corp., $61,000.

Common stock

Allegheny Power Systems (1,100 shares)	$26,400.00
American Cyanamid (200 shares)	6,400.00
Baltimore Gas & Electric Co., (100 shares)	3,025.00
Beneficial Finance Co. (188 shares)	9,823.00
Carolina Power & Light Co. (800 shares)	5,546.00
Coca Cola (240 shares)	35,190.00
Copeland Corp. (400 shares)	20,300,00
Delmarva Power & Light Co. (1,000 shares)	16,875.00
Detroit Edison Co. (1,000 shares)	20,750.00
Duke Power Co. (1,000 shares)	23,125.00
Ex-Cell-O Corp. (100 shares)	2,112.50
Federated Department Stores (220 shares)	12,347.00
General Telephone & Electronics (300 shares)	9,187.50
Gulf State Utilities (400 shares)	8,850.00
Hubbard Real Estate Investment Co. (120 shares)	2,445.00
Merrill Lynch, Pierce, Fenner and Smith (50 shares)	1,612.50
Minnesota Mining and Manufacturing (600 shares)	51,450.00
Owens-Illinois Glass (200 shares)	8,400.00
Charles Pfizer Co. (510 shares)	22,248.75
Phillips Petroleum Co. (200 shares)	8,875.00
Public Service Elec. & Gas (2,350 shares)	57,281.25

Reynolds & Reynolds Co. (500 shares)	24,312.50
Royal Dutch Petroleum (188 shares)	7,708.00
South Carolina Elec. & Gas (500 shares)	12,375.00
Steadman American Ind. Fund (123½ shares)	512.53
Texas Utilities (400 shares)	13,550.00
United Gas, Inc. (1,000 shares)	30,500.00
Unity State Bank (2 shares)	50.00
Virginia Electric Power Co. (2,000 shares)	45,000.00
Westinghouse Electric Corp. (400 shares)	17,800.00
Total	504,052.03
Cash value—Paid up life insurance	61,990.82
Cash value—Outstanding life insurance	18,346.00
Contribution to public employees retirement system of Ohio	4,290.61
Contribution to Teachers Insurance & Annuity Association	11,031.17
Contribution to civil service retirement deposit	17,435.43
Partnership interest, Whalen Investment Company	112,500.00
Residence—228 Beverly Place, Dayton, Ohio	35,000.00
Furniture—228 Beverly Place, Dayton, Ohio	1,000.00
Residence—5301 Portsmouth Road, Bethesda, Maryland	140,000.00
Furniture—5301 Portsmouth Road, Bethesda, Maryland (1969 valuation)	25,000.00
Jewelry (1969 valuation)	25,000.00
1971 Ford Country Squire Station Wagon	2,500.00
1965 Ford Mustang	500.00
Total assets	1,021,089.79
LIABILITIES	
Loan—Charles W. Whalen, Sr.	30,500.00
Loan—Mutual Benefit Life	4,235.00
Total liabilities	34,735.00
NET WORTH	
Total assets	1,021,089.79
Total liabilities	34,735.00
Net worth	986,354.79

FINANCIAL STATEMENT AS OF JANUARY 3, 1973: CHARLES E. WHALEN

ASSETS	
Cash in bank	$17,395.01
COMMON STOCK	
Allegheny Power Systems (500 shares)	12,000.00
Atlantic City Elec. Co. (400 shares)	9,150.00
Baltimore Gas & Elec. Co. (100 shares)	3,025.00
Carolina Power & Light Co. (700 shares)	20,650.00
Consolidated Edison (100 shares)	2,587.50
Copeland Corporation (200 shares)	10,150.00
Duke Power Company (500 shares)	11,562.50
Florida Power & Light Co. (460 shares)	17,365.00
Illinois Power Company (300 shares)	10,275.00
Pfizer, Inc. (65 shares)	2,835.63
Public Service Electric & Gas Company (300 shares)	7,312.50
Third National Bank & Trust Company (183 shares)	5,398.50
United Gas, Inc. (400 shares)	12,200.00
Total assets	124,511.63
Total	141,906.64
Liabilities	None
Net worth	141,906.64

FINANCIAL STATEMENT AS OF JANUARY 3, 1973: DANIEL D. WHALEN

ASSETS	
Cash in Bank	$15,256.69
COMMON STOCK	
Allegheny Power Systems (500 shares)	12,000.00
Atlantic City Elec. Co. (400 shares)	9,150.00
Baltimore Gas & Elec. Co. (100 shares)	3,025.00
Carolina Power & Light Co. (700 shares)	20,650.00
Consolidated Edison (150 shares)	3,881.25
Copeland Corporation (200 shares)	10,150.00
Duke Power Company (500 shares)	11,562.50
Florida Power & Light Co. (560 shares)	21,140.00
Illinois Power Company (300 shares)	10,275.00
Pfizer, Inc. (65 shares)	2,835.63
Public Service Electric & Gas Company (300 shares)	7,312.50
Third National Bank and Trust Company (181 shares)	5,339.50
United Gas, Inc. (200 shares)	6,100.00
Total assets	123,421.38
Total	138,678.07
Liabilities	None
Net worth	138,678.07

FINANCIAL STATEMENT AS OF JANUARY 3, 1973: EDWARD J. WHALEN

ASSETS	
Cash in Bank	14,285.32
COMMON STOCK	
Allegheny Power Systems (500 shares)	12,000.00
Atlantic City Elec. Co. (400 shares)	9,150.00
Baltimore Gas & Elec. Co. (400 shares)	3,025.00
Carolina Power & Light Co. (700 shares)	20,650.00
Consolidated Edison (100 shares)	2,587.50
Copeland Corporation (200 shares)	10,150.00
Duke Power Company (500 shares)	11,562.50
Florida Power & Light Co. (500 shares)	20,385.00
Illinois Power Company (300 shares)	10,275.00
Pfizer, Inc. (65 shares)	2,835.63
Public Service Electric & Gas Company (300 shares)	7,312.50
Third National Bank and Trust company (181 shares)	5,339.50
United Gas, Inc. (100 shares)	3,050.00
Total assets	118,322.63
Total	132,607.95
Liabilities	None
Net worth	132,607.95

FINANCIAL STATEMENT AS OF JANUARY 3, 1973: JOSEPH M. WHALEN

ASSETS	
Cash in Bank	$15,317.64
COMMON STOCK	
Allegheny Power Systems (500 shares)	12,000.00
Atlantic City Elec. Co. (400 shares)	9,150.00
Baltimore Gas & Elec. Co. (100 shares)	3,025.00
Carolina Power & Light Co. (700 shares)	20,650.00
Consolidated Edison (100 shares)	2,587.50
Copeland Corporation (200 shares)	10,150.00
Duke Power Company (500 shares)	11,562.50
Florida Power & Light Co. (420 shares)	15,855.00
Illinois Power Company (300 shares)	10,275.00
Pfizer, Inc. (65 shares)	2,835.63
Public Service Electric & Gas Company (300 shares)	7,312.50
Third National Bank and Trust Company (181 shares)	5,339.50
United Gas, Inc. (100 shares)	3,050.00
Total assets	113,792.63
Total	129,110.27
Liabilities	None
Net worth	129,110.27

FINANCIAL STATEMENT AS OF JANUARY 3, 1973: ANNE E. WHALEN

ASSETS	
Cash in Bank	13,828.61
COMMON STOCK	
Allegheny Power Systems (230 shares)	5,520.00
Baltimore Gas & Elec. Co. (100 shares)	3,025.00
Carolina Power & Light Co. (700 shares)	20,650.00
Consolidated Edison (75 shares)	1,940.63
Copeland Corporation (200 shares)	10,150.00
Duke Power Company (300 shares)	6,937.50
Florida Power & Light Co. (440 shares)	16,610.00
Illinois Power Company (300 shares)	10,275.00
Pfizer, Inc. (65 shares)	2,835.63
Public Service Electric & Gas Company (300 shares)	7,312.50
Third National Bank and Trust Company (181 shares)	5,339.50
Total assets	90,595.76
Total	104,424.37
Liabilities	None
Net worth	104,324.37

FINANCIAL STATEMENT AS OF JAN. 3, 1973: MARY BARBARA WHALEN

ASSETS	
Cash in Bank	$23,998.50
COMMON STOCK	
Carolina Power & Light Co. (100 shares)	2,950.00
Pfizer, Inc. (65 shares)	2,835.63
Total assets	5,785.63
Total	29,784.13
Liabilities	
Net worth	29,784.13

THE 1972 INCOME: MARY BARBARA AND CHARLES W. WHALEN, JR.

SOURCE	*Gross amount*
U.S. House of Representatives—Salary	$42,500.00

Net Partnership Income—Whalen Investment Company (Rental Property)	10,877.74
Rental Income—204 Lookout Drive	400.00
Interest received	
Prudential Insurance Agency	31.69
Third National Bank and Trust Company—Commercial Notes	1,920.38
Total	1,952.07
Taxable dividends received—common stock	
Allegheny Power Systems	1,540.00
American Cyanamid	250.00
Baltimore Gas & Electric	425.25
Beneficial Corporation	205.10
Carolina Power & Light	826.00
Coca Cola Company	393.60
Copeland Corporation	249.60
Duke Power Company	1,400.00
Ex-Cell-O Corporation	80.00
Federated Dept. Stores	226.60
General Mills, Inc	511.00
General Telephone and Electronics Corporation	462.00
Gulf States Utilities	320.32
Hubbard Real Estate Investments	178.80
Merrill, Lynch, Pierce, Fenner and Smith	25.50
Minnesota Mining & Mfg. Co	577.20
Owens Illinois, Inc	277.50
Chas. Pfizer & Co	603.00
Phillips Petroleum Co	260.00
Reynolds & Reynolds	112.50
Royal Dutch Petroleum	359.35
Southern California Edison	477.36
Texas Utilities Company	396.00
United Gas., Inc	810.00
Westinghouse Electric Corp	374.40
Total	11,341.08
Nontaxable return on capital	
Caroline Power & Light	1,239.00
Gulf States Utilities	95.68
Orange & Rockland Utilities	1,800.00
Public Service Elec. & Gas Co	3,995.00
Southern California Edison	458.64
Virginia Electric Power	560.000
Total	8,148.32
Remuneration for articles	
Dayton Newspapers, Inc	150.00
New York Times	150.00
Total	300.00
Speeches—Honorarium	
Brookings Institute	600.00
St. Charles Parish	200.00
Dayton Area Business Society	50.00
South Park United Methodist Church	15.00
Bethany Lutheran Village	100.00
Western Electric	500.00
Total	1,465.00
CAPITAL GAINS	
(1) Sale of home—204 Lookout Drive, Dayton Ohio	
Sale price (net, after commission payment of $2,900.00 and $89.00 deed conveyance fee)	61,011.00
Purchase price	56,000.00
Less depreciation	1,974.37
	54,025.63
	6,985.37
(2) Sale of 700 Shares General Mills Commmon Stock	8,694.94
Total capital gains	15,680.31
CAPITAL LOSSES	
(1) Sale of 2,000 shares—Orange & Rockland Utilities Common Stock	−5,511.19
(2) Sale of 600 shares—Southern California Edison Common Stock	−3,882.69
Capital losses	−9,393.88
Net capital gains	6,286.43

THE 1972 EXPENSES

1. Standard Exemptions—6 children.	
2. P.L. 471, 82nd Congress, P.L. 178, 83rd Congress—"Away From Home" Living Expense Allowance	$3,000.00
3. Standard Deduction for Stock Dividends	200.00
4. Interest Paid on Loans:	
Northwestern Mutual Life Insurance Company	636.98
Mutual Benefit Life Insurance Company	749.10
Charles E. Whalen	21.00
Total	1,407.08
5. State, county, and municipal taxes:	
City of Oakwood—income tax	211.72
Montgomery County, Ohio—204 Lookout Drive Residence	999.60
Intangibles Tax—Montgomery County, Ohio	653.90
State of Ohio Personal Income Tax	1,050.90
Montgomery County, Maryland—5301 Portsmouth Road Residence	1,776.15
Netherlands Government—tax on Royal Dutch Petroleum dividends	42.41
State and Local Gasoline Taxes	88.91
General Sales Tax	435.42
6. Allowable Medical Deductions for Family	150.00
7. Charitable Donations (including $349.50 to Little Flower Church, $120 to University of Dayton, $100 to United Appeal, and $80 to Dayton Art Institute)	991.00
8. Office and Professional Expenses	784.89
9. Travel to and from District (for which not reimbursed by Federal Government Payment)	874.50
Total taxes paid to IRS—1972	18,740.85

THE 1972 INCOME: WHALEN CHILDREN

CHARLES EDWARD WHALEN

	Gross amount
Taxable dividends received:	
Allegheny Power Systems, Inc.	$700.00
Atlantic City Elect. Co.	84.56
Baltimore Gas & Electric Company	141.75
Copeland Corporation	124.80
Duke Power Company	700.00
Illinois Power Company	660.00
Mid-Continent Telephone Corp.	644.00
Third National Bank & Trust Co.	181.17
United Gas, Inc	324.00
Florida Power and Light	506.00
Total	4,066.58
Nontaxable return on capital:	
Atlantic City Electric Company	480.90
Consolidated Edison Company	180.00
Public Service Elec. & Gas Co.	510.00
Total	1,170.90
Interest:	
Loan to Charles W. Whalen, Jr.	21.00
Interest on Bonds	430.20
Total	451.20
Deductions:	
Treasurer, Montgomery County, Ohio	135.13
Accountants' fee	20.00
Total	155.13
Total taxes paid to IRS—1972	597.40

DANIEL DENNIS WHALEN

	Gross amount
Taxable dividends received:	
Allegheny Power Systems, Inc.	$700.00
Atlantic City Electric Company	84.86
Baltimore Gas & Electric Company	141.75
Copeland Corporation	124.80
Duke Power Company	700.00
Florida Power & Light Company	616.00
Illinois Power Company	660.00
Mid-Continent Telephone Corp.	644.00
Third National Bank & Trust Co.	179.19
United Gas, Inc	162.00
Total	4,012.60
Nontaxable return on capital:	
Atlantic City Electric Company	480.90
Consolidated Edison Company	270.00
Public Service Elec. & Gas Co.	510.00
Total	1,260.90
Interest:	
Loan to Joseph Whalen	2.50
Interest on Bonds	450.00
Total	452.50
Deductions:	
Treasurer, Montgomery County, Ohio	129.86
Accountants' fee	20.00
Total	149.86
Total taxes paid to IRS—1972	588.40

EDWARD JAMES WHALEN

	Gross amount
Taxable dividends received:	
Allegheny Power Systems, Inc	$700.00
Atlantic City Electric Company	84.86
Baltimore Gas & Electric Company	141.75
Copeland Corporation	124.80
Duke Power Company	700.00
Florida Power & Light Company	594.00
Illinois Power Company	660.00
Mid-Continent Telephone Corp	644.00
Third National Bank & Trust	179.19
United Gas, Inc	81.00
Total	3,909.60
Nontaxable return on capital:	
Atlantic City Electric Company	480.90
Consolidatd Edison Company	180.00

Public Service Electric & Gas Co	510.00
Total	1,170.90
Interest:	
Interest on bonds	430.20
Deductions:	
Treasurer, Montgomery County, Ohio	123.78
Accountants' fee	20.00
Total	143.78
Total taxes paid to IRS—1972	565.74

JOSEPH MICHAEL WHALEN

Taxable dividends received:	
Allegheny Power Systems, Inc	$700.00
Atlantic City Electric Company	84.86
Baltimore Gas & Electric Company	141.75
Copeland Corporation	124.80
Duke Power Company	700.00
Florida Power & Light Company	462.00
Illinois Power Company	660.00
Mid-Continent Telephone Corp	644.00
Third National Bank & Trust Co	179.19
United Gas, Inc	81.00
Total	3,777.60
Nontaxable return on capital:	
Atlantic City Electric Company	480.90
Consolidated Edison Company	180.00
Public Service Electric & Gas Co	510.00
Total	1,170.90
Deductions:	
Treasurer, Montgomery County, Ohio	123.78
Accountants' fee	20.00
Total	143.78
Total taxes paid to IRS—1972	458.45

ANNE ELIZABETH WHALEN

Taxable dividends received:	
Allegheny Power Systems, Inc	$322.00
Baltimore Gas & Electric Company	141.75
Copeland Corporation	124.80
Duke Power Company	420.00
Florida Power & Light Company	484.00
Illinois Power Company	660.00
Mid-Continent Telephone Corp	644.00
Third National Bank & Trust Co	179.19
Total	2,975.74
Nontaxable return on capital:	
Consolidated Edison Company	135.00
Public Service Electric & Gas Co	510.00
Total	645.00
Deductions:	
Treasurer, Montgomery County, Ohio	73.03
Accountants' fee	20.00
Total	93.03
Total taxes paid to IRS—1972	316.21

DR. EDWARD WENK, JR.

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Friday, December 21, 1973

Mr. MAGNUSON. Mr. President, on November 1, 1973, President Nixon signed the bill permitting the Office of Technology Assessment to begin its operations, with the Honorable Emilio Daddario as its first Director. This new office will provide Congress with the wherewithal to analyze policy matters containing complex technological components. The establishment of OTA represents a historic advance in Congress' capabilities for assessing the possible impacts of proposed technologies.

Dr. Edward Wenk, Jr., one of the originators of the OTA concept, was appointed in 1959 by the Library of Congress' Legislative Reference Service as the first full-time science adviser to Congress. Since then Dr. Wenk has served on the White House staff and as Executive Secretary of the National Council on Marine Resources and Engineering. In 1971 he joined the University of Washington as professor of engineering and public affairs.

Professor Wenk is truly one of the most far-sighted and public spirited engineers in the country. His dedication to the principle of using technology to promote the public welfare sets an example for the entire engineering and scientific community.

Mr. President, a profile of Dr. Wenk appeared recently in the weekly newspaper Argus. I ask unanimous consent that this article be printed in the extensions of remarks.

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

THE RALPH NADER OF TECHNOLOGY

(NOTE.—The Trident issue raises in sharp focus the question of how in a democracy such crucial but highly technical questions are to be assessed. "The great issues of nuclear strategy," Hans J. Morgenthau has written, "cannot even be the object of meaningful debate, whether in Congress or among the people at large, because there can be no competent judgment without meaningful knowledge. Thus, the great national decisions of life and death are rendered by technological elites." One of the most important persons concerned with this question of "technology assessment" is a professor at the University of Washington, Ed Wenk, who is profiled in the following article.)

(By Daniel Jack Chasan)

I met Edward Wenk, Jr., more or less by accident in the summer of 1971. I had called a member of Sen. Warren Magnuson's Commerce Committee staff to ask about two bills Magnuson had recently introduced, calling for the establishment of a national Technology Assessment Commission.

The idea was that this commission would examine innovations in non-military technology to determine their probable positive and negative effects. This would be done before basic ideas had been transformed into immutable hardware. The commission then would publicize its findings, so that the nation could choose intelligently among courses of technological development—not be forced by ignorance to leave the choice to interested industries and government agencies, or leave new technology's negative side-effects entirely to chance. The commission also would serve as an expert witness in courtrooms and before Congressional committees. It would be funded by the federal government but not be responsible to any branch or agency of it.

The committee staff-man said he'd be glad to talk with me but suggested that, since I was in Seattle, I might go out to the University and talk to Ed Wenk. It was all Wenk's idea in the first place.

AEROSPACE LAB

So I went out to see Ed Wenk. I found him in a big corner office on the fourth floor of the aerospace research laboratory. There were two secretaries in the anteroom, a long row of metal filing cabinets in the office proper, an inscribed photograph of Hubert Humphrey on the wall. Wenk turned out to be a husky man with silver hair and a strong, ship's-prow face.

He told me he preferred the term "social management of technology" to "technology assessment," although "technology assesssment" was indeed the usual phrase. That was the name under which it had been pushed—to little visible effect—in Congress by former Rep. Emilio Q. Daddario, had been studied by the national academies of Sciences and Engineering and was being discussed, in various forms, in rather rarified scientific and public-policy circles.

Wenk said his own idea of an assessment commission had been described accurately as a "fourth branch of government." It also could be described as an institutional version of Ralph Nader. Actually, he said, although the Magnuson bills incorporated his ideas, they didn't incorporate all of them. What he really wanted was a commission that could haul industries and government agencies into court on its own initiative. But he knew that no politician was prepared to introduce that concept at that time. "You can see," he told me with a smile, "why some people might not like it."

By 1971, Wenk had become a professor of engineering and public affairs at the University. He had started his career as an engineer, specializing in the structural design of ships, then narrowing it down to the design of submarines, figuring out how to build submarine hulls that could withstand water pressure at great depths without being too heavy to float. He had the dubious honor of taking his products down for their first dives, which doubtless sharpened his interest in the design work.

ADVISER TO CONGRESS

In 1959, during the federal government's post-Sputnik burst of enthusiasm for science and space, Wenk was hired by the Library of Congress' Legislative Reference Service as Congress' first full-time scientific adviser. He started rubbing shoulders with a lot of powerful people at that time, and he is pleased to be able to say that, for instance, a study he made for then-Sen. Lyndon Johnson evolved into the idea of the Comsat Satellite.

After Kennedy's inauguration, Wenk moved over to the White House as an assistant to Presidential Science Adviser Jerome Weisner. That was a boom time for federal interest in (and spending on) science and technology, and Wenk's main job consisted, as he describes it, of "orchestrating the bureaucracy"—something he found was more easily said than done. He quickly discovered that, instead of cooperating, the various agencies "cut each other up, just like Chrysler and G.M."

After three years in that job, he went back to the Legislative Reference Service to set up its Science Policy Research division. He recalls that while he was there, as a result

of a meeting with Daddario and Charles Lindbergh, he introduced the basic idea of technology assessment.

Wenk had planned to stay at the Library of Congress, but in 1966 he was asked to become executive secretary of the cabinet-level National Council on Marine Resources and Engineering, and he accepted. The condition of his acceptance, he says, was that he be able to pick his staff with no regard for political affiliation. Vice-President Humphrey said all right, and kept his word (Wenk says he respects Humphrey a great deal for that), and Wenk assembled what he calls "the best damn staff I've seen in government, with the exception of Henry Kissinger's."

Wenk stayed there through the change in administrations—political affiliation became a more important criterion for staff selection after Nixon's inauguration in 1969—then left in 1970 to come here.

He still occupies that corner office in U.W.'s aerospace research laboratory. He still clearly likes to think of himself as, and still clearly is, a busy man, difficult to reach by phone, out of town for days at a time, in touch with a lot of things that happen in the other Washington.

OCEAN POLITICS

But a number of things have changed since my first meeting with him in 1971. For one, he has grown a beard. For another, he has published a book, *The Politics of the Ocean* (University of Washington: 1972; 590 pp. $14.95), which *Foreign Affairs* described as "A detailed examination of the domestic and international politics of ocean policy, which is as much a work of political science as of oceanography. The author skillfully examines the experience of the past decade, and proposes initiatives for future United States oceanographic policy and its governmental formulation."

Back on Capitol Hill, Congress has rewarded Daddario's efforts by passing a law that will establish an Office of Technology Assessment for its own use. Very few members of Congress ever came to know or care much about the idea, but most were persuaded that they needed some additional technical staff to offset the huge reservoirs of technical expertise in the executive branch. That is how most of them see the new Office. Daddario himself, who hasn't forgotten the broader purposes of technology assessment, probably will be named director of the Office.

Here in Seattle, "the social management of technology" is now a full-fledged subject at U.W., and Wenk has put together a full-fledged department to teach it. He was sounded out, he says, not long ago about returning to Washington, D.C., and he gave it a lot of thought, finally decided that he wants to stay right here. He hasn't given up pushing for an independent technology assessment office, and he wants to be able "to say what I think, which you can't do if you're working in government."

He believes that universities are the only institutions in our society that can develop an ability objectively to assess both technology and technology policy. Industry and the government agencies have their own axes to grind and can't reasonably be expected to do the job.

Therefore, one of the two main things he hopes his program in the social management of technology will achieve is building the university into a center of policy research. The other is simply producing students who are trained in technology assessment. Wenk doesn't believe there ever will be a great many jobs for such people, but he wants the few jobs there are to be well filled.

NO FEDERAL FUNDS

Because he wants to cultivate independence and objectivity in his department, Wenk plans to avoid taking money from the federal government. "Long before Watergate," he says, "I was convinced that the government is skittish about supporting independent research it can't control." For now, the department is financed by state funds and by a two-year grant from the Sloan Foundation.

This year there are five senior faculty members, drawn from a variety of disciplines, and eventually there may be eight or nine. The professors have been selected with an eye to their ability to communicate clearly, without using technical jargon, and their willingness to participate in group research, with each person working on portions of a common problem.

A handful of universities on the East coast have established similar programs, some successfully and some not, as have three other universities in the West. There is no such program elsewhere in the Northwest and this, Wenk says, "is one of the reasons why I decided to come here."

He thinks that in order to be useful, any university program of technology assessment, or social management of technology, or whatever will have to develop close ties to the region in which it operates. He wants the University's program to get involved in both state and local issues, analyzing such problems as the siting of nuclear-power plants, the advisability of building superports and the control of local cable TV.

SPEAK TO PUBLIC

Wenk also wants to influence the region's point of view. To that end, he already has told the organizers of EXPO '74, for which he is a consultant, that instead of sponsoring scientific colloquia where "you have experts talking to experts," they should find some way of communicating the experts' knowledge to the general public. He also has suggested to the Seattle City Council that the Science Center be changed from the promoter of a "'gee whiz' attitude toward science" to a source of public information about important technical issues.

It will be interesting to see how the region—and ultimately the nation—takes to his ideas. What is at stake, he argues, is nothing less than public control of technology. Public control will require a continuous flow of intelligible information about the choices at hand. However difficult it may be to supply such information, the alternative is to leave technology in the control of government and industry, which is to invite a 1984.

In a recent speech entitled "Hardware, Software and Squishyware," Wenk noted that, "Most protagonists would agree that science, notwithstanding an ethic of internal objectivity, has no predilection toward external evil or good. Whether it is utilized to benefit society or to subvert it depends on moral acts of man, collectively expressed through his social institutions. The [current] attack on science and technology may thus be leveled at the wrong target . . ."

ERNEST PETINAUD

HON. JAMES R. JONES

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. JONES of Oklahoma. Mr. Speaker, I want to take this opportunity to join my colleagues in expressing our deepest gratitude and appreciation to Ernest Petinaud, and to wish him and his lovely wife, Jeannette, the best of everything in the years to come.

It was my privilege to first meet Ernest nearly 12 years ago, when I first came to work as a congressional staff member on Capitol Hill. Since that time, and during my years on former President Johnson's staff, Ernest and I have remained close friends. I, like so many of my colleagues, have long admired Ernest's qualities and abilities; his ever-pleasant humor, unlimited patience, and dedication to all who pass through the House of Representatives restaurant.

I believe we all feel deep regret in seeing Ernest leave our midst, and yet we know also how richly he deserves an opportunity to enjoy life away from his very demanding responsibilities.

I want to wish Ernest and Jeannette a very happy holiday season, and a successful and prosperous New Year. May their blessings be as bountiful as those which they have brought to us all over the years.

THE 1ST SESSION OF THE 93D CONGRESS

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. ALBERT. Mr. Speaker, the 1st session of the 93d Congress has been of tremendous significance for the American people.

During the past 12 months, our Nation has faced problems of a magnitude greater than any we have witnessed in a generation, including severe food and energy shortages, inflation, threatened abolition of a host of domestic legislative programs fashioned by Congress over the years, and even attacks on the freedoms of our citizens by the Federal Government's own executive branch.

Throughout this period of uncertainty and danger, one fact stands out over all others to reassure our people, and that is that the Congress has held firm, a stabilizing influence in the economic affairs of the Nation, a bulwark of strength against usurpation of power by the executive, and a defender of the social and economic welfare of the American people.

The past 12 months have seen concern over lack of leadership in the executive branch give way to lack of confidence, and then to outright anger over excesses of executive branch behavior. But during this period, a time in which the ship of state has seemed more and more frequently to be drifting helplessly, with no firm hand on the helm, the Congress has proven its worth as a great stabilizing institution in our democracy.

Throughout this difficult period, the Congress has not merely responded to the immediate difficulties which have beset our Nation from week to week, but it has actually been able simultaneously to bring reform to its own house, improving its ability to function both as the representative of various interest groups in our society and as fashioner of national legislative policy. Thus, the Congress has been able to assert, with re-

newed strength derived from reform, its traditional authorities in formulating legislative policy and in fulfilling, along with the courts, its somewhat newer role of the session of Congress just ended, against abuses of authority by the executive branch.

These contentions are most easily illustrated by turning to an examination of the session of Congress just ended, wherein may be seen a record of strong achievement in safeguarding the social and economic welfare of our people, and in protecting the traditional rights of our citizens and the structure of our democratic government from attack by an executive branch grown too often irresponsible, and heedless of our liberties.

I. REASSERTION OF CONGRESSIONAL AUTHORITY

The 1st session of the 93d Congress has been characterized by a strong spirit of renewal and reassertion of the authority of the Congress.

This spirit of renewal was first evidenced in sweeping reforms made within the Congress itself at the beginning of the session, and was then directed at reasserting the legislative powers of the Congress vis-a-vis the executive branch. What began as a straightforward assertion of congressional legislative authority, however, was soon transformed by events into an exercise in curbing executive branch misconduct.

A. REFORMING THE CONGRESS

In order for the Congress to play its proper legislative role, successfully asserting its equality with the other branches of the Federal Government, the judiciary and the executive, the Congress must first have its own affairs in order.

Members of the House of Representatives began their work at the beginning of this session by laying the groundwork for the most far-reaching reforms of Congress in more than 60 years.

1. REFORM OF THE COMMITTEE SYSTEM

On January 31, 1973, the House passed a resolution creating a select committee to review the structure and jurisdictions of House committees. This select committee, which has just presented its excellent first report to the Congress, was given $1.5 million with which to examine the optimum number and size of committees, the need to establish new committees in certain areas and to do away with old ones, the functions of subcommittees, and committee rules and procedures. Adoption of the select committee's recommendations, as modified by the desires of the House, is one of the major items of unfinished business in the House. I expect that this matter will receive proper attention early in the second session of the Congress.

2. AUTOMATIC VOTE ON COMMITTEE CHAIRMEN

Committee chairmen are tied more closely to the desires of members of the committee and the caucus by the fact that they must face an automatic vote on their selection at the beginning of each Congress. Furthermore, to make the election meaningful and prevent possible reprisals, the vote on committee chairmen must be by secret ballot if so requested by at least one-fifth of the caucus members present.

3. OPEN COMMITTEE MEETINGS

While the executive branch has been growing more closed and secretive, with its excessive claims of executive privilege, the House of Representatives has opened up its workings to closer inspection by the public. Committee meetings are automatically open to the public, and a separate rollcall vote is now required to close any committee meeting or hearing. As a consequence, only very rarely during the first session of this Congress have committee meetings been closed from public scrutiny.

4. OTHER REFORMS

Even while under attack from the executive branch, the House has initiated a long list of other reforms, including:

Reconstituting the Democratic Steering and Policy Committee with broadened party representation and closer ties to the party leadership;

Providing an appeal procedure on closed rules;

Guaranteeing at least one major committee assignment to all Members and requiring members of exclusive committees to give up other assignments at the end of this Congress;

Requiring clarification of subcommittee jurisdictions, adequate funding of subcommittees, approval of subcommittee chairmen and membership, and referral of legislation to subcommittee;

Limiting caucus officials to two terms;

Placing the leadership on the Democratic committee on committees and providing greater flexibility for the Speaker in determining meeting times in the House;

Providing $2 million in funds for Congress new Office of Technology Assessment, designed to give the Congress information on the effects of new technological developments;

Limiting participation in House business by Members convicted of crimes;

Initiating a new, faster electronic voting system;

Beginning work on important election reform legislation, which will probably be completed during the second session; and

Clarifying limitations on the congressional franking privilege.

These changes in the rules under which the House of Representatives operates are indicative of the strong desire of the Members of Congress to reassert the traditional prerogatives of the legislative branch and their acknowledgment of the need to put the affairs of the House in order so that they can proceed with greater effectiveness to bring order to the affairs of the Nation.

I believe that the fact that these changes in the procedures of the House were adopted at a time when the Congress was under heavy attack from the executive branch gives eloquent testimony to the sincerity of the Congress in wishing to become more responsive to the needs of the Nation. At a time when even such fundamental prerogatives of the Congress as control of the purse have been challenged, and the Congress reaction might well have been to withdraw into greater secrecy, the Congress demonstrated its vitality as an institution by opening up its workings, and growing closer and more responsive to the desires of the people.

B. REASSERTING THE POWERS OF THE CONGRESS

The spirit of internal reform and institutional revitalization of the Congress did not wane with the opening days of the session. In fact, the pace of reform has continued unabated, resulting in what I consider to be some of the most far-reaching legislative reform proposals to be placed before the Congress in this century.

1. CONTROLLING THE BUDGET AND UNWARRANTED IMPOUNDMENTS

At the end of first session, the House of Representatives passed the Budget and Impoundment Control Act of 1973. This bill, which is the product of real statesmanship by members of all segments of the Congress, makes real progress on two crucial fronts: overhauling congressional handling of the budget to enable the Congress to exercise its power of the purse effectively; and providing procedures through which Congress can control impoundments of appropriations by the President.

Impoundment of small and reasonable sums has a long and respectable history, dating back at least to Jefferson. But where the purpose of previous impoundments has been to prevent spending of funds in excess of those actually needed to carry out a congressionally authorized project, the current occupant of the White House seems bent on preventing the intent of Congress from being fulfilled at all, in effect, repealing the laws and overturning the priorities established by Congress. President Nixon has attempted to use impoundment as an item veto, giving the executive branch the legislative authorities specifically reserved by the Constitution for the Congress. And the President has made clear his intention to use the legislative power which he has seized to strike down the domestic programs passed by the Congress over the last 40 years.

The impoundment control procedures established by the Budget and Impoundment Control Act will give Congress the means by which to review Presidential impoundments. We do not deny to the President the power to impound funds with this bill, because there is a legitimate need to effect economies when the purposes of Congress can be achieved with lower expenditures than was originally calculated.

We will no longer, however, countenance wholesale invasions of legislative powers of the Congress by the Chief Executive, and President Nixon and future President's should be aware of this. The mood of the Congress, and especially of the House of Representatives, has changed. We have the will and, with the Budget and Impoundment Control Act, we will soon have the means to repel unwarranted incursion by the President. Completion of work on the impoundment control legislation will be one of the highest priorities of the 2d session of the 93d Congress.

Equally as important as controlling Presidential impoundments is improv-

ing priorities through the budget process. The Budget Control Act will give the Congress much-improved methods for making budget determinations and will bring increased discipline to the entire financing process.

By setting budget ceilings early in the year, curtailing backdoor spending, and a host of other budget reforms, the new budget control measure promises greatly to increase congressional control over the budget and therefore congressional authority in national affairs. I am hopeful that the Senate will act quickly on similar legislation and that these far-reaching budget and impoundment control procedures can take effect at the beginning of the next Congress.

There may be some question as to how the Budget and Impoundment Control Act will be received by a President, assuming for the moment that it is sent to him by the Congress in a form not too different from the version passed by the House last month.

The answer to this question must necessarily lie hidden in the future, but I personally believe, for many reasons, that this budget and impoundment measure has an excellent chance of being enacted into law.

First, it is a very well-constructed and much-needed piece of legislation and it stands squarely in the path of reform and reassertion which has so strongly colored this entire Congress.

Also, a reasonable President is likely to realize that neither the Congress nor the Nation is in the mood to condone further excessive exertions of Executive powers.

The Budget Control provisions are plainly a matter of internal congressional housekeeping and are of little legitimate concern to a President. The impoundment control provisions would not unduly restrict the President from legitimate impoundments for the purpose of economy; but they most certainly would make exceedingly difficult wholesale incursions by a President into the rights and responsibilities of the legislative branch. A reckless and irresponsible President might be tempted to veto the measure. I doubt whether, at this point in our history, the Congress could tolerate such an action.

The reasons why veto of the Budget and Impoundment Control Act by a President could not be accepted by the Congress are simple.

The Founding Fathers could not readily conceive that there would ever be a President so audacious as to create unilaterally, through impoundments, his own legislative policy, without even the pretense of congressional consent and, furthermore, that such a President would then enforce that policy on the congressional majority through use of the veto power coupled with support of a small congressional minority. Thus our forebears did not equip us to deal with this problem quickly or easily.

Under the old constitutional arithmetic, the majority was to rule, and the rights of the minority were to be protected.

In place of this system, we have come dangerously close to Presidential rule, backed by a bare one-third minority in the Congress, with total disregard for the traditional rights of the congressional majority. Under the new arithmetic, the President simply abolishes a program by Executive fiat, or impounds funds unilaterally, with utter disregard for the rights of the majority. Then when the majority moves to redress the President's mistaken and unconstitutional action, a small minority on the Congress backs the President and frustrates the will of the majority of the Congress and the majority of Americans who are represented by these Congressmen.

An excellent example of this misuse of our constitutional system is offered by the rural water and sewer grant program. The Congress properly established and funded this program and President Nixon implemented it. Then, at the beginning of this year, the President abruptly terminated the program, impounding appropriated funds without even a vestige of congressional approval for this action.

In March, the congressional majority, expressing the will of a majority of the American people, passed legislation directing the President to reinstate the water and sewer grant program. The President vetoed this bill, and the minority in Congress upheld the veto, effectively preventing the will of the majority from being carried out. In essence, the President—and not the majority of the Congress—created legislative policy, and that policy was forced on the congressional majority by a small congressional minority.

It is precisely to such Presidential actions as the above that the impoundment control measure is directed. The measure represents a legitimate means by which the Congress may confront the impoundment problem and the perversion of the intent of the Constitution which it represents. Should this means of redressing improper Presidential actions itself fall victim to the very problem it is intended to correct, then the Congress would be forced to take yet stronger and more direct measure.

I doubt very much, however, that the budget and impoundment control bill would be vetoed, for there is every reason to expect that a veto of this important legislation would be overridden.

In order to sustain the veto of legislation reinstating the rural water and sewer grant program, it was necessary for almost 100 Republicans in the House, who thought the bill was a good one and who voted for it on original passage, to cross over and vote against it.

These Members were seeking narrow, partisan advantage by going along with the President, who was playing fast and loose with the Constitution, rather than working to preserve our constitutional framework of government with its safeguards for the rights of the majority of Americans.

But the mood of March is not the mood of December, and like the weather, the temper of the Nation has grown cold and hard toward such partisan actions. As the real extent of the corruption and decay of the executive branch have become apparent, I believe these Congressmen have come to realize that they were not just playing politics and supporting their President—they were tearing at the Nation's constitutional fabric. The American people expect—and will receive—more from their Congress than this. If called upon to defend the legislative prerogatives of the Congress and the rights of our citizens, I believe these Congressmen will eschew narrow partisanship; and the climate of moral rot and disregard for the Constitution so prevalent in the Executive branch will not prevail.

2. WAR POWERS RESOLUTION

A good indication of the change of mood within Congress toward insistence on proper assignment of constitutional responsibilities was evidenced by the vote on the war powers resolution.

The Constitution clearly gives to the Congress—not to the President—the power to declare war, but in the face of the complexities of the modern world, there occurred a gradual erosion of this congressional warmaking authority until, in Vietnam, we had what had become in its final months a Presidential war, to which a majority of both Houses of Congress were opposed.

With the agonies of Vietnam behind us, it was clear that the time had arrived to restore the balance between President and Congress with regard to the power to make war, and to reassert congressional authority in this important area. We could no longer afford to allow the President to make vital decisions regarding war and peace without effective review by the Congress.

Like the budget and impoundment control measure, the war powers resolution provided a reasonable compromise, properly balancing the need to allow the President flexibility in responding quickly to emergencies with the need to keep the war powers firmly in the control of Congress.

Of great significance is the fact that many, many Republicans joined in making the more than two-thirds majority of the Congress which overrode President Nixon's veto of the war powers resolution.

C. CURBING EXCESSES, AND OVERSEEING MISCONDUCT OF THE EXECUTIVE BRANCH

The line between reasserting the powers of the Congress and curbing excesses of the executive branch is a thin one at best. Often, as in the case of the Budget and Impoundment Control Act, these two concepts are simply mirror images of one another.

In some instances, however, there is a decided difference in spirit and motivation. For example, the budget control provisions were passed in the spirit of reform and with hopeful expectations for the future. Unfortunately, a substantial portion of the time and energies of the 1st session of the 93d Congress have had to be devoted to activities such as the following—activities undertaken with a sense of disappointment, regret, and growing anger.

1. IMPEACHMENT INQUIRY

Primary among actions of the House undertaken with a sense of regret, and yet an equal sense of necessity, is the

Judiciary Committee's inquiry into whether grounds exist for impeachment of Richard Nixon. The House, in mid-November, provided an additional $1 million in funds for the committee, and this inquiry is now underway. Overwhelming majorities on both sides of the aisle voted in favor of supplying additional funds for the committee.

2. HEARINGS AND CONFIRMATION OF GERALD FORD

Following the resignation of Spiro Angew as Vice President, after his plea of no contest to charges of income tax evasion, the Judiciary Committee of the House undertook hearings and investigation into the qualifications of GERALD FORD to serve as Vice President in Mr. Agnew's place. The House confirmed the Ford nomination early in November.

3. SPECIAL WATERGATE PROSECUTOR

Following the dismissal of Archibald Cox as Special Watergate Prosecutor, and the forced resignations of Attorney General Elliot Richardson and Deputy Attorney General William Ruckelshaus, who had refused to remove Mr. Cox on the grounds that he had committed no improprieties, the Judiciary Committee of the House prepared legislation to establish an Independent Watergate Prosecutor under the purview of the Federal District Court for the District of Columbia. This bill has not yet been brought to the floor of the House. Its existence, however, almost certainly played a part in the President's decision to appoint another Special Watergate Prosecutor, and hopefully will help assure his continued independence.

4. WATERGATE GRAND JURY EXTENSION

Early in November, after it had become apparent that the Federal grand jury investigating the Watergate break-in and coverup could not complete its work in its assigned time, the House passed legislation extending the life of the grand jury for an additional 6 to 12 months. The Congress has also passed legislation giving the courts jurisdiction to implement the subpena power of the Senate Watergate Committee.

5. ATTORNEY GENERAL'S SALARY

The House passed in early December legislation reducing the salary of the Attorney General. This bill was necessary to make possible the appointment of William Saxbe, who was serving in the Senate when the salary was raised, to be Attorney General—Mr. Nixon's third Attorney General this year.

6. G. GORDON LIDDY CONTEMPT CITATION

The House Armed Services Committee brought before the House, and the House approved in mid-September a resolution citing G. Gordon Liddy a convicted Watergate conspirator, for contempt of Congress for refusing to testify before the committee's Special Intelligence Subcommittee concerning the burglary of the office of Daniel Ellsberg's psychiatrist.

7. EXPENDITURE OF GOVERNMENT FUNDS ON PRESIDENTIAL PROPERTY

The House Committee on Government Operations has conducted investigations and hearings into Government expenditures on Presidential properties at San Clemente and Key Biscayne, uncovering thousands of dollars of Government funds spent, not on security-related items, but rather on items more properly defined as homeowner's expenditures.

8. ITT AND VESCO INVESTIGATION

The House Interstate and Foreign Commerce Committee has held hearings on the administration and application of the Federal security laws as they pertain to the International Telephone & Telegraph Corp. and Robert Vesco.

9. POLITICAL ABUSE OF THE INTERNAL REVENUE SERVICE

The Joint Committee on Internal Revenue Taxation is conducting an investigation into possible political abuse of the Internal Revenue Service based on revelations contained in the White House "enemies list."

10. SECRET BOMBING IN INDOCHINA

The House Foreign Affairs Committee has inquired into the administration's secret bombing in Indochina.

11. POLITICAL ABUSES AND MISCONDUCT IN THE SMALL BUSINESS ADMINISTRATION

The House Banking and Currency Committee is investigating possible administrative deficiencies and corruption within the Small Business Administration, including possible political abuses of the Agency

12. WHITE HOUSE "SPECIAL PROJECTS" FUND

The House Appropriations Committee requested a detailed accounting of funds expended under the White House's "Special Projects" fund during fiscal 1973. The White House refused to comply with the committee's request for information, and so funding for the special projects fund was dropped from appropriations bills.

13. EXECUTIVE PRIVILEGE

The House Government Operations Committee held hearings on the subject of Executive privilege. These hearings were precipitated by unwarranted expansion by President Nixon of the concept of Executive privilege and repeated denials by the executive branch of information requested by the Congress. The committee is now considering legislation to curb this abuse.

14. REVIEW OF THE PRESIDENT'S TAX RETURNS

The Joint Committee on Internal Revenue Taxation is undertaking an investigation of President Nixon's tax returns for the purpose of determining whether additional taxes are due to the Federal Government.

15. CENTRAL INTELLIGENCE AGENCY INVOLVEMENT IN WATERGATE

The House Armed Services Committee has held hearings on alleged involvement of the Central Intelligence Agency in the Watergate matter.

16. RUSSIAN WHEAT DEAL

The Agriculture Committee of the House, following hearings on the disastrous handling of grain sales to Russia, is preparing legislation to assure that a repetition of the administration's costly errors will not take place in the event of future sales.

17. INVESTIGATION OF FARMERS HOME ADMINISTRATION

The House Government Operations Committee has held hearings and investigations into administrative deficiencies and possible political abuses of the Farmers Home Administration.

18. IMPROPER USE OF THE POCKET VETO

The House Judiciary Committee is preparing legislation to curb improper use of pocket vetoes by the President. A bill has been reported by subcommittee. The full committee, which has been so heavily involved with more fundamental matters, such as the inquiry into grounds for impeachment of the President and confirmation of a new Vice President, plans to act on this important bill early in the next session.

19. RELEASE OF INFORMATION BY THE U.S. INFORMATION AGENCY

"Executive privilege" has become a means of preventing the elected representatives of the people in Congress from knowing what the executive branch agencies are doing with the people's tax money. In an effort to counter the far-reaching claims of secrecy of the Nixon administration, the Congress passed a bill requiring cutoff of funds for the U.S. Information Agency if it failed to provide information about its activities requested by the Congress. Unfortunately, this measure was vetoed by the President and the veto was sustained, thus denying the traditional right of the American people to have their elected representatives oversee expenditures of tax money.

20. CONFIRMATION OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET

The Congress passed legislation to require Senate confirmation of the Director of the Office of Management and Budget OMB, which has become a sort of "super-Cabinet" position, passing on the budgets presented by Cabinet officers who must themselves be approved by the Senate. The bill was vetoed by President Nixon, but the Senate overrode the veto, with responsible Republicans joining Democrats in preventing expansion of the vast Presidential structure which has clearly become as capable of threatening our liberties as of supporting them. Unfortunately, the veto was sustained in the House, supporting a continuation of the pattern of irresponsible and lawless behavior which has characterized the actions of so many of Mr. Nixon's top-level appointed officials.

The above list of investigations, hearings and legislation designed to explore and curb misconduct within the executive branch is a very long one, but it is by no means complete. Even this abbreviated list, however, is unprecedented—not just in modern times, but in the entire history of our Nation.

Complaints by the Congress against Presidential philosophy are nothing new. But widespread executive branch criminality and misconduct are something which our Nation had been spared prior to the arrival of the current administration.

Naturally, the lawless behavior of the executive branch has had its effect on the ability of the President to obtain the authorities he believes he needs to deal with our problems.

The unwillingness of the House to grant Mr. Nixon carte blanche in the area of emergency energy conservation actions offers an example—probably the

clearest so far—of mounting congressional mistrust of the executive. A more trusted President, under circumstances prevalent through most of our Nation's history, would most likely have willingly been granted the powers requested by Mr. Nixon.

In fact, we have reached a state of affairs so unhappy that, in passing the appropriations bill for the Departments of Labor and Health, Education, and Welfare, the Congress felt obliged to add a provision prohibiting any funds in the bill from being used for publicity or propaganda against any legislation pending in Congress. This is a provision which would not even have occurred to Members of previous Congresses.

While it is deeply regrettable that there has arisen within the Congress such deep mistrust of the executive branch, it is clear that our worst suspicions have been justified. It is equally apparent, however, that the legislative branch is meeting the test. The Congress has reformed itself, preparing some of the most meaningful congressional reform legislation of this century, it has begun to assert with renewed vigor its Constitutional prerogatives, and it has done these things while under a heavy burden of hearings and investigations designed to curb misconduct within the executive branch.

II. PROTECTING THE SOCIAL AND ECONOMIC WELFARE OF THE AMERICAN PEOPLE

While congressional reform and executive misconduct have required much of the time and energy of the session of Congress just ended, by no means have they received our exclusive attention. In fact, the lion's share of our attention has been directed toward defending the social and economic well-being of our citizens—placed in jeopardy by an administration which has shown not merely indifference to the well-being of Americans, but which has proved itself dedicated to abolishing the improvements in our way of life legislated by the Congress over the last several decades.

In the face of outright hostility to betterment of the lot of the common man, it has been difficult indeed for the Congress to legislate new programs to improve the lives of Americans. Some progress has been made, but a good deal of our effort has been expended merely to retain valuable existing programs which we once were able to take for granted.

A. LEGISLATION AFFECTING RURAL AMERICA

Members of the 93d Congress arrived in Washington last winter to face a situation nearly unprecedented in the history of our Nation. In late December—during the hiatus between adjournment of the 92d Congress and formation of the 93d—President Nixon unilaterally suspended operation of a number of important programs which help assure the well-being of rural America.

This was no routine impoundment of a small amount of funds appropriated in excess of those needed to operate a program. Instead, it represented cancellation of a law by the President, in an action which amounted to telling the Congress that it need not bother to enact legislation because the President feels no obligation to carry it out.

The President chose four programs of assistance for rural America as his initial battleground: the emergency farm loan program; the rural electrification and telephone loan program; the rural environmental assistance and water bank program; and the rural water and sewer grant program. Each of these programs had been properly established and funded by the Congress and approved by the President.

However, even as he took his oath of office, promising to uphold the laws and Constitution of the United States, the President was defying the spirit and letter of the law by impounding funds for these rural development programs.

It is instructive to examine the outcome of the disagreement between Congress and the President over these four measures, because the course of this struggle was so typical of the many battles which were to take place later in the session.

The overall result, I believe, was a clear—if not unqualified—victory for the Congress and the American people.

The emergency farm loan program, which provided emergency loans to disaster stricken victims of floods following Hurricane Agnes and other disasters, was reinstated over strong administration and Republican congressional opposition.

The rural electric and telephone loan program, which has brought electricity and telephone service to hundreds of rural communities, received similar strong support from the Democratic Congress.

The Congress had appropriated $780 million for bringing essential utilities to rural communities, but rarely half this amount had been spent when President Nixon acted suddenly—and probably unconstitutionally—to impound the remaining appropriated funds.

Congressional Democrats moved quickly to reassert the authority of the people and their representatives in Congress and to save the REA program, in which attempt we were ultimately successful following a difficult contest with the President and his Republican congressional allies.

We attempted to accommodate some of the administration's objections, always seeking compromise rather than confrontation, but we did not sacrifice important principles.

The final outcome was to assure continuation of valuable REA electrification and telephone programs, thus continuing the Democrats' longstanding efforts to improve life in rural America and to demonstrate the ability of the Congress to resist attempts by the President to deviate from the course of action required by him under the law.

In late December of last year, President Nixon attempted to cancel by Executive fiat the rural environmental assistance and water bank programs—programs which have been encouraging farmers to use good conservation practices, like reseeding grasslands, since the Great Depression of the 1930's and the "Dust Bowl."

The Congress moved quickly to counteract the President's usurpation of constitutionally delegated congressional authority. The Congress passed legislation to force expenditure of these environmental assistance funds, but instead of sending the bill to the President, the purposes of the program were incorporated into the Agriculture and Consumer Protection Act of 1973 and are now being carried out. On only one of the four rural assistance programs which the President unilaterally cancelled was the Congress not successful in asserting the rights of the majority of the American people as expressed by their representatives. The rural water and waste disposal grant program, which I discussed previously when speaking of the need to control Presidential impoundments, was cancelled by the President in January of 1973. The Democratic majority in Congress passed legislation to force reinstatement of this program, but that legislation was vetoed by the President and the veto was sustained.

On balance, I believe that it is fair to say that the Congress faced—and passed—an important test at the beginning of this session by prevailing on three out of four struggles with the President to cancel needed rural development legislation. On the fourth issue, on which the Congress was defeated, a structural problem was revealed which is now being dealt with in the budget and impoundment control legislation. With regard to overall agricultural policy, as opposed to constitutional questions, by far the most important rural legislation passed by the House this year was the Agriculture and Consumer Protection Act of 1973. This legislation completely revamped the Agriculture Act of 1970, establishing a new "target price" payment system under which the Federal Government would pay farmers the difference, if any, between the market price they received for their crops and a specified target price. The bill also extended the food for peace and food stamp programs for 4 more years.

B. LEGISLATION AFFECTING WORKING PEOPLE

One of the most important bills affecting working people of this session of Congress was the Democrats' effort to raise the minimum wage from $1.60 to $2.00 per hour by July 1974, and to expand coverage of minimum wage legislation to include an additional 6.7 million workers.

Democrats in Congress succeeded in passing this bill to provide a decent living wage for millions of low-income Americans. But, President Nixon vetoed the legislation and his veto was sustained by a small minority of Republicans in the House—providing a textbook case of how a Republican President, with the backing of his Republican supporters, can frustrate the efforts of the Democratic majority to pass legislation beneficial to the great majority of our fellow citizens.

As a result of the veto, minimum wage workers, who have not received a pay increase since 1968, will receive no relief from the more than 30 percent erosion of their purchasing power caused by the Nixon inflation during these years.

With the pace of inflation quickening,

rather than slowing as the Republicans have promised, minimum wage workers will be squeezed harder than ever before over the coming months, and so another effort to increase the minimum wage may be one of the top Democratic priorities during the second session of the 93d Congress.

After almost 2 years of battling with President Nixon and his Republican congressional supporters, Democrats managed once again in the session of the Congress just ended to keep alive for another year the valuable job creating programs authorized under the Public Works and Economic Development Act.

More than half a million jobs have been created in depressed areas during the 8-year life of this program. Despite this admirable record, however, Republicans are strongly opposed to the Public Works and Economic Development program, which aids unemployed and low-wage working people and their families. President Nixon pocket-vetoed a major extension bill last year, and this year's 1-year extension was achieved only through great efforts and painful compromises with an administration which has shown little concern for our Nation's working people.

In view of continued high unemployment and probable major recession next year, an expansion of this long-term job development program, due to expire in June of 1974, will certainly be in order in the coming session.

Manpower development and public service employment are two other areas in which the Congress has refused to let the President's "policy of neglect" prevail. After a long battle, the President has finally agreed to accept a bill which incorporates a moderate-sized public service employment program.

President Nixon and his Republican allies wanted to kill the emergency employment program outright, preferring to put Americans on the unemployment and welfare rolls, rather than to pay out the same money in wages for useful public projects such as health care, housing, education, public safety, crime prevention and control, prison rehabilitation and other essential purposes. House Republicans cooperated with the President, tying up the Emergency Employment Act extension on procedural questions and putting 300,000 working men and women out on the street.

House Democrats have managed to fashion a compromise program authorizing $250 million for fiscal 1974 and $500 million for fiscal 1975 for public service jobs. Obviously, in light of the rapid rise in unemployment which is surely coming, we would much prefer to have a substantially larger program. Unfortunately, this was not possible in light of the low priority given by the administration to providing training for unemployed Americans and putting them to work, and the compromise we have passed is certainly better than no program at all.

C. HEALTH-RELATED LEGISLATION

The Congress enacted several urgently needed health-related measures during the session just ended, measures enacted over the strenuous objections of the President and his Republican supporters.

The emergency medical services bill, for example, reveals clearly the tremendous differences in outlook and philosophy between the Democratic Congress and the Republican President.

Tens of thousands of Americans die needlessly each year because of a lack of adequate emergency medical services. The Democratic Congress recognized the tremendous need for improved emergency medical treatment, and so we pased the Emergency Medical Systems Act to initiate these services.

The bill would result in the saving of about 60,000 lives each year—lives now wasted because we do not apply readily available medical techniques to victims of accidents and other emergencies.

Unfortunately, President Nixon saw fit to veto this lifesaving legislation and the Republican minority in the House voted to sustain the veto, condemning thousands of their fellow citizens needlessly to death each year.

House Republicans who voted to sustain the veto echoed the administration line that the total cost for improving emergency medical services and operating Public Health Service hospitals—about $60 million dollars per year over 3 years—is too high. What these Republicans did not mention is that the dollar cost of 60,000 unnecessary deaths each year runs into billions—not to mention the unmeasurable costs of human anguish and suffering.

Democrats in the Congress later came back and passed a second emergency medical services bill almost identical to the one vetoed. This time, the President was forced by the overwhelming weight of public opinion to sign the legislation, even though it runs counter to his policy of neglect for the urgent social needs of America. Smilarly, the provision for continued operation of Public Health Service hospitals, dropped from the second bill, was also passed, as part of another measure, and has been signed into law.

Thus, in the case of emergency medical services and Public Health hospitals the Democratic Congress—with the strong support of the American people—was able to force meaningful, progressive legislation on an unwilling Republican administration.

Unfortunately, our effort to obtain an adequate program of rehabilitation services for America's handicapped was not blessed with the same good success as was our endeavor on emergency medical treatment.

In September of this year, a watered-down version of our original rehabilitation bill became law, following veto by the President of two earlier, far more adequate measures.

Our first bill, passed unanimously by the Congress, would have provided a really meaningful program of rehabilitation services for more than half of the 10 million handicapped Americans. President Nixon vetoed this measure.

In search of compromise, Democrats cut more than 25 percent of the funds from this program so desperately needed by our handicapped citizens. But President Nixon would have none of this compromise, and vetoed the bill a second time.

A rehabilitation program has now finally been enacted, but it represents far less than half the effort we in the Democratic Party in Congress believe is needed. Unfortunately, we were unable on this measure to overcome the Republicans' long-established policy of disregard for the poor, the disabled, the elderly, and other groups of Americans in need of assistance.

We in the Democratic Congress had greater success in our efforts to provide adequate school and other nutrition programs than we experienced on rehabilitation services.

The future of Democratic-sponsored child nutrition programs—and the future health of our children—was placed in jeopardy by the Nixon inflation, under which food costs have jumped 20 to 30 percent during the past year.

Congressional Democrats wanted to increase assistance for nutrition programs to assure nutritious food for more than 25 million schoolchildren and other youngsters, many of whom are poor and could not afford healthful food without Federal assistance.

President Nixon opposed passage of this Democratic sponsored nutrition legislation because he believed that increasing the Federal payment from 8 to 10 cents per lunch would be "inflationary."

Fortunately for the health of America, the views of Democrats in Congress prevailed on this issue, and we were able to assure that these children will continue though the Republican administration would have preferred, quite literally, to let the needy schoolchildren and newborn babies go hungry.

D. LEGISLATION AFFECTING ELDERLY PERSONS

The Democratic majority, during the session just ended, enacted a broad program of assistance for older Americans, the Older Americans Act, which included improvements in transportation, housing, and employment for our elderly citizens.

Unfortunately—like so many other products of battle with an uncaring Republican administration—the bill finally enacted will not be as effective as our original legislation, which was passed by Congress and vetoed by the President last year.

Nevertheless, even though we had to cut $1 billion from our first measure, the Older Americans Act we have passed still provides a small-scale expansion of programs for the elderly, for example, by establishing a $160 million community service employment program for older Americans.

Another significant area of conflict over President Nixon's program of neglect for the needs of elderly Americans has taken place over social security and social services programs.

In the spring of 1973 Democrats in Congress wanted to pass legislation increasing social security benefits for 30 million persons, whose purchasing power was rapidly being eroded by the Nixon inflation. The cost of food alone was rising at an annual rate of more than 20 percent, so we sponsored a cost-of-

living benefits increase, effective in January 1974, to help older and disabled Americans catch up to where they had been a year earlier in terms of purchasing power.

Republicans in Congress opposed the social security increase, saying it would be "irresponsible" or "inflationary" to give the average retired person $174 per month to live on, instead of $165.

Republicans also opposed our attempts to undo the mischief prepetrated by the Nixon administartion in the area of social services program, such as food for the elderly poor, health care programs for the disabled and aid to the retarded.

Completely ignoring congressional intent, the Nixon administration proposed regulations drastically restricting eligibility, and in effect cutting funds for the program by about $700 million.

Recognizing the need to pass a catch-up increase in social security and to maintain social services programs, we attached these measures to a debt ceiling bill, which would be very difficult for the President to veto.

Unfortunately, Republicans in the House managed to kill our first attempt, but we later came back with a compromise measure, providing a cost-of-living increase in social security benefits effective in June 1974, 6 months later than our first proposal. We also managed to force a gradual loosening in social services regulations.

Just recently, however, we passed another speed-up in social security and supplemental security income benefits—made necessary by the terrific inflation of the last 18 months. This time, the Republicans did not even bother to oppose us on the floor of the House—although they still advocated delay in committee.

Thus, even though we were not at first successful, it appears that congressional Democrats ultimately will prevail on the question of immediate improvements in social security, supplemental security and social services programs. Unfortunately, however, much of the improvement in purchasing power that increases we pass may bring has been erroded by inflation—the Nixon tax on the poor, the elderly, and those living on fixed incomes.

E. FUNDS FOR DOMESTIC PROGRAMS

While conflict over constitutional prerogatives has commanded our attention to an unprecedented degree during the first session of this Congress, the great majority of our battles have been fought over the traditional differences in philosophy between the Democratic and Republican parties.

Probably no legislation shows more clearly than the appropriations bills the great difference between the Democrats' commitment to see that the promise of America is fulfilled for all of her citizens and the Republicans' lack of commitment to this goal and general policy of neglect for the needs of our citizens.

We in the Democratic Congress have tried to forestall President Nixon's efforts to cut the heart out of programs which help people to live healthier, fuller lives by passing appropriations at meaningful levels for the Departments of Labor and Health, Education, and Welfare. President Nixon has vetoed these appropriations.

We have on three recent occasions passed Labor-HEW Appropriations bills, which would keep alive programs President Nixon wants to kill or curtail for elementary and secondary education, libraries, training programs for doctors and nurses, aid to the handicapped, higher education, public service employment for the elderly, veterans education, and a variety of other useful and essential purposes.

Twice these appropriations bills have been vetoed. We are hopeful that our third bill, signed into law just a few days ago, will at least prevent outright abolition of the many worthwhile programs sponsored through Labor-HEW appropriations. Sadly, even though the bill was signed, some funds from this bill are almost certainly to be impounded.

Among the many valuable efforts funded through the Labor-HEW Appropriations are:

Manpower training;
Unemployment benefits;
Occupational safety and health;
Alcoholism and drug abuse prevention;
Health manpower;
Elementary and secondary education;
Higher education;
Rehabilitation for the handicapped;
Biomedical research;
Office of Economic Opportunity;
Vocational and adult education;
Delivery of health services; and
Office of Child Development.

F. OTHER LEGISLATION TO MEET THE NEEDS OF AMERICA

Democrats have led the way on a host of bills to improve the lot of the ordinary American citizen.

The story of some of these measures is well known, for example, disaster relief legislation, increased veterans and railroad retirement benefits, clean air, housing, and Law Enforcement Assistance Act extensions, and legal services legislation.

Much good, progressive legislation, however, does not make headlines, such as veterans health care, environmental education, biomedical research, and solid waste disposal legislation. But behind each of these measures stands much hard work by Democrats in Congress and many battles with an administration bent on ignoring the urgent domestic needs of our Nation.

My only regret is that we have had to fend off so many unconscionable attacks by the Nixon administration on legislation aimed at improving the lives of Americans that we have not been able to build as rapidly as we might wish on the firm foundations laid by previous Democratic Congresses over the past 40 years.

G. DEALING WITH INFLATION AND SHORTAGES

Under the Nixon administration, America has already undergone a transition from abundance to scarcity, and is now moving from prosperity to recession.

In the last year—for the first time in a decade—the real wages of a typical working person actually declined by several percent. The food segment of the Consumer Price Index has risen almost 20 percent in the last 12 months, and not since the Great Depression 40 years ago has there been such great difficulty for so many Americans in finding and paying for food. All indications are that finding work will soon be equally difficult for Americans.

And now, on top of all our other problems, we face energy shortages, a crisis in large part created by the Nixon administration, which has had years to prepare to avert this problem, but only yesterday awoke to the fact that our citizens are without enough oil to heat their homes this winter.

1. FOOD PRICES AND SHORTAGES

The Nixon administration has, through an incredible compounding of errors, managed to bring unprecedented high prices, instability, uncertainty, and shortages both to the farm and to the food markets.

From the Russian wheat deal to intentionally restricting the food supply, from miscalculating foreign demand to freezing domestic prices at the wrong time and curtailing supplies, the administration has pursued a policy which few people thought could be created—a policy which has hurt both the American consumer and the American farmer, a policy which has left our overseas trading partners aghast and our American food processors without supplies. The administration kept wheat export subsidies at artificially high levels in July and August 1972, even while massive wheat sales to Russia were being consummated.

The effect of this action was to waste hundreds of millions of dollars in public funds, which went straight from the pockets of American taxpayers to the pockets of big grain dealers. Even worse, the price paid by American consumers for wheat rose from about $1.70 per bushel in July 1972 to $3 per bushel in May 1973, and on to over $5 per bushel by September of this year.

These increases in the costs of grain have brought about concomitant increases in prices for beef, pork, poultry, eggs, and dairy products, and a severe disruption of transportation facilities accompanying the grain deals has brought higher costs and shortages or delays in delivering supplies.

Food shortages need not have been so severe, but the Nixon administration—in the face of growing world demand—actually took action to reduce food supplies. The Department of Agriculture took millions of acres of wheatland out of production at the same time that they were negotiating the huge Russian wheat deal.

And then, in March 1973—acting against the advice of practically all food experts—the Nixon administration imposed a politically motivated price freeze on food. The effect was to freeze prices at the highest level in years and cause shortages of many products, especially meat, because feed grain prices were not controlled and it became uneconomical for farmers to produce livestock.

The ceiling did nothing to increase supplies and reduce prices and, in fact—by restricting supplies—the ceiling actually eventually forced food prices even higher.

The food shortage and price problems we are now experiencing result largely from mismanagement by the Republican administration.

The Congress can legislate, but it cannot implement that legislation. We can give the President the powers he needs to deal with food prices and shortages, but we cannot make him use those powers well. We have given the President authority to restrict grain production, and we have provided authority for negotiating large sales of grain—but the implementation of these authorities is in the hands of the President. Only he can decide whether to use them to complement one another or to destroy the purchasing power of the American consumer.

Nevertheless, the Congress has taken action to counteract the administration's policy of food scarcities for Americans. We passed the Agriculture and Consumer Protection Act of 1973, which will help assure to consumers plentiful supplies at reasonable prices. We successfully defeated the administration's efforts to "get the Government off the farm" because such an action would have spelled disaster for the farm, the Government, and the consumer as well.

Moreover, Members of the House are now hard at work on legislation to assure that, should further grain sales be arranged, the abuses we have experienced in the past will not be repeated.

Food prices are high now, and I have little doubt but that they will move much higher next spring, as the shock waves from the last price freeze reverberate through the economy under the rules of phase III. The Congress has taken such legislative steps as are possible to remedy the consequences of maladministration, including expansion of export control authorities, but unfortunately administration of food and agriculture legislation remains in the hands of a President who has shown little understanding of the food production sector of our economy and even less concern for the needs of consumers.

2. INFLATION

The American economy is now experiencing its worst round of inflation in a generation, and the Nixon administration has not only failed to stop it—but the Administration's disastrous economic policies have actually been a primary cause of this unprecedented price spiral.

For years, we have been hearing from administration economists that "next month things are going to be better," and each month things get worse. Most economists expect that the pace of inflation in 1974 will outpace even this year's terrific price spiral.

The Congress has given President Nixon the tools he needs to deal effectively with our economic problems. This President, like most Republican Presidents before him, has resisted using these tools and—when he has finally admitted that he must—he has used them very badly. Mr. Nixon's mishandling of the authorities under the Economic Stabilization Act has been nothing short of scandalous.

Immediately after taking office, the Nixon administration emphatically abandoned all forms of price-wage policy. There would be no guidelines, no more jawboning. An open invitation to raise prices with total impunity was issued and accepted. By the time the administration had been in office 1 year, the inflation rate had reached 6 percent—more than double the average rate of inflation during the preceding 5 years of the Democratic Johnson administration.

With inflation off and running, the President then turned to the classic Republican medicine of tight money and tight fiscal policy, throwing the economy into its first recession in a decade, forcing unemployment above 6 percent, and producing—because of lost income—two $23 billion budget deficits in a row. Inflation raged on.

In desperation, the President finally implemented price and wage controls which a Democratic Congress had forced on him more than a year earlier, but which he had steadfastly refused to utilize. The freeze was followed by phase II controls, which seemed to be working, when the administration suddenly—in an incredible blunder—abandoned the workable anti-inflation program the Congress had authorized.

Over the summer, President Nixon had to acknowledge his mistake and, with typical bad timing, reimposed a freeze. All this accomplished was to curb supplies, cause shortages, and eventually force prices even higher. The President initially promised to reimpose controls after ending the freeze, but it is now apparent that we are on our way to phase IV, which means that the price-wage control program is, in effect, about to be dropped.

The President is blaming the Congress and the price-wage control legislation for the inflation which his own mistaken policies and maladministration have caused.

Nothing could be further from the truth. The economic stabilization authorities are workable and were proving effective under phase II when the administration abandoned them. Furthermore, if the administration had needed different or additional authorities, the Congress would have been pleased to consider them, but no requests were ever presented.

In vetoing appropriations bills for needed domestic programs, the President has blamed Congress for budget deficits and said that, because of these deficits, he must veto appropriations measures. In fact, the deficits belong at the doorstep of the administration—they result from revenue shortfalls caused by the administration's own high unemployment and recession prone policies. The simple fact is that the Nation has lost more than $200 billion in income since President Nixon took office because of bad economic policies.

We in the Congress have done our part to control inflation. We have given the administration the tools it needs, under the Economic Stabilization Act which we extended this year, to fashion a sound program to curb the price spiral. And when the administration has taken a particularly destructive course, for instance, removing interest ceilings from certificates of deposit, the Congress has passed remedial legislation.

What the Congress cannot do is to administer the anti-inflation program. That responsibility lies in the hands of the executive branch, and unfortunately, the President has shown little inclination or ability to fulfill his obligation to keep price increases within reasonable levels.

3. ENERGY SHORTAGES

The last food price spiral had not yet subsided when the energy price spiral began. And once again, the lion's share of responsibility for price increases and shortages—which could have been avoided—lies with the Nixon administration.

The administration's activities in the energy field have been characterized by inconsistency, confusion and a belated response to congressional initiatives. The administration has never had—and apparently does not yet have—a meaningful energy program.

The Congress has provided authority for fuel allocation programs, energy research and development and energy conservation. However, each time we have dealt with energy matters, the administration has resisted our efforts.

One obvious reason why the Nixon administration has not fashioned a meaningful energy program is that we have had a long succession of energy policy heads, none of whom had the authority he needed to do the work which ought to have been done. Furthermore, the administration has by and large ignored the recommendations of its own members. For example, recommendations of staff members of the Office of Oil and Gas, Office of Emergency Preparedness, and the President's own blue ribbon, Cabinet-level task force were largely ignored. It was therefore not until the spring of 1973, when severe shortages were already upon us, that the administration finally accepted the need to take even limited action.

A number of other serious administration policy failures have also exacerbated our energy shortages. For example, the President has mishandled price-wage controls under the Economic Stabilization Act. He froze gasoline prices at seasonal highs and heating oil prices at off-season lows, causing refiners to convert a maximum percentage of crude oil to gasoline, rather than to fuel oil, which is what we have needed most. This action—taken several years ago—was not reversed until December 1973.

The administration's failure on mandatory allocation is equally serious. Congress gave the President authority to implement mandatory fuel allocation, but in May 1973, Mr. Nixon initiated only a voluntary program—later proven a disastrous failure by the closing of thousands of independent service stations.

By the summer of 1973, when it became clear that Congress was about to force mandatory allocation authority upon him, President Nixon did finally implement a partial mandatory allocation program. But the program was im-

plemented very badly: needed forms had not been printed, there were no priorities for fuel allocation, and Governors from around the country who desperately want the allocation to work quickly and well actually had to write to Washington asking that the program be withdrawn and then implemented again, this time properly.

The Nixon administration has also erred in handling energy conservation matters.

The President has promised to veto Congress' mass transit legislation, which offers one of our best opportunities for really large savings of fuel.

Administration spokesmen testified as recently as last month against such useful conservation measures as encouraging more efficient, less energy-consuming automobiles. In practically every area, the Congress has led the administration on energy issues. For example, major energy research and development legislation has been proposed in the Congress for years, and the administration has without fail opposed this legislation. As late as last summer, just before President Nixon announced his misnamed "Project Independence," administration spokesmen were testifying in the Senate against major energy research and development efforts. And when Congress has insisted on energy research and development, the administration has moved to impound funds, for example, impoundment of more than $20 million in energy research and development funds from the Public Works and Atomic Energy Commission appropriations. These funds were released only at the end of November 1973, after the administration had been placed under tremendous congressional and public pressure.

The Congress has been far ahead of the Nixon administration in preparing to deal with energy shortages and in providing legislation and funds to prevent shortages from occurring.

All the authorities the President used in taking his November "emergency actions" had been provided far earlier by the Congress. And the Congress has passed:

Year-round daylight savings time;

The Alaska pipeline legislation;

Mandatory petroleum allocation legislation;

Authorizations for the Atomic Energy Commission and Appropriations for Energy Programs of the Department of the Interior and the AEC; and a host of other energy-related measures.

The Congress also has much other energy-related legislation: deepwater ports; reorganization of energy research and development; strip mining regulation; urban mass transit legislation; energy research and development legislation; conservation legislation; demonstration programs for various types of energy; and maximum national speed limit legislation. As I write, in the closing hours of the first session of this Congress, it appears likely that several of these bills may be passed before we adjourn, or very early next year.

As in the case of inflation, the Congress can only provide authorities for the President to deal with energy problems. We cannot make his use them wisely and well.

Mandatory allocation, research and development, conservation, and other energy authorities have been available to the President for years, and he has refused to use them and mishandled them. These authorities might have been used to head off rising inflation, drain on our balance of payments, strain on relations with our allies, lost production and wages, and inconvenience and even danger for American citizens.

All these problems might have been avoided had President Nixon utilized the authority Congress has given him and accepted additional authorities for new programs.

Mr. Speaker, I include at this point for the information of Members a more detailed summary of legislative accomplishments of the 1st session of the 93d Congress:

MAJOR LEGISLATIVE ACCOMPLISHMENT FOR THE 1ST SESSION OF THE 93D CONGRESS

AGRICULTURE

Omnibus Farm Bill.
Emergency Loan Program.
Rural Electrification Act Amendments.

CONSTITUTIONAL ISSUES

War Powers Resolution.
Impoundment of Funds.
Confirmation of Gerald R. Ford as Vice President.
Funding Resolution for Impeachment Inquiry.
Executive Privilege.

DISTRICT OF COLUMBIA

Home Rule.
Subsidy Payments for Child Adoption.

ECONOMY, TRADE AND HOUSING

Trade Reform.
Economic Stabilization Act of 1970 Extension.
Interest Equalization Tax Extension Act.
Public Works and Economic Development Act.
Interest Rate Control.
Federal Financing Bank.
International Economic Policy.
Public Debt Limit Extension.
Second Public Debt Limit Extension.
Par Value Modification Act.
Public Works on Rivers and Harbors.
Home Loan Insurance.
Housing and Mortgage Laws.

EDUCATION

Vocational Rehabilitation.
School Lunch Programs.
Child Nutrition Programs.
Basic Educational Opportunity Grants.
National Foundation for the Arts and Humanities.
Environmental Education Extension.

ENERGY NATURAL RESOURCES AND THE ENVIRONMENT

Emergency Energy Act.
Emergency Petroleum Allocation Act.
Alaska Pipeline.
Energy Research and Development Administration.
Daylight Savings Time.
Ocean Pollution Control.
Emergency National Maximum Highway Speed Limit Act.
Endangered Species Act.
Atomic Energy Commission Authorizations.
National Flood Insurance.
Rural Environmental Assistance Program.
Toxic Substances.
Wild and Scenic Rivers System Act.
Saline Water Program Authorization.
Clean Air Act Extension.
Solid Waste Disposal Act Extension.
National Sea Grant College Extension Act.
Water Resources Development Act.
User Fees in Recreational Facilities.
Sewage Treatment Plants.

FEDERAL EMPLOYEES

Federal Employees Annuity Increase.
Federal Employees Health Program.
Federal Employees Leave.
Civil Service Annuities.

FOREIGN AFFAIRS AND NATIONAL DEFENSE

Vietnam Bombing Halt.
Foreign Aid Authorizations.
Military Procurement Authorizations.
Military Construction Authorizations.
State Department Authorization.
USIA Authorization.
Israel Emergency Assistance.
Radio Free Europe and Radio Liberty.
United Nations Environment Programs.

HEALTH AND MEDICAL CARE

Health Maintenance Organizations.
Emergency Medical Services.
Health Programs Extension Act.
Lead-Based Paint Poisoning Prevention.
Hazardous Materials Transport.

LABOR AND IMMIGRATION

Comprehensive Manpower Act.
Jointly Administered Trust Funds for Legal Services.
Extended Unemployment Benefits.
Railroad Retirement Amendments.
Immigration Limits.

LAW ENFORCEMENT AND CRIMINAL PROCEDURE

Law Enforcement Assistance Amendments.
Drug Abuse Education Act.
Jurisdiction of Civil Actions by Senate Select Committee on Presidential Campaign Activities.
Watergate Grand Jury Extension.
Federal Prisoners, Limits of Confinement.

SCIENCE AND ASTRONAUTICS

NASA Authorization.
National Science Foundation Authorization.

SOCIAL WELFARE

Social Security Benefit Increases.
Older Americans Service Amendments.
Child Abuse Prevention and Treatment Act.
Domestic Volunteer Service Programs.
Supplemental Security Income.
Legal Services Corporation.

TRANSPORTATION AND COMMUNICATIONS

Federal Aid Highway Act.
Urban Mass Transportation.
Airport Development Acceleration Act.
Regional Railroad Reorganization.
Amtrak Improvement Act.
Public Broadcasting Authorization.

VETERANS

Veterans Health Care Extension Act.
Veterans Disability Benefits Increase.
Veterans National Cemetary Act.
Tax Treatment for Prisoners of War.

VETOES

Vocational Rehabilitation.
Rural Water and Sewer Grants.
Confirmation of Director and Deputy Director of the Office of Management and Budget.
Second Supplemental Appropriation Act of 1973.
Emergency Medical Services System Act of 1973.
Minimum Wage Act.
Small Business Amendments.
USIA Authorization.
War Powers Resolution.

OTHER

Bicentennial Administration.
Indian Claims Commission.
National Biomedical Research.

Professional Sports-TV Blackouts.
Export Administration Act Amendment.
Franking Reform.
Attorney General Salary Increase.

AGRICULTURE

Omnibus Farm Bill (P.L. 93–86, approved August 10, 1973)—In an effort to encourage food production and eliminate subsidies in times of high market prices, Congress approved a widely innovative four-year farm program guaranteeing farmers a "target-price" return on three basic crops (cotton, wheat, feed). If the market fail, to pay those prices, government payments make up the difference, while "target-prices" will be adjusted to reflect production cost increases during these years. The Farm Bill also establishes a $20,000 per person payment limitation; suspends the "bread tax" on domestic wheat that was passed on to the consumer; increases dairy price support to 80 percent of parity for two years, then drops it to 75 percent; and extends food stamps for four years while providing for semi-annual cost-of-living adjustments. Finally, a major new rural conservation program is authorized to succeed REAP including a pilot forestry incentives program.

Emergency Loan Program (P.L. 93–24, approved April 20, 1973)—This year Congress helped the farmer faced with natural disaster by providing a modification and extension of the emergency rural loan program, which authorizes the Farmers Home Administration (FHA) to provide five percent loans to farmers for loss of crops and other property due to natural causes. The measure provides for an 18-day extension under which rural residents might file with the FHA for the one-percent, $55,000 forgiveness loans available under the Hurricane Agnes program. Rural residents are eligible to obtain one-percent, $55,000 forgiveness disaster loans for loss only of dwellings and household contents between December 27, 1972 and April 20, 1973. Congress also established a new disaster relief program under which the Small Business Administration and the FHA may grant five-percent, no forgiveness loans to persons not able to obtain loans elsewhere.

Rural Electrification Act Amendments (P.L. 93–32, May 11, 1973)—Congress took action to assure the continuation of the low-cost loans made by the Rural Electrification Administration (REA) which had been terminated by the Nixon Administration in December, 1972. Congress approved legislation restructuring the REA and converting the program into an insured and guaranteed loan program, permitting two percent loans for electric and telephone systems in sparsely populated areas, and creating a revolving fund with unlimited borrowing authority for making insured electric and telephone loans. Loans will be made from the large REA revolving fund, using the current assets of REA, estimated at more than $4 billion. The Administration has promised that REA will make loans each of the next three years at levels at least as high as those budgeted for fiscal 1974, which means a total REA loan level of $758 million, with at least $105 million for the two percent loans for sparsely populated areas.

CONSTITUTIONAL ISSUES

War Powers Resolution (P.L. 93–148, without approval November 7, 1973).—Congress reasserted its constitutional role in the war-making area by placing restraints on the authority of the President to commit U.S. forces to hostilities without congressional consent. This historical move came about after the President, and in the absence of any congressional declaration of war, conducted massive air bombardment over Cambodia and Laos after the signing of the Paris accords and return of U.S. troops and POWs. Even after a record of opposition by both the House and Senate to the bombing, President Nixon vetoed legislation providing for a cutoff of funds. Subsequent congressional investigations revealed a pattern of secret bombings of Cambodia and Laos, activities conducted despite congressional prohibitions against invasion from land, air, or sea. The facts were concealed from the public and Congress until uncovered in investigations. Congress was compelled to restrain the President by forcing him to terminate bombing after August 15 of this year. Congress subsequently gave final approval to the War Powers Resolution, which requires consultation with Congress if at all possible in advance of any introduction of U.S. forces to hostilities and a full report to Congress within 48 hours after taking such action. If Congress does not expressly authorize the commitment, the President must withdraw troops within 60 days (a 30 day extension is permitted if the safety of troops so requires). Anytime after the commitment of forces, the Congress could mandate immediate withdrawal through passage of a concurrent resolution—which is not subject to veto. In addition, the resolution stipulates that none of its provisions are to be construed as granting any authority to the President that he would not have had in the absence of the resolution. The power of the President to commit forces is defined to include only situations where Congress has declared war or provided other statutory authorization, or when a national emergency exists because of attack on the U.S. or its forces. The President, claiming that the resolution imposed "unconstitutional and dangerous" restrictions on the President's warmaking authority vetoed the measure on October 24, only to have both Houses override the veto on November 7.

Budget and Impoundment Control Act of 1973 (H.R. 7130 passed the House December 5, 1973)—A major step toward restoring Congress' control over the Federal budget was taken in early December when the House approved legislation which would significantly reform the budgetary process and provide for congressional review and control of presidential impoundment of funds. Title I provides for the adoption each year of a congressional budget, including a determination of the appropriate levels of revenues, expenditures, and budget surplus or deficit. A Committee on the Budget in both the Senate and the House would be established along with a joint Legislative Budget Office to serve both Committees. In addition the Appropriations Committee would be given authority to control all new back-door spending. The bill would require Congress to establish an overall spending ceiling with sub-ceiling levels in program categories. It would revise the timetable for the authorization and appropriations processes, setting April 1 as the date for Congress to complete action on authorization bills and an August 1 date for appropriations bills to be cleared by both Houses. The start of the fiscal year would be changed from July 1 to October 1, and Congress would adopt a final concurrent budget resolution by September 15 reaffirming the original ceilings, or revising them upward, or directing the Appropriations Committees to make cuts in appropriations to bring them in line with the ceilings. A first concurent resolution establishing an overall spending ceiling and sub-ceilings would have to be passed by May 1, hopefully providing Congress the opportunity to debate national priorities and to make major policy choices on spending. If the ceilings were increased, the Ways and Means Committee of the House would be required to draft tax measures to raise additional revenues, and Congress could not adjourn without passing the final budget resolution. Title II establishes a control procedure whereby either House of Congress may prohibit the President or any other officer of the executive branch from continuing an impoundment. The bill requires the President to notify Congress ten days after any impoundment of appropriated funds has been made. If either House approves a resolution disapproving the impoundment within 60 days, the impoundment would have to be terminated. (H.R. 7130 brings together two distinct legislative initiatives: the report of the Joint Study Committee on Budget Control and the impoundment controls contained in S. 373 (H.R. 8480) which is described below.)

Impoundment of Funds (S. 373 passed the House July 25, 1973. In conference.)—President Nixon has impounded an average of $11 billion in appropriated funds each year since taking office, far above the average during past Administrations. Unfortunately, most of these impoundments have been for vital domestic programs and needs. For example, he has impounded $6 billion in contract authority for construction of sewage treatment facilities to clean up the Nation's waterways (enacted by Congress over the President's veto). In a case probably headed for the Supreme Court, the thrust of Federal judges rulings is that the Administration must release the full $6 billion. So far, the Nixon Administration has lost the overwhelming majority of cases this year involving billions of dollars in impounded funds. Both Houses of Congress have responded to this excessive and mostly illegal impoundment of funds by passing legislation to prohibit impoundments unless approved by congressional action. Both versions establish an expenditure ceiling for fiscal 1973 in recognition of the need for some Federal expenditure guidelines. Both versions also require the President to notify the Congress of impounded funds within ten days via special message. The House-passed measure specifies the following information to be contained in the President's message: amount of funds impounded; date the funds were impounded; any account, department, or establishment of the Government to which such impounded funds would have been available for obligation except for such impoundment: period of time during which the funds are to be impounded; reasons for the impoundment, including any legal authority invoked by him to justify the impoundment; and to the maximum extent practicable, the estimated fiscal, economic and budgetary effect of the impoundment. Both bills require reports within ten days of the impoundment whereas existing law requires quarterly reports. The major difference between the Senate and the House versions is in the procedure to approve or disapprove a presidential impoundment. The House version provides that impoundments must cease within 60 calendar days only if the specific impoundment is disapproved by either House of Congress by passage of a resolution. Failure to act within that period would, in effect, sanction the impoundment.

Ford Nomination—On December 6, 1973, by a vote of 387 to 35, the House of Representatives confirmed Gerald R. Ford as the fortieth Vice President of the United States. Mr. Ford was the first person ever to be confirmed by the House of Representatives and the first person to be confirmed by either House under provisions of the 25th Amendment. Adopted in 1967, section 2 of the 25th Amendment provides that "whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress." The Senate approved the nomination on November 27, 1973 by a vote of 92 to 3. The Office of Vice President became vacant on October 10, 1973 when Spiro Agnew submitted his resignation.

Impeachment of the President (Hearings scheduled by the House Judiciary Committee early 1974)—During the First Session of the 93rd Congress a number of Impeachment

Resolutions were introduced along with other resolutions urging an investigation into the activities of the President of the United States, Richard Nixon. All resolutions were referred to the Committee on the Judiciary which is conducting an investigation to determine whether or not grounds exist for impeachment. On November 15, 1973 the House authorized one million dollars to fund the Committee's investigation.

Executive Privilege (Legislation not yet reported; hearings underway)—At a time when the Congress has voted to open its operations and procedures to public scrutiny, the Nixon Administration is using executive privilege to withhold vital information from the Congress and to block even Federal law enforcement officials and the courts from access to materials which in their judgment bears on possible criminal activity. Executive privilege, even though practiced by past Presidents, is mentioned neither in law nor the Constitution, and has never been tested in the courts. Previous Presidents, however, have made only limited use of executive privilege, and then only to protect legitimate national security interests. On the other hand, President Nixon's interpretation of executive privilege, as expressed by his former Attorney General Richard Kleindienst, is that it may be invoked to prevent any one of the millions of executive agency employees from testifying before a congressional committee. Both Houses have held extensive hearings in the area of executive privilege and the House Committee on Government Operations is currently drafting legislation to establish criteria governing and restricting the use of executive privilege and to require that all information be made available to the Congress by executive agencies—except when the President himself invokes executive privilege.

DISTRICT OF COLUMBIA

District of Columbia Home Rule (P.L. 93-198, approved December 24, 1973)—For the first time this century, Congress has restored elected local government to the people of the District of Columbia in legislation that allows voters to choose a mayor and a thirteen-member City Council, previously appointed by the President. The Act retains the authority of Congress to control municipal spending and to veto all actions by the elected city government. Voters are to cast their ballots in May 1974 in a referendum election in which they will decide whether to approve a city charter embodying the new form of government. If the proposed charter is approved in the referendum, primary elections for mayor and City Council will be held in September with the general election in November. The elected government would then take office in January, 1975. The Council chairman and four Council members are to be elected at large with the other eight members elected from each of the eight wards, with guaranteed minority party representation on the Council. The city will be prohibited from taxing Federal or local government property in the District, but will be able to enact other taxes, except for a tax on commuter income. Congress will retain control of how the District spends its money. Approval of the city budget by the Appropriations Committee of Congress each year will be required. The Federal payment to the District is set at $230 million for fiscal 1975, gradually increasing to $300 million by fiscal 1978.

Subsidy Payment for Child Adoption (H.R. 11238 passed the House November 26, 1973)—The House provided for an improved system of adoption of children in the District of Columbia by authorizing the Commissioner of the District of Columbia to make adoption subsidy payments on behalf of children with special needs, where such children otherwise would in all likelihood go with adoption, and where the adoptive family is deemed appropriate in all respects but for its economic inability to meet the child's needs. Currently it is estimated that in the District there are between 2,500 and 2,700 children who are wards of the District Government. Of these it is estimated that between 200 and 300 could be placed in permanent families with the assistance of an adoption subsidy program. Approximately 150 such placements are expected within the first year alone.

ECONOMY, TRADE AND HOUSING

Trade Reform (H.R. 10710 passed the House December 11, 1973)—In a major step toward liberalized world trade the House approved a comprehensive trade bill which represents a major step toward formulation of a new round of international negotiations that will increase world trade by giving the President broad authority to reduce U.S. tariffs and other barriers to freer commerce. The House adopted an amendment to the bill which denies most favored nation treatment for Russian exports to the United States as well as long term credits (such as funds for machine tools, oil pipeline machinery and goods and food stuffs) for Russian imports until the President certifies that the immigration of Jews from Russia is not being impeded. Responsibility for negotiating trade agreements lies with the Executive Branch, but since expiration of the 1962 Trade Expansion Act in June of 1967, the President has had no authority in this area. Yet, over the past twenty years a number of factors have contributed to the need for this legislation, including the fact that world trade has increased rapidly but unevenly because of non-tariff barriers, and expanded world productive capacities have shifted trading patterns. Second, a massive balance of payments disequilibria between nations has arisen, with the U.S. going from substantial surpluses to recurring deficits. Third, European and Japanese economic resurgence led to a breakdown of the world's monetary system, and subsequent realignment of exchange rates and devaluation of the dollar. Fourth, unfair and discriminatory trade practices have thwarted U.S. exports and unduly stimulated imports into the U.S., with harmful effects on domestic industry. Fifth, multinational adjustment and relocation assistance has provided little help in ameliorating the dislocations caused by foreign imports. Sixth, multinational corporations have combined U.S. technology and low-wage foreign labor to erode the domestic production base and threaten American jobs and business opportunities, as well as markets in third countries. Also, trading relationships involving lesser developed countries, negligible ten years ago, have increased in significance. The Senate will consider the Trade Bill during the Second Session of the 93rd Congress with passage expected in early 1974.

Economic Stabilization Act of 1970 Extension (P. L. 93-28, approved April 30, 1973)—Faced with the pressing concern of a record inflation severely ravaging our economy, Congress extended the Economic Stabilization Act of 1970 which authorizes the President broad powers to stabilize prices, rents, wages and salaries. It also gives the President authority to establish, after public hearings, priorities of use and allocation system of supplies of petroleum products, including crude oil, in order to equitably meet needs in various sections of the country and to prevent anti-competitive effects which could develop from shortages of petroleum products. In February, the President asked for major economic powers, promising prosperity without inflation in return. This Act granted some of the most sweeping economic powers a Congress can confer upon a President. Because the President was slow to act, however, the cost of living is up 8 percent compared with 3.4 percent for all of 1972, with price increases hitting every American family.

Interest Equalization Tax Extension Act (P. L. 93-17, approved April 10, 1973)—Another major congressional initiative extended the application of the interest equalization tax for 15 months, to June 30, 1974, and provided for certain exclusions from the tax. It is the interest equalization tax which equalizes the differential in interest costs as between domestic and foreign securities, thus assisting to stem our outflow of dollars.

Public Works and Economic Development Act (P. L. 93-46, approved June 18, 1973)—After vetoing a similar bill in 1972, the Administration continued its non-support of the program which provides many Americans with jobs in depressed areas of our country, proposing abolishment of the Economic Development Administration and transferral of its functions to other agencies. Congress voted to continue it for at least one more year and to continue important direct Federal support for the seven regional economic commissions. To further continue support for economically depressed areas and achieve minimum unemployment, Congress extended the Public Works and Economic Development Act through fiscal year 1974. For this Congress authorized funds for public facility grant programs, business development programs, technical assistance in alleviating unemployment in certain of our Nation's areas, and for economic development centers. The Public Works and Economic Development Act, originally enacted in 1965, provides Federal assistance to areas that lag behind the growth of the rest of the Nation and suffer from high unemployment and underemployment. With the Act's extension, Congress continues to provide Federal assistance, in cooperation with States and localities, to enable areas and regions suffering economic distress to help themselves to develop the planning and financing capability for long lasting improvement and for the creation of permanent jobs. It is estimated that the public facilities grant program alone has made possible some 330,000 permanent jobs in over 1,460 communities across the country. A conservative estimate for the entire program would bring the figure to over half a million jobs located by these programs since enactment of this legislation in 1965.

Interest Rate Control (P.L. 93-100, approved August 16, 1973)—Congress extended until December 31, 1974 the authority of Federal bank regulatory agencies to set feasible interest rates on time and savings deposits held by commercial banks, savings and loan institutions, and mutual savings banks. The law limited NOW, or interest bearing, checking accounts, to two states, Massachusetts and New Hampshire, on an experimental basis under Federal supervision. In addition, the law permits national banks and savings and loan associations chartered by the Federal Home Loan Bank Board to invest in State housing corporations in the States where their headquarters are located, and it creates a new procedure for payment by savings and loan associations of premiums into the Federal Deposit Insurance Corporation's Reserve Fund.

Federal Financing Bank (P.L. 93-224, approved December 29, 1973)—This Act establishes a Federal Financing Bank under the general supervision of the Secretary of the Treasury through which the marketing of Federal and federally-assisted borrowing activities will be centralized. The Bank is authorized to buy securities issued by Federal agencies to finance their activities, and to fund its operations by selling its own securities. The Secretary of the Treasury is authorized to approve or disapprove in advance the financing of programs planned by separate Federal agencies. That authority will provide the Secretary with the means to judge borrowing methods, sources of financing, timing, interest rates, maturities and

other conditions adopted by the agencies in issuing obligations. Certain Federal agencies and types of securities are exempted from the review of the Treasury Department. The Act also places a time limit on a Treasury decision approving or vetoing an agency's financing plans to prevent any administration from ending a program simply by withholding judgment.

International Economic Policy (P.L. 93–121, approved October 4, 1973)—Congress extended for four years—until June 30, 1977—the Council on International Economic Policy whose statutory authority expired June 30. The Council coordinates the efforts of more than 60 Federal agencies or other units involved in some aspect of foreign economic affairs. It focuses on international economic policy issues and recommends policies consistent with domestic economic policy and basic foreign policy objectives. P.L. 93–121 requires Senate confirmation of any future Executive Directors of the Council, exempting the present Director, Peter Flanigan. The measure also removes the President from the Council, while allowing him to appoint a chairman from among its members, and adds the Secretary of Transportation as a new member. A total of $1.4 million was authorized for fiscal 1974 for the Council's operations.

Public Debt Limit Extension (P.L. 93–53, approved July 1, 1973)—Congress continued the debt limitation level at $465 billion through November 30, 1973. This measure in addition extended unemployment insurance benefits in States whose rates of insured unemployment are at least 4.5 percent; extended for one year the authorization for project grants under the maternal and child health program which was scheduled to expire June 30, 1973; and provided for a transition in funding to a state-coordinated program of maternal and child health programs. Congress also requires the presidential campaign checkoff provisions on the income tax return form to be placed either on the front page of the return or where signature is required. Congress also eliminated separate funds for the two major parties, consolidating all money into a general fund.

Second Public Debt Limit Extension (P.L. 93–173, approved December 3, 1973)—Congress approved for a second time this session an extension of the temporary Federal debt limit through the end of fiscal 1974, increasing the ceiling to $475.7 billion. The previously existing $465 billion temporary debt limit expired on November 30 allowing the ceiling to fall to its permanent $400 billion level. During the course of debate, the House deleted $2.3 billion from the committee's recommended debt ceiling.

Par Value Modification Act (P.L. 93–110, approved September 21, 1973)—This Act authorizes the Secretary of the Treasury to raise the price of gold to $42.22 an ounce from $38 (a devaluation of ten percent) and repeals a prohibition on ownership of gold by private citizens when the President determines that repeal would not affect adversely the international monetary position of the United States. The law ratifies the Administration's 1971 agreement to international monetary reform, precipitated by inflation and by the worst trade imbalance in U.S. history.

Public Works on Rivers and Harbors (H.R. 10203 passed the House October 12, 1973)—The House authorized a total of $1.25 billion for construction, repair, design, and development of navigation, flood control and other water resource projects with new emphases on environmental and recreational considerations, innovative alternatives to existing flood control methods and demonstration projects to prevent shoreline erosion. This legislation, which is similar to the flood control bill vetoed by the President in 1972, would authorize a new procedure for uniform cancellation of out of date projects and would take the authority Congress granted in 1965 to the President and the Water Resources Council to determine the formula by which water resource projects were approved or disapproved. Since the President had vetoed the 1972 bill as inflationary, the House designed this bill to counter the inflation argument by initiating a two-step authorization process.

Home Loan Insurance (P.L. 93–117, approved October 2, 1973)—With the Federal Housing Agency's insuring authority expiring a second time this year (October 1), Congress authorized an extension of the FHA's authority to set government-insured mortgage interest rates and authorized funds for its basic Federal housing and urban development programs until October 1, 1974. Congress increased by $140 million the authority of the Secretary of HUD to enter into annual contracts with local housing authorities and extended the Secretary's authority to set maximum interest rates for FHA mortgages and Veterans Administration guaranteed loans. Authority for new community development guarantees was increased and various rural housing authorizations under the 1949 Housing Act (P.L. 81–171) were extended until October 1, 1974. Also extended until the October date were the authority of the Government National Mortgage Association to purchase mortgages, necessary to permit continuation of HUD's special tandem plan for low-income housing financing and the period in which the HUD Secretary is authorized to make rehabilitation loans. A total of $110 million for fiscal 1974 was authorized for comprehensive planning grants, $664 million for urban renewal, $63 million for open space, and $40 million for neighborhood facilities.

Housing and Mortgage Laws (H.J. Res. 512 reported from conference July 31, 1973. Conference report recommitted September 5, 1973)—Faced with a moratorium on low-income and middle-income housing imposed by the Nixon Administration in January 1973, Congress attempted to take action to terminate the moratorium and extend programs suspended on urban renewal, model cities, water and sewer and other community development projects. The bill also would have renewed the authority of the Secretary of HUD to set mortgage rates for the FHA scheduled to expire June 30, 1973. When the President assured Congress of a veto, Congress passed an emergency measure (P.L. 93–85) extending the FHA insuring authority until Congress could approve a compromise bill, later to become P.L. 93–117 (above).

EDUCATION

Vocational Rehabilitation (P.L. 93–112, approved September 26, 1973)—The training of handicapped Americans for productive jobs has also been a top priority of this Congress. Unfortunately, two such bills were vetoed within the past year by the President. Congress was advised that aid to the handicapped had to be drastically cut, and training for those suffering from spinal cord injuries and severe kidney diseases eliminated, before any legislation passed by Congress would be signed into law. Congress was forced as a result to approve legislation with a substantial reduction in authorizations for the handicapped. This Act authorizes $1.55 billion in fiscal years 1974 and 1975, an amount substantially lower than those authorized in the vetoed bills—$3.5 billion and $2.6 billion respectively. The 1973 Act requires State rehabilitation agencies to serve the most severely handicapped first, with each State to receive a basic allotment of at least $2 million or one quarter of one percent of funds appropriated the basic program, whichever was greater. Congress also required that personal guidance services be established, that an Architectural and Transportation Barriers Compliance Board be created to enforce existing requirements that public buildings and transportation be accessible to the handicapped, and that Federal mortgage insurance be available for construction of rehabilitation facilities. The Secretary of HEW may authorize research and training grants and contracts for work in the rehabilitation field. Congress authorized such sums as necessary for construction of rehabilitation facilities and for grants to provide vocational training services for the handicapped.

School Lunch Programs (P.L. 93–150, approved November 7, 1973)—Congress increased Federal aid to school nutrition programs hard hit by rising food costs in order to more adequately meet the nutrition requirements of needy children in our public school systems. The Federal payment per school lunch served was increased to ten cents, from the existing level of eight cents. The Act also increases Federal payments for school breakfasts and for free and reduced-price lunches served to needy students. The Federal payment for free lunches is increased to 45 cents, from 40 cents, and the minimum payment per reduced-price lunch to 35 cents, from 30 cents. Although President Nixon opposed the two-cent increase and threatened to veto the measure, Congress sought to reduce the financial burden to the States and the approximately 28,000,000 students participating in the programs. The Act guarantees to the States cash payments instead of school food commodities in situations in which the Federal Government could not deliver food during a school year. The eligibility requirements were broadened for fiscal 1974 for the reduced price lunch program to children of families whose income was as much as 75 percent over the applicable poverty guidelines prescribed by the Secretary of Agriculture. The Act requires that school lunch funds be allocated to the States by a formula based on the number of free and reduced-price lunches served, rather than on the number of children classified as coming from low income families. A special provision authorizes semiannual cost-of-living adjustments beginning January 1, 1974 to reflect automatically changes in the consumer price index for food served away from home. Congress also assured that children who qualify for free lunches shall also be eligible for free milk.

Child Nutrition Programs (P.L. 93–13, approved March 30, 1973)—Because of a delay in purchases of food commodities for child nutrition programs by the Department of Agriculture, Congress was prompted early in the session to pass legislation requiring that Federal commodity purchases for the school lunch and breakfast programs remain at the level budgeted by Congress for fiscal year 1973. The Secretary of Agriculture was required to determine by March 15 the total value of commodities the Department would be able to deliver to the States in the remaining four months of fiscal 1973 and to pay the difference by April 15 to State education agencies if the total value of those commodities was less than 90 percent of the value of commodities originally programmed. At the time this Act was passed, donations of beef, pork, cheese, fruits and vegetables were running behind, threatening the nutritional content of school meals and the continuation of free lunches for needy youngsters. Most States were receiving half as much in commodities as they received last year, and some States were even receiving as little as 30 percent of last year's level.

Basic Educational Opportunity Grants (P.L. 93–35, approved May 16, 1973)—Congress determined that for the first time grants under the new Basic Educational Opportunity Grants program should be limited to first year fulltime college students, thereby increasing individual grants to an average $250 and a maximum $600. Had Congress not limited the funds to first year students,

the average grant under the program, it is estimated, would have only been a total of $80, costing $10 to administer per student. Funds for the grant program totalled $122 million in fiscal 1973. The Act also extends the National Commission on the Financing of Postsecondary Education to June 30, 1974.

National Foundation for the Arts and Humanities (P.L. 93–133, approved October 19, 1973)—Congress has approved legislation substantially increasing authorizations for the National Foundation for the Arts and Humanities which has advanced Federal and local encouragement and support for the arts and humanities. Congress authorized a total of $145 million for fiscal 1974, $200 million for fiscal 1975, and $252 million for fiscal 1976. The minimum allotment for Federal arts grants to the States was increased to $200,000 from $65,000, and Federal art funds were authorized to be used for payment of up to 50 percent of the total cost of an approved project. Should the total allotment of the project exceed $125,000, excess funds could be used to finance the entire cost of project so long as the total amount of full Federal funding did not exceed 20 percent of the total State allotment. For the humanities endowment, the new law provides equal funding with the arts and a requirement that the chairman correlate humanities programs with the States. The law increases to $17,500 the limit on grants made by the chairman without consent of the respective councils.

Environmental Education Extension (H.R. 3927 passed the House October 24, 1973)—This legislation extends the Environmental Education Act (P.L. 91–516) for three years, authorizing appropriations of $5 million in fiscal 1974, $15 million in fiscal 1975 and $25 million in fiscal 1976. First approved by Congress in 1970, the Act supports environmental education in elementary and secondary schools and in communities through curriculum development, teacher training, aid to State and local education agencies, preparation and distribution of materials for the mass media, planning of outdoor ecological study centers, and establishment of community education programs.

ENERGY, NATURAL RESOURCES AND THE ENVIRONMENT

Emergency Energy Act (S. 2589 passed the House December 15, 1973. Conference report filed in Senate December 20, 1973)—America faces an extremely severe energy shortage during the coming winter months and for the foreseeable future. At best, these shortages mean serious inconvenience and potentially even danger for American families, who will find themselves without enough fuel to heat their homes this winter, without sufficient gasoline for their cars, and with less than sufficient energy to run their places of employment, their factories, their farms and businesses. In an attempt to face immediately the problems of these shortages, both Houses approved differing versions of the Emergency Energy Act which authorizes a variety of emergency measures to conserve and allocate available energy resources, including investing the President the exclusive right to declare rationing. The conference version establishes a system of congressional approval for such energy conservation measures as restricting store hours, setting shorter workweeks and requiring car pooling. Any conservation measures proposed by the President or his staff between enactment and March 1 would go into effect immediately. Either House of Congress, however, could repeal them by a majority vote within 15 legislative days of their taking effect until Congress has had 15 legislative days to study them. Either House could veto a conservation measure by a majority vote. After June 30, any presidential proposal to conserve energy would require approval by both Houses of Congress as a part of the regular legislative process, this is, through introduction and passage of a bill. The conference version also provides general guidelines for granting priorities for scarce fuel, such as for moving men and farmers, and it provides for strict antitrust provisions. Any inclusion of fees or taxes in presidential rationing plans, without the express consent of Congress, would be banned.

Emergency Petroleum Allocation Act (P.L. 93–159, approved November 27, 1973)—Although Congress gave the President authority to require sensible allocation of available fuel supplies nearly a year ago under the Economic Stabilization Act Amendments (P.L. 93–28), Congress was compelled because of the President's delay in taking action to require the President to put into effect a mandatory allocation program within 30 days of enactment of P.L. 93–159. Additional time was granted for the allocation of gasoline and products already being allocated under the President's current plan, including propane, home heating oils and jet diesel fuels. The measure also covers the allocation of crude oil and refined petroleum products and permits retailers to pass on to consumers increases in wholesale prices while banning most oil exports and offering protection for independent retailers and refiners. Congress specified objectives to be considered by the President in drafting Federal regulations to establish guidelines for the use of fuels taking into consideration priorities such as maintenance of residential heating, operation of refineries at full capacity, protection of small refineries, and maintenance of fuel production.

Alaska Pipeline (P.L. 93–153, approved November 16, 1973)—The Congress cleared the way for immediate construction across Alaska of a 789-mile oil pipeline to be built by a consortium of seven oil companies at a cost now estimated at $4.5 billion. The pipeline will carry oil from Alaska's rich North Slope fields at Prudhoe Bay nearly 800 miles through the permafrost and tundra to the southern port of Valdez. From there, the oil will be shipped by tankers to the West Coast. It is estimated that by 1980 these fields can supply 2 million barrels a day of the total anticipated U.S. daily need of 22 million barrels. The Act imposes strict damage liability of up to $50 million without regard to fault on the owners of the pipeline for any polluting incident on land. Strict liability on the owners of tankers carrying oil from the pipeline without regard to fault is set at $100 million for any one oil spill, with the owner or operator liable for the first $14 million and a liability fund, established by the bill, liable for the balance. Congress also authorized the Secretary of the Interior to issue a permit granting a right-of-way across Federal lands for construction of the pipeline and barred further judicial review of the pipeline's impact under the National Environmental Policy Act. Despite threats of a presidential veto, Congress included two unrelated provisions, one of which allows the Federal Trade Commission to seek preliminary injunctions to stop deceptive or unfair practices and to represent itself in court if the Justice Department fails to take action within ten days. The second provision allows independent regulatory agencies to seek data from businesses without the approval of the Office of Management and Budget, if the General Accounting Office certifies that the information is not available elsewhere and no major burden is placed on the businesses.

Energy Research and Development Administration (H.R. 11510 passed the House December 19, 1973)—The House approved a reorganization and consolidation of 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. The new Energy Research Administration would be headed by an Administrator who would be appointed by the President with the advice and consent of the Senate. Serving under the Administrator would be five Assistant Administrators, who, respectively, would head the following five major areas: first, fossil energy development; second, nuclear energy development; third, research and advanced energy systems; fourth, environment safety and conservation; and fifth, national security. The authority of the Administration would include nonregulatory functions of the Atomic Energy Commission, in addition to energy research and development programs from other agencies. The Atomic Energy Commission, renamed the Nuclear Energy Commission, would continue as a smaller organization to administer nuclear licensing and related functions. The Energy Administration would serve as a central agency to develop energy policies and programs while exercising the central responsibility for planning, managing, supporting and conducting research and development programs and projects involving all energy sources and energy utilization techniques. Its range of programs would be broad, encompassing but not limited to, solar, tidal, wind, hydrogen, fossil fuel, synthetic fuel, nuclear and geothermal sources and processes. It would seek to exploit all promising energy potentials based on present knowledge and to take new directions pointed to by future research results. The Administration's overall responsibilities also would include the encouragement and conduct of research and development for the conservation of energy, for increasing the efficiency and reliability of energy sources and energy-utilizing devices, and for safeguarding the quality of our environment.

Daylight Savings Time (P.L. 93–182, approved December 15, 1973)—In order to save an estimated two percent of the fuel used for the generation of electricity, Congress placed the Nation on year-round daylight savings time until the last Sunday in April 1975. The switch over which took place on January 6, 1974 is estimated to save an estimated equivalent of 150,000 barrels of oil a day during the winter months. AM radio stations allowed to operate only during daylight hours will be allowed to come on the air one hour in advance of local sunrise. The Act further provides for the Department of Transportation to study the energy conserved as a result of the move to daylight savings and to determine whether daylight savings should be extended after April 1975.

Ocean Pollution Control (P.L. 93–119, approved October 4, 1973)—This Act seeks to curb discharges of oil from ocean-going vessels and to regulate oil tankers by implementing the 1969 and 1971 amendments to the 1954 Convention on the Prevention of Pollution of the Seas by Oil. The 1969 amendments to the Convention deal with the routine discharge of oil from tankers and other ships arising principally from tank cleaning operations while at sea. The 1971 amendments were a first step at the international level toward developing tanker construction standards that will minimize the impact of spillage by limiting the volume of oil that may be carried in each cargo cell of the ship. Under present conditions, it is estimated that a total of almost one million metric tons of oil are discharged into the ocean each year from tank washings and oil blast discharges. Of this amount, U.S. registered tankers are estimated to contribute approximately 53,000 or about six percent of the total. This Act increases the penalties to provide a more realistic sanction for violators. The new penalties for oil spillage provide for a maximum fine of $10,000 and imprisonment for not more than one year for willful discharges in violation of the Act, a civil penalty of not more than $10,000 for either a willful or negligent discharge in violation of the Act,

and a civil penalty of not more than $5,000 for any other violation of the Act or regulation not amounting to a discharge. Under the present provisions, the maximum fine is $2,500 and there are no civil penalties. This legislation is an important step forward in our effort to reduce and eventually eliminate all intentional discharges.

Emergency National Maximum Highway Speed Limit (P.L. 93-239, approved January 2, 1973)—To effect an immediate decrease in gasoline fuel consumption, Congress passed legislation seeking to create uniformity throughout the United States in reduced speed limits by permitting States to lower their speed limits below 55 miles per hour, and setting a mandatory 55-mile-per-hour limit on multiple-lane highways which were divided by medial barriers. The Secretary of Transportation is directed to cut off Federal highway funds to States which failed to establish a maximum speed of 55 miles per hour within 60 days of enactment. The Act also authorizes the use of up to $1 million in Federal highway funds for each State which establishes a one-year demonstration program to encourage the use of carpools and sets an expiration date for the legislation of June 30, 1975.

The primary thrust of the bill is to conserve energy. It was also necessary, however, to come up with the proper speeds which would not only present an optimum of fuel savings, but at the same time preserve the economic, safety and public-acceptance considerations which would make such a provision most effective. It serves as an action which can be done now without any cost to the Federal Government and can be a major step forward in conserving energy.

Endangered Species (P.L. 93-205, approved December 28, 1973)—Congress passed legislation to extend existing protections of fish and wildlife to species that were likely to become endangered in the foreseeable future as well as those in immediate danger of extinction. This Act would extend protection to animals which were having trouble surviving in any significant portion of their habitat, rather than only those facing extinction; make it a Federal offense to import or export endangered species, to transport such species within the United States, upon its territorial waters or upon the high seas, to possess, sell, transport or receive species in violation of the Act, to deliver, sell, receive, or transport endangered species or products made from them in interstate or foreign commerce, or to trade or possess specimens contrary to the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed on March 3, 1973. The Act also establishes fines of $10,000 for violations of its provisions which were committed knowingly or by commercial operators, $5,000 for violations of regulations and $1,000 for ignorant violations. States are permitted to enact laws that prove to be more restrictive than the provisions of this Act, and a total of $10 million is authorized for grants to the States to establish conservation and management programs for these endangered species. In addition, the Secretaries of the Interior and Commerce are authorized to acquire lands and waters for the purpose of protecting, restoring or propagating any endangered or threatened species of plants and animals. Funds under the Land and Water Conservation Fund Act are to be available for acquisitions and the existing $15 million ceiling on the use of such funds is eliminated. The Department of Commerce is authorized to manage endangered and threatened species that were transferred to it under Reorganization Plan No. 4 of 1970. That plan transferred to the Commerce Department programs of the Department of the Interior relating to sport and commercial fishing in the oceans. Appropriations of $27.5 million were authorized for the next three fiscal years.

Atomic Energy Commission Authorizations (P.L. 93-60, approved July 6, 1973)—Congress authorized a total of $2,429,055,000 for the Atomic Energy Commission for fiscal year 1974. The amount was $103,495,000 less than the Administration request of $2,532,550,000. Increases over budget requests were authorized in the areas of uranium enrichment, civilian reactor programs, nuclear fusion and underground stimulation of nuclear gas. Major decreases were approved in the weapons program and in capital and equipment funding. The Atomic Energy Commission has the responsibility to protect the health and safety of the public, and to regulate the control and use of sources, by-products, and special nuclear materials. In addition, the Commission is charged with the responsibility to consider whether major actions in the development and conduct of AEC programs and in its licensing activities would be likely to result in a significant, adverse impact on the environment.

National Flood Insurance (P.L. 93-234, approved December 31, 1973)—As passed by Congress, this Act increases coverage limits under the Federal insurance program and requires communities designated as flood-prone areas to participate in the program. The National Flood Insurance Act of 1968 is amended to raise the limit on the amount of Federal flood insurance coverage that could be outstanding at any one time to $10 billion, from the existing $6 billion level, and coverage available for residential and non-residential structures and their contents is significantly increased. Communities identified by the Secretary of Housing and Urban Development as flood-prone areas would be required to participate in the flood insurance program or face withholding of certain Federal funding. Priority consideration would be given to the establishment and maintenance of conservation areas in the formulation of land use and control measures under the flood insurance program. In addition, the Secretary of HUD would be required to establish procedures for consultation with elected community officials in notifying and identifying flood-prone areas and applying criteria for land management and use. The governing body of any community which is adversely affected by a final determination by the Secretary under the bill or the 1968 Act may appeal the determination to a U.S. District Court within 60 days after receipt of notice of the determination.

Rural Environmental Assistance Program (H.R. 2107 passed the House February 7, 1973. Reported from conference to the House April 2, 1973)—Conferees reported legislation awaiting House and Senate approval that would require the Secretary of Agriculture to carry out a rural environmental assistance program. An attempt was made to terminate both REAP and the water bank program by the same action of December 26, 1972. Under the legislation both programs would be restored and the Secretary of Agriculture required to make payments under the REAP in the full amount appropriated therefor and to enter into agreements under the water bank program to the full extent permitted by available appropriations therefor. The Water Bank Act of 1970 authorizes the Secretary of Agriculture to formulate and carry out a continuous program in important migratory waterfowl nesting and breeding areas to prevent the serious loss of wetlands, and to preserve, restore and improve inland fresh water and adjacent areas as designated in the Act. In passing the 1970 Act, Congress found it is the public interest to provide for the conservation of surface waters to preserve and improve the habitat for migratory waterfowl and other wildlife resources, to reduce runoff, soil and wind erosion and to assure its contribution to water control.

Toxic Substances Control Act of 1973 (S. 426 passed the House July 23, 1973. In conference.) The House and Senate passed legislation this session giving the Environmental Protection Agency the power to control the sale and production of potentially harmful chemicals. Both bills contained provisions for citizen suits against alleged violators of the Toxic Substances Control Act. The House-passed bill would authorize the administrator of the EPA to require testing of certain chemical substances if necessary to protect health or the environment; direct the EPA administrator to identify and publish in the Federal Register a list of chemical substances which he finds could pose substantial danger to human health or the environment; prohibit the manufacture, for new use, of any existing chemical listed by the administrator as potentially dangerous unless at least 90 days prior to production the manufacturer submits test data to the administration showing the new use does not pose a danger to health or the environment; prohibit the manufacture and distribution of any new chemical listed by the administrator as potentially dangerous unless at least 90 days prior to production the manufacturer submits test data showing the substance poses no unreasonable risk to health or the environment; authorize the administrator to require chemical producers to submit reports to him on manufactured chemicals; and establish a 12-member Chemical Substances Board in the EPA to advise the administrator in carrying out provisions in the bill. The House version would authorize funds for fiscal 1974 through fiscal 1976.

Wild and Scenic Rivers System Act (S. 921 passed the House December 3, 1973)—The House and Senate passed legislation amending the Wild and Scenic Rivers Act of 1968 to prohibit, for an additional five years (until 1978), the licensing and construction of all potentially dangerous water resource projects on designated waterways and adjacent land areas, which have been included or are under study for inclusion in the wild and scenic rivers system. The House version would authorize a maximum funding ceiling for land acquisition at existing units in the system and set an expiration date at the end of fiscal year 1978. The bill would require the Secretary of the Interior and the Secretary of Agriculture (when national forest land is involved) to notify Congress 180 days prior to publication in the Federal Register of a decision that a river is unsuitable for inclusion in the system. This provision allows Congress sufficient time to review such findings before any activities which might carry adverse effects on the water are initiated. The bill would also broaden the definition of scenic easements to include lands which contribute to the wild and scenic quality of the designated river. The 1968 Act was enacted to save the few remaining free-flowing rivers and their immediate environments from pollution and commercialism. The Act designated segments of eight rivers as initial components of the system, and also named twenty-seven additional rivers for study for possible inclusion. These rivers are a part of the national wild and scenic rivers system and are maintained and administered by appropriate Federal and State agencies, in such a manner that enhances and protects their scenic, historic, and recreational values. The Act also placed a five year moratorium on all Federal agencies with regard to the licensing and construction of any water resource project which might adversely affect the water or immediate environment of the selected rivers.

Saline Water Program Authorization (P.L. 93-51, approved July 1, 1973)—Congress authorized $9.1 million to be spent on research, development, construction and operation of saline water conversion test beds and facilities, construction and operation of

saline water conversion modules, and administration and coordination of the program, despite the President's substantial reduction in funds for the saline water program in fiscal 1974. The Administration had asked for only $2.5 million in new funds. Authorized by Congress in 1952 the saline water program is responsible for research into the conversion of brackish water and seawater into fresh water at costs that would be comparable to that of supplying natural fresh water.

Clean Air Act Extension (P.L. 93–15, approved April 9, 1973)—In extending the Clean Air Act of 1970, Congress authorized $475 million for fiscal 1974 for air pollution and automobile emission control programs established under the Act. Included in the authorizations are $150 million for research on fuels and vehicles and $25 million for development of low-emission vehicles.

Solid Waste Disposal Act Extension (P.L. 93–14, approved April 9, 1973)—Congress also extended the Solid Waste Disposal Act of 1970, authorizing $238.5 million for fiscal 1974 for waste recycling programs funded under the 1970 Act. Included in the authorizations are $76 million for development of recycling and waste-disposal techniques, $140 million in grants for demonstration of resource-recovery systems and construction of waste-disposal facilities, and $22.5 million for research on disposal of mining wastes.

National Sea Grant College Extension Act (P.L. 93–73, approved July 10, 1973)—In extending the National Sea Grant College in the Department of Commerce, Congress provided authorizations of $30 million, $40 million, and $50 million for fiscal years 1974, 1975, and 1976 respectively. Congress also authorized $200,000 for a study of the means of sharing, through cooperative programs with other nations, the results of marine research and provided the Secretary of Commerce with authority to make contracts and grants to participate for this purpose without matching share requirements.

Water Resources Development Act (H.R. 10203 passed the House October 12, 1973)—This legislation provides for the construction, repair, and the preservation of certain public works on rivers, lakes, and harbors for navigation and flood control. The bill authorizes a program to develop and demonstrate low cost means to prevent and control shoreline erosion, directing the Secretary of the Army to establish and conduct for a period of five years, a national shoreline erosion control development and demonstration program. The program is to consist of planning, constructing, operating, evaluating, and demonstrating prototype devices.

User Fees in Recreational Facilities (P.L. 93–81, approved August 1, 1973)—This Act specifies those kinds of outdoor recreational facilities at which Federal agencies may charge user fees. It amends the Flood Control Act of 1968 to allow for the collection of fees for the use of highly developed Federal outdoor recreation facilities. The Act does not allow for fees to be charged for daily use of water areas, lightly developed shoreland or boat-launching ramps where no mechanical or hydraulic equipment is provided.

Sewage Treatment Facilities (P.L. 93–207, approved December 28, 1973)—Congress authorized $600 million to reimburse communities for the full amount of Federal assistance for sewage treatment construction between 1966 and 1972. In 1972, the Environmental Protection Agency had estimated that $2 billion would cover the reimbursements. That amount, however, proved to be insufficient by $600 million. In addition to providing the sufficient funding necessary, the Act extended for one year a program to train workers for sewage treatment plants.

FEDERAL EMPLOYEES

Federal Employees Annuity Increase (P.L. 93–136, approved October 24, 1973)—Retired Federal Government workers and postal employees will receive a 5.5 percent annuity increase effective January 1, 1974 to be reflected in their February annuity checks due on the .8 percent increase in October's consumer price index. The new CPI base figure is 136.6. In order to trigger the next annuity increase, it would have to rise to 140.7, the minimum 3 percent increase required by law. For the first time Federal and postal employees will no longer be required to retire before the date of the increase to get the raise. Under the recently enacted deferred annuity law, employees who retire after the date of an annuity raise will receive at least as great an annuity as if they had retired before the date of the increase.

Federal Employees Health Programs (P.L. 93– , approved December 1973)—Congress approved a compromise health insurance bill for Government workers that increases the Government contribution to employees' health care plans from the present 40 percent contribution to 50 percent in 1974 and 60 percent in 1975. The legislation requires the health insurance companies to comply with Civil Service Commission rulings in case of disputed claims filed by Federal and postal workers. In the past employees who have been dissatisfied with the way their health insurance claims have been settled have had little chance of getting the matter adjudiciated.

Federal Employees Leave (P.L. 93–181, approved December 14, 1973)—Congress gave final approval to legislation liberalizing Federal employee use of annual leave. The Act gives employees cash for the unused annual leave they earn during the year they leave the Government, and protects their annual leave against loss as a result of administrative error or because work exigencies prevent their using it.

Civil Service Annuities (H.R. 9107 passed the House December 7, 1973)—The House voted for legislation that would provide a $20 a month increase for persons who left the Civil Service before October 20, 1969 and an $11 a month increase for surviving spouses. The purpose of the legislation is to guarantee a minimum Civil Service retirement annuity parallel to Social Security benefits and to increase annuities for Civil Service employees who retired before the October date.

FOREIGN AFFAIRS AND NATIONAL DEFENSE

Vietnam Bombing Halt (P.L. 93–52, approved July 1, 1973)—In a major congressional initiative, Congress voted to halt United States bombing in Cambodia, effective August 15, ending the U.S. combat role in Southeast Asia. The amendment to the Continuing Appropriations Act for fiscal 1973 bars the use of any past, present or future appropriations to support combat activities in or over not only Cambodia, but Laos, North Vietnam, and South Vietnam after the deadline date. The Act prohibits any funds appropriated under it to be used to provide assistance in the reconstruction or rehabilitation of North Vietnam. Similar provisions were approved by Congress as an amendment to the Second Supplemental Appropriations Act for fiscal 1973 (P.L. 93–50). Earlier this year, the President vetoed the original Second Supplemental Appropriations Act for fiscal 1973 (H.R. 7447) which contained a provision cutting off immediately all funds for combat activity in Cambodia and Laos.

Foreign Aid Authorization (P.L. 93–189, approved December 17, 1973)—For foreign military aid for fiscal 1974, Congress approved an authorization of $962.5 million for military assistance and $1,429.7 million for economic assistance, including $504 million in postwar aid to South Vietnam, Laos and Cambodia. The Act authorizes $300 million in military sales credits for Israel and grants the Department of Defense authority to borrow up to $200 million worth of munitions from its stockpile for aid to Cambodia. The total figure for foreign aid of $2,392,234,000 represents an amount nearly $400 million less than the Administration's request. The largest cut was in the Administration's military aid request. Conferees approved provisions which bar aid to countries expropriating U.S. property until U.S. claims are settled (but giving authority for a presidential waiver) and which cut aid to Portugal, if such aid is used for Portuguese military operations in Africa.

Military Procurement Authorizations (P.L. 93–155, approved November 16, 1973)—For military weapons procurement and research and development of weapons systems, Congress authorized $21,299,520,000 for fiscal year 1974, $660 million less than the Administration requested. Included in the authorizations were funds for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons. For research and development a total of $8,194,885,000 was authorized. The Act also authorized an active duty force of 2,232,902 persons, a reduction of 43,000 from the present level of 2,289,000. A reserve force of 924,065 persons was authorized. A prohibition was placed on the spending of any funds for deployment or construction of any anti-ballistic missile system other than at Grand Forks, North Dakota. The Act also contains a provision directing the Secretary of Health, Education and Welfare to take all necessary steps to ensure continued inpatient services at eight public health service hospitals throughout the country which the Administration had attempted to phase out. The President vetoed legislation containing funds for the hospitals on August 1 of this year.

Military Construction Authorizations (P.L. 93–166, approved November 29, 1973) Congress cleared an authorization of $2,773,584,000 for military construction projects in the United States and overseas for fiscal 1974. The amount approved was $218,929,999 below the Defense Department request of $2,992,513,000. The largest single program authorization was for military family housing with an authorization level of $1,179,039,000. The average ceiling cost of a family housing unit was increased by Congress from $24,000 to $27,500 in the United States and $33,500 to $38,000 outside the country. In addition to family housing authorizations, the Act contains construction authorizations for the Army, Navy, Air Force, Defense Agencies and Reserve Forces for fiscal 1974. Congress also approved a $12 million authorization for transfer of the Navy's weapons testing range from the Puerto Rican island of Culebra to two uninhabited islands nearby.

State Department Authorization (P.L. 93–126, approved October 18, 1973)—Another congressional protest over the manner in which this Administration has handled U.S. involvement in the Indochina War is embodied in P.L. 93–126. It requires prior congressional authorization for use on or after August 15, 1973, of any funds "heretofore or hereafter appropriated" to finance the involvement of U.S. armed forces in hostilities in, over or from off the shores of North Vietnam, South Vietnam, Laos or Cambodia. Congress also barred the use of funds "heretofore or hereafter appropriated" for aid to North Vietnam unless specifically authorized by Congress. The two prohibitions were approved as amendments to this year's State Department Authorization Act which authorizes $682 million for fiscal 1974. In an attempt to curb the practice of rewarding campaign contributors with top diplomatic posts in other countries, Congress required in this legislation that any person nominated by the President for ambassador or minister must disclose at the time of

his nomination all political contributions and those of his immediate family for the period from the first day of the fourth calendar year preceding the year of the nomination and ending on the date of his nomination.

USIA Authorization (P.L. 93–168, approved November 29, 1973)—Congress cleared an authorization of $215,614,000 for the U.S. Information Agency in fiscal 1974 after a Presidential veto of a similar bill (S. 1317) on October 23. The original bill contained an access-to-information clause, directed at expanding congressional access to USIA documents. The provision would have required a cutoff of funds for the USIA if the agency failed to respond within 35 days to a written request of either the House Foreign Affairs or the Senate Foreign Relations Committees for documents or other information relating to the agency. In vetoing this bill the President claimed that the access-to-information provision was an unconstitutional encroachment on executive prerogatives. The new Act bars the use of any appropriation for programs not yet authorized or any appropriations above the amount authorized, but makes this provision non-applicable to funds subsequently authorized or to funds made available through the fiscal 1974 continuing funding resolution.

Israel Emergency Assistance (P.L. 93–199, approved December 26, 1973)—In order to assist Israel to replace military equipment used during the recent Mideast war between Israel and the Arab states, Congress voted $2.2 billion in aid. The assistance authorization was attached to the Foreign Aid Appropriations Act for fiscal 1974, and agreed to after the House rejected an effort to cut from the bill $20 million in military credit sales for Saudi Arabia. The purpose of the emergency assistance measure is to help maintain a military balance necessary for the acheivement of peace in the Middle East through authorizing funds in emergency security assistance to Israel. The legislation places certain restrictions on the use of assistance in excess of $1.5 billion. Prior to the obligation or expenditure of such assistance the President will be required to make a determination that the aid is needed, and he must report to the Congress at least 20 days prior to the date on which funds are obligated. Congress also authorized the President to use such sums as may be necessary from the amounts authorized in the bill, for payment of the U.S. share of the expense of the United Nations Emergency Force in the Middle East. The legislation directs the Secretary of Defense to conduct a study of the 1973 Arab-Israeli conflict to ascertain the effectiveness of the foreign military assistance program as it related to the Mideast conflict and to report to Congress no later than December 31, 1974. The President is authorized, at any time prior to June 30, 1974, to release Israel from its contractual liability to pay for defense articles and services purchased or financed under the Foreign Military Sales Act during the period from October 6, 1973 through June 30, 1974 and to apply the funds approved in this Act to those contracts.

Radio Free Europe and Radio Liberty (P.L. 93–129, approved October 1, 1973)—For fiscal 1974, Congress authorized appropriations of $50,209,000 for operation of Radio Free Europe and Radio Liberty. The Act creates a new seven-member Board for International Broadcasting to make grants to the stations and to oversee their operations, a duty previously performed by the Department of State. The Board had been recommended by a presidential commission set up to study alternative methods of financing the two radio systems.

United Nations Environment Programs (P.L. 93–188, approved December 15, 1973)—Congress provided authorization for participation by the United States in the United Nations environment program, including authorization to contribute funds to the U.N. Environment Fund which was created largely as a result of U.S. efforts. The purpose of the Fund is to coordinate and support international environment activities under the United Nations Environment Programs, and provide assistance to programs in the fields of identification and control of pollutants, monitoring, conservation, human settlements, information exchange, education, training and research. The total amount authorized to be appropriated under the Act is $40 million, out of a total of $100 million for the entire United Nations Environment Fund, including contributions of other Nations. Not more than $10 million is authorized to be appropriated during fiscal year 1974.

HEALTH AND MEDICAL CARE

Health Maintenance Organizations (P.L. 93–222, approved December 29, 1973)—Faced with increasing problems in the delivery of health services in this Nation and the spiraling expenses of adequate health care, Congress passed one of the most significant, innovative health bills in recent years by approving development on an experimental basis of health maintenance organizations with Federal assistance. Health maintenance organizations are to deliver medical care to enrollees who, for a prepaid amount, have a right to contract for care by the health organizations. Health maintenance organizations differ from insurance companies in that for a prepaid premium they deliver actual health care services to the enrollee rather than pay for health care delivered by others. Congress recognized the obvious advantages which health maintenance organizations offer. An HMO can take advantage of efficient management and more productive use of health manpower. Since an HMO may be responsible for an individual over a period of time, it can provide more preventive medicine, and thus correct some problems before they require expensive hospitalization. HMO's can also provide physicians' pay which is competitive with what physicians make in fee-for-service practice. In addition, a physician can plan his working hours, while being assured other physicians will cover for him while he is off duty. Most of the Health Maintenance Organizations have been financed without Federal assistance. Federal aid, however, is essential in many cases to groups serving inner-city or rural or other now under-served areas, or groups, started by doctors lacking working capital. Although the system has operated for some years now, with services to some estimated seven million people, Congress has passed this legislation to assure that adequate financial assistance will be provided to the existing organizations and to new organizations so that any person will have the option of such an organization from among health benefit plans. The Act will provide funds for feasibility studies, planning, development and initial operating expenses of the Health Organizations.

Emergency Medical Services (P.L. 93–154, approved November 16, 1973)—Although President Nixon initially vetoed legislation that would have improved care for victims of auto accidents, heart attacks and other emergencies, Congress approved similar legislation that will provide Federal aid to area-wide systems of emergency medical care. In this second version of the emergency services bill Congress dropped provisions to block Administration efforts to end inpatient services at seven of eight Public Health Service hospitals. Congress authorized $185 million for fiscal years 1974, 1975, and 1976 for grants and contracts to plan, establish, initially operate and expand area emergency care systems, to train personnel and to conduct research in emergency medicine. It is estimated conservatively that 175,000 people die needlessly each year. Experts estimate that each year 15 to 20 percent of all highway victims could be saved if prompt and effective emergency care were available, with approximately 8,000 to 11,000 highway deaths prevented each year. In addition, ten percent of the 275,000 heart attack fatalities, they say, could be saved by proper emergency care. In just these two areas alone, auto accidents and heart attacks, each year as many as 35,000 Americans could be saved from tragic, unnecessary deaths. Hearings uncovered that each year more than 20,000 Americans are permanently injured or disabled by untrained ambulance attendants. Although Congress finally voted to drop the provision prohibiting the hospital closings, Congress attached the prohibition to the defense procurement bill, cleared November 5. P.L. 93–154 increases grants to rural areas to 20 percent from 15 percent. The maximum Federal share of the cost of expanding and improving emergency care systems in areas of exceptional need will be increased from 50 percent to 75 percent. Substantial emphasis has been placed on the development of emergency medical services to rural areas.

Health Programs Extension Act (P.L. 93–45, approved June 18, 1973)—Despite Administration opposition, Congress earlier this year voted to continue a group of health programs the President tried to terminate, including programs such as aid to schools of public health, comprehensive health services, Hill-Burton hospital construction, migrant health programs, family planning and community health centers. Congress believes these and other programs are absolutely necessary if we are to continue to deliver quality health care to all Americans. With this one-year extension, Congress will have an opportunity for orderly consideration of proposed revision in these health programs. Congress authorized $1.27 billion for one year to extend the twelve expiring health authorities under the Public Health Service Act, the Community Mental Health Centers Act, and the Development Disabilities Services and Facilities Construction Act. The legislation denies any court, public official or public authority the right to require individuals or institutions receiving assistance under the above Acts to perform abortions or sterilization contrary to any person's religious beliefs or moral convictions.

Lead-Based Paint Poisoning Prevention (P.L. 93–151, approved November 9, 1973)—In an effort to hasten Federal efforts against lead-based paint poisoning, Congress approved legislation amending and extending the Lead-Based Paint Poisoning Act of 1970. Congress authorized $63 million in each of fiscal years 1974 and 1975 to detect and treat the disease, to eliminate lead-based paint hazards in older dwellings and to conduct further research to determine allowable lead content in household paints. To assure that paint manufacturers meet a national uniform standard, local and State laws covering allowable lead content are pre-empted. The maximum Federal share of local government agency treatment and detection programs is increased to 90 percent from 75 percent.

Hazardous Materials Transport (P.L. 93–90, approved August 14, 1973)—Congress for the first time in P.L. 93–90 earmarked funds authorized to enforce rail safety regulations for the hazardous materials control program authorized in the Railroad Safety Act of 1970. In addition, Congress authorized the Federal Railroad Administration to add 95 new employees to enforce Federal railroad safety laws and regulations and required the Secretary of Transportation to submit to Congress a report evaluating the hazardous materials control program and offering suggestions for alternative routes to avoid transporting hazardous ma-

terials through densely populated areas of the country.

LABOR AND IMMIGRATION

Comprehensive Manpower Act (P.L. 93–203, approved December 28, 1973)—To ease the rising unemployment threatened by the energy crisis, Congress approved a job training bill which develops a comprehensive national manpower policy and establishes a decentralized and decategorized manpower program responsive to local needs while maintaining necessary Federal direction and supervision. The Act establishes a program of financial assistance to State and local prime sponsors, enabling them to provide manpower services. Local prime sponsors are to include units of general local government with a population of 100,000 or more, combinations of such units which exceed 100,000, and certain rural areas without population requirements. Included among the authorized manpower services are all programs and activities authorized under existing law. The Act provides a program of assistance to qualified prime sponsors and to Indian tribes or transitional public service employment in areas with a rate of 7 percent or more unemployment. Manpower services are also provided to segments of the population in particular need, including programs for Indians, migrant and seasonal workers, and youth. The Job Corps would be continued under the Secretary of Labor, who would be authorized to conduct programs of research, training, evaluation, labor market information and a computerized job bank. An open authorization was approved for fiscal 1974 through fiscal 1977.

Jointly Administered Trust Funds for Legal Services (P.L. 93–95, approved August 15, 1973)—A far greater number of Americans will have access to legal services for a fixed fee as a result of legislation passed this year by Congress. Under a new system employers in business are authorized to contribute to jointly administered trust funds established by unions for the purpose of providing their members with prepaid legal services for tenant, debt, consumer, property, family relations and other matters. Previously, a legal services plan through collective bargaining could have been established only if the employer or a third party served as administrator. This legislation now makes legal services available to a large portion of the estimated 50 million American working people with moderate incomes who presently cannot afford the cost of adequate legal assistance. It is aimed at making legal services available to the blue-collar, middle-income working American, at a time when a great many Americans are not receiving adequate legal services. The Act also contains safeguards to prevent abuses by prohibiting suits against employers, except in workman's compensation cases, and by prohibiting suits against unions.

Extended Unemployment Benefits (P.L. 93–53, approved July 1, 1973)—As an amendment to the first debt ceiling limitation bill, Congress passed provisions allowing States with annual unemployment rates of 4.5 percent and above to provide 13 weeks of extended benefits to unemployed workers during 1973 (to be financed by matching Federal and State funds) without regard to an existing law specifying that the level of unemployment in States had to increase by 20 percent over two years before States could provide the additional assistance. The provision, expected to affect six States, will provide extended benefits to an estimated 176,500 workers at a cost of $60.6 million to the Federal Government and $55.1 million to the States. As a part of the same debt ceiling bill, Congress approved an extension through fiscal 1974 of Federal project grants for maternal and child health programs. Direct grants had been scheduled to expire with the end of fiscal 1973 on June 30, 1973.

Railroad Retirement Amendments (P.L. 93–96, approved July 10, 1973)—While Congress made clear its intent to place the railroad retirement system on a permanent and sound financial basis before January 1, 1975, Congress passed a temporary solution to the retirement system's problems by implementing an agreement liberalizing eligibility requirements for railroad retirement and by extending benefit increases. Congress extended the three benefit increases enacted since 1970 to about one million railroad workers and their dependents through December 31, 1974, allowing employees to receive their full retirement benefits at age 60 after 30 years of service. Almost one half of the tax burden will be shifted from employees to employers to finance the retirement system, resulting in an increase in employer taxes from 10.6 percent to 15.35 percent of wages.

Immigration Limits (H.R. 981 passed House September 1973)—The House voted to amend the Immigration and Nationality Act of 1952 by imposing a worldwide limit on immigration visas of 20,000 annually per country. Priority would be given to those persons desiring to reunite with other members of their families and to persons with skills needed in the United States. A limit on immigration from Mexico and Canada would be established for the first time in U.S. history in an effort to establish a uniform treatment for all countries.

LAW ENFORCEMENT AND CRIMINAL PROCEDURE

Law Enforcement Assistance Amendments (P.L. 93–83, approved August 6, 1973—In an effort to reverse the alarming rise in crime, Congress authorized more than $2 billion to give local law enforcement officials in our neighborhoods the training and equipment they need to protect citizens against criminal acts. Congress quickly acted this session to extend the authorizations for the Law Enforcement Assistance Administration through fiscal year 1976, along with an extension of the Federal grant-giving authority of the LEAA for these three years. The Act provides for an expansion of the LEAA's mandate to include the improvement of criminal justice as well as law enforcement; increses the minimum state planning grants to $200,000 from $100,000, allowing planning grants to interstate metropolitan regional planning units; reduces all matching requirements to a single requirement that ten percent of the cost of an LEAA-funded project be met by State or local funds; establishes requirements for acceptable State programs; authorizes the LEAA to assist State and local police training programs and to act as a clearing-house for information relating to the improvement of law enforcement and criminal justice; and provides for termination of funds to any State discriminating in recruiting on the basis of color, national origin or sex. States are required to provide for the development and operation of alcoholism prevention and treatment programs as well as narcotic treatment programs in correctional facilities.

Drug Abuse Education Act (H.R. 9456 passed the House October 30, 1973)—Despite Administration opposition, the House extended the Drug Abuse Education Act of 1970 (P.L. 91–527) for three years, authorizing $48 million for fiscal years 1974, 1975 and 1976 for school-based and community-based programs of drug abuse and alcohol education and training programs. This legislation would set priorities and allot specific amounts for Federal programs, State and local education agencies and community projects. The 1970 Act was designed to train elementary and secondary teachers in drug abuse courses and to meet the lack of scientifically accurate teaching materials on the subjects.

Jurisdiction of Civil Actions by Senate Select Committee on Presidential Campaign Activities (P.L. 93–190, approved December 18, 1973)—Congress conferred jurisdiction on the U.S. District Court for the District of Columbia with respect to certain civil actions brought by the Senate Select Committee on Presidential Campaign Activities in order to enforce—or secure a declaration concerning the validity of—any subpoena or order issued by the Select Committee to the President, or Vice President or other Federal officer for the production of information relevant to the Committee's function. The Select Committee is given authorization to prosecute such actions to enforce such subpoenas and orders issued by it, and may be represented by such attorneys as it may designate in any action under this Act. The legislation was needed because of a ruling in October by Judge John J. Sirica of the U.S. District Court that dismissed an action brought by the Select Committee to enforce its subpoenas requesting certain tape recordings which were in the possession of the President. The dismissal followed a finding that there is no statute upon which the suit could be based. This Act provides the necessary jurisdiction for the district court.

Watergate Grand Jury Extension (P.L. 93–172, approved November 30, 1973)—The Congress provided for two six-month extensions of the Watergate grand jury of the District of Columbia, which is hearing evidence concerning the break-in at the Democratic National Committee and related matters. Under current law, which limits grand juries to 18 months, the term of the Watergate grand jury was scheduled to expire on December 4, 1973. This measure makes the first six-month extension mandatory but leaves the second extension to the discretion of the District Court if it determines that the business of the grand jury will not be completed at the end of the legislatively authorized time.

Federal Prisoners, Limits of Confinement (H.R. 7352 passed the House September 17, 1973. Passed Senate amended October 8, 1973)—The House passed legislation expanding existing law to permit more use of furloughs to aid prisoners in adjusting to non-prison community life. Existing law allows 30-day furloughs for work, training, or emergency circumstances. The bill would allow furloughs for inmates to establish or re-establish family or community ties or for any other significant reason consistent with the public interest. Individuals would be carefully selected for the furloughs, and only non-dangerous inmates would be considered. The Senate passed the measure with an amendment authorizing a program of compensation for innocent victims of crime.

SCIENCE AND ASTRONAUTICS

NASA Authorization (P.L. 93–74, approved July 23, 1973)—Congress reinstated several terminated and postponed space programs in the NASA Authorization Act for fiscal 1973. Among the space programs reinstated are the second Earth Resources Technology Satellite, postponed in January from late 1973 to 1976, to survey earth resources with cameras and sensors; an increase in programs of solar energy research; development of a quiet aircraft engine; development of a quiet, experimental short take-off and landing aircraft; and continuation of a program in space nuclear propulsion. The total authorization Congress approved was $288,650,000, an amount less than that authorized for NASA in fiscal 1973. Although it represents the lowest funding level for NASA since fiscal 1962, it is $48.5 million more than the amount requested by the Administration for fiscal 1974.

National Science Foundation Authorization (P.L. 93–96, approved August 16, 1973)—Congress authorized $635.6 million for the National Science Foundation in fiscal 1974, an amount $53 million more than the Administration requested. The main increases were approved for energy and other basic

research programs and for applied research science education and training. The measure requires the NSF to spend not less than $25 million for energy research programs, and authorizes additional amounts for earthquake prevention engineering, oceanography programs, institutional improvement of science, graduate student report, and for science education improvement. The Act also prohibits the Foundation from supporting research on live human fetuses outside the womb in the United States or abroad.

SOCIAL WELFARE

Social Security Benefit Increases (P.L. 93–233, approved December 31, 1973)—To help senior citizens keep up with the cost of living and face the impact of a record-breaking inflation in 1973. Congress approved a two-step social security increase which will raise benefits for 29 million Americans by eleven percent by June 1974, rising by seven percent in March and by an additional four percent in June. To finance this increase the social security tax wage base will go from this year's $10,800 to $13,200 on January 1, but the social security tax rate, which is 5.85 percent for both employee and employer, will not change. The average monthly benefit for elderly couples will increase from the present $277 to $310. President Nixon has continually threatened a veto of any increase in social security outlays before the new fiscal year starting next July, saying that the legislation would be inflationary.

Older Americans Service Amendments (P.L. 93–29, approved May 3, 1973)—On its own initiative Congress greatly expanded benefits for our older Americans although President Nixon had pocket vetoed similar legislation in October 1972. In enacting P.L. 93–29, Congress extended and expanded Federal grants for programs to assist the elderly, authorized under the Older Americans Act of 1965, through fiscal year 1975. The compromise legislation removes the Administration on Aging from HEW's Social and Rehabilitation Service and places it directly under the Secretary of HEW. It establishes a national information clearinghouse on the aging to collect, analyze and distribute information on the needs of older Americans. The Act also provides Federal grants to States and communities for social service programs for the aged and authorizations for grants for training and research in the field of aging, and for acquisition and staffing of multi-purpose senior citizen centers. Funds are also authorized for the National Older Americans Volunteer Program, Foster Grandparents, and other senior volunteer programs.

Child Abuse Prevention and Treatment Act (P.L. 93– , approved December , 1973)—Realizing the responsibility of the Federal Government to demonstrate leadership in helping address the appalling problems of abused and neglected children, Congress acted to provide financial assistance for a demonstration program for the prevention, identification, and treatment of child abuse and to establish a National Center on Child Abuse and Neglect. The National Center will compile, analyze, and publish annually, a summary of research on child abuse and neglect and develop an information clearinghouse on child abuse programs and publish training materials for personnel in fields dealing with child abuse and neglect. Technical assistance will be provided to public and nonprofit agencies and organizations concerned with this problem. A National Advisory Board on Child Abuse, created by the Act, will assist in coordinating Federal programs and activities, developing standards for such programs, and preparing reports on the programs.

Domestic Volunteer Service Programs (P.L. 93–113, approved October 1, 1973)—In keeping with the American spirit of assistance to those less fortunate in our society, Congress authorized funds for our domestic volunteer programs including VISTA, the university year action, the retired senior volunteer program, the service corps of retired executives, and the foster grandparent program. For the first time, Congress has given legislative authority to ACTION, created through an executive reorganization plan in 1971 to coordinate the Peace Corps and all other domestic volunteer programs sponsored by the Federal Government, and has consolidated all domestic volunteer programs sponsored by the Federal Government under one Act. Congress also has provided for several new voluntary activities designed to place special emphasis on the problems of poverty and other human social and environmental problems. Among these are the senior companions program and a program for senior health aides. Emphasis is placed on encouraging minority group participation in all of the programs administered under the Act.

Supplemental Security Income (P.L. 93–66, approved July 9, 1973)—Amendments enacted earlier this year by Congress provide for a boost in payments for up to six million needy blind, disabled and aged persons. The effective date in P.L. 93–66 is stated as July, 1974. However, in subsequent legislation Congress set January, 1974 as the effective date when the Federal Government assumes responsibility over the State welfare programs assisting these persons. Current beneficiaries are to be protected from any loss of payments as a result of the changeover.

Legal Services Corporation (H.R. 7824 passed the House June 21, 1973)—The House passed legislation that would establish an independent corporation to replace the Office of Economic Opportunity's legal services program. Under the OEO program, more than 2,250 lawyers have assisted the poor in about 900 neighborhood law offices. The bill would establish an eleven-member board to run the corporation, with all members appointed by the President and subject to Senate approval. A majority of the board would have to be lawyers, and only six could be of the same political party. Terms would be for three years. Authorization for the corporation would be set at $71.5 million for fiscal 1974, expanding gradually to $95 million for fiscal 1978. The corporation's board would be empowered to make grants to individuals, partnerships, firms, State or local appropriate entities to provide legal assistance to the poor. State advisory councils would oversee local programs. Curbs on political activities of full-time poverty lawyers would be tightened and several restrictions would be extended to part-time poverty lawyers. A lawyer receiving more than half of his income from the Legal Services Corporation could not, even in his off time, be involved in voter registration drives or in transporting voters to the polls, nor could he take an active part in political campaigns. A ban on lobbying was extended to poverty lawyers, including Congress, State legislatures, or any other legislative body. The only exception would be if a legislative body issued a formal invitation for them to testify. Poverty lawyers could not receive full-time compensation for off-the-job practice of law; furnish legal counsel to persons whose lack of income resulted from their refusal, without good cause, to seek or accept employment; or handle for personal gain a personal injury or other profitable case. The bill would also prohibit funding by the corporation of any proceeding or litigation relating to the desegregation of schools or institutions of higher education. Other restrictions would be placed on lawyers handling abortion and child abuse cases.

TRANSPORTATION AND COMMUNICATIONS

Federal Aid Highway Act (P.L. 93–87, approved August 13, 1973)—Congress has approved a precedent-setting highway construction bill which, for the first time since the Federal highway program was established in 1956, allocates funds for urban mass transit. Cities will be permitted by 1976 to finance a portion of their urban mass transit projects, including subways, from the Highway Fund. The Act extends highway programs, including the interstate system, for three years (1974–1976) and includes authorizations to be drawn from the trust fund, totaling $6,049,000 for fiscal 1974, $6,851,000 for fiscal 1975 and $7,010,000 for fiscal 1976. Also for the first time, the urban share of Highway Trust Fund authorizations match authorizations for rural highway needs for the three-year period of the bill, at a level of $10.7 million in fiscal 1974 and $11 million for each of fiscal 1975 and 1976. Along with the trust funds authorized for mass transit, Congress approved additional contract authority for the Urban Mass Transportation Administration in the Transportation Department for grants and loans to States and local public bodies for mass transit projects.

Urban Mass Transportation (S. 386 passed the House October 3, 1973. In conference)—For the first time ever, both Houses approved legislation offering deficit-ridden, urban mass transit companies Federal subsidies for operating expenses to supplement revenues derived from passenger fares. This legislation provides non-matching operating subsidies for fiscal 1974 and 1975. The assistance under the proposed Act is to be made on a formula based upon the following three factors: population of the area served by the mass transportation system; total number of revenue population carried by the system; and total revenue vehicle miles traveled by the system. The three factors for each eligible applicant are to be weighed against all eligible applicants. Mass transportation systems receiving benefits under the operating subsidy provision must provide half fare for the elderly and handicapped during non-peak hours. In order to be eligible for grants under the House version the applicant must submit to the Secretary of Transportation a comprehensive mass transportation service improvement plan. Grants for operating assistance are to be a flat 100 percent grant. The House version also requires model cities transit programs to comply with labor provisions of the Urban Mass Transportation Act, increases special mass transportation services for the elderly and handicapped, and provides for State and local Mass Transportation Advisory Councils. It permits grants for evaluation as well as planning, and requires a study of transportation needs of rural and other non-urban areas.

Airport Development Acceleration Act (P.L. 93–44, approved June 18, 1973)—This year Congress increased the annual authorization level for airport development grants from $280 million to $310 million and raised from 50 to 75 percent the Federal share of construction costs, except at the largest airports in the country. The bill bans the use of airline passenger fees (head taxes) collected previously at 44 of the Nation's airports, and increases the Federal share for airport safety and security equipment assistance to 82 percent from 50 percent. The development grants in the measure would come from the Airport and Airway Trust Fund and therefore would not drain the general tax revenues. A similar measure was pocket vetoed in 1972.

Regional Railroad Reorganization (P.L. 93–236, approved January 2, 1973)—With six of our Nation's railroads in the Northeast bankrupt, Congress approved legislation establishing a new railroad corporation to replace the region's six companies. To do so, Congress authorized funds to design the new system from existing lines of the six companies. The Act provides that a new profit corporation with federally guaranteed loans will buy out the creditors of the companies, repair tracks and operate the system. A new government agency will supply the loan guarantees to both the new corpora-

tion and to non-bankrupt railroads in that region. Funds are also authorized for labor settlements which guarantee existing salary levels for every railroad employee.

Amtrak Improvement Act (P.L. 93–146, approved November 3, 1973)—Amid controversy over operation of the National Railroad Passenger Corporation (Amtrak), the Congress voted to give increased authority to the Corporation to manage the Nation's passenger rail system while seeking to strengthen Amtrak's bargaining position with the railroads which operate passenger trains. The measure also limits executive branch control over the corporation's budget. Congress approved an authorization of $154.3 million in fiscal 1974 for Amtrak, and agreed to a loan guarantee authority increase to $500 million from $200 million. Amtrak is required to continue operating service along its basic route system through fiscal 1974.

Public Broadcasting Authorization (P.L. 93–84, approved August 6, 1973)—Subsequent to a presidential veto of funding for the Public Broadcasting Corporation in 1972, Congress passed a compromise measure authorizing $120 million over two years for the Corporation. The vetoed bill called for a funding level of $155 million for fiscal 1973. Congress subsequently cleared a one-year authorization of $45 million for fiscal 1973 only to have appropriations vetoed by the President as part of the Labor-HEW Appropriations Act for 1973. The new funding measure requires that public broadcasting stations receiving Federal funds maintain audio recording logs of all programs on which public issues are discussed. It further requires that $10 million be raised by the Corporation as matching grants from non-federal sources bringing the total two-year authorization to $130 million. A total of $25 million in fiscal 1974 and $30 million in fiscal 1975 is authorized for construction of public broadcasting facilities.

VETERANS

Veterans Health Care Extension Act (P.L. 93–82, approved August 2, 1973)—Despite a presidential veto in 1972 of similar legislation, Congress quickly approved comprehensive veterans' health care legislation, a significant step forward on behalf of the health care of all veterans. The Act extends outpatient care privileges to veterans currently eligible for hospital care to peacetime veterans and to those 80 percent or more disabled because of a service-related cause. It also extends VA medical care to certain dependents and survivors of veterans. In addition, Congress directed the VA to develop a health manpower training program and to study the staffing needs of VA hospitals; to set up a VA program for treatment of sickle cell anemia; to require the VA to staff and maintain enough hospital beds to admit all eligible veterans in need of care and to double the number of VA nursing home beds to 8,000.

Veterans Disability Benefits Increase (P.L. 93–177, approved December 6, 1973)—Concern over the effects of domestic inflation on veterans' pensions prompted Congress to approve an increase in the monthly payments to single and married veterans. The approximate ten percent increase would also raise the pensions received by widows and children of deceased veterans, surviving parents of veterans, and veterans under hospital care.

Veterans National Cemetery Act (P.L. 93–43, approved June 18, 1973)—After a presidential veto of similar legislation in the 92nd Congress, a second effort proved successful. In enacting P.L. 93–43 Congress increased veteran funeral and burial allowances and established national cemetery system to be administered by the Veterans Administration. A special plot allowance of $150—in addition to the existing VA allowance for burial and funeral expenses of $250—for veterans not buried in a national or other Federal cemetery was authorized, with additional benefits of up to $800 provided for veterans who die of service-connected disabilities. Finally, the Act directs the VA to conduct a comprehensive study of the U.S. national cemetery system and burial policy.

Tax Treatment for Prisoners of War (H.R. 8214 passed the House August 3, 1973)—To assist our prisoners of war and the families of those missing in action, the House amended present law to provide certain relief for military and civilian personnel returning from the Vietnam conflict and the families of those individuals who are listed as missing in action and are subsequently determined to have died at an earlier time. First, the bill would extend the provision under present law which permits military personnel who are hospitalized as a result of service in a combat zone to exclude military pay they receive during the period of hospitalization to cover for a period of time the pay they receive while hospitalized after all combatant activities have terminated. Since the exclusion under present law only applies during the period in which they are in combatant activities in a combat zone, the bill would extend this exclusion for a period of time to cover a member of the Armed Forces who was hospitalized for an injury incurred in a combat zone in the waning days of the Vitenam War. Second, the bill would extend the provision which forgives another provision, in the case of a member of the Armed Forces who dies while serving in a combat zone to cover the period he is in a missing status even though it is subsequently determined that he actually died at an earlier time. The House felt it appropriate to prevent any additional hardship to his family which could result from the collection of taxes for years following his actual death, and therefore extends his forgiveness to cover the years a serviceman is in missing status until his status is changed. The measure would provide that the widow be eligible for surviving spouse tax treatment for the two years following the year in which her husband's missing status is changed rather than the two years following the year of actual death.

VETOES

Vocational Rehabilitation (S. 7 vetoed by the President March 27, 1973)—President Nixon vetoed for the second time in less than a year a program that passed both Houses of Congress with overwhelming bipartisan support and had successfully brought opportunity and hope to thousands of physically handicapped Americans. This bill cut the legislation the President vetoed in 1972 by nearly a billion dollars, reducing it to an amount less than what was appropriated for the program in either fiscal year 1971 or 1972. The President particularly objected to funds contained in the bill for patients suffering from kidney disease, spinal cord injuries and other severe handicaps. A significantly reduced rehabilitation bill was finally signed into law September 26, 1973.

Rural Water and Sewer Grants (H.R. 3298 vetoed by the President April 5, 1973)—On January 10, 1973 President Nixon abruptly terminated the rural water and sewer grant program which he had labeled as "praiseworthy" the year before. By a vote 297 to 54 the House directed the Secretary of Agriculture to restore full funding for this successful program which had received consistent bipartisan support and was crucial for pollution control and health in rural America. Since 1965 more than 2,650 rural water and waste disposal systems had been assisted with the grant money provided by this program. Without federal assistance many small, poor communities throughout the country could not possibly pay for the construction and maintenance of sophisticated water and sewage plants.

Confirmation of Director and Deputy Director of the Office of Management and Budget (S. 518 vetoed by the President May 18, 1973)—This bill would have abolished the offices of Director and Deputy Director of the Office of Management and Budget and then recreated these offices, making them subject to Senate confirmation. In vetoing the measure, the President termed it "a back-door method" to force removal of the incumbent Director and Deputy Director. Passage of the bill reflected the concern of Congress in asserting congressional control over budgetary decisions as well as a more immediate interest in subjecting high ranking officials to the constitutional requirement of Senate confirmation.

Second Supplemental Appropriation Act of 1973 (H.R. 7447 vetoed by the President June 27, 1973)—Both Houses approved in a fiscal 1973 supplementary appropriation of $3,362,845,279 an amendment prohibiting immediately funds in the bill and in previously enacted legislation from being used to support U.S. combat activities in or over Cambodia or Laos. It was the first time since the United States became involved in the Indochina War that both chambers had approved a bombing restriction provision. The President, however, vetoed the bill. With mounting congressional sentiment against continued involvement in Indochina conflicts, the Administration intimated that it could accept compromise that would allow the President to continue the bombing for two or three months while negotiations to reach a cease-fire in Cambodia continued. The day after a veto, the House attached a similar bombing restriction to a continuing resolution for fiscal 1973. Congress approved legislation requiring the President to cease U.S. bombing in Indochina after August 15.

Emergency Medical Services System Act of 1973 (S. 504 vetoed by the President August 1, 1973)—This vetoed bill would have authorized the expenditure of $185 million over the next three fiscal years to help State and local jurisdictions establish emergency medical systems. Funds would have been used for training of ambulance attendents and other emergency personnel, improved transportation for emergency victims, expansion and upgrading of emergency rooms. The closing of eight PHS hospitals, previously announced by the Administration, would have been prohibited, because HEW failed to show that patients would receive equal or better medical care at other facilities. The emergency medical services provided in the bill would save an estimated 60,000 lives annually. That includes some ten percent of the current annual 275,000 coronary fatalities (by American Heart Association estimates) and fifteen to twenty percent of the 55,000 annual traffic deaths.

Minimum Wage Act (H.R. 7935 vetoed by the President September 6, 1973)—H.R. 7935 would have required wage increases for four million of the nation's worst paid workers—some five percent of the work force—and would have extended minimum wage coverage to seven million additional employees, including domestic employees, government employees, certain employees of conglomerates, retail and service employees of chain stores, and others. The minimum wage earner has lost ground since the last increase in 1966, which boasted the minimum to the poverty level. Today, even at $2 an hour, the full-time worker would gross only $4,000 a year, less than the poverty level of $4,200 net for a non-farm family of four, and he would enjoy less purchasing power than he had with the pre-1966 minimum of $1.25. The cost of living has risen one-third since 1966; even to keep pace, the minimum wage would have to be raised to $2.13 immediately. The vetoed bill would have raised the minimum wage from its present level of $1.60 an hour to $2 on November 1, 1973 and to $2.20 by July 1, 1974 for workers covered

before 1966; non-farm workers covered after 1966 would have risen in four steps to $2.20 by July 1, 1976; farm workers would have risen in four steps to $2.20 by July 1, 1976. The bill would have covered 935,000 domestic workers for the first time, with a $1.80 minimum in November and $2.20 by July 1975. Today, half of all domestics earn less than $1 an hour—a liveable wage nowhere in the U.S. While the President called the legislation inflationary, the non-inflationary character of wage increases at this level has been recognized by the Cost of Living Council which indicated it had no interest in wages below $3.50 per hour. The U.S. Chamber of Commerce and all responsible economists deny that increases in the minimum wage are inflationary. Secretaries of Labor Hodgson and Shultz issued reports to this effect. The bill would have increased the annual wage bill for American workers by less than four tenths of one percent. In a trillion-dollar-plus economy, this is hardly an inflationary force. A major point of contention was the subminimum wage for youth, which the Administration strongly backed for broad categories of young workers. The Congress rejected this in favor of a limited subminimum for full-time students working in certain occupations. The Congress determined that a general youth subminimum would violate the basic objective of the law—that of raising the wages of the poorest paid who are in no position to bargain for themselves. The Administration's youth subminimum wage would exploit youth and threaten the jobs of breadwinners and heads of households—simply moving unemployment to the older group.

Small Business Amendments (S. 1672 vetoed by the President September 24, 1973)—Congress amended the Small Business Act to increase to $6.6 billion, from the existing $4.3 billion ceiling, the authority of the Small Business Administration to provide loans to small firms in the event of natural disasters. Effective April 20, 1973 to July 1, 1975, disaster relief loans would have been available to victims of disasters from the Small Business Administration and the Farmers Home Administration. The proposed Act would have authorized a uniform program of disaster loans at three percent with $2,500 forgiveness, or one percent of the total amount and would prohibit sex discrimination by the Small Business Administration. Special consideration would have been given to veterans and survivors. The President objected to the repayment features which included very low interest repayment rates, the "forgiveness" clause, and to the increased outlay of expenses necessary to assist those hurt most by natural disaster.

USIA Authorizations (S. 1317 vetoed by the President October 23, 1973)—Congress authorized $216,775,000 for the U.S. Information Agency for fiscal 1974 in a bill vetoed by the President because of an amendment claimed to be an unconstitutional encroachment of executive authority. The provision would have required a cutoff of funds for the USIA if the Agency failed to respond within 35 days to a written request of either the House Foreign Affairs or the Senate Foreign Relations Committees for documents or other information relating to the Agency. Subsequently, Congress approved USIA authorization of $215,614,000 for fiscal 1974 and barred the use of any appropriation for programs that had not been authorized or any appropriation that was above the amount authorized for fiscal 1974, excluding continued funding resolutions.

War Powers Resolution (P.L. 93–148, without approval November 7, 1973)—Congress reasserted its constitutional role in the war-making area by placing restraints on the authority of the President to commit U.S. forces to hostilities without congressional consent. This historical move came about after the President, and in the absence of any congressional declaration of war, conducted massive air bombardment over Cambodia and Laos after the signing of the Paris accords and return of U.S. troops and POWS. Even after a record of opposition by both the House and Senate to the bombing, President Nixon vetoed legislation providing for a cutoff of funds. Subsequent congressional investigations revealed a pattern of secret bombings of Cambodia and Laos, activities conducted despite congressional prohibitions against invasion from land, air, or sea. The facts were concealed from the public and Congress until uncovered in investigations. Congress was compelled to restrain the President by forcing him to terminate bombing after August 15 of this year. Congress subsequently gave final approval to the War Powers Resolution, which requires consultation with Congress if at all possible in advance of any introduction of U.S. forces to hostilities, and a full report to Congress within 48 hours after taking such action. If Congress does not expressly authorize the commitment, the President must withdraw troops within 60 days (a 30 day extension is permitted if the safety of troops so requires). Anytime after the commitment of forces, the Congress could mandate immediate withdrawal through passage of a concurrent resolution—which is not subject to veto. In addition, the resolution stipulates that none of its provisions are to be construed as granting any authority to the President that he would not have had in the absence of the resolution. The power of the President to commit forces is defined to include only situations where Congress had declared war or provided other statutory authorization, or when a national emergency exists because of attack on the U.S. or its forces. The President, claiming that the resolution imposed "unconstitutional and dangerous" restrictions on the President's warmaking authority vetoed the measure on October 24, only to have both Houses override the veto on November 7.

OTHER

Bicentennial Administration (P.L. 93–179, approved December 11, 1973)—In an effort to better coordinate the activities of State, local and private groups in preparation for the American bicentennial, Congress changed the American Bicentennial Commission to the American Bicentennial Administration. The new Administration will have an eleven-member advisory board and a 25 member policy council to replace the Commission's 50-member board, with Senate confirmation of a presidentially appointed administrator. The board is to elect a director from its membership. The Act provides a $20 million matching grant program that would allocate approximately $200,000 to States and territories for bicentennial activities, and authorizes $410 million annually for administration of the programs. By this action Congress can be better assured that our 200th birthday as a Nation will be appropriately celebrated.

Indian Claims Commission (P.L. 93–37, approved May 24, 1973)—Congress authorized $1.2 million for the operation of the Indian Claims Commission increasing by $900,000, to $2.7 million the Expert Assistance Revolving Loan Fund, which enables Indian plaintiffs to borrow money at 5 percent interest to hire experts in the preparation of claims. Established in 1946, the Commission is to be terminated in 1977 at which time pending cases are to be transferred to the U.S. Court of Appeals.

National Biomedical Research (H.R. 7724 passed the House May 31, 1973. In conference)—To prevent an Administration decision to stop awarding medical research training grants and fellowships in fiscal 1973, the House and Senate passed legislation guaranteeing the program's continuation. The House version would extend these existing research grant and fellowship training programs through fiscal 1975 and add new requirements for post-graduate service in the research and training field. The Senate version would provide for the same and also set up a new unified training program of national research training awards and a new commission to develop regulations to protect the rights of humans in research.

Professional Sports-TV Blackouts (P.L. 93–107, approved September 14, 1973)—This Act amends the Communications Act of 1934 to provide that if any game of a professional sports club is to be televised pursuant to a league television contract and all tickets for seats made available 120 hours (5 days) or more before the scheduled beginning time of the game have been purchased 72 hours (3 days) or more before such time, no agreement preventing the televising of such game at the same time and in the area in which the game is being played would be valid. The person or persons having the rights to telecast the game locally would be required to make those rights available to a television broadcast licensee on reasonable terms and conditions.

Export Administration Act Amendment (H.R. 8547 passed the House September 6, 1973)—The House gave the President new flexibility and more authority to control exports of materials and commodities. The President's expanded authority would allow him to impose controls to protect the domestic economy from an excessive drain of scarce materials or to reduce the serious inflationary impact of abnormal foreign demand. Under existing law the President could impose controls on exports only if conditions both of an excessive drain of scarce materials and an abnormal foreign demand existed. The bill requires the Secretary of Commerce to make public each week forecasts of domestic demands on materials and commodities subject to export controls. It also authorizes the formation of a technical advisory committee to evaluate technical matters, licensing procedures, materials availability and other matters.

Franking Privilege (P.L. 93–191, approved December 18, 1973)—Congress passed legislation to clarify the proper use of the franking privilege by Members of Congress. The Act provides that mass mailings (defined as newsletters and similar mailings of more than 500 substantially identical pieces) may not be mailed less than 28 days before any election in which a Member is a candidate for public office, except for mailings—(1) in direct response to inquiries of requests; (2) to colleagues in Congress or to Federal, State, or local officials; and (3) of news releases to the communications media. The Act also allows postal patron mailings by Members of the House in the same manner as is presently utilized today, and prohibits consideration of the cost for franked mail, notwithstanding any Federal, State or local law to the contrary, as a contribution to or expenditure with respect to any limitation on campaign expenditures. In addition, a provision allows costs due to the Postal Service for the sending of Mailgrams to be paid for under the frank.

Attorney General's Pay (P.L. 93–178, approved December 10, 1973)—Congress took action to lower the salary of the Attorney General to pre-1969 levels to eliminate the constitutional ineligibility of the nominee by the President for that office, Senator William Saxbe. The Constitution states that "No Senator or Representative shall, during the Time for Which he was elected, be appointed to any civil office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased, during such time." Since Congress had voted to increase the salary of the Attorney General during the tenure of Mr. Saxbe as Senator, Congress cleared the way for eligibility of the President's nominee by reducing the salary from its present level of $60,000 to the pre-1969 level of $35,000.

APPROPRIATIONS ACTIVITY

[Thousands of dollars]

Bill title and number	Budget request	House action to date	Senate action to date	Conference action	Public Law
FISCAL YEAR 1973					
Urgent supplemental, 1973 (H.J. Res. 496)	$1,340,000	$1,341,800, passed, amended (Apr. 12, 1973).	$1,341,800, passed, amended (Apr. 17, 1973).	$1,341,800	93-25.
Second supplemental, 1973 (H.R. 9055)	$3,496,731	$3,321,420, passed (June 29, 1973).	$3,321,420, passed (June 29, 1973).	$3,321,420	93-50 (July 1, 1973).
FISCAL YEAR 1974					
H.J. Res. 636 (continuing)		Passed (June 26, 1973).	Passed, amended (June 29, 1973).		93-52 (July 1, 1973).
H.J. Res. 727 (continuing)		Passed (July 25, 1973).	Passed, amended (Oct. 3, 1973).		93-124 (Oct. 16, 1973).
H.J. Res. 748 (par value modification)	$2,250,000	$2,203,000, passed (Oct. 4, 1973).	$2,203,000	$2,203,000	93-142 (Oct. 26, 1973).
H.J. Res. 753 (continuing)		Passed (Oct. 3, 1973).	Passed (Oct. 3, 1973).		93-118 (Oct. 4, 1973).
H.R. 6691 (legislative branch)	$677,151	$550,045, passed (Apr. 18, 1973).	$640,559, passed, amended (July 19, 1973).	$605,190	93-145 (Nov. 1, 1973).
H.R. 8619 (Agriculture—environmental and consumer protection)	$9,519,551	$9,385,738, passed (June 15, 1973).	$10,176,926, passed, amended (June 28, 1973).	$9,927,667	93-135 (Oct. 24, 1973).
H.R. 8658 (District of Columbia)	$432,998	$427,717, passed (June 18, 1973).	$417,717, passed, amended (July 20, 1973).	$417,717	93-91 (Aug. 14, 1973).
H.R. 8760 (Transportation and related agencies)	$2,955,435	$2,662,871, passed (June 20, 1973).	$2,868,991, passed, amended (July 28, 1973).	$2,808,086	93-98 (Aug. 16, 1973).
H.R. 8825 (HUD)	$18,617,453	$19,070,954, passed (June 22, 1973).	$19,118,373, passed, amended (June 30, 1973).	$19,056,500	93-137 (Oct. 26, 1973).
H.R. 8877 (Labor and HEW)	$33,733,904	$32,816,467, passed (June 26, 1973).	$33,396,379, passed, amended (Oct. 4, 1973).	Recommitted	
H.R. 8916 (State, Justice, Commerce, the judiciary, and related agencies)	$4,522,901	$4,152,946, passed (June 29, 1973).	$4,459,478, passed, amended (Sept. 17, 1973).	$4,466,012	93-162 (Nov. 29, 1973).
H.R. 8917 (Interior and related agencies)	$2,377,467	$2,269,554, passed (June 27, 1973).	$2,488,774, passed, amended (Aug. 1, 1973).	$2,443,137	93-120 (Oct. 4, 1973).
H.R. 8947 (Public Works for water and power development and AEC)	$4,757,469	$4,676,395, passed (June 28, 1973).	$4,772,082, passed, amended (July 23, 1973).	$4,749,403	93-97 (Aug. 16, 1973).
H.R. 9590 (Treasury, Postal Service, and general government)	$5,373,345	$4,844,723, passed (Aug. 1, 1973).	$5,123,352, passed, amended (Sept. 5, 1973).	$5,233,189	93-143 (Oct. 31, 1973).
H.R. 11459 (military construction)	$2,980,300	$2,609,090, passed (Nov. 14, 1973).	$2,670,972, passed, amended (Nov. 20, 1973).	$2,658,861	93-194 (Oct. 12, 1973).
H.R. 11575 (DOD fiscal year 1974)	$77,250,723	$74,101,309, passed (Nov. 30, 1973).	$73,264,617, passed, amended (Dec. 12, 1973).	$73,714,930	93-238 (Feb. 1, 1974).
H.R. 11576 (supplemental)	$1,428,790 (Nov. 30, 1973).	$1,432,686, passed (Nov. 30, 1973).	$1,891,425, passed, amended (Dec. 12, 1973).	$1,703,125	93-245 (Mar. 1, 1974).
H.R. 11771 (foreign assistance)	$6,866,567	$5,883,912, passed (Dec. 11, 1973).	$5,612,402, passed, amended (Dec. 17, 1973).	$5,780,434	93-240 (Feb. 1, 1974).

MY FRIEND ERNEST S. PETINAUD

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. NATCHER. Mr. Speaker, I rise to salute my friend, Ernest S. Petinaud, who will retire next week after serving a great many years in the House restaurant and in other capacities as an employee of the House of Representatives.

His concept of public trust is without parallel and words are inadequate to fully describe his tremendous capacity for loyalty and love of his country and of the House of Representatives. In every position that he held, he achieved distinction and his service in all of his assignments was marked by a high sense of conscience and duty.

Mr. Speaker, his outstanding moral and intellectual qualities have endeared him all down through the years to every Member who served in the House during this time. He has always been patient and understanding and has had the friendship of every Member of the House who served during his tenure.

I have always enjoyed our friendship and again, Mr. Speaker, I salute my friend, Ernest S. Petinaud and want to wish him and his lovely wife the best of everything in the future.

ERNIE PETINAUD, A GENTLEMAN WE ALL ADMIRE

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. HOLIFIELD. Mr. Speaker, I have served in the House for 31 years. When I first arrived in Congress in 1943, Ernest Petinaud was the major domo of the House Dining Room. He has served the Members of the House for almost 40 years. He has served all of us with fairness and unfailing good humor. Ernie has earned the admiration and friendship of every Member. To many of us he has become a friend and has in fact become one of the legendary institutions of the House.

We who have known him for so many years will miss him and the atmosphere of cordiality which has been so much a part of the Dining Room of the House will somehow be lacking.

We wish Ernie and his devoted wife the best of health and happiness. We hope that they will enjoy their years of retirement and that their years of happiness and good health will be many.

AIDING THE SMALL COAL OPERATOR

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. MILLER. Mr. Speaker, today I introduced into the House a bill that has great significance for the small coal operators throughout the country. The bill exempts owners and partners, who do not employ others, from some of the burdensome provisions of the Coal Mine Health and Safety Act of 1969. That act was drawn up with large coal corporations in mind. The act has extensive equipment and safety requirements in it that are not practical when we talk about a small mining operation by brothers or

partners who are the sole workers in the mine. The act is designed to protect employees in large mining operations. When applied to the small coal operator it attempts to protect self-employed miners from themselves.

In these small mines there are no employees to protect, but there are the interests of those who depend on their coal. There are still hundreds of these small mines around the Nation. If they are forced to comply with the present act they will be put out of business, as many already have been. They cannot possibly afford the expensive machinery the act requires. Their thousands of customers will be forced to look for new energy sources or go cold. Adoption of the amendment I have introduced today will prevent this tragedy from taking place.

ASHER H. ENDE, DEPUTY CHIEF OF COMMON CARRIER BUREAU TO RETIRE

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Saturday, December 22, 1973

Mr. McGEE. Mr. President, on December 21, 1973, the retirement of Ashe Ende as deputy chief of the Common Carrier Bureau of the Federal Communications Commission was announced.

Not only is Mr. Ende a personal friend of mine, but he also has been a respected and stalwart member of the FCC for 27 years. He has earned the well-deserved reputation for being one of the most effective and public service minded members of any Federal regulatory agency. For these reasons I regret his decision to retire since his dedicated public spirit will be sorely missed.

The notification of his retirement was released last Friday by the FCC and a story appeared in the business, finance section of the Washington Star-News on the same day.

I ask unanimous consent that both the Washington Star-News and the FCC announcement be printed in the RECORD.

There being no objection, the article and FCC announcement were ordered to be printed in the RECORD, as follows:

[From the Washington Star-News, Dec. 21, 1973]

FCC REGULATOR QUITS

(By Stephen M. Aug)

One of the toughest regulators at the Federal Communications Commission decided to leave the agency immediately after the commissioners announced the appointment of a new chief of its bureau that regulates the telephone industry.

The twin moves could well have considerable significance for the future telephone regulation at the commission, since the individual who is leaving is chief of a long-standing FCC investigation into American Telephone & Telegraph Co.

"If the commission, which has the right to pick its own bureau chiefs, doesn't like my brand of regulation, that's their prerogative, and I shouldn't stay." Asher Ende, 59, deputy chief of the common carrier bureau, said yesterday after word of his early retirement filtered out of the agency.

Ende, in addition to being deputy bureau chief, had been for three years managing counsel of the commission's AT&T Task Force.

The six commissioners announced the appointment of Walter R. Hinchman as chief of the bureau. Hinchman, a former assistant director of the White House Office of Telecommunications Policy, has been for the past year chief of the FCC's Office of Plans and Policy.

Hinchman, who holds a bachelor's degree in physics from Ohio State University, has spent 13 years in the federal government, seven of them with the Central Radio Propagation Laboratories of the Department of Commerce.

Hinchman also served on two White House task forces on domestic satellites. One, appointed by President Lyndon B. Johnson, recommended a pilot domestic satellite system to be set up solely by Communications Satellite Corp. The second, appointed by President Nixon, recommended a virtually opposite "open skies" approach—allowing anyone technically and financially qualified to set up a satellite system. The FCC bought the Nixon task force view.

The twin moves—Hinchman's appointment and Ende's departure—came on top of the early retirement of Bernard Strassburg, long-time chief of the Common Carrier Bureau. Strassburg announced his retirement earlier this month. Ende's retirement will be effective Dec. 31.

Ende, who came to the FCC along with Strassburg, has spent 27 years in the Common Carrier Bureau as a lawyer.

Asked about his "brand of regulation," Ende said he had been described once as "firm, unintimidated and irreverent. My brand of regulation is simply this: You get the facts, use your intelligence to analyze them, and call them as the facts require, without fear or favor of either regulated, the regulators or the consumer groups."

Ende has—when asked—been outspokenly critical of some policies of AT&T and its subsidiaries in the Bell System. He recalled that until recent years AT&T was reluctant to borrow, and had a lower debt ratio than probably any other utility. As a result, when interest rates were low, AT&T failed to borrow—and relied on more expensive equity financing—and only when interest rates "went through the ceiling in the 1969–71 period, it borrowed heavily.

"The reason AT&T needs so much money," he once told The Associated Press, "is because of poor management. If regulation merely covers up these mistakes, efficiency doesn't improve."

Ende declined to speculate on the future of the task force which he has directed—a group which is looking into the relationship of AT&T with its supply subsidiary, Western Electric, and into the manner in which AT&T and its subsidiaries determine rates and make investment decisions.

But one other FCC official said the task force's chief attorney, Peter Anderson, is "considered extremely strong . . . and one hopes that things will go on."

After Hinchman was appointed to the top post in the bureau, the commissioners asked Ende to remain at the agency in his present positions as deputy and chief of the AT&T task force.

[From the FCC News, Dec. 21, 1973]

ASHER H. ENDE, DEPUTY CHIEF OF THE COMMON CARRIER BUREAU, TO RETIRE

Asher H. Ende, Deputy Chief of the Common Carrier Bureau for the past ten years announced today that he plans to retire at the end of the month. Ende, who has been employed by the Commission for almost 27 years, with special responsibilities in the international and satellite field, will be completing well over thirty-one years of service at year's end.

Ende began his service with the Federal Communications Commission as an attorney in the Common Carrier Division of the then Bureau of Law in February 1947. He served successively as Chief of the Rates and Revenues License Branch and as Administrative Law Judge before becoming Chief of the Office of Satellite Communications and Deputy Chief of the Bureau in 1963. He served as a member and chairman of U.S. Delegations to various international conferences. In September-October 1973 he was spokesman for the U.S. Government on the major working committee at the Plenipotentiary Conference of the International Telecommunications Conference.

As Chief of the Office of Satellite Communications, Ende was responsible for formulating policies with regard to the establishment of the international satellite communications system. He also served as the principal Federal Communications Commission member at the negotiations which resulted in the conclusion of the definite arrangements for Intelsat.

Since January 1970, Mr. Ende, in addition to other duties, had served as head of the Special Trial Staff established by the Commission to handle the investigation of AT&T's rate increase requests. He also was active in formulating policy in such areas as computer communications, interconnection, the Specialized Common Carrier decision, and domestic satellite proceeding.

Mr. Ende was a recipient of several awards for excellent service, including the highest cash award ever given by the Commission.

He was born in New York City in 1914 and received his B.A. from Brooklyn College. He also holds an LL.B. from Brooklyn Law School and a Master of Business Administration degree from New York University. Ende is a member of the District of Columbia, New York and United States Supreme Court Bars.

FULL DISCLOSURE

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. GUNTER. Mr. Speaker, people who hold public office must conduct themselves in a manner that inspires confidence and trust.

When I decided to enter public life, I did so voluntarily, recognizing that the holding of elective office entailed doing more than is required by law.

That is why when I offered myself first as a candidate for the House of Representatives from the Fifth Congressional District, I voluntarily chose to make public my Federal income tax returns for the prior 3 years.

All of us in Government and especially in the Congress have an obligation to demonstrate a frankness in our public and private lives that goes far beyond fulfilling merely what is required by law.

Which is why I filed a copy of my Federal income tax return for 1972 with the Committee on Standards of Official Conduct of the U.S. House of Representatives and instructed that it be placed in a file open for public inspection.

I intend to make this a practice throughout my career in elective office.

For the record, my 1972 return showed an adjusted gross income of $30,348.10

from my position as district manager of a general insurance agency in Orlando and as a member of the Florida State Senate.

This became a net income after taxes, expenses and exemptions of $14,267.68.

I make these figures available because I believe that the public has a right to know where an elected official receives his income and how he chooses to spend it.

NEW TECHNOLOGY WILL GIVE US ALL THE ENERGY WE NEED

HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1973

Mr. CONLAN. Mr. Speaker, the House Science and Astronautics Committee, of which I am a member, took a major step forward today toward a long-term solution to our national energy problem.

The committee favorably reported out solar energy legislation, which I am cosponsoring, to provide for a 5-year program to test heating and cooling of residences and other buildings—under all weather conditions—with energy from the sun.

Experts testifying before our House Energy Subcommittee during hearings on this bill estimated that the demonstration project, to involve 6,000 homes, apartments, mobile homes, office buildings, factories, and schools, would put us well on the way toward heating and cooling more than a third of all buildings in the United States with low-cost, clean solar energy.

I certainly hope that this important legislation receives speedy consideration by the Congress so that we can get the Nation off dead center in developing this vital new and inexhaustible energy resource.

Mr. Speaker, I firmly believe that there is much more that Congress can do, and must do, to relieve our national energy crunch. It is not enough only to debate shortsightedness over the past several fuel shortages. Precisely this sort of shortsightedness over the past several decades caused the problems we now face.

We must think ahead with bold vision. We must realize that the American people will not accept—nor should they accept—a national policy of back-pedaling and lowering our standard of living.

This does not mean that we have to rape the Earth and squander precious natural resources to maintain a high quality of life. It simply means that we must put into gear the same old American commonsense and ingenuity that made us the greatest free Nation in the world, and pull ourselves out of this energy predicament with new and exciting technology.

That is our goal as members of the House Science and Astronautics Committee. And I earnestly hope that it is the goal of every Member of Congress and every official charged with sorting out our energy priorities.

A good article spelling out the infinite possibilities from harnessing energy of the Sun, the wind, heat under the Earth's crust, and even man's wastes, as alternatives to almost total reliance on conventional fossil energy sources is published in the current issue of National Review.

Its author, Stephen A. Kallis, Jr., is a computer systems expert with a major computer manufacturing firm, and his article further elaborates my view that technology can solve our energy woes if only we will get on with the job. I commend it to the attention of all my colleagues. The article follows:

A FIRST HURRAH FOR TECHNOLOGY

(By Stephen A. Kallis Jr.)

In one very important sense, the energy crisis so much in the news is a fraud. The same can be said of many aspects of the various forms of environmental crisis. These problems are not in themselves insoluable; all too often, people just will not let them get solved. In fact, the only great crisis we are facing is that which I call the technology crisis. And that crisis can be identified as the unwillingness of many to let our technology solve the problems forming the other so-called crises.

A few background remarks are in order. First and most important, many judgments about technology and its supposed limitation are based on questionable assumptions. This has long been the case, of course. It was once "proven" that commercial heavier than air transport was impossible, because aircraft power plants would always remain as inefficient as the early ones. That a rocket could never reach the moon, since it must use as weak an explosive as nitroglycerine, and its upward acceleration could hardly exceed 32 feet per second. That electrical power generation to numerous private homes could not be achieved, because half the total electrical losses, in the form of heat, would occur at the generator. That one could never determine what the stars were made of, because the identification of chemicals required contact. And, most famous of all, that it was aerodynamically impossible for the bumblebee to fly, a thesis which depended upon treating him as a fixed-wing aircraft rather than as one wtih moving wings.

Second, many antitechnological arguments present only two "realistic" alternatives. A familiar example is that of the truck and the underpass. The truck reaches an underpass which the driver finds is one inch too low for clearance. Should he unload the cargo and restack it? Should he take a long detour? Neither. The solution is simply to let enough air out of the tires to permit the load to sink the necessary inch and then to drive through.

Third, our technologists are not credited with much ingenuity. Yesterday's impossibility becomes today's development and tomorrow's commonplace. There are many examples, but the most mundane is the transistor radio. Not so long ago, the idea of a shirt pocket size (or smaller) radio was considered comic book stuff. Today, most American teenagers own at least one such device.

Finally, many "opinion leaders" actively mistrust things technological. Their mistrust is all too often exceeded by their ignorance of technology, an ignorance generally cultivated from youth, when many of them cleverly avoided taking any course in science or mathematics beyond the required minimum.

HUMAN INGENUITY

The trouble with the antitechnological attitude, of course, is that problems just cannot be wished out of existence. To say that the answer to the gasoline crisis is seriously to curtail driving is no solution to the real problem. But it is a way to stifle development of the true solutions: substitutes for gasoline and new power sources.

In Devon, England an inventor named Harold Bate has developed a method of powering his car with common barnyard manure. He uses bacteria to convert his raw materials to methane gas, which enters the engine through a modified carburetor. Since Bate has been driving cars this way for 17 years, this can be called a proven system—and an alternative power source, high octane and pollution free.

The print? Simply that while some claim nothing can be done to cope with the car fuel problem, or insist that any available solution would be rife with geopolitical significance, the technologist just goes ahead and solves the problem. Today's municipal sewer may fuel tomorrow's municipal vehicles.

With a couple of hundred feet of black garden hose and an insulated storage tank, any homeowner can help cut his own consumption of utility-supplied energy. How? Simply arrange the hose in a flat pattern on a frame, place the frame in an area of shadowcasting obstructions like trees, face the frame south, and, for best results, tilt it so that the northernmost side is elevated by an angle equaling the latitude of the location (say, about forty degrees for New York and southern Connecticut). Run water through slowly on a sunny day (stopping the flow for about half an hour after the hose first fills, to give it time to heat), and pipe it to the insulated tank. The yield: about ten to twelve gallons of hot water per hour, and free—compliments of solar power.

SOME LESSONS

Why bring up this sort of "energy crisis victory garden" suggestion? Merely to point out that there are dozens of untapped energy sources all around us. And that if we approach our energy problems like technologists instead of doomsayers, the future will look far less bleak. Let us examine some of the lessons of technological history.

1. *New energy sources are constantly being developed.* Once upon a time, man could keep warm only by wearing fur or exercising. Then he discovered fire, from which most of our modern energy is derived. But look at the succession of fuels: wood, animal fat, coal, and, lately, petroleum (once thought useless except as a medicine—the "snake oil" of yore). Man has also used wind power, water power, animal power—even human power—and now nuclear power. But all these by no means exhaust his power options.

For instance, there is tidal power. To take a purely hypothetical example, a sea-level Panama Canal could make use of the differences between its Atlantic and Pacific tides. If the sea water were allowed to go through hydroelectric turbines, a considerable amount of electricity could be generated. More practically, studies have been made for tidal power stations at such places as the Bay of Fundy, where the difference between high and low tide can be as great as fifty feet.

Or take the temperature-difference engine. The thing that makes energy generation possible is the attempt of two unequal conditions to equalize. Thus a gasoline engine turns because the high pressure of the gasoline combustion pushes against the piston in order to more nearly match the atmospheric pressure on the other side of the piston. Similarly, current flows in an electric circuit because a surplus of electrons is flowing along a conductor to reach an area with a deficiency of electrons. The temperature-difference engine works on the same principle. It could take two forms.

A seaborn version would use an insulated pipe to bring water from the depths of the sea and place it in one side of a mechanism, the other side of which would contain the sea's surface water (kept warm, of course, by the sun—so that the whole device relies on a

form of solar power). A working medium could be used to transfer heat from the warm side to the cool side, doing work in the process. This medium, which would have to be a vapor at the warm temperature and a liquid at the cool temperature, could drive a turbine that would pump up more water and run a generator to produce electric power. And just to keep the ecologists at bay, the warmed cool water and the cooled warm water could be discharged at an intermediate level at the same temperature—thus avoiding thermal pollution. Such engines (pilots of which were made years ago, and forgotten in the absence of an energy crisis) would be floating stations, relatively immune to things like earthquakes.

The second temperature-difference engine would be more directly solar-powered. Anyone who has opened a sealed automobile on a sunny day knows how hot the sun can make an enclosed airspace. Imagine such an airspace in a desert—bug big, a sort of hothouse, that did not need to be completely enclosed. Add to this an insulated chimney reaching up (for, say, a mile) into the cooler upper air. The heat difference between these two regions could drive a very large turbine—perhaps large enough to supply an appreciable fraction of the electrical demand of several cities. And if the chimney could be built along a steep mountainside the construction cost would be greatly reduced.

Another potential source of energy is in the very air we breathe: electrostatic differences in the atmosphere. A bolt of lightning wastes thousands, even millions of volts at an equivalent number of amperes—to produce a blue-white spark and a sonic boom. Benjamin Franklin was not really "the man who tamed the lightning": he merely put them into scientific perspective. But to speak of taming lightning is no more farfetched than talk of splitting the atom was a few years ago. And there are even more far-out potential energy sources: but let us move on.

2. *New ways are developed to exploit existing energy sources.* Both the old-fashioned water wheel and the modern hydroelectric turbine exploit the same energy source: falling water. The difference between them is an increase in the efficiency of energy gathering; the turbine makes far better use of the water than the wheel does. In the same way, while an ordinary nuclear reactor merely expends its fissionable fuel, a breeder reactor converts previously nonfissionable material into usable fuel: this increases the efficiency of uranium, since otherwise most of it could not be considered an energy source.

Similarly, other forms of energy generation that are already known can be developed in new ways. One such is geothermal power. Since the center of the earth is extremely hot, if follows that the deeper one drills, the hotter it gets. However, nature sometimes provides us with a form of free drilling in which the earth's interior heat is spectacularly brought to the surface—volcanoes, hot springs, and geysers are examples. Here is massive fuel-free heat, if only we can exploit it.

As it happens, there are already small geothermal plants in operation, tapping natural steam vents or drilling for underground hot springs. But vastly greater results could be obtained if a large heat-exchange chamber were constructed near a great heat source (perhaps a volcano). One of the current difficulties with geothermal power is that the use of natural steam releases such natural fumes as sulfur dioxide, which smells things up somewhat. The use of a heat-exchange system would eliminate this.

Another power source that will become increasingly important is nuclear fusion. At present, the only way we know to exploit this is through catastrophic explosion in the form of a thermonuclear bomb. Most of those who speak of "taming" nuclear fusion hold that it is remote as a practical goal, perhaps a half century or so away. Oddly enough, such people were making similar predictions about nuclear fission in the 1920s; and their current speculations are probably equally reliable. After all, if early experimental methods of atom smashing were still the only methods in use, a modern nuclear reactor could never be built.

As with fission in its early days, so with fusion now. Laboratory attempts to produce low-level nuclear fusion have thus far been experimental. Moreover, as far as is publicly known, they have employed only direct combination of atoms, rather than the catalytic process used by the nearest successful fusion reactor: the sun. Perhaps the use of nuclear catalysts will make fusion a practical energy source.

To judge from the past performance of technology, this sort of breakthrough will take place. And well within fifty years.

3. *Engineering efficiency increases.* As devices have developed, technological advancements, spurred by consumer demand, have made them more efficient, which in turn means that each device uses less energy. Thus, each unit of energy goes a lot farther than before. This is especially evident in electronics. The transistor radio is a prime example; but even more interesting is the electronic computer. The first such mechanism used vacuum tubes, required extensive cooling, and consumed vast amounts of power. From large vacuum tubes, computers progressed to small ones, thence to transistors, to integrated circuits, and finally to medium-scale integration (MSI) and large-scale integration (LSI). By now the power requirements have diminished to the point where a fully operational electronic computer can fit on the top of a desk and consume no more power than six ordinary roomlights. (If you had asked one of the early computer men how long it would take to design such a unit, I suspect he would have guessed around a hundred years.)

STANDPATTERS

Similar (though less spectacular) advances can be seen in internal combustion engines, particularly jet engines. Of course, the efficiency of any mechanical device is much lower than that of an electronic device, but the principle is the same: Improve the efficiency, and you reduce the energy waste.

The problem, again, is with people, not with technology. Exploitable energy surrounds us everywhere, had we the will to use it. Some of the problems are political (Europe and Africa could have vast amounts of hydroelectric power were they to dam up the pillars of Hercules, using the pressure difference produced by evaporation from the Mediterranean to drive a vast number of hydroelectric turbines; the damming job would be scarcely more difficult than the digging of the Panama Canal, but, for now at least, politics would get in the way). But politics can be either external or internal. And regrettably, much of our internal politics of energy rests on questionable assumptions.

If we think of oil and coal as our only energy sources, we would seem to be in for trouble. But to think so is totally unrealistic, because there are so many other ways to obtain energy. All will take a little time (one does not build, say, a nuclear power station overnight), but it would be time well spent if invested soon.

Some may balk at such energy projects for selfish reasons (someone with heavy interest in fossil fuel might not welcome a tidal generating station, and nuclear power plants face the not-in-*my*-back-yard-you-don't syndrome); but I rather suspect that a lot of the opposition comes from those who would just prefer not to think of technological progress. Who perhaps echo Theotocopulous of H. G. Wells' *The Shape of Things to Come*, who cries, "We mean to put an end to this inhuman foolery!" Or who wish that things could remain stable for some indefinite time.

Energy, like pollution, population, or anything else, can become a critical problem. But only if we let it. We can sit back and think of energy in classical terms of oil, gas, and coal, just as our ancestors once thought of it in terms of horses, oxen, and men. But if we wish to progress, we had better broaden our vision a little. Because even if we don't, someone else is bound to.

THE FALTERING ECONOMY AND THE CONTRIVED ENERGY CRISIS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Ms. ABZUG. Mr. Speaker, the United Electrical, Radio and Machine Workers of America executive committee has produced an outstanding document on the energy crisis, its origins and its profiteers and its effect on the economy. I would like to include this report in the RECORD and commend it to the attention of my colleagues:

THE FALTERING ECONOMY AND THE CONTRIVED ENERGY CRISIS

Watergate politics and Watergate economics are the opposite sides of the same coin. Just as in politics the big business Administration of President Nixon undermined the constitutional rights of the American people, so, too, in the economy, the Nixon Administration, using the wage controls voted him by a Democratic-controlled Congress, has undermined the living standards of American workers: during a period of unprecedented boom and rampant corporate profiteering American workers are suffering sharp cuts in their purchasing power.

The controls program is a multi-billion dollar payoff to the huge corporations including oil companies and banks for their $60 million contributions to President Nixon-Watergate slush funds. Endorsing corporate propaganda that wage increases are responsible for inflation, the major objective of the Nixon control regulations has been to restrain wages. All other parts of the controls program are window dressing designed to make the program appear impartial between worker and profiteer.

After two-and-one-half years of the so-called controls program, President Nixon and his advisers have to admit that while they controlled wages, prices have gotten out of hand. Inflation is far greater now than before the Nixon phases were launched, unequalled since the Korean War 22 years ago, and it threatens to become even worse.

In the six months before controls were established in 1971, overall consumer prices increased at the annual rate of 4.2%; in the latest six months period through October 1973, the inflation rate more than doubled to 9%.

In the six months before controls, retail food prices increased at the rate of 5.6% a year; in the latest six month period the rate of increase skyrocketed to over 17%.

Rising living costs and federal taxes have far outstripped wage increases so that by October 1973 the take home pay of the average worker in private industry was 3.3% less than a year ago and at its lowest level in almost two years. By contrast, corporate profits in the third quarter of 1973 were up 30% over record profits in the third quarter of 1972, and 1972 profits were 16% higher than 1971.

Deprived of the false argument that rising

wages cause high prices, the apologists for the profiteers now lay high prices to "shortages." The facts are that in industry after industry in meat, wheat, corn, steel, chemicals, lumber, etc. companies have contrived shortages by withholding goods or exporting them to soak the American people by raising prices.

The big ranchers, feed lot operators, meat packers, corporate farms, the huge food companies have held back food supplies to force high prices on the consumer. When price controls were lifted, withheld food supplies were made available.

This is especially true of the giant natural gas and oil monopolies who have for several years deliberately engineered gas and oil shortages with the compliance of the Administration. According to the Business and Finance Section of the New York Times:

"This crisis is not a result of the Middle East war. It was already well under way beforehand. Through blunder, conspiracy or something in between, the political leaders, of the Western world and the business leaders of the petroleum industry permitted or created a situation in which the supply of energy was barely enough to meet the demand." (November 4, 1973)

The oil and natural gas companies, much like the President in Watergate, refuse to make available to the public or even the government information on their domestic reserves of natural gas and oil.

The natural gas companies have refused to explore for new resources, the oil companies have refused to build new refineries, all part of their plan to restrict the needed growth in supply.

The 23 largest oil companies who also own 10% of our nation's coal reserves and 50% of its uranium also block the development of alternate new clean energy sources. They spend only 0.7% of their sales on research and development. They have retarded research in oil shale, capable of producing 500 billion barrels of oil, for fear of developing a new competitive energy industry.

The restricted supply has served as a justification for their price increases and favored tax position with respect to depletion allowances. They have used their contrived oil shortage to put independent dealers who have been cutting prices out of business. The oil shortage has also been contrived to set aside laws and regulations preventing oil companies from polluting coastal waters, destroying the land by strip mining for coal, and polluting the air and water, thus destroying the people's health by permitting unrestricted use of "dirty" fuels.

The oil companies have been singularly successful so far in using the oil shortage scare to achieve their objectives.

The wholesale price of refined petroleum products, including gasoline and heating oil, have risen 89.1 percent in the past year, 34.7 percent in the last month alone, and government economists assert that further substantial increases are inevitable.

Even before the full impact of the energy crisis was felt, President Nixon had once again set the nation on a recession course, to use rising unemployment as a weapon to discourage workers from seeking wage increases that would match rising living costs. To curb expansion, the government has again driven interest rates up, adding to the cost of living and the cost of doing business, thereby contributing to inflation. High interest rates also caused the slump in housing since would-be home buyers cannot meet skyrocketing mortgage rates and finance charges.

In a further move to cut the people's purchasing power, the Administration has impounded $18 billion of funds appropriated for social needs by Congress, sparing neither the old or the young, the sick or disabled, nor any others who have been denied the right to enjoy the great resources of our society.

At the same time the President proposes substantial increases in wasteful military spending, a major cause of inflation, to record peaks.

The government's oil policies, always dominated by the oil companies, plan to saddle working people with the major burden in meeting the so-called energy crisis.

It proposes hefty rises on oil and gasoline prices together with heavy taxes to expand domestic energy supplies and severely cutback fuel consumption, thus rewarding the companies for their contrived shortages by compelling workers who need autos for their work and fuel for their homes to pay through the nose.

This will mean further sharp increases in the profits the oil companies have already reported in the third quarter of this year; Exxon's profits are up 80%; Mobil, 64; Gulf Oil, 91.

Although the factories and utilities consume 70% of gas and 60% of all fuels and experts have found that industry is extremely wasteful of fuels, nevertheless the consumer is asked to make the major sacrifices in the use of oil and gas for home and transportation. Mass transit systems are the most efficient method of bringing people to and from work, and use far less fuel per passenger-mile than the auto. But the Administration and the highway lobbies have combined to starve the railroads and city transit systems while legislating huge highway expenditures.

In the name of the energy crisis, the Administration is abandoning environmental protections, so that we can anticipate dirtier air, polluted coastal waters, and destruction of the land by strip mining, all of which will play havoc with the nation's health and its natural resources.

Before the so-called crisis, the Administration in its usual optimistic underestimate of unemployment trends, had predicted that the jobless rate in 1974 would increase to 5% from its present 4.5% rate. It now predicts a 6% unemployment rate, but estimates by private economists are much higher, with economists working for the oil industry forecasting 8% of the labor force and 7 million workers unemployed.

In like fashion, the Administration optimistically predicted a 5% inflation rate in 1974 before the energy crunch, but estimates now range as high as 8%, taking into account the effects of price increases on fuels, and the shortages it will create in other industries.

We must mount a political campaign nationally and in each community to fight back against the price gouging and extortion by all companies, and with special reference to the oil companies. We must be on guard against efforts by our own companies to use the oil shortage as a pretext for overturning contract protections and relaxing health and safety precautions.

We must enlist the cooperation of other unions and consumer organizations behind the following program to control inflation, overcome so-called shortages and fight for jobs:

LEGISLATIVE PROGRAM

1. Congress shall legislate the roll-back of all prices, including gas and oil, interest rates and rents to August, 1971, levels, with effective enforcement procedures.

2. Congress must oppose the Nixon Administration plan to cut down use of gas and oil by sharply increasing their price and tax, thereby imposing heavy financial burdens on working people who need gas and oil for their work and home, and providing profit windfalls for the companies. A fair rationing program must be enacted to guarantee needed energy supplies to workers without increased prices or taxes. The legislation should also provide for enforcement procedures with adequate personnel and heavy penalties to discourage black marketeers.

3. Congress shall direct the President to stimulate the production and distribution of government oil reserves including the development under government ownership and control of gas and oil shale.

Congress shall create a U.S. Energy Authority with ample research and development funds to develop alternate fuel resources to free the country from dependence on the oil monopolies.

4. Congress shall investigate both the conspiracy among cattle growers, feed lot operators and meat packers to hold back food supplies, and the raids of the grain commission companies and the commodity speculators on the consumer.

Congress shall also investigate the manipulation of gas and oil supplies by the huge oil monopolies to create artificial shortages to gouge the public.

5. Congress shall direct the President to impose export controls on oil, petrochemicals, and other products for which shortages are claimed.

6. We must fight against the sacrifices of environmental standards for air, water and land and against the weakening of legislation protecting health and safety in the shop.

7. Congress must turn back Administration attempts to legislate increased excise taxes on oil and gas which affect working people. Instead, Congress must legislate an excess profits tax on the super profits of oil companies as part of an overall program for removing tax loopholes for the corporations and the rich and lowering the tax burden on working people.

8. Congress must overturn the President's illegal impoundment of appropriated funds. It must provide new jobs by re-establishing an effective program for the building of housing that people can afford and by making available educational, medical, day care and recreational facilities to supplement the woefully inadequate facilities that now exist.

Of special importance in the current situation is the financial support of public low fare mass transit systems in all urban areas, and of a national railroad system that will once again serve all communities.

9. Federal standards must be applied to state unemployment compensation laws to provide payment of two years of benefits to all unemployed workers, and improved benefits amounting to two-thirds of weekly earnings.

10. Congress must cut back inflationary military spending and recast the federal budget to meet the needs of the people.

11. There must be sharp cutbacks in the extravagant use of oil by the military. Similarly, wasteful use of oil by government officials for limousine travel and junkets must be eliminated.

CARPOOLING FOR CAPITOL HILL EMPLOYEES

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Saturday, December 22, 1973

Mr. METCALF. Mr. President, more than half of the approximately 15,500 Capitol Hill employees—including the Library of Congress—travel to work by private automobile. The vast majority of employees live in suburban areas, although there are concentrations of employees on Capitol Hill and in the southwest redevelopment area.

The Joint Committee on Congressional Operations is offering its assistance to

the Capitol Hill employees who wish to carpool.

We are not proposing specific plans such as bus service from high concentration areas and priority parking for poolers at this time. However, the joint committee will function as a central clearinghouse for carpool information. Interested parties can, on a voluntary basis, file pertinent data and check availability of rides. This would include a manual matching by the joint committee staff.

Persons interested in using the joint committee to facilitate carpooling should call extension 5–1607.

COMPTON, CALIF.'S, FOREIGN MISSIONS DAY

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. CHARLES H. WILSON of California. Mr. Speaker, on January 19, 1974, the city of Compton, Calif., will hold its third annual California Day for Foreign Missions in order to raise funds to build a church and orphanage for Bishop S. T. Grant and the people of Sierra Leone, West Africa.

District Elder Ralph Lewis and Ambassador Philip Palmer of Sierra Leone will honor this fine program by their personal participation, for both of these men are dedicated and tireless in their efforts to help the unfortunate.

District Elder Lewis has been a Los Angeles resident for the past 28 years where he was a respected building contractor until his call to the ministry in 1965 when he founded Mount Zion. With a small number of faithful workers, he built up his church from a storefront operation to the present site which accommodates 400. In 1970, Zion's Haven Nursery School was opened and has proved a vital community service.

District Elder Lewis and his wife have opened their homes and their hearts to two adopted and two foster children. And, because of their overwhelming interest in providing opportunities for children, the Lewises and one daughter served as principals in an educational pictorial brochure on adoptions and in a documentary film sponsored by Los Angeles County.

An activist and humanitarian, Elder Lewis' Biblical scholarship was recognized when, in 1969, he was elevated to the office of District Elder of the Pentecostal Assemblies of the World. He also serves as chairman of the southern district of the California District Council.

Ambassador Philip Palmer of Sierra Leone has had an auspicious career in service to his country. His scholastic background is strong in English and education; and, before embarking on his governmental career, he taught for 3 years at his alma mater, Durham University in England, before being appointed senior assistant master. This experience trained him well to act as an examiner in English for the West African Examinations Council.

In 1970, he was appointed Sierra Leone's first Ambassador to Ethiopia where he participated actively in the Organization of African Unity and represented Sierra Leone at OAU conferences. At these conferences, he was instrumental in working toward budgetary control for the African nations and in organizing the OAU 10th anniversary celebration.

Appointed Ambassador to the United States in 1972, Mr. Palmer also serves as High Commissioner to Jamaica and Trinidad and Tobago, resident in Washington. In 1973 he was made an honorary citizen of Compton, Calif.

Both District Elder Ralph Lewis and Ambassador Philip Palmer are to be commended for devoting their lives in the service of others and in helping Compton, Calif.'s, charitable endeavors. I know that this third annual California Day for Foreign Missions will be as successful as in the past since the citizens of Compton care deeply about helping their African brothers achieve a better life.

NICHOLAS JOHNSON RETIRES FROM FCC

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Saturday, December 22, 1973

Mr. HUMPHREY. Mr. President, the voices of consumer advocates and public interest lobbyists are beginning to be heard in the halls of Congress and the offices of the Federal agencies, a refreshings change that has long been sorely needed.

While this development has only recently attained much public attention, it has taken years of hard labor begun by a few able and concerned citizens who saw the need for greater effort to counter the influence exerted upon governmental processes by the special interests.

Foremost among these farsighted pioneers was Mr. Nicholas Johnson, who is now leaving his post as a member of the Federal Communications Commission, in which he has served since being appointed in 1966 by President Lyndon Johnson.

Nick has served with distinction, displaying sharp insight, courageous candor and tough determination in identifying, exposing, and fighting those forces and tendencies in the Federal regulatory systems that work against the best interests of the public.

Nick Johnson has served more than 10 years as a public servant. having been appointed Maritime Administrator as a bright, 29-year-old lawyer, and serving with distinction in that post until joining the FCC.

The public will miss his voice on the Commission which has so much to say about our Nation's electronic communications systems. But I am confident that he will continue to build upon his outstanding record of achievement in whatever endeavors he takes up in the future, and that his talents will continue to benefit the public he has already served so admirably.

SENATOR JACOB K. JAVITS' 25TH ANNUAL REPORT, 1973

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Saturday, December 22, 1973

Mr. JAVITS. Mr. President, herewith is my 25th annual report to the people of New York State on my own activities and the work of the 1st session of the 93d Congress.

The November 7 action of the Congress to override President Nixon's veto of the war powers resolution was the single most important action of the Congress in the 1973 session. The war powers resolution, which I authored, should end the post-World War II practice of unilateral Presidential exercise of the war power which culminated in the tragic U.S. involvement in the Vietnam war and restore to the Congress and the people a meaningful role in the critical question of war or peace.

The war powers resolution establishes a methodology which must be observed in committing our Nation to war by assuring that Congress must concur in the transformation of an incident into a war. Nonetheless, it is true that the methodology alone cannot guarantee that wisdom and prudence will prevail—any more than the due process of law and a jury trial can guarantee that justice will be done. The fruits of the war powers resolution will be no better or worse than the use which is made of it by future Congresses and future Presidents. But the vehicle is there to use.

Much of the country's interest this year focused on the "Watergate scandal," and that concern was intensely reflected in the Congress. We have viewed with mounting dismay the successive revelations of corruption and deceit which have brought our country to the brink of constitutional crisis.

No matter what the personal consequences for any one man—even the President—this crisis will be a test of the strength and justice of our democratic system.

Shaken by the resignation and plea to a criminal charge of the Vice President, the indictment of two former Cabinet officers and of members of the President's own staff, and appalled at the apparent lack of moral sensitivity at the highest levels of Government, we enter the new year with concern but hope that the American system of justice and law is working.

During the year, I supported the Senate Watergate Committee's work. I strongly protested the firing of Special Prosecutor Cox and the forced resignations of Attorney General Richardson and Deputy Attorney General Ruckelshaus. Also, I cosponsored legislation to allow the courts to appoint a new Special Prosecutor who could not be dismissed by the President.

Publicly and privately I urged the President to make complete disclosure of all Watergate tapes and documents and personal financial data.

Now that we have a Vice President, the national interest will be best served by an early vote in the House of Representatives on the impeachment question, certainly no later than the end of March. Indictments and other legal proceedings should be settled by the courts expeditiously, for our country through this period of national emergency needs to have settled any questions about the President.

Should the House vote a bill of impeachment, it will be sent to the Senate for trial. I stand ready to hear the facts and the evidence without any personal or political bias.

WAR IN THE MIDDLE EAST

The outbreak of hostilities in the Middle East presented a great challenge to U.S. diplomacy which, under Secretary of State Kissinger, worked effectively for the cease fire resolution adopted by the United Nations October 22.

During the fighting, the Senate adopted a resolution, of which I was a principal sponsor, expressing U.S. support for an end to the conflict and a withdrawal to the previous positions of the parties before the 1973 Arab invasion and calling upon the parties to negotiate an end to their conflict.

The military situation required that these diplomatic moves be immediately supplemented by significant U.S. assistance to restore Israel's arsenal of defense. I joined with Senator HUMPHREY and 65 other Senators in introducing Senate Resolution 189, urging the continued flow of Phantom aircraft and other equipment essential to enable Israel to defend itself and deter further aggression.

Subsequently the Congress approved $2.2 billion in emergency military assistance for Israel as requested by the administration. I regard this as one of the most crucial measures in the cause of freedom to come before this Congress.

Also I strongly supported earmarking of $300 million in military credit sales to Israel included in the Foreign Assistance Act.

SOVIET JEWRY

In our search for stable relations with the Soviet Union we must not sacrifice our dedication to freedom and human dignity. Jews and other minorities in the U.S.S.R. still live under the gravest disabilities, including denigrating emigration restrictions and sanctions. It is important that Congress approve the Jackson amendment to the East-West Trade Relations Act to deny most-favored-nation treatment and other financial advantages to the Soviet Union until the restrictions are ended.

I am principal author of a measure authorizing $36.5 million in settlement assistance to Soviet Jews emigrating primarily to Israel. This was signed into law October 18 and the money has been appropriated by the Congress.

EUROPE AND THE COMMITTEE OF NINE

The discordant notes from members of the North Atlantic Alliance during and just after the 1973 Middle East underlined sharply the need for greater cooperation between the United States and our European allies. A major effort in this respect has been the Committee of Nine, of which I was chairman, established to study and make recommendations on the future of the Alliance.

The Committee submitted its final report to the North Atlantic Assembly in October. This report could play an important role in formulation of a declaration of Atlantic unity, the subject of present United States-Europe negotiations, and the general composition of the North Atlantic Alliance in the decade ahead.

First priority in U.S. foreign policy still must be given to our difficult relations with Europe. Western Europe is now working toward economic and some political unity within the expanded European Economic Community. Changed conditions in Europe, as well as the new shape of international alinements emerging in the post-Vietnam era, require a new kind of Atlantic partnership. Such partnership must also involve a common approach to energy and environmental problems since Europe and the United States have a large stake in finding solutions to this continuing emergency.

INDOCHINA: THE SMOLDERING CRISIS

While a Vietnam peace agreement was signed in Paris on January 27, 1973, the continued bombing over Laos and Cambodia had no legal or constitutional justification and I strongly supported the Senate's May 31 vote of 63 to 19 to bar funds to support U.S. combat activities in, over, or from the shores of Laos, Cambodia, North Vietnam, or South Vietnam. That legislation was vetoed by the President on June 27 and the House of Representatives failed to override the veto by a narrow margin. On June 29, by a 64-to-26 vote, the Senate agreed to a compromise measure—which I helped devise—barring funds for U.S. combat activities effective August 15. The President signed this July 1.

I have been in frequent contact with the State and Defense Departments about the 1,300 American servicemen still listed as missing in action and unaccounted for by the North Vietnamese and their allies. I have been assured that our Government is meticulously exploring all avenues to account for each American lost in Southeast Asia. I support the administration decision that no funds for reconstruction of North Vietnam will be requested and that negotiations on reconstruction will not proceed until the North Vietnamese and their allies adhere to the provisions of the Paris peace agreements providing a strict accounting of the Americans MIA's.

CHINA AND JAPAN

On the question of ending the isolation of the People's Republic of China from the West, a major step—which had my support—was taken this year: The exchange of liaison offices between Peking and Washington.

Japan continues to be our most important ally in East Asia. A close, cooperative United States-Japan relationship is the cornerstone of our Asian policy. There remain outstanding differences respecting trade and monetary issues that must be resolved.

ARMS CONTROL AND NATIONAL DEFENSE

On March 11, 1973, the SALT II negotiations opened in Geneva. Although concrete results are not expected for some time, I hope qualitative restrictions, such as limiting of the MIRV, as well as permanent quantitative limitations, can be agreed upon respecting offensive strategic weapons.

The Department of Defense has requested an $81.1 billion fiscal 1974 budget. I believe our Nation requires strong security, but we also need close scrutiny of all weapons systems and defense spending. I supported amendments to the military procurement authorization bill that would have effectively followed these principles on defense expenditures without impairing our security.

On the other hand, I opposed attempts to reduce the level now of U.S. forces in Europe under NATO because I believe this would signal a lessening of U.S. commitment to Europe's continued stability and security and, therefore, Europe would tend to lean over to the overwhelming presence of the Soviet Union.

SECRETARY OF STATE KISSINGER

The Senate's confirmation of Dr. Henry A. Kissinger to be Secretary of State is a great commendation of our country, its institutions and its people, showing that a naturalized citizen and refugee from Hilter's Germany can attain the Cabinet's highest office. While I have not necessarily agreed with Dr. Kissinger on every national policy, he has demonstrated outstanding service to the Nation.

During Secretary Kissinger's confirmation hearings, controversy arose over his role in wiretaps and other surveillance of 17 individuals in the executive branch and news media. He was cleared, but in view of the surveillance problem I sponsored a resolution, adopted by the Foreign Relations Committee, to fully examine the use of electronic surveillance of U.S. citizens in the conduct of foreign relations in order to establish more satisfactory guidelines and more effective congressional oversight.

ENERGY

The energy crisis surfaced in full flower this year. Unless the burdens of energy shortages are equitably shared, our economy and lives will be seriously affected.

I have long advocated policies to increase domestic energy resources. I supported the Alaska pipeline bill, now law; worked to increase domestic refinery production and speed siting with adequate safeguards of nuclear powerplants.

Last summer, I urged voluntary allocation of crude oil supplies to insure fair sharing of home heating oil and industrial petroleum products. Faced with critical shortages of those supplies I supported mandatory allocations—now enacted—requiring that priority needs be met. I cosponsored the Emergency Energy Powers Act, S. 2589, giving the President authority to cut consumption and increase our energy supplies. I authored amendments to that act which would retain in Congress authority to end the emergency measures if they prove unnec-

essary or unfair and which direct the United States to negotiate with other Western oil-consuming nations to develop a common front to meet the threat of the "oil weapon" of certain Arab States.

I have urged legislation that would lead to U.S. self-sufficiency in energy, including S. 1283, a massive research and development proposal to utilize our resources of coal, shale oil, and geothermal energy; S. 2560, to begin development of solar power for heating and cooling; S. 2462, to set up a corporation to develop areas that offer substantial potential energy conservation, and S. 2479, for energy conservation at the Federal level.

The bill establishing the new Federal Energy Emergency Administration, written in one of my committees, provides the FEEA with manpower and expertise needed to develop a national energy policy designed to avert widespread hardship to our people and damage to our economy.

Beyond this important measure, the Senate Permanent Investigations Subcommittee—of which I am a member—has and will continue to conduct careful legislative oversight of all actions undertaken during the current energy crisis by both the oil industry and the executive branch. In addition, my committee made substantial progress toward enactment of a new Energy Research and Development Administration, ERDA, to enable the Nation to become self-sufficient in energy resource development.

Finally, I have made every effort to see that environmental standards are upheld as much as possible in the emergency situation. I have supported limited exceptions to laws such as the National Environmental Policy Act and the Clean Air Act only to carry us through the emergency.

TRANSPORTATION

The Senate and House have passed comprehensive legislation—which I supported—to aid the bankrupt northeastern railroads. This measure will help restore a viable and efficient rail transportation system. As a result of amendments I introduced, small profitable railroads will be better able to survive this massive railroad reorganization and New York City commuter railroads will be better able to provide economical and efficient service and will be entitled to subsidies from the Federal Government.

During consideration of the emergency energy bill, I worked to free urban portions of the highway trust fund for mass transit use during the energy emergency. Although this was defeated, the energy legislation does contain provisions authorizing the administration to develop plans for mass transit aid as well as expanded intercity passenger rail service.

DOMESTIC ECONOMY

Two more "phases" of the President's economic stabilization program were produced in 1973; phase III abandoned mandatory controls on all but three sectors of the economy. I correctly predicted then that it was not the time to abandon mandatory controls. For almost 6 months steep increases in food and industrial prices plagued the country leading to a price freeze June 13. The freeze did not prove effective as food production was cut back with retailers, distributors, processors, and food producers caught in a "crunch."

In August, phase IV was implemented. The freeze's end produced an incentive for increased production by allowing a cost passthrough. There were price increases, especially in food, but the consumer appeared ready to pay more for available food rather than pay more when supplies were limited.

A major reason for the sharp increase in food prices was the abnormal foreign demand for U.S. agricultural products, particularly grain. The sale of one-quarter of our wheat crop to Russia was a serious error which must not be repeated.

To prevent recurrence of such a sale I introduced the Export Priorities Act to regulate U.S. agricultural exports through a licensing system. A sufficient supply to permit a stable American market and meet U.S. consumption demands would first be set aside, with the remainder available for export. This proposal is before the Senate Banking Committee.

When the President anounced phase IV, he again emphasized his desire to return to the free market system and set the end of 1973 as a goal for terminating controls. I stated then, and present conditions bear me out, that while I share the President's belief in a free market system under normal conditions, talk of early elimination of controls is unrealistic and a mistake.

INTERNATIONAL ECONOMY

This year I supported foreign aid legislation—which has been enacted—which emphasizes funding in the areas of agriculture, population growth, health and education, designed to help developing nations focus their resources on problems affecting the vast majority of their citizens. In 1973, committees in both Houses held hearings on the Overseas Private Investment Corporation, a Government agency which insures development-oriented U.S. investments in developing nations. I sponsored the 1969 legislation which created this agency, have actively participated in legislative oversight to insure it fulfills its purposes and am presently involved in legislation to provide for its future.

INTERNATIONAL MONETARY REFORM

In 1973, I strongly urged the United States to seek effective and practical international monetary reform because the present system of nonrules could hamper the growth of world trade. One step should be a gradual withdrawal of gold from the international monetary system so that it can take its proper place as a commodity, owned by Americans and others as is any other commodity. I have urged that the Treasury begin sales of some of its gold stocks to licensed domestic users.

TAX POLICY

There are inequities in our tax system. It is especially disturbing to me that low and middle-income Americans carry the heaviest burdens of those inequities which should be borne more ratably by those in the higher income brackets in better proportion to income. The Treasury Department indicates the aggregate of those advantages, at more than $40 billion annually.

I have introduced a bill to create a Tax Reform Commission to take a long-term look at our system and come up with suggestions for reform.

I supported a recent amendment to the debt ceiling legislation that would have strengthened the minimum tax on those with a high income who sometimes pay small taxes because of large deductions. This amendment was defeated but I continue to feel that tightening up in the minimum tax is essential to increase fairness in our tax system.

REVENUE SHARING

As the Federal revenue sharing program passes its first anniversary, I must report its performance is mixed. No sooner had the program begun than the Federal Government announced cutbacks in categorical grant-in-aid programs totaling billions of dollars.

Many jurisdictions—including New York City—estimated that the cutbacks would come to more than they were getting under revenue sharing. Nor has the administration of revenue sharing been completely efficient. I was deeply concerned that the Treasury Department—which writes the revenue sharing checks—planned to assess in one pay period more than 1,000 counties, towns, and villages in New York State alone for overpayments made in previous pay periods. I led 23 Senators to urging the Secretary of the Treasury that the assessments be made more equitably over a longer time period.

As one of the earliest proponents of Federal revenue sharing, I remain convinced that it must fulfill one of its clear purposes: to help heavily taxed industrial States. New Yorkers carry one of the heaviest self-imposed tax burdens in the Nation. They provide one of the most progressive systems of State education and other impressive State services as a direct result of that burden. But, New Yorkers give far more to the Federal Government than they receive. The disparity is natural but its size is inequitable. I shall continue to press to correct that situation.

In some cases, Federal revenue sharing funds have not gone to the social service programs for which they were intended, but to high visibility items such as police and fire vehicles and public building.

CRIME AND DRUGS

I again supported efforts designed to strengthen the capability of our police departments to obtain professional training assistance through the law-enforcement education program. I also worked to eliminate the paralysis in local criminal courts in many parts of the Nation, and, similarly, sought to expand LEAA programs dealing with corrections systems reform.

During 1973, I introduced several bills designed to have impact upon the urban crime problem by:

Concentrating $300 million for each of the next 3 years in the central cities having the highest crime rates in the country—

Developing a broad-based methadone maintenance program;

Developing innovative manpower training and job placement programs in the rehabilitation of offenders;

Formulating national standards relating to the treatment and rehabilitation of inmates in correctional institutions throughout the Nation; and

Developing a national criminal justice professions development program to attract more qualified people to all professions involved in criminal justice work.

I also vigorously supported legislation to outlaw the so-called Saturday night special handgun, instrumental in the commission of violent crimes and in homicides against policemen. In addition, I supported a bill to provide compensation to crime victims and widows of law-enforcement officers killed in the line of duty.

I proposed and saw enacted legislation designed to improve Federal, State, and local law enforcement in the drug area. Following introduction of my bill, President Nixon submitted to Congress a major plan designed to reorganize totally and upgrade the Federal drug enforcement agencies within the Department of Justice. The new Drug Enforcement Administration brings together the heretofore fragmented and competing efforts of the U.S. Bureau of Customs and the Bureau of Narcotics and Dangerous Drugs. This streamlined organization has already begun to deal more effectively with illicit drug trafficking and smuggling.

To provide a legal remedy for innocent citizens victimized by illegal mistaken raids by Federal narcotics agents, I cosponsored legislation to enable future victims of such conduct to obtain redress in court.

HOUSING

The year 1973 started with an administration-imposed freeze on all subsidized housing programs and many community development programs. I strongly opposed this freeze and have worked hard during the year to get exceptions for meritorious projects throughout the State. Fortunately, quite a few projects have received exceptions and are being built. I have strongly supported an extension of the existing housing laws until adequate substitutes are presented to the Congress. While there has been a temporary extension of these programs, major housing legislation will have to wait until 1974. We must see that adequate housing is provided for all who need it.

My bill to create a National Institute of Building Sciences would help develop nationally accepted standards for local construction and would be an authoritative source on the latest construction advances. This has been included in an omnibus housing bill which will undoubtedly pass the Senate in 1974.

ENVIRONMENT

This year I have vigorously supported all measures to strengthen environmental protection. I worked to see that new legislation, which recently passed the Congress, for allocation of grant money for sewage treatment plants dealt with New York State's problems and needs fairly.

I cosponsored S. 268, the Land Use Policy and Planning Assistance Act, which passed the Senate earlier this year and which seeks to provide money for more comprehensive land use planning desperately needed to make sure orderly development is carried with proper concern for environmental balance.

I also supported bills passed by the Senate to curb the excesses of stripmining, provide for testing and establishment of programs for safe drinking water, and protect endangered species—recently enacted.

I will continue to actively support measures which seek to improve our environment and resist attempts unnecessarily to erode the progress of the last several years.

HEALTH

The year 1973 was an important one for health legislation. I introduced—

A national health insurance bill designed to provide health care services and facilities to all Americans;

The administration's health maintenance organization bill; and

An amendment to develop HMO's, which, in great measure forms the basis of the proposal supporting the creation of HMO's which is being enacted into law.

Public Laws 93–45 and 93–154—assuring the continuation of the Public Health Service Act and developing emergency medical services—are the result of bills I cosponsored.

The Senate-passed bill to safeguard and protect the rights of people involved in biomedical research, soon to become law, was based upon bills I authored and introduced.

Other health bills I introduced would provide consumers increased protection from unfit and adulterated food, assure the safety and effectiveness of medical devices and require disclosure of ingredients on food labels.

I also have authored a bill of rights for the mentally retarded; and, another to establish a national commitment for the diagnosis, control, and prevention of a killer disease of children, the National Tay-Sachs Disease Act.

LABOR

I was chief cosponsor of a Senate-passed bill to immediately raise the minimum wage to $2 and expand the scope of the law to cover additional low-income workers. I authored provisions to extend the prohibition against child labor to children working in agriculture. This measure was vetoed by the President and the House failed to override but it must become law soon.

This year also saw the beginning of a serious effort to enact Federal legislation reforming workmen's compensation. In June, I introduced, together with Senator WILLIAMS of New Jersey, chairman of the Senate Labor Committee of which I am the ranking minority member, S. 2008, a bill designed to remedy the defects and inadequacies in existing State laws as documented in the report of the National Commission on State Workmen's Compensation Laws, a commission established as a result of legislation I authored.

Recently enacted legislation granting a social security increase contained my amendment which should make New York State workers eligible for an additional 13 weeks of Federal-State unemployment compensation in addition to the regular 26 weeks.

PENSION BENEFITS

On September 19, 1973, the Senate voted 93 to 0 to approve the Williams-Javits bill, a comprehensive pension reform bill which provides for pension vesting, funding, plan termination insurance, portability, fiduciary standards, disclosure and new tax deductions for employees to establish their own pension plans. Based upon bills I have authored since 1967, H.R. 4200 culminated a 3-year effort by the Senate Labor Committee to focus public attention on inequities in private retirement and welfare funds.

Unfortunately, due to committee jurisdictional problems in the House of Representatives, the House was unable to act on pension legislation this year. However, this legislation will receive top priority early next year.

POVERTY AND WELFARE REFORM

This year was most difficult and disruptive in terms of the Nation's efforts to eliminate poverty and provide training and jobs for unemployed and underemployed persons, as the administration tried to change programs unilaterly and almost overnight through administrative actions alone, often defying the expressed will of the Congress.

By the close of the fiscal year, it was clear that if the administration continued on a unilateral course, these actions would only undermine its own objectives of managerial efficiency, decentralization, and economy and I urged, on July 31, a course of "domestic rapproachement."

Accordingly, I was heartened when the President included in his second State of the Union address a pledge to seek workable compromises with the Congress.

We took him up on that offer in the case of manpower training reform legislation, stalled since 1969, and an area where the administration had planned to carry out its plans unilaterally.

The administration held up implementation of manpower training regulations and agreed to work with the Congress on legislation.

The result is the Comprehensive Employment and Training Act of 1973, a bill based on S. 1559, which Senator NELSON and I introduced and is now law.

This new act authorizes funds over a 4-year period for comprehensive manpower training, public service employment, and related services administered through a decentralized system of State and local governmental sponsors. The administration also agreed to continue authorities for transitional public service employment, both generally and in especially hard-hit areas, such as exist in New York State, as Senator NELSON and I had urged in sponsoring S. 1560, a bill to continue the Emergency Employment Act of 1971. The new act also includes several provisions I sponsored or cosponsored to continue authority for the summer job program, gives special attention to training and employment needs of of-

fenders, and provides special programs for persons whose language is other than English.

A filibuster blocked complete action this year on legislation reported by the Committee on Labor and Public Welfare to establish a new legal services corporation.

Other important unfinished business remains, such as continuation of the antipoverty program beyond this June, child development legislation, community economic development efforts, welfare reform, and the need for a real "full employment policy."

But as we seek these authorities, the experience of this year suggests that the administration may join with us in these efforts and that the final will of the Congress and the Executive, written into the law, will be upheld by the courts.

In another area, my amendment to preserve and expedite Federal support for New York children living in foster homes and institutions was adopted by the Senate.

OLDER CITIZENS

This year, the Congress has taken several important steps on behalf of our Nation's senior citizens.

I actively supported the 7-percent immediate increase and the 4-percent increase in social security benefits effective June 1974, as well as increased supplemental payments to the aged, blind and disabled, which, beginning in January 1974, would go up to a monthly income of $206.85 for New York residents.

I also cosponsored:

The Older Americans Comprehensive Services Amendments of 1973, now law, which dramatically strengthens the Administration of Aging and provides extensive authority to improve nutritional services to the elderly; and

S. 775, the Research on Aging Act, establishing a National Institute on Aging to study the biological and behavioral aspects of the aging process, passed the Senate, pending in the House.

VETERANS

With my full support, Congress passed legislation improving the loan guaranty program for veterans, increasing disability and death pension benefits for veterans, and establishing a national cemetery system within the Veterans' Administration. I shall continue to work for legislation to give today's veteran the same benefits as veterans of World War II.

Greatly concerned over the underutilization of their educational opportunities by our veterans, I sought release of veterans' cost of instruction funds by HEW authorized by the educational assistance allowance amendments, and cosponsored an amendment to permit colleges with a 10-percent veteran enrollment to participate in the veterans' cost of instruction allowance program. This amendment passed the Senate and is pending in the House. I also supported a bill for improved medical care to veterans, and a bill to require comprehensive drug and alcoholism treatment and rehabilitative services for disabled veterans. Both bills passed the Senate.

AGRICULTURE

The Senate passed a a comprehensive Agriculture and Consumer Protection Act (S. 1888). I supported provisions in the act that limit farm subsidies to any farmer to a $20,000 maximum and that revise and extend the food stamp program to insure eligibility to all deserving recipients.

Throughout the year, I closely followed the problems of our State's dairy farmers and made every effort, including introduction of an Export Priorities Act, discussed previously, to insure that our farmers receive their feed grains and other agricultural supplies at reasonable prices.

In addition, I established a task force of farmers and others in agriculturally related industries to advise me on farming community issues.

The Family Farm Inheritance Act (S. 204), which I cosponsor, would exclude the first $200,000 in value of a family farm from the taxable estate of farmers who managed their own farms during their lives and will it to relatives who plan to carry on this tradition.

SMALL BUSINESS

As ranking member of the Senate Select Committee on Small Business, I supported the Senate-passed bill to increase the Small Business Administration ceiling by $2.3 billion to provide additional funds to the small business community.

I introduced the Domestic Enterprise Bank Act of 1973 to establish a corporation authorized, among other things, to make and participate in certain long-term, low-interest loans and guarantees and to provide technical assistance to stimulate employment opportunities in labor surplus areas and to aid businesses seriously affected by foreign imports or technological obsolescence.

CONSUMER PROTECTION

This year I again sponsored the bill to establish an independent Federal Consumer Protection Agency. Now supported in principle by the administration, the bill would give an independent advocate representing the consumer interest the right to intervene in all Federal regulatory agencies and in the courts. I also cosponsored legislation to insure equal access to commercial credit for women.

EDUCATION

The Congress this year has proceeded to fund landmark higher education legislation—which I sponsored last year—placing emphasis on providing assistance to individual students.

The Education Subcommittee, of which I am a member, is completing consideration of measures to expand and extend Federal programs in elementary and secondary education. The subcommittee has approved provisions which I authored giving new emphasis to high school equivalency programs for adults and programs for gifted and talented children, termed those most neglected in American education.

I successfully opposed moves to cut New York's share of education funds, moves based on the erroneous contention that New York receives too large a share.

I have authored a series of bills designed to assure the safety of schoolbuses and prevent repetition of tragedies such as the 1972 crash in Congers, N.Y., in which five lives were lost and 44 children injured.

I have introduced a bill to provide educational benefits to those who have served in the Peace Corps and similar volunteer organizations.

Happily, the Congress enacted legislation, of which I was an author, to extend and expand arts and humanities programs which have enjoyed strong Presidential and public support.

The Senate passed amendments to the National School Lunch Act raising the Federal reimbursement level to federally aided breakfast and lunch programs for the poor. The original bill would have deprived New York school systems of about $2.4 million. However, I introduced an amendment, passed by both Houses, which insures full funding to New York.

THE HANDICAPPED

A new Rehabilitation Act—Public Law 93–112 contains my provisions to encourage hiring and handicapped in programs under Federal contract or which receive Federal grants and for the homebound.

Public Law 93–76 was also enacted, extending the Javits-Wagner-O'Day Act, giving priority in Federal contracts to the blind and severely handicapped.

I reintroduced my bill to give the severely handicapped the same tax deductions now given the blind.

BUDGET CONTROL

For years, congressional procedures governing the Federal budget process have been inadequate for dealing with the establishment of national priorities. This year, the Senate Government Operations Committee—of which I am a ranking member—developed legislation designed to bring about fundamental reform of the budget process. This bill, which I cosponsored and which passed the Senate and is now in conference, requires establishment of a firm overall spending ceiling on both outlays and new budget authority. The bill would create standing committees on the budget in both Houses of Congress; establish a congressional office of the budget to assist the Congress in developing a coherent plan for identifying and funding national legislation priorities and require before April 15 of each year enactment of a concurrent resolution establishing appropriations levels for major categories of spending. This legislation will require the Congress to look at all spending and revenue actions together and to relate them to each other. I authored an amendment to the bill which would require consideration of tax expenditures in each stage of the budget process.

IMPOUNDMENT ISSUE

Sharp controversy between the executive branch and the Congress over the impoundment of appropriated funds gave rise to a serious confrontation between the two branches. The constitutional and legal issues were carefully developed in the Government Operations Committee which recommended strong anti-im-

poundment legislation, passed by the Senate, which requires the administration to expend or obligate impounded funds except those which under law would create deficiencies not intended by Congress, or which have been expressly ratified by congressional action during the 60-day period following receipt of a Presidential impoundment message. Estimates of the fiscal impact of Federal impoundments, upon local governments throughout our State have been extraordinarily high. The estimate for New York City alone is in excess of $400 million in lost Federal aid.

EXECUTIVE PRIVILEGE

I cosponsored legislation to establish ground rules for the executive and legislative branches to observe in any future disagreements over the availability to Congress of information held by executive officials. These rules preclude officials withholding any information or testimony requested by a congressional committee for executive privilege unless the President is willing to intervene to defend the confidentiality of the materials sought. The bill makes it clear that when such a Presidential action occurs, the Congress will weigh the force of the President's claim against its need and that of the public interest for the information in question.

POST OFFICE AND CIVIL SERVICE

I have urged the U.S. Postal Rate Commission to hold the line on increasing postal rates and continue to support legislation which would help publications threatened by increased postal rates to survive.

I supported: the pay increase for Federal employees under the 1970 Comparability Act; the $20-per-month increase in annuities for Federal retirees who retired prior to October 20, 1969, and the Senate-passed bill to increase the Federal contribution to health benefit costs for Federal workers.

I worked to keep open St. Albans Hospital, Queens. The Defense appropriations bill passed by the Congress provides that St. Albans shall remain open.

CAMPAIGN FINANCING REFORM

I supported S. 372, the Federal Elections Campaign Act Amendments of 1973 which passed the Senate. This bill improves the present Public Law 92–225 by repealing the equal-time provisions for all Federal offices and increasing most criminal penalties in the law. The bill raises the amounts which candidates can spend out of their own or their family's funds. The bill also sets overall limitations on campaign expenditures which are basically 10 cents times the voting age population in the State or district involved for primaries, and 15 cents for general elections. The present law only provides for limits on media expenses. The last major change the bill makes is to establish an independent Federal Elections Commission which would receive all reports and look into violations of the law. This bill has not yet passed the House.

I believe that a substantial element of public financing is needed for all Federal elections. A start on this was made with the taxpayers' checkoff system which will operate in the 1976 Presidential campaign. This provides for $1 out of the taxes of each taxpayer who checks the form at tax time to be used in the Presidential campaign in lieu of private money.

To encourage greater public financing, I cosponsored an amendment to the recent debt ceiling bill which would extend the tax checkoff system to Senate and House general elections and public financing to Presidential primaries. The existing checkoff amount would be doubled from $1 to $2. Money collected would be apportioned to major parties, minor parties and any new parties that could qualify.

ASSISTING NEW YORK STATE

Functioning as full-time extensions of the operations of my Washington office, are offices maintained in Albany, Buffalo, and New York City. Through mail and personal inquiries to those four offices, as well as frequent trips back home, I have been able to direct assistance to many constituents.

I was able to assist a company in a small community in an appeal to the Department of Defense for redress on a contract. Weighing the merits of the case, the Department of Defense paid the company over $1 million in contract adjustment fees, maintaining the life of the firm and the livelihoods of its employees and their families.

As the effects of Hurricane Agnes continue to be felt in New York, my activities have ranged from helping an upstate community secure an amphibious LARC V vehicle for its volunteer fire department to replace one lost in the Agnes calamity, to aiding farmers in their dealings with the Agriculture Department and the Small Business Administration as they sought assistance following the effects of Hurricane Agnes.

I have also been active in obtaining Federal assistance for projects ranging from the Rockaway Beach erosion project to the Great Lakes flood and erosion control project, among others.

The year 1973 has been a year of tremendous demands, and equally tremendous efforts to meet the needs which prompted those demands.

SALUTE TO ERNEST PETINAUD

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BUCHANAN. Mr. Speaker, the stirring tributes which were paid yesterday to Ernest Petinaud were more than well deserved. As one who joined in the sustained standing ovations to our dynamic and illustrious friend, I would like to associate myself with all the eulogies which occured in between. Ernest Petinaud has for many years been a credit to this House and a delight to all who have had the privilege of knowing him. If the Members of this body can do our job as well as he did his, the country will prosper, and the lives of the people will be blessed. May our colaborer find in his retirement, and his lovely wife as well, all the joy and contentment they so richly deserve.

FARMERS HOME ADMINISTRATION

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. HARSHA. Mr. Speaker, during my service in the House of Representatives, I have worked with many Federal officials in various departments on projects of importance to my congressional district. While I have been favorably impressed by officials in a number of the agencies involved, I have been particularly impressed with the consistent agencies involved, I have been particularly impressed with the consistent effectiveness and efficiency of one agency—the Farmers Home Administration—which is of particular importance to my district.

Over the years FHA has distinguished itself as one of the most efficient, effective, and popular agencies in the Federal Government. This excellent reputation would not be possible without the personal efforts and talented guidance at all levels that has been given the program. In my judgment, this is particularly true with reference to FHA activities in my home State of Ohio.

I have had occasion to contact the FHA Director for Ohio, Lester M. Stone, and other officials in the State on innumerable occasions to request advice and assistance on pending or proposed projects in my congressional district. Invariably, my requests have been met with courtesy and cooperation, and, as a result, it has been possible to resolve many problems that have arisen in connection with these projects.

I refer, in particular, to financial problems that plagued many rural water system projects in my area. With the assistance and untiring efforts of Mr. Stone and his associates, some difficult problems relative to financing water projects were satisfactorily resolved, and, hopefully, they are now established on a sound financial footing and able to make ends meet.

I do not mean to restrict my commendation only to the work of FHA on water projects. As you know, FHA also participates in a broad range of rural development activities such as rural housing, the financing of family farms, emergency loans to farmers as a result of natural disasters, and other programs necessary for the development and revitalization of rural America. As the Representative of a predominantly rural area I have witnessed firsthand the positive impact FHA has had in helping people to help themselves in all these areas and I know that I speak for the residents of the Sixth Congressional District in commending Mr. Stone, his able assistant Ralph Voohees, and other FHA employ-

ees who have played such a direct and important role in bringing progress to areas where it has long been lacking.

With the passage of the Rural Development Act of 1972, the resources and responsibilities of the Farmers Home Administration were substantially enlarged. This legislation provided funds for sweeping new programs of loans and grants designed to attract job-creating industry to rural areas and to assist rural residents with problems ranging from pollution control to firefighting. Despite the tremendous growth of FHA activities and severe staff limitations which were imposed for budgetary reasons, the FHA proved itself capable of meeting this new challenge and continued to perform its usual excellent job.

I wish to pay particular tribute to the knowledgeability, dedication, and effective leadership of Lester Stone. Since his appointment as director for Ohio in 1969, he has performed ably and energetically—achieving an enviable record which serves as an exemplary example for other public officials. The entire State of Ohio has benefited greatly from the outstanding efforts of this fine public servant and the loyal, dedicated staff with which he has surrounded himself.

A TRIBUTE TO SENATOR YOUNG

HON. JAMES B. PEARSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Saturday, December 22, 1973

Mr. PEARSON. Mr. President, I have recently read a speech given by Mr. Kenenth J. Bousquet, executive vice president of the National Environmental Development Association, entitled "Energy and the Environment—The Need for Balance," delivered at the joint meeting of the North Dakota Water Users Association and the North Dakota Water Management Districts Association in Jamestown, N. Dak., on December 6.

Many Members of the Senate will remember Mr. Bousquet for his long and diligent efforts as a professional staff member on the Senate Appropriations Committee handling Public Works appropriations. In his remarks, Mr. Bousquet very forcefully sets forth the many facets of the energy crisis and environmental problems as well. Throughout his remarks he calls for reason to prevail in this area and urges that those interested in our environment undertake to meet together to discuss their joint interest in the critical problems confronting us.

I was interested in Mr. Bousquet's analysis of the energy crisis but I took particular note of his comments about the outstanding work of Senator MILTON YOUNG and the significance of his work for the State of North Dakota. I want to associate myself with Mr. Bousquet's tribute to Senator YOUNG. He is one of our finest Senators and held in the highest esteem by all of us in this body. Because he is held in such wide respect his influence in all legislative matters is great, and it will continue to grow in the years ahead. MILT YOUNG is a strong, stable force in the Senate. North Dakota can, indeed, be proud of the strong leadership of its senior Senator.

Mr. President, I ask unanimous consent that Mr. Bousquet's remarks be inserted in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ENERGY AND THE ENVIRONMENT—THE NEED FOR BALANCE

(Remarks of Kenneth J. Bousquet, executive vice president, National Environmental Development Association)

Mr. Chairman, Members of the North Dakota Water Users Association, and the North Dakota Water Management Districts Association, Ladies and Gentlemen, I was delighted to receive the invitation to speak to you this evening. I have had a long association with North Dakotans, in my former official capacities with the Corps of Engineers and the Senate Appropriations Committee. However, my closest ties to North Dakota are the result of my long association and deep affection for your Senior Senator, the Honorable Milton R. Young. I suppose I would have had some misgivings about coming here today had it not been for a previous experience.

In my opinion North Dakota has a very strong Congressional Delegation—Senator Burdick is most effective and influential, not only on the important committees to which he is assigned but on the floor of the Senate. Congressman Andrews is a great asset to the state on the House side, collectively they are working for our country and North Dakota. I am certain that Governor Link, is as hard working now as he was back in Washington. I have had occasion to work with Bill Guy when he was Governor, and I know of his deep interest in water resource projects, and in looking out for the interests of the state.

Some years ago Senator Young asked me to meet Milo Hoisveen in Bismark on January 2nd. Now I didn't object to traveling on New Years day, but I did not relish the thought of the cold and snow. In discussing the trip, I remarked to the Senator that I thought we were friends, and here he was sending me to North Dakota in the dead of winter. He reassured me by saying that I was going to the "banana belt". Well, the cold, ice and snow did not quite measure up to my preconceived idea of a "banana belt", but I must say the hospitality and warmth of the people I met more than made up for the weather.

I realize that there has been a lot of criticism of the seniority system. It has its drawbacks, but the fact of the matter is that it is a very practical system that works. States, having tested a legislator in his first term and returned him to office, profit by the seniority system in reelecting him in subsequent elections. For instance, some 20 years ago the Dean of the Senate was Walter George, the Senior Senator from Georgia, and the third ranking member was Richard B. Russell, the Junior Senator from Georgia. I know that your Senior Senator has brought many advantages to your state as a result of his seniority on the Appropriations Committee and on the Agriculture and Forestry Committee.

The late Senator Hayden often said that there were two types of Senators, the "showmen" and the "work horses" and that Senator Young was one of the latter.

One of the requirements of an effective Senator, is that he be recognized as a member of the club. I believe that this was brought home to me the first time Senator Ellender, Chairman of the Subcommittee on Public Works, started preparing his recommendations for subcommittee markup. The first question he asked was—"What does Milt want?" I don't mean that he got everything he asked for, but he came pretty close to it.

I suppose I am expected to tell a funny story to get the attention of my audience, but the deliberations of your convention and my topic this evening are far too serious for that. We are in a time of crisis in both our water and energy programs.

I am certain that you are all familiar with the financial and environmental problems associated with the Garrison reclamation project, so there is no need to dwell on that.

In addition to the usual opposition on the part of the Office of Management and Budget to adequately fund water resources programs, the new standard and procedures will make it difficult if not impossible to formulate comprehensive water resource projects, and the report of the National Water Commission will shift the entire financial burden of these projects to the states or their political subdivisions. No doubt these recent developments were discussed at some length today by various members of the panels, so I will not elaborate on these problems either.

I have chosen as my topic, "Energy and the Environment—The need for balance". By way of explanation I should add that my choice of this subject was *not* precipitated by the rising sense of national alarm caused by the recent cessation of Middle East oil imports. My concern here lies beyond that not unanticipated event, and its sudden, abrupt disturbance in our way of life. My subject deals instead with the more basic need to effect an alignment of our energy demands and environmental desires, for this is our underlying problem, one which has been developing for several years, and one that will be with us for many years yet to come.

I am convinced that many people have been taken in by propaganda of the extremists.

A few years ago, if a speaker wanted to gain the support of his audience, he professed to be for the environment and for improving the quality of life. Immediately his listeners were with him with applause, or shouts of "Right on!" He had instant communications—he had closed the generation gap.

But had he, really?

Perhaps he and I had different sets of values—perhaps I had a different concept of what would improve my quality of life. For example, the speaker who was going to improve the quality of my life may have had in mind a system of wild and scenic rivers that he and his family could occasionally visit and enjoy; whereas, my quality of life would be improved if the floods of May and June were released in August and September to assure a harvest.

Any consideration of environmental factors naturally embraces air and water pollution controls. One source of air pollution results from the burning of fossil fuels to produce electricity which has relieved all of us of hard and boring tasks.

Several years ago, speaking in North Carolina, I suggested it might be interesting if, when the gentlemen here return home, they greet their wives something like this. "Honey, I am going to improve your quality of living. I have a device which will reduce air and water pollution." No doubt such an announcement would be welcome—until you presented her with an old-fashioned washboard and a cake of Fels Naptha soap. The reply would probably be—"You are out of your ever-loving mind."

At that time I also suggested that a somewhat similar reaction could be obtained by telling your teen-age son that he has convinced you of the need to protect the environment and improve his quality of living. With

such an announcement, the son reacts with the thought—"Gosh, the old man is really with it, he digs what's happening today." So he says, "What are you going to do, Pop?" Obviously, your reply is—"Give me the keys to the car."

This illustrates the real need for meaningful dialogue between developers and environmentalists, for I think they are both pursuing the same ends. It was the hope of the organizers of the National Environmental Development Association to provide a forum for such an exchange of views. We are in fact planning our first annual meeting around the theme of Energy and the Environment during the latter part of February. We expect to have the cooperation of conservation groups, as well as responsible representatives of industry and government. Senator Henry M. Jackson, Chairman of the Senate Committee on Interior and Insular Affairs, has accepted our invitation to be the luncheon speaker.

I do not presume to offer any solution to the energy problem this evening, but I am hopeful that our annual meeting will assist NEDA in refining its position on some of the current issues.

NEDA is committed to the declaration of policy set forth in the National Environmental Policy Act, which reads in part that it is the purpose of the Congress ". . . to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmoney, and fulfill the social, economic and other requirements of present and future generations of Americans."

Let us look back for a moment over the past few decades to put our current environmental concerns in context. We as a nation have experienced unprecedented growth and prosperity which created an unexcelled standard of living. All of this was made possible by the development and exploitation of our land and water resources. We espoused growth as an ultimate goal, and sometimes the only goal, and we sometimes proceeded as if our energy and other natural resources were inexhaustible. During this period economists were at bat. Dissatisfied with the state of affairs, growth was chosen as the means to correct the ills of the day.

In spite of spectacular growth, dissatisfaction, instead of diminishing, grew even faster. By the middle of the last decade there was a reaction. A public awareness of the deterioration of our environment and of the detrimental effect of that deterioration on all living things including man himself took place. The ecologists stressed the environmental damage already done, warned of much more serious blight to come, and demanded that drastic action be taken. Thereupon, there followed a period of environmental and ecological overreaction far surpassing similar movements in other countries. Thus, laws were enacted requiring emission and effluent standards within time frames for which the technological breakthroughs had not been achieved. Indeed in some cases standards were established using data which was later found to be inaccurate or certainly incomplete.

For example, EPA has placed heavy reliance on the catalytic converter to meet the auto emission standards. However, a high level internal memorandum of the Environmental Protection Agency suggests that the catalytic converter, which uses unleaded gasoline may be "nothing more than a Frankenstein monster." That the use of unleaded gasoline and catalytic converters might produce even more serious health hazards than present automobile exhausts that contain lead. The memo concluded: "Environmental controls must be based upon sound scientific evidence and be as scientifically defensible as possible. At this time, the use of the oxidation catalysts is not so based." Dr. Betsy Ancker-Johnson, Assistant Secretary of Commerce for Science and Technology, told the House Science and Astronautics Energy Subcommittee that EPA used inaccurate measurement techniques to establish nitrogen-oxide emission controls.

She said, "We may have been placed in the undesirable position of wasting energy to meet an unnecessarily high statutory limitation on nitrogen oxide emissions. The magnitude of this waste could be very severe." She explained that if a 10 percent increase in fuel consumption is required to satisfy a statutory limitation on nitrogen oxide emissions, about 10 billion additional gallons of gasoline would be consumed annually.

Senator Hart some months ago rightfully pointed out that not enough time has been spent on the cost-benefit evaluation of pollution control. "If it can credibly be said four years from now, that we have caused the expenditure of billions to no purpose or to questionable purposes, the clean air cause will be dealt a blow from which it will be difficult to recover.

In spite of the growing uncertainty of the environmental hazards of the converter and in view of the fuel shortage, EPA's Russell Train is proceeding with plans to require installation of the catalytic converter so as not to lose momentum. With the prospect of high prices for gasoline and penalty for meeting the 1975 emission standards, this is not expected to be an acceptable decision.

In recent hearings on SO_2 removal, one of the installations cited by EPA as proof of their claim that scrubbers are commercially available was the Union Electric 140 Mw coal fired Meramec plant. Well, the facts indicate otherwise. That scrubber was placed in operation in September 1968. Between that time and June 1971, when its use was discontinued, it operated only 120 days.

Even if the scrubbers were sufficiently reliable to justify the cost of installation, there is serious doubt whether they are the most environmentally acceptable means of reducing sulfur oxide emissions. For instance, scrubbers for TVA's eleven coal burning plants would produce 11½ million tons of sludge, or 8½ million cubic yards.

To dispose of this useless material, itself toxic to water and subject to wind erosion, would require each year an area four miles long, 500 feet wide and 20 feet high, or putting it another way, it would cover a football field to a height of one mile.

In order to equip these plants with scrubbers, TVA estimates an investment of over $1.2 billion would be required. Amortization of this investment, together with operating costs, would amount to more than $200 million annually.

As a result of these and other precipitous actions, we face a serious, self-imposed crisis for most of the decade. The great danger of the situation is that people freezing in clean air will say to hell with the environment. As a nation we cannot afford to take that attitude, but in the event we should, you would find NEDA aligned with the environmental purists.

So it is quite evident that ecological considerations and energy demands are on a collision course, and these separate and diverse requirements must be resolved and reconciled. We must look at all the considerations that are important to us—the environment, our national security, the needs of our people for food, jobs and homes—and make reasonable tradeoffs and compromises.

In our headlong dash toward materialistic gain, we have ignored many values which today we must pause and protect. Our problems are enormous; they have been growing at an ever-increasing rate since man first drew breath on this earth, and we are not going to correct them overnight.

I would like to read a statement by a great American: "This country must face squarely the fact that a major portion of its rapidly increasing energy requirements is being met by oil and gas, which constitute only a small portion of our energy reserves. The prospects are that we shall become increasingly dependent on foreign sources of oil unless appropriate action is taken."

This is not a current statement. It came from the State of the Union Message of Harry Truman in 1949, almost a quarter of a century ago. We cannot expect that this problem, so long in the building will be solved quickly or cheaply.

Is there an energy shortage? The answer of course is "yes", for it has now come home to most of us that some form of allocation or rationing will be required. We were headed for an energy shortage prior to the decision in mid-October to embargo Arab oil shipments to the U.S. and the countries that tranship petroleum products to us. Although the effect of that action is just now beginning to be felt. Last month many cities and states had ordered reductions in street, freeway and public park lighting, the shutting off of all outdoor signs, coal mines were complaining that they were running out of diesel fuel to operate their machinery. On November First, Government energy experts in Washington were admitting that they had under estimated the size and impact of the massive oil shortage that will be felt in the U.S. within three weeks. The President's former energy advisor John A. Love said that the Arab oil cut off could mean a deficit of as much as 18 percent of the oil products the nation uses daily up from the previous estimate of 9 percent. Mandatory allocations and at least gasoline rationing are inevitable, but they are essentially short term measures. They neither increase supply nor reduce demand.

There is nothing to be gained now in trying to fix the blame or responsibility for our present situation, for we are all responsible for it. The developer that walked away from the strip mine unreclaimed, the industrialist that insisted on burning the least expensive coal, disregarding its effect on the health and property of others—all must share this responsibility, with, for instance, the so-called friends of the earth, that seem to want to deny them and the country the energy it needs.

I do not suggest that the factors I happen to mention are the only real cause of our problems, but they are all contributing factors, to our basic national energy problem, which now takes the following five forms.

1. Increasing demand for energy;
2. Decreased production of domestic oil and gas;
3. Conversion of power plants from coal to oil and gas;
4. Inadequate refinery capacity;
5. Opposition to new power generating facilities.

Let me briefly discuss each of these five factors. First, the increased demand for energy. The increase in energy demand is about as certain as death and taxes. Over the long-term, the rate of increase may slow down, as our birth rate decreases and energy becomes a more expensive commodity. The legitimate demands of the environmentalists to improve air and water quality to protect the environment in which we and our children must live, will require substantial amounts of energy to run the technology of pollution control. It is essential, therefore, that the vital need for energy to meet our social, economic and environmental objectives be examined in depth. We cannot limit our economy by curtailing the essential demand for energy.

During the present crisis, the people of this country must cooperate in a voluntary energy conservation program that will inconvenience all of us or risk an energy recession with certain industries being required to

shut down. At that point, we begin to experience the domino effect on other industries and businesses. The first state to order cut backs in energy consumption was Oregon. That program is working so well that Governor McCall is considering returning the handles for hot water faucets that were removed from the washrooms of public buildings.

I see no substantial decrease in the rate of energy consumption over the short-term period. New households are being established to accommodate the population explosion of World War II, while previously established family units are upgrading their housing facilities The proponents of no growth in electrical demand may be expressing a personal preference, but they are not making national sense. We need a little more explanation from them of just how this would be accomplished nationally. Does it mean that those who have air conditioners keep them? Will those who do not have air conditioners be denied that comfort or luxury?

A middle-aged man with a good job, a comfortable home, well set in his habits of working, playing, and vacationing may be willing to accept the philosophy of "No Growth". But to stop growth and start giving up hope and plans for the future looks very different for our youth and for people in the lower income brackets. Will we compute the total available energy consumption for domestic use, divide it by the population and let each individual have his share of Btu's which he can take in the form of electricity, gas, heating oil, or gasoline? I don't think so. We may have to endure some form of allocation or rationing over a short period of time. However, in our overall planning we must accept and we must provide for increased energy demand.

The second form of our current national energy problem involves our decreased production of domestic oil and gas. About the turn of the century the flow of crude oil from wells in Texas and elsewhere was so great that natural gas, now recognized to be the cleanest and the most desirable of the fossil fuels, was simply flared or burned off at the well head. With the invention of seamless pipe that permitted its transmission to distant markets, its value became recognized, the government regulated its price at the well head in order to encourage its use. Because it was the most desirable of the fossil fuels, its ease of transportation and its regulated price per million Btu's was substantially below the cost of other fossil fuels, its demand burgeoned rapidly,—and as it did the recoverable reserves of natural gas began to diminish rapidly.

As reported by the trade press last December, the average cost of drilling hit a new record in 1971, up 48% from 10 years ago. And only 25,000 wells were drilled in 1971, the lowest number since 1946.

During 1970, when our oil reserve in the lower 48 states was only 9 times the annual production, Mr. Hollis Dole, then an Assistant Secretary of the Interior, urged greatly expanded leasing of the outer continental shelf, and incentives to attract additional investment capital for oil and gas exploration and development, citing the perils of becoming excessively dependent on foreign sources if we did not—perils that unfortunately have now come to pass.

The third form our energy problem takes today involves the conversion of power plants to coal. Beginning around 1966, and particularly following enactment of the Clean Air Act Amendments of 1970, the establishment of more rarified power plant stack emission standards resulted, indeed necessitated, the virtual elimination of coal as a boiler fuel in many of the greatest load centers in the country. This shifted an enormous block of our fuel demand from coal, the country's most abundant energy resource, to oil and natural gas, the country's least abundant, for the reasons mentioned earlier, two of its most depressed resources. In 1970 the rate of growth in the country's recoverable domestic oil and gas reserves were no longer adequate to accommodate this demand—with immediate result being our sudden precarious dependence on alien energy resources that others had warned against, and the economically distressing alterations of our life styles that its sudden interruption entails, which today we must begin to endure.

Since 1970 electrical generating plants consuming 19 million tons of coal annually have been converted to oil (mainly on the East coast). And the further, previously planned switching, between now and 1975, from coal to oil of plants using 6.5 million tons of coal would increase this coal to oil shift for the period 1970 to 1975 to 25.5 million tons. That would be equivalent to about 92.3 million barrels of oil.

But the pendulum of this problem now just as suddenly swings backwards. The Energy Emergency Bill that was being rushed to enactment as I organized these remarks now mandates an immediate conversion of power plants from oil and natural gas back to coal! Yet the ability of the coal industry to absorb this sudden, immense surge of demand is limited—limited by the impairment this industry suffered from the prior prolonged loss of this same market, by the requirement that this industry provide new supplies of environmentally acceptable low sulfur coal, to adjust to the new constraints of recent underground mine safety legislation, and to discern and eventually adjust to the still unknown requirements of the forthcoming surface mining control legislation.

The Senate passed and the House Public Works Committee is considering legislation to permit the Administrator of EPA to act expeditiously to assure that environmental controls do not aggravate the energy crisis. But Senator Muskie, author of the Clean Air Act, emphasized that relaxation of air quality standards cannot be anything more than an emergency measure of limited duration.

To meet the increased demand for coal, new mines must be opened. A large deep mine producing 5 million tons of coal a year would cost between $50 and $75 million. Nobody will open up new mines for short term sulfur variances. Industry can't go to the financial community and get backing without assurance the utilities will be able to burn the coal.

Research is underway for the development of coal liquefaction and coal gasification processes. For instance, Gulf Research and Development Company has developed a bench model of a catalytic coal liquefaction process that works with eastern and western coals as well as with North Dakota lignite. A bench scale coal liquefaction unit utilizing up to 5 pounds of coal an hour produces a low sulfur (0.07%), ash free, pumpable liquid fuel from North Dakota lignite, at economically competitive costs.

Another research project being studied would integrate the Stone and Webster solution/Gasification Process with the Gulf General Atomic high temperature gas-cooled nuclear reactor. The combined process has the potential for converting essentially all of the coal feedstock into ecologically acceptable fuels. These and other processes under study unfortunately will take time to develop into commercial scale plants and will not be of assistance in our current energy crisis. They are essential for achieving our energy goals for the short term period between now and 1980.

The fourth form of the problem is inadequate refinery capacity. Our oil refineries are currently working beyond their rated capacity, and it is evident that the U.S. needs more refineries. It is evident from the facts, for example, that if we use our refinery capacity to provide the gasoline the nation needs, we cannot supply its homes with heating oil; whereas if we use that capacity to provide the heating oil its homes have to have, we cannot supply the gasoline the nation needs.

In the past two years we have only placed one or two new refineries in operation. A new Gulf refinery went on stream last year in Louisiana which increased Gulf's crude oil refining capacity about 20 percent. Actually we need to complete four or five new refineries a year for the next several years. Construction of a modern, sophisticated, environmentally-acceptable refinery now takes about four or five years to complete and check out prior to production. Fortunately this situation is improving somewhat, the construction of at least 3 new refineries has been announced in the last quarter. These plants costing about $135 million each will have a total capacity of about 600,000 barrels a day. Hopefully they will not encounter environmental delays.

The fifth and last form of our energy problem I will touch on here involves the unfortunate and sometimes unthinking opposition to new power generating facilities. Over the past ten years there has been increasing opposition on environmental grounds to: construction of new coal, oil, or natural gas fossil fueled power plants, construction of new hydroelectric power plants, construction of new nuclear power plants. Everyone has his own illustration of this self-defeating problem, or of the power plant affected by it. I will give you one of mine.

From the standpoint of air and water quality, and often scenic and aesthetic considerations, hydroelectric power is the cleanest method of generating electricity. Consolidated Edison Company of New York's efforts to move forward with its two million kilowatts of hydroelectric pumped storage capacity at Cornwall, New York, was opposed and obstructed by certain environmentalist groups—even though the company agreed to underground and landscape the facilities so they would not be visible, put transmission cables underground, and prevent significant adverse effects on Hudson River fish, either by screening the river water intakes or establishing a fish hatchery. The more than 10-year delay in starting the project tremendously escalated its cost—from $165 million to $400 million today. This additional cost will be borne, not by the opponents of the Cornwall plant, but by the New York City consumers. In the interest of meeting our energy requirements, in the most environmentally acceptable manner, the country's remaining hydroelectric power sites should be developed wherever this can be done without destroying, or in a manner compatible with, their surrounding environment.

As of today, the only source of substantial blocks of power that can be developed with little or no air pollution is nuclear power. I recall testimony presented to the Subcommittee on Public Works of the Committee on Appropriations by a professor of environmental medicine. He stated that anyone living as close to an atomic power plant as is permitted over a 30 year period would pick up 150 millirems of radiation. That sounded pretty scarey. The Chairman asked the AEC about it, and they agreed that that was about right, but they pointed out that you would receive about 200 millirems of radiation from a single chest x-ray. So the Chairman turned to the professor of environmental medicine and said, "What do you have to say to that?" The professor said that was true, but that he was also against chest x-rays, even for diagnostic purposes. Our fears become less irrational when we have such a frame of reference. In this connection, I should remind you that the first detectable clinical effects of complete body exposure to radiation, is in the range of 25,000 millirems and up.

Again with respect to nuclear energy, thermal pollution from light water reactors is greater than from fossil fuel plants of the same generating capacity. On the other hand, the gas-cooled reactors are 22 percent more efficient and operate with about the same thermal releases as the fossil fuel plants. More advanced concepts look even more promising. High temperature, gas-cooled nuclear reactors, for example, combined with a closed-cycle gas turbine would make more efficient use of the heat available than the present low temperature nuclear steam power plants. The large volumes of cooling gas from the high temperature reactor would be used to generate electric power by expanding them through high efficiency gas turbines. Here is a case where aerospace technology experience in closed cycle Brayton systems can make a major contribution to energy conversion systems. NASA—Lewis has undertaken major research in this area since 1945.

Research currently underway to develop a direct cycle gas turbine for application to the High Temperature Gas-Cooled Reactors will not only substantially increase their efficiency but will permit the use of dry cooling towers. When this concept is perfected, nuclear plants can be sited without regard to a source of cooling water and will therefore provide greater flexibility in plant siting.

Also on this subject of environmental opposition to new power plant energy supply, there is the equally strenuous environmental opposition to their essential related or supportive facilities or services, such as the surface mining of the coal they must burn, and the deepwater ports required to unload the supertankers necessary to carry the oil they need, and the refineries essential to process the oil they consume. Also there is the environmentalist opposition to construction of the underground natural gas storage vaults, to meet the peak winter power plant and gas demand, in excess of gas transmission lines' daily carrying capacity.

In the North Atlantic region, where the very restrictive air quality standards adopted required a shift from coal to oil for power plants, and all proposals for deepwater ports to serve the supertankers to comply with this shift met with strenuous environmental opposition. And this occurred despite the recognized fact that an offshore oil terminal would be less hazardous to the environment than an increase in the number of tankers required to meet the new needs of the area. Any proposal for a new refinery meets with organized opposition. I suppose their answer may be to bring the oil in to ports in some other state, and build a pipeline from there across still other states, to meet the needs of their states.

So I believe it is reasonable to say that our current energy problems are the result of frequently well intended but in fact uncoordinated actions by major policy makers or policy influencers—by Congress, the President's Council on Environmental Quality, the Environmental Protection and other government agencies, by environmentalists, by industry, and by a hitherto unconcerned citizenry.

Lack of aggressive action to come to grips with our dwindling domestic oil and gas resources, coupled with a direct attack on the deterioration of air quality resulting from the utilization of high sulfur coal, the only plentiful source of fossil fuel available, has reduced our options for the near and intermediate term.

For the short term, energy conservation, the allocation of available supplies, and relaxation of air quality standards will ease the burden. Last year oil imports cost about $5 billion, and we had a net unfavorable balance of payments of $6 billion. Assuming no significant increase in the price of oil (a big assumption), until recently the cost of oil imports were estimated at $9 billion for this year $10 billion next year, and $12 billion in 1975.

Those estimates were based on normal weather conditions and optimum utilization of refinery capacity. If the winter is even five degrees cooler than normal, if refinery runs cannot be sustained at an average of 97 percent of capacity, or if the level of imports falls three or four percent below our projected average volume of 500,000 barrels per day during the heating season, it was recognized that a crippling shortage would develop. We now know that those estimates, gloomy as they were, were optimistic, or unreal. For there now is no more Middle East oil for us, and the "crippling shortage" we feared is here.

So it is evident that the American era of abundant low cost power is over, at least for awhile, and that a new era of energy paucity is upon us. Admittedly, the near term is not very bright. For the long term, however, I am convinced that once we fathom the full dimensions of our energy dilemma, we can combine energy demands and environmental desires with break-through research and development, to produce the technology to supply our irreducible energy needs, and to sustain the industry and economy that makes America great.

Our own organization, the National Environmental Development Association—and we welcome your support and membership in it—is determined to do what we can to achieve realistic reconciliation of the environmental ideals of America, and the energy supply essential to keep its economy viable and provide an acceptable standard of living for its citizens.

I believe it is clearly evident that the planners, both Federal and non-Federal, must find the best, and most constructive ways of keeping the economy moving. We must seek an accommodation. It is not a question of shall we have either industrial and economic development or shall we have a quality environment. We must have both, for we will not live without either.

The energy crisis will not end with the resolution of the Middle East war and therefore the U.S. cannot return to its previous energy policies. It is now clear that no great nation can be dependent on any nation—friend or foe—for its energy.

I believe that the energy crisis can be shortened if the right long term priorities are established now. The cost will be enormous and the fruits of today's investments will not become apparent for from five to eight years, due to the construction period required for modern power plants, refineries, new oil and gas wells or the opening of a large coal mine.

While energy requirements will have a high priority for new capital, other programs such as housing, sanitation, transportation, educational and environmental control industries will not and cannot be neglected.

Robert C. Holland, a member of the Federal Reserve Board, said that the vast amounts of capital needed to meet the energy crisis during the next 12 years will present the financial industry with a major challenge. He pointed out that these requirements will be in the hundreds of billions of dollars. Whatever the amount it will be considerably more than the industry has ever before needed. The financial community will be confronted by increasing challenges to their capacities to develop innovative financing arrangements.

The solution of these problems must be based on facts, an understanding of alternatives, and above all, a willingness on both sides to achieve an accommodation.

I know that these are your objectives, and I commend your associations for working to achieve a balanced use of our land and water resources.

In conclusion, as we look back over the recent, often tumultuous spectrum and cycle of this controversy—of economy or energy versus the environment—it emerges clearly that there is not, and that there has not been in the American mind, any real conflict between these two indispensable forces.

As we analyze this controversy in the forms it currently takes back in Washington, we see that those who contribute to its solution are not those who urge only one side or the other of this controversy. We see that those who contribute to its solution are those who recognize that both sides must prevail, and that the key to its solution in each instance is a thinking application of new technologies, and a thinking modification of old policies. For it is in this way, and only in this way, that we can bridge and blend together these two great goals, of both environmental and economic growth.

This is our goal, in the National Environmental Development Association.

I thank you for giving me an opportunity to share some of my thoughts with you this evening.

SEMIANNUAL REPORT ON OFFICE ACTIVITIES AND EXPENSES

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. OWENS. Mr. Speaker, as a Congressman, it is one of my responsibilities to be open and candid with my constituency with regard to the manner in which I utilize the funds I receive to staff and run my offices and to carry out my duties as a Utah Representative.

Recently, I decided to close my district office in Tooele because I felt that it was not used enough to justify the expense of keeping it open. I believe the proximity of my Salt Lake office to Tooele, as well as the fact that a staff assistant from the Salt Lake office goes there once a week to help with Tooele County problems, compensates for any inconvenience that might be placed upon my constituents in Tooele County.

I promised to report to my constituency, on a semiannual basis, my office-related activities and expenses. The categories reported herein include my voting attendance record, bills sponsored and cosponsored, staff and office expenses, days spent in the district, town meetings and legislative forums held, and average mail, phone and visitor volume:

SUMMARY OF ACTIVITY AND EXPENSES IN DISTRICT OFFICES—3

(Statistics include average of Tooele Office figures through December 1, 1973)

ACTIVITY	
Personnel:	
Full time	4
Part time	2
Interns (non-salaried)	14
Total	20
Letters received (average week)	120
Letters sent (average week)	95
Telephone calls received (average week)	1,245
Telephone calls placed (average week)	680
Memos (inter-office)	16
Office visitors (average week)	162
Cases (average week)	27

EXPENSES

Equipment and furniture (includes present value of furniture and equipment left by predecessor); (accumulative since January 1973):	
Allowance	$15,000.00
Utilized	14,288.87
Carpets and drapes (accumulative since January 1973):	
Allowance	4,500.00
Utilized	2,350.77

IN-STATE ACTIVITIES

Days working in Utah:	
July	13
August	6
September	9
October	11
November	7
December	4

TOWN MEETINGS

(Including "Meet Your Congressman")

Salt Lake County (11)—Central City, East Bench, Butler, Sugarhouse, Murray, Midvale, Sandy (2), Holladay, Kearns, and Granger.

Tooele County (2), Kane County, Millard County, and Iron County.

SUMMARY OF ACTIVITY AND EXPENSES IN WASHINGTON OFFICE

ACTIVITY

Personnel:	
Full time	10
Interns	8
Total	18
Letters received (average week)	500
Letters sent (average week)	450
Telephone calls received (average week)	450
Telephone calls placed (average week)	[1] 700
Memos (inter-office)	15
Office visitors (average week)	20
Constituent requests (average week)	15
Constituent cases (average week)	9

EXPENSES

Equipment:	
Allowance	$5,500
Utilized	4,567
Equipment leased—per month:	
Allowance	350
Utilized	350

TOTAL SALARY SCHEDULE

Allowance	$94,791.00
Utilized	94,484.99

LEGISLATION AND VOTING STATISTICS [2]

Bills sponsored or co-sponsored	105
Resolutions sponsored or co-sponsored	23
(In percent)	
Voting Attendance Record	90
Attendance Record	87

[1] Includes Government Code and Centrix System calls.

[2] Figures reflect entire 1st session of the 93d Congress.

PERSONAL EXPLANATION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I regret, because of a commitment which could not be broken, that I was unable to cast a vote on Friday, December 21, on H.R. 11333, which included an 11-percent social security increase for recipients.

Had I been present I most certainly would have voted "yea," as I did on the original House bill and every bill in the past which authorized increases in social security benefits.

LOUISIANA CARRIES ON LOVE AFFAIR WITH ALOHA STATE

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MATSUNAGA. Mr. Speaker, the people of Hawaii have loved the beauty of their home for many generations. When a mainlander falls in love with our islands, however, it gives the Hawaiians feelings of pride and happiness. This is especially true when it is a "Malihini" like Mr. George Lehleitner of New Orleans, La., who helped Hawaii to become the 50th State of the Union and who has visited Hawaii many times. He is most gracious in his description of our State, which has long been known for its majestic mountains, magnificent seascapes and marvelous climate. As Mark Twain remarked after his stay there:

Hawaii is the loveliest fleet of Islands anchored in our ocean.

Who would care to dispute such poetic truth?

But Mr. Lehleitner's heart has found its way to the most beautiful thing about Hawaii—its people. The spirit of Aloha abides there for tourists and other Hawaiian people alike. Hawaii has been far more successful than most areas in creating a multiracial paradise where the best a group has to offer is adopted by many others to make life a little more worth living.

I am pleased that my friend from Louisiana cares so much for Hawaii, and am proud to present for inclusion in the CONGRESSIONAL RECORD, a portion of a letter he wrote to a friend in May of this year:

NEW ORLEANS, LA., *May 25, 1973.*

I have been carrying on an outrageous love affair with Hawaii for many, many years . . . and I am most anxious to have other mainlanders share the pleasures of the Islands also.

I continue to refer to "the Islands" whereas in reality I should be saying "the *Islanders*" . . . for the most beautiful thing about Hawaii is not its majestic mountains, or its magnificent seascapes, nor even its marvelous climate. No, Hawaii's richest treasure is its PEOPLE. For it is, to the best of my knowledge, the only place in the United States—and perhaps in the world—where many diverse races with an equal diversity of cultures have been able to live and work together with an amity which must indeed be rare. I would not want to attempt to delude you into believing that Hawaii is completely free of racial bias, for this would not be true. It is, however, entirely true to state that one will find less of it in Hawaii than in any other part of America. And, for me, a pragmatist, who recognizes that man can never obtain absolute perfection . . . he can only honestly strive for it . . . this is enough.

Strangely enough, much of this tradition is traceable to the philosophies of the early Hawaiians who have over the years freely given their blood to the Caucasians, Chinese, Japanese, Koreans, Filipinos, and multiple other races who in smaller numbers have taken residence in Hawaii.

Remarkably, however, not only has Hawaiian blood been widely diffused among the other racial groups who have come to the Islands; the qualities of gentleness and good will to all mankind have been absorbed by the later arrivals as well.

GEO. H. LEHLEITNER.

AN OUTREACH WORKER LOOKS AT DORCHESTER COUNTY

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, December 10, 1973

Mr. BEALL. Mr. President, as the ranking Republican member of the Labor and Public Welfare Committee's Subcommittee on Aging and a member of the Special Committee on Aging, I have a special interest in the well-being of our Nation's 20 million senior citizens. I hold our Nation's senior citizens in a position of great respect for they have toiled long and hard on our Nation's behalf, and they have earned the right to live their retirement years in security, dignity, and independence. We owe our senior citizens a debt of gratitude for they are primarily responsible for the prosperity and the greatness our Nation enjoys today.

I have recently received a copy of a research paper from one of my constituents entitled "An Outreach Worker Looks at Dorchester County." Mrs. Ruby Smith is paraprofessional staff member working with the Maintenance of the Aging Community project. MAC is an areawide model program which encompasses the four lower Eastern Shore counties in the State of Maryland. The project began in July of 1972 as a demonstration project sponsored by the Administration on Aging. The success of this areawide model program, and others like it across the Nation, laid the groundwork for the comprehensive service delivery concept which is contained in the Older Americans Act of 1973.

Mrs. Smith serves as part of a network of Outreach workers who have sought to reach needy senior citizens throughout the lower Eastern Shore. Before joining the MAC Multiservices Senior Center, Mrs. Smith worked as a telephone operator and prior to that as an assembly worker. The attitude and enthusiasm which she displays in her research paper clearly indicates that she finds her current undertaking to be rewarding, stimulating, and helpful to her as well as to those she serves.

Mr. President, I ask unanimous consent that the text of Mrs. Smith's paper entitled "An Outreach Worker Looks at Dorchester County" be printed in the RECORD at the conclusion of my remarks.

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

AN OUTREACH AIDE LOOKS AT DORCHESTER COUNTY

(By Mrs. Ruby Smith)

For the last six months, I have worked as an Outreach Aide for the Multi-Senior Service Center in Cambridge, Maryland. If

you have a few moments, I would like to share some of my experiences with you. First of all, let me give you some background information.

Dorchester County is a small, minute area located on the Choptank River. Although the area is small, a great percentage of it is occupied by the elderly. Who are the elderly? What role does Multi-Senior Service Center play in their lives?

The elderly are classified as persons of 60 years of age or over. They are usually semi-retired or fully retired from their lifetime professions. This does not mean that they are ready for senility or the rocking chair. In contemporary industrialized society old age is a nuisance. A rapidly changing society seldom looks to its aged for guidance for people who were socialized two generations ago and are likely to be behind the time. The compulsory retirement at age sixty-five system is an expedient way of discarding the fossils. The role of the aged is a retirement in which their income is reduced, their responsibilities withdrawn, and their influence undermined. Their main function in life is to divert themselves while waiting to die. The role of the aged is a painful transition. To be successful in the active, adult role, one must develop independence and self reliance, must learn to find satisfaction in useful work, and in being adviser and protector of the young. As an aged person, he must become dependent and submissive, able to respect himself with no useful work to do, and must learn to keep his advice to himself while being ignored or patronized by the young. Is it any wonder that many of our senior citizens sicken and die soon after retirement, while many others become bored and fretful? The rapidly developing field of geriatrics indicated a serious concern with this topic, and the picture may change in the future. Multi-Senior Service Center is one of the many services that is opening for the aged. This program has a genuine concern for our aged and is making every endeavor to create a more comfortable environment for them.

Now that I have given you some background information, I would like you to accompany me on an average working day in Dorchester. First of all, we will visit the home of an elderly lady approximately seventy-four (74) years of age. She is a very active and outgoing person. She is suffering from a few minor medical problems but really has no great financial needs. She does need outside stimulation. She is a fantastic cook and shows great pride in her home. She is very artistic with her hands, most of the accessories in her home are hand made. She just loves company, the pot of soup is always on the stove and the biscuits are always in the oven. She enjoys exchanging recipes, crochet patterns, and different little tales of the day. Naturally, she comes to the center to exchange her ideas with the other elderly. She is truly a great asset to the center. I visit her on a regular basis, I inform her of the events taking place at the Center and she has given me names of other elderly people who need help. Indeed, this visit is a pleasure.

As we turn the corner, we will visit another elderly lady who is in great need of transportation. She lives alone and does not possess an automobile. She is suffering from cataracts and has to visit the eye doctor frequently. Dorchester County does not have a licensed eye doctor, therefore, this poses a great problem for her. I arrange her appointments for her in another county and make sure she has transportation to and fro. She can't see very well, but she thoroughly enjoys the beauty of the countryside as we are driving along. It is like a special treat to her, it is a beautiful feeling to know someone cares. The biggest event of the day is a hot dog and coke at the local Tastee Freeze. She says she never gets an opportunity to get out and eat. Would you believe how much happiness a hot dog and coke can bring someone?

Approximately five miles east of Cambridge, we will find an elderly man that lives alone on a meager $55.00 dollars per month. The gentleman is a proud and dignified older man. He does his best in the daily struggle for survival. Can you imagine how alone he feels at times? Can you imagine the feelings of desolation and helplessness that must flow before him daily? Have you ever been totally alone? My first few visits with him were just to tell him of our service and see if he was in need. He did not know that there was a program for the aged and he did not know that anyone cared about him. I had to talk to him and get him to instill his trust in me, it is a very difficult task for someone to really believe there are people who are genuinely interested in helping someone.

They are always wondering "what is the catch". I told him that all of our conversations would be held in the strictest confidence, for this is very important. A lot of the elderly are such proud, staunch people, they want to have dignity in their community, they would not want their personal lives divulged to the entire community. They do not want anyone to think they have to have assistance from an outside source, they want to go out of this world with their prized possession—their dignity. For some people, the idea of food stamps, is a disgrace. They just have to listen and understand that we are there to help them, not to hinder them. I explained thoroughly to this gentleman about food stamps, medicare plans, and various other aspects that he could take advantage of. He became very interested in this and soon he became much more perkier and willing to listen. Everytime I visited him, he came out of his shell, a little more. He found a friend, someone that cared what happened to him. One day during one of my visits there, I noticed that he did not own a refrigerator, I contacted Social Service and he is now the proud owner of a refrigerator.

We will stop by the Center on Muir Street for a few moments on our way back to town. The Center is a rendezvous for the elderly. The women bring their crocheting, knitting, recipes, and paintings, and the men bring their chess, checkers and pinochle games. The Center provides a lounge area for them, they may sit and chat awhile, they may engage in a good olde hearty game of chess. We have special events set up for the aged at the Center. We have a special day once a week when we serve lunch and show movies and just have a funfilled day. We have fashion shows, flower shows, cooking lessons, economists meetings, and different types of lectures that are scheduled throughout the week. This is their home away from home. If their legs are tired and their bodies weary, they are most welcome to stop by the Center for a period of relaxation. We have several people that just come in and say "hello". They feel comfortable and wanted there. This is very important for the elderly in today's times.

After leaving the Center, we will visit the Cambridge Hospital. There are several people there who just can't wait for a visit. I check on a couple of them for relatives who do not have a way of transportation, and the next day I inform them of their condition. I bring good tidings from their relatives and sometimes someone will drop a little gift off for them. All of these things bring them in contact with the outside world.

After we leave the hospital, we will stop and see an elderly lady who is confined to her room. She has been in this room for four years. This is a pitiful sight. She has no idea of time, weather conditions, world events, or anything else pertaining to the outside world. She has not been informed of the food stamps program, medicare, medicaid, or any of the latest programs for the aged. She is completely lost within those four walls. I help her fill in her forms, check on the latest data with Medicare, read her letters, and look out for her general well being.

It is about the end of the day and I must return to the Center to fill out my reports and make a few calls to Social Service. I hope your stay has been an enjoyable one and I would like to leave you with a few remarks.

During these last six months, I have learned there are people in this world that need help. They are not ringing a false alarm, they are in true need. We think we are the "now generation", but one of these days we are going to become a Senior Citizen.

In our society, today, there is little dignity in becoming old. The scientific accomplishments of industrialized society have prolonged the lives of our aged until most people over sixty-five now have a life expectancy of between ten and fifteen years. But the technical revolution has also brought marked change in the family and in the role of the aged in community life. Like adolescents, the elderly are not needed in the contemporary labor market. The information explosion in all fields has made their knowledge obsolete, and rapid change in culture definitions have even made their morals and manners out of date. At best, the "Golden Age" of senior citizenship means taking it easy in a warm climate and staying out of the hair of the rest of society. More often, they mean poverty, boredom, and loneliness. There is a crucial need to locate meaningful roles for the elderly members of our society and to provide adequate socialization to prepare them for these roles. These include the emphasis on the development of hobbies and activities that may be expanded on retirement. Another trend is the growth of specialized facilities which may provide pleasant living in a society segregated on an age basis. These include housing, either in rest homes or specially designed apartments, recreation centers, often given such names as the Golden Years Club, or even the development of an entire village as a living place for the aged, such as Ryderwood, near Longview, Washington. These trends are already changing the status of elderly people, but at present their role involves difficult adjustments at a time of life when such adjustments are not easy to make, so open your heart up and spread the word to your friends, you are helping to create a better world for you tomorrow.

I have to leave you now, for we have school tomorrow, and I have a lot of work to prepare before 5:00. I enjoyed your company.

PRENTISS M. BROWN, SR.

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. WILLIAM D. FORD. Mr. Speaker, I learned with sorrow recently of the death of Prentiss M. Brown, Sr., a former Member of Congress from Michigan and onetime head of the Office of Price Administration during the Second World War.

Mr. Brown died after a heart attack December 19 in his home at St. Ignace, where he was born 84 years ago. During his long life, he carved out a spectacular career which made him truly one of Michigan's outstanding public servants.

He began his career as a lawyer in St. Ignace, served 12 years as prosecuting

attorney for Mackinac County and during this same period was city attorney for St. Ignace.

In 1932, he was elected as a Democrat to the 73d Congress, and served until November 1936, when he resigned following his election to the U.S. Senate in a special election upon the death of James Couzens. He served with distinction in the Senate through 1942, when he failed to win re-election.

In January 1943, President Roosevelt appointed him Director of the Office of Price Administration, a position he held until October of that year. He then returned to Michigan and became board chairman of the Detroit Edison Co.

Later he served as chairman of the Mackinac Bridge Authority, the State agency which constructed the 5-mile bridge which now links Michigan's two peninsulas.

Mr. Brown was the first Democrat elected to Congress from northern Michigan. He was elected in the Roosevelt landslide of 1932, but broke with the President over Roosevelt's attempt to reorganize and enlarge the Supreme Court in 1937. He became known as one of the Senate's "Young Turks."

A graduate of the University of Illinois in 1914, he was admitted to the Michigan bar that year and served as a member of the State board of bar examiners from 1930 until 1942. He was chairman of the Michigan Democratic State Conventions on six occasions between 1924 and 1940.

Prentiss M. Brown has made a deep mark on Michigan and on the Nation, and his services and accomplishments will be long remembered. I offer my condolences to his wife and eight children and join with his many friends throughout the Nation in mourning the death of this great statesman.

REVISIONS TO 1973 VOTING RECORD

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. HOGAN. Mr. Speaker, the insertion of my 1973 voting record in the CONGRESSIONAL RECORD of December 22, 1973, was in anticipation of expeditious House action on the conference report on energy legislation. As we now know, the House and Senate could not agree on the report after considerable debate and legislative maneuvers.

The House actions of December 21 and 22 necessitate revisions of my 1973 voting record as follows:

Against suspending the rules and agreeing to House Resolution 759, dealing with emergency energy definitions and authorities (D)

Against the House Resolution 759, dealing with emergency energy definitions and authorities (D)

Against the suspending of the rules and agreeing to H. Res. 760, assuring through energy conservation, end-use rationing of fuels, and other means, that the essential energy needs of the United States are met (D)

Against suspending the rules and agreeing to H. Res. 761, changing Title I of the Conference Report on the Emergency Energy Act of 1973 to expire on April 1 rather than May 1, 1973 as stated in the Conference Report (D)

For H. Res. 411, giving the authority to the Speaker of the House and the President protempore of the Senate to call both houses back into session if they deem it necessary (D)

Against agreeing to the resolution on H176 (P)

Against H.R. 3926, a bill to extend the National Foundation on the Arts and Humanities Act (P)

For a bill to authorize for activities of the National Science Foundation (H.R. 8510) (P)

Against a motion to recommit (S. 1435) dealing with an act to provide an elected mayor and city council for the District of Columbia (F)

For a motion to adjourn the 1st session of the 93rd Congress (F)

Change Paragraph One to Read:

Mr. HOGAN. Mr. Speaker, as has been my custom I am inserting herewith in the CONGRESSIONAL RECORD my voting record for the 1st session of the 93rd Congress. Since the session began in January we cast 541 recorded votes. Of these I was unavoidably absent for 14 votes.

Delete: For the Conference Report on Emergency Energy Act of 1973, S. 2589 (P)

IS THERE A NATIONAL PARK IN CUYAHOGA VALLEY'S FUTURE?

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. VANIK. Mr. Speaker, for years we in northeast Ohio have been advocating the creation of a national historical park and recreation area in the Cuyahoga River Valley between Cleveland and Akron. This year, park legislation has been introduced in both Chambers and is cosponsored by about 50 Members of the House.

With the energy crisis, the need for a major recreation area close to millions of city dwellers has become urgent. It is estimated that the valley, with its beautiful, unspoiled greenness and open spaces could provide a lasting recreation area for millions upon millions of Americans.

Yet because this undeveloped land is so close to two of America's biggest cities, it is subject to tremendous pressure from developers. It is imperative that the park be developed before the pressures of urban sprawl destroy the beauty of this historic river valley forever.

I would like at this point, Mr. Speaker, to enter in the RECORD portions of a very fine article by John C. Miller and Robert H. Pettay which appeared in the August 19, 1973, Cleveland Plain Dealer. The article, entitled "Is There a National Park in Cuyahoga Valley's Future?" is an excellent description of the potentials of the valley and the problems facing the creation of a valley park:

IS THERE A NATIONAL PARK IN CUYAHOGA VALLEY'S FUTURE?

(By John C. Miller and Robert H. Pettay)

Harry Bowers has a farm. His small house sits close to the gorge where Route 82 crosses the Cuyahoga River. Despite a natural openness, Bowers has grown to distrust outsiders. Motorcyclists have terrorized his arthritic basset hound and vandals have broken into his corncrib.

The water moves gently through the valley that is Bowers' home. Tangled vines and something resembling Spanish moss are hanging from trees along the river's banks. Waterfowl burst into a pattern across the sky, disappearing behind a stand of maples.

Not long ago, Cuyahoga County built a small sewage treatment station near the edge of the Bowers property. Sounds of birds and rustling leaves now compete with a hum new to the environment. Up on the ridge they may widen the road. That means more and noisier highway traffic.

But despite the instrusions, Bowers has no plans to leave his home in the valley. Across the dirt road from his house is a wide ditch that was once the Ohio Canal. In what is now Bowers' front yard, 17-year-old James Garfield, later to become the 20th president, drove the mules that towed the canal boats. According to valley folklore, young Garfield, in the best Honest Abe tradition, would sit on a grassy part of the towpath reading books while his boat, "The Evening Star," was loaded.

* * * * *

Despite a healthy sense of humor, Bowers is uneasy about the valley's days ahead. The future of the land along the river between Cleveland and Akron is very much in doubt. While investors plan increasing development of the area, many residents and interested outsiders would like to preserve the land in its present state.

The Cleveland and Akron Metropolitan Park System, the Western Reserve Historical Society and Blossom Music Center own roughly 4,000 non-contiguous acres in the valley. An additional 11,000 acres can be preserved if legislation to enact the Cuyahoga Valley National Historic Park and Recreation Area passes Congress. The bill was introduced in April by Reps. John F. Seiberling (D-14, Akron), Charles A. Vanik (D-22, Cleveland), and Ralph S. Regula (R-16, Akron). The proposal asks for $40 million to buy and develop 15,000 acres between the rims of the Cuyahoga River valley south of Rockside and north of Bath Roads.

While debate over disposition of the land goes on, life continues pretty much as always in the forested hills and bottomlands of the upper Cuyahoga. The river wanders as it did when the Indians of prehistory lived along its banks; many of their mounds still remain. Half hidden by steep hills are the weathering stone locks of the canal, first suggested as a trade route by George Washington before the Revolutionary War.

Like New York's Hudson River Valley, the Cuyahoga also has its Irvingesque legends. Valley folklore tells of a heartbroken girl who drowned herself in the shallows of the canal and whose spirit now haunts the towpaths. But unlike the increasingly polluted Hudson, the upper Cuyahoga is an affirmation of life in an urban environment. The valley is home to deer and the red fox.

If the national park becomes a reality, this stretch of the Cuyahoga would have clean water for swimming, boating and fishing, and campgrounds would be connected by about 50 miles of hiking and bicycling trails. Plans have already been drawn for restoring a canal boat to carry visitors on navigable portions of that man-made waterway. And a restored passenger train with steam locomotive may run through the valley, taking skiers and park visitors from downtown Cleveland and Akron to Brandywine, Peninsula Playhouse and other river area attractions.

As part of a living museum for the proposed park, working 19th century villages will be built, rekindling cottage industries ranging from maple syrup production to oil-barreling with pre-Civil War techniques.

But there's more to the upper Cuyahoga than aesthetics and recreation. Said Rep. Vanik:

"A national park in the area could bring

as much as 100 million additional dollars every year to the economy of northeastern Ohio. It will attract sophisticated, clean industries that, at present, are more likely to locate in California or Florida where they can offer employes attractive life styles with many recreational options. If we have the park, we can compete for these industries. Commercial and residential development will follow."

Overly optimistic? Perhaps, but in every case without exception, areas in which national parks are located make big money from local residents, new business and the ever increasing number of tourists.

Cleveland Metropolitan Parks System authorities say land adjacent to its parks is appraised at a higher value than other lots in the same area. The National Park Service reports that in some cases, land adjacent to national parks has increased in value three times above its originally appraised worth.

"Vanik's figure of $100 million is only a guess, but a realistic guess," said Frank Maris, director of research and planning for the Greater Cleveland Growth Association. "When Cleveland opened its new park on Chester Avenue, the land no longer provided direct tax revenue to the city, but the economic spin-offs from the park have more than made up for lost taxes."

And beyond money, there's life itself. Dr. Robert Rolan, director of environmental studies at Cleveland State University, emphasizes that the quality of life throughout northeastern Ohio may depend on preserving the valley as open land, much of it undeveloped.

"First of all, building in a flood plain violates all rules of logic," said Rolan. "The Cuyahoga, like all other rivers, naturally overflows, and you can expect buildings in a flood plain to be flooded.

"Additional development would mean less open ground to absorb water and less water in the ground could cause wells to go dry. The water which had seeped into the soil would now run off pavements and rooftops into the river, increasing flooding because of a higher volume of water."

Over the years, cost of flooding runs into the millions. Increased building results in demands for channeling or straightening a river so that water moves faster and is less likely to overflow the banks. The financial and aesthetic costs of channeling are high.

Another danger to the area comes from the region's natural salt deposits. The ground water and the plant life already have a high sodium content. If new roads are built or old roads widened, the necessary increased salting for ice removal may destroy plant life and poison the water. Salt contamination closed Barberton's municipal water works in 1949.

"If that weren't enough," continued Dr. Rolan, "building on soil made up of shale and mud like that in the valley is just asking for landslides."

Keeping the valley green helps combat air pollution. The trees and groundcover along the river not only filter the air, but also produce oxygen and help to reduce heat generated in urban areas.

Saving the valley by transforming it into a park has long been considered by both the Cleveland and Akron park systems.

"But they never had enough funds to purchase much acreage in the area," said James Jackson, president of the Cuyahoga Valley Association, a group supporting preservation of the region.

Local, non-profit citizen groups have also tried to preserve parts of the valley. While the Western Reserve Historical Society has restored the Hale Homestead, the original farm established by early settler Jonathan Hale, other attempts by similar groups have failed.

"We've been trying to float a restored boat on the canal for the past two years," said James Kuth, president of the Western Reserve Canal and Transportation Society. Working with private funds, the group had hoped to operate an 80-ton boat on the canal. It would carry passengers between Route 82 and Sagamore Road. It was expected the project would become self-supporting.

That stretch of the canal is maintained in excellent condition by the U.S. Steel Corp. The company leases the 40-foot-wide, four-foot-deep channel in order to have a constant water supply for its cooling operations at its mills on Harvard Avenue.

"U.S. Steel won't let us use the canal because they fear an accident might block the channel and prevent water from getting to the mills," said Kuth. "If we could guarantee them $10,000 for every hour the flow of water was stopped, they'd let us use the canal. We can't get an insurance company to even estimate the cost of that kind of coverage."

Even the state couldn't be expected to allocate necessary funds. Gov. Gilligan's proposal to consider the area as a site for Ohio's bicentennial pavilion is entirely dependent upon receiving federal money. But Congress has not yet even considered granting funds to the states for bicentennial projects.

Ohio's efforts at buying public park lands in the area have thus far been limited to one 10-acre parcel. "We have two million dollars presently appropriated to buy land, and might get an additional four million from the state's return on the federal revenue sharing plan," reported Marvin Katz of the Ohio Department of Natural Resources.

"Eventually the state plans to purchase or obtain scenic easements on 14,000 acres in the area. This is independent of any federal proposal, but we're talking about the same land, and we will be prepared to sell it or trade it to the government." How the state plans to buy so much land at the going price with so little money, Katz never attempted to explain.

In 1971, Rep. Vanik, Rep. Seiberling and others of the Ohio delegation introduced a bill to make the valley a national park. But it died in committee.

"I guess you might say we were a little inexperienced with park legislation at the time," explained a Vanik aide, William Vaughan. "We thought the changing policy of the National Park System—the idea of bringing the parks to where the people live—would give us the momentum we needed to clear the hurdles."

Things are different now, explained Rep. Vanik: "Now we have the full support of everyone in the Ohio delegation, and, with Reps. Seiberling and Regula on the house interior committee, we can expect even faster results. Of all the land now being considered for national park status, ours has the best chance of getting it first." Vanik is confident the Congress will pass the proposal. Funds may be available for land acquisition by 1974, he said.

While most people in Cleveland and Akron aren't even aware of the issue, local valley residents have mixed feelings about park proposals.

One resident with very definite opinions is Robert Hunker, head of an architectural design firm in the valley village of Peninsula. His posh combination office-residence disproves that only a simple cottage can achieve an admirable symbiosis with the landscape. Hunker has directed restoration projects of several old buildings in town including the G.A.R. Hall, once a gathering place for Civil War veterans. He is understandably concerned for the future of the area.

"Only the kind of zoning laws you'd have with a national park could guarantee this valley will be preserved," said Hunker.

Meredith B. Colket Jr., director of the Western Reserve Historical Society, agrees: "In recent years, commercial encroachments have altered the area's natural condition. If development continues, there will not be much left of the valley's beauty and quiet charm."

But the idea of parks, zoning laws and government condemnation procedures is upsetting to some people in the area.

"A lot of acreage in this valley has been handed down from father to son," said Hunker. "There's a real feeling for the land here and people don't like the thought of leaving."

An integral part of the House bill is the provision for private ownership of land within the proposed park's boundaries. Membership on the permanent park commission by people from the valley guarantees local residents a voice in the policymaking process both before and after the park is established.

"The resident's right to remain on and continue using the land, within certain limits, is one of the aspects of the bill," said Linda Billings, an administrative assistant to Rep. Seiberling. Some business judged to be detrimental to the environment plus all substandard buildings would be removed from the park, as the bill does allow for condemnation by the government. More exact zoning restrictions and development concepts are expected to be presented at public hearings.

Before the intrusion of the white man, the stretch of the Cuyahoga between the present sites of Cleveland and Akron was part of a near all-water route used by Indians traveling from the Great Lakes to the Ohio River and beyond. Indians canoed up the Cuyahoga from Lake Erie, carried their canoes over the eight-mile-long Portage Path near the present site of Akron, and followed the Tuscarawas River south. Early explorers discovered that centuries of Indian traffic on the Portage had worn a path nine inches deep.

The oldest residents of the valley were mound-building Indians who moved to the bluffs overlooking the river about 600 B.C. It's significant that the Indians chose not to build in the flood plain. Scattered among their mounds are artifacts of Lake Superior copper and Dakota pipestone. A rock bearing inscriptions possibly made by these Indians is now part of the west wall of the Presbyterian church on the square in Independence.

The mound-builders, inexplicably disappeared about 800 A.D., and the valley remained vacant of permanent residents until sometime in the 14th century when the Erie Indians arrived.

The first white explorers reached the Cuyahoga Valley in 1690. As the Indians were pushed farther west, settlers in search of rich farm land came to the valley.

Yet, for many, the hoped-for prosperity never appeared. Cargo ships could not navigate the twisting Cuyahoga, so the farmer's market usually extended no further than a few miles up a dirt road. By 1819, immigration had virtually stopped and the state was near bankruptcy.

The valley's financial savior was the Ohio Canal. Opened on July 4, 1827, between Cleveland and Akron, the canal introduced the valley to trade with New York and the East. Overnight, the price of wheat tripled. Within the next five years, the 308-mile Ohio Canal linked the northeastern part of the state with the Ohio River and New Orleans beyond.

Warehouses collecting produce from nearby farms and saloons catering to tired travelers and brawling crews grew alongside the canal's locks.

Remains of the aqueduct that carried the canal across the Cuyahoga still stand in Peninsula, although the town's five hotels and 14 bars have since disappeared.

The locks could raise or lower only one boat at a time. During busy periods, 70-ton canal boats were sometimes stacked in waiting lines two miles long.

To avoid delays, the boat captains, bedecked in gold-buttoned blue jackets and peaked caps, had hired the dirtiest-fighting

crews they could find to show oncoming boats who had the right-of-way.

Soon after the opening of the canal, Henry Newberry of Tallmadge dug some coal out of a bank of the Cuyahoga, shipped it north on a barge, and found that nobody would buy it. So he gave it away. John Ballard of Cleveland tried a sample in his blacksmith shop. Pleased with the results, he built a foundry by the canal to accommodate coal from the south and iron ore from Lake Superior. Cleveland's steel industry was born.

Halfway through the 19th century, the character of the Cuyahoga Valley began to change. Cleveland and Akron grew into industrial centers. In 1850, the valley railroad was completed, taking business away from the canal, and bypassing many of the towns in the region. With business on the rise in the cities to the north and south, the upper Cuyahoga was left with its farms and scenery.

How about the Nick Mileti coliseum? Now that ground has been broken, it is only a matter of time until the Ohio Environmental Protection Agency agrees to a sewage plan for the project. How will this affect the proposed national park?

"I think Mileti is looking for a foot in the door in this region, said Rep. Vanik. "The coliseum is only the beginning; housing developments will be next."

"The coliseum will probably mean widening roads, especially Ohio 303," said James Jackson of the Cuyahoga Valley Association.

Hunker said that "Mileti has purchased over 290 acres in addition to the coliseum site. Rumor has it, he's already sold a parcel to Holiday Inns. I don't see how the court could give him the right to go ahead with EPA approval."

A much likelier imposition upon the valley is Cleveland Electric Illuminating's plans to string 345,000-volt power lines down the center of the valley paralleling the river and the Chesapeake & Ohio rail line.

"We want to put the lines in the valley because we will receive less opposition placing them there than if we tried to run them through developed suburban areas," said Paul Hayes, the government and community affairs officer for CEI. "And it's too expensive to run the lines underground."

If power lines are put through the valley they could end the area's chances of becoming a national park. The state has no legal jurisdiction over the placement of power lines, neither through the Environmental Protection Agency nor the Public Utilities Commission. And it won't be until next year that the Power Siting Commission, established as a state regulatory agency by the EPA Act of 1969, has the authority to oversee placement of these lines.

"CEI is pushing like mad to get lines up before they come under jurisdiction of the Power Siting Commission," said Norman Godwin, an electrical engineer and chairman of the citizens group known as the Committee on Electrical Power Transmission and Environment. He added that CEI is already drawing up environmental impact studies for other power line placement projects which the company knows can't possibly be developed before the Poker Siting Commission legally goes into action.

"But they're intent on seeing this plan through even though it's possible to put the lines adjacent to wires already in place a short distance away," said Godwin.

But there are two obstacles. The first is the Cleveland Metropolitan Park Board, the second the C. & O.

"In order to follow their plan for stringing these monsters along the river, CEI must cut through 800 feet of land already owned by Cleveland Metropolitan Park," said Jackson. "The park board can say no."

Indeed it can, though in all of the years of its operation compromise with CEI has been the attitude.

A more interesting variable in the power struggle is the C. & O. The line would be smack in the middle of the proposed park. Moreover, CEI needs an easement from the railroad to put up its power lines on railroad right-of-way. And high voltage power lines near railroad tracks often cause interference with the track's electrical signaling system.

There is another threat to the park—water pollution. Vaughn of the Vanik staff feels designation of this area as a national park will increase the likelihood of additional federal funds for water pollution control. While that's probably true, it's unlikely that money would be allocated before the park bill is passed.

"There's the catch," said Erwin Odeal, district engineer of the Three Rivers Watershed District in Cleveland. "The water in the river has to be of a certain quality before the National Park Service will accept administration of the area."

He thinks the water quality of the upper Cuyahoga is acceptable considering present levels of development. "The only time the Akron sewage plant can't handle conditions is during heavy rains when the river would be high and people wouldn't be using the area much anyhow."

The big problem as Odeal sees it is the extension of the sewage lines from the Cleveland Southerly plant to just north of Route 82. This is already planned by Cuyahoga County, and a similar extension of sewerage lines north from Akron is likely. Said Odeal: "The extended sewerage lines will be a reality in less than two years. If the lines are in before land is purchased for the park, much of the area will be lost to heavy development."

"The additional run-off of rain water could be enough to increase pollution levels in the river beyond standards acceptable for the park," said Charles Watkins, executive director of the Lake Erie Watershed Conservation Foundation.

Even more damaging to the park's chances would be the need for flood control should the area south of Tinkers Creek incur additional development. "Something's got to be done right now about flood problems in Independence," said Barry Pritchard, resident engineer of the Army Corps of Engineers. The Corps plans on some degree of channeling in the river north of Tinkers Creek.

Time is running out on the upper Cuyahoga. The valley is the target for development as urban sprawl crawls south from Cleveland and north from Akron.

Like some kind of unwelcome preview of what may come to the valley, scars of past and present intrusions are visible.

The northeastern Ohio chapter of the Sierra Club and other concerned groups periodically sponsor cleanup campaigns along the river. The real danger, is, of course, permanent development. What can you do to help preserve the valley?

"For one thing," said Hunker, "write your Congressman, but perhaps even more important ask your friends, particularly out-of-state friends, to write theirs. And don't forget that CEI, the railroad and other institutions are certainly sensitive to public opinion."

HON. HENRY GONZALEZ RECEIVES THE B'NAI B'RITH HUMANITARIANISM AWARD

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. TEAGUE of Texas. Mr. Speaker, several weeks ago, the B'nai B'rith Association in San Antonio presented our colleague, the Honorable HENRY GONZALEZ of San Antonio, with their Humantiarianism Award for a "life dedicated to public service."

The following news article outlines Congressman GONZALEZ' accomplishments and I wish to add my congratulations to him. It has been a pleasure to serve with him here in the Congress:

TIMELY HONOR FOR GONZALEZ

Congressman Henry B. Gonzalez will be given B'nai B'rith's gold medallion for humanitarianism at a dinner Saturday evening here.

The congressman is only the second San Antonian ever to receive the award. The other was Sylvan Lang. A House colleague of Gonzalez, Rep. Charles Vanik of Ohio, will speak at the meeting.

The medallion will be presented to the congressman for "a life dedicated to public service." Specifically, the citation will note Gonzalez' sponsorship of an ordinance when he was a city councilman that ended racial segregation in the city's parks and playgrounds, his influence in the defeat of the Bracero program that imported Mexican nationals at the expense of jobs for U.S. residents, and his effective work for local projects requiring federal assistance.

The honor is timely and merited.

THANKSGIVING, ECUMENICISM, AND THE ENERGY CRISIS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. BINGHAM. Mr. Speaker, in my home community of the Riverdale-Kingsbridge section of the Bronx, an ecumenical service is held each year on Thanksgiving Day morning. Twenty years ago, only the Protestant churches and a liberal Jewish congregation were involved. Since then the Conservative Synagogue has joined in, as have several of our Roman Catholic parishes.

This past Thanksgiving, the service was especially moving. It was held in St. John's Roman Catholic Church; about 10 clergymen of different faiths participated in the service; and the sermon was delivered by Rabbi Chaim Pearl of the Conservative Synagogue. Rabbi Pearl is from England and he began his remarks by saying that, not only was it remarkable for a rabbi to be preaching in a Catholic church, but it was also remarkable for a Thanksgiving Day address to be delivered by an Englishman.

At my request Rabbi Pearl gave me the text of the remainder of his sermon, which I commend to my colleagues and other readers of the CONGRESSIONAL RECORD as being especially appropriate in this time of the "energy crisis":

Europeans have a few strange notions about Americans. One such notion is that they are bad at improvising. That is, Americans find it difficult to do without the things they are accustomed to have, or to do with less than the amount they normally consume, or to use a temporary substitute for material which is no longer available. By comparison, so it is argued, European nations who have faced shortages and depravations of one kind or another—particularly in times of war—have had to cut their consumption of supplies in relation to the new conditions of the crises they have had to

face. Where the American economy is wasteful, that of other countries is spartan. Where the American people have a built in obsolescence in their manufactured goods, others make their items last and last for years. I don't know how valid such a criticism is. Like so many social observations it is subject to different interpretations. But from time to time we get the feeling that much of the criticism is justified. Our American economy has pampered us to an unhealthy degree. We have become so accustomed to the good things in life that we really believe that they are normal and we demand them as our right. But I think that we could learn much and gain much by doing without the surplus and wasteful layers of a luxury oriented economy, which is frequently bad for the body and harmful to our spiritual health.

Somewhere in our celebration of Thanksgiving 1973 we should become sensitive to the need for a change in our life style. In any case, whether or not we become active and willing partners in such a change; change there will be. And it will be brought about by the force of circumstances in the different world in which we now live.

Modern society has created for us the huge problem of an industrial technological culture which creates its own dynamism so that the more technology we have the more we invent, and the more we become governed by our inventions.

However, we use more technology at enormous material and spiritual expense. The current energy crisis created by the short supply of oil is illustrative of the problem we have made for ourselves. The Arab political ploy in cutting back oil production is not the cause of the energy crisis. It may in fact be the result of the energy crisis. The fact is that we are using more oil today than ever before and at the present rate of increase we could double our needs by 1980. Oil even in the oil soaked regions of the Arab middle east is not an unlimited commodity. Sooner or later those oil wells will be used up. With the increasing demands for more and more energy, the chances are that the wells would be exploited to the last drop in another 2 decades in any event. It is good economic policy for those nations to keep their oil under the ground for as long as possible. The price can be increased so there is no loss of revenue to the oil producing nations, and the scarce commodity can be kept longer.

It has been made clear enough by now that to meet the present energy crisis which will remain with us—with or without the Middle East conflict—we have to do a simple thing. Demand less oil, which means using less gas, less electric power, less mileage in our cars, less fuel consumption all around.

But the indications are that we find it very difficult to do with less. Government spokesmen so far have only talked about the need for conserving energy. As yet they have shown a fascinating reluctance to act. Why? Because it involves lowering our standard of living. There's the rub. We would all have to lower our standard of living.

Would this be such a bad thing? I think not. In fact it might do us all a great deal of good physically and spiritually. Our homes are terribly overheated in any case. To reduce the thermostat by a few degrees will give us all less colds, and our house plants will produce healthier blooms. By walking a little and driving less we can enjoy more of the fresh air and engage in vital exercise. Air lines can drastically cut their overlapping competitive flights and in saving enormous quantities of fuel can decrease the air and noise pollution of our cities. It is suggested by some enthusiasts that without any real hardships we can cut our oil consumption by as much as 30% of our present demand. This may be an exaggerated and over-optimistic estimate, but it is clear that if each responsible member of our society reduced by a small fraction his consumption of energy—the saving would add up to millions of barrels of oil a week.

That we would be healthier as a result goes without dispute. Our water would be purer. Our lives would be refreshed. By preserving more and polluting less we would live healthier, more natural and therefore happier lives.

My point is that some shortages might actually be good for us. It is not our shortages but our surpluses which hurt us. Our cars are too much, we gulp too much gas, there is too much noise, there is too much newsprint. A newspaper article with a message that can be expounded without difficulty in 2000 words or so spills over into 10 pages in the New York Times with all the boredom of repetitiveness and the pains of literary constipation. That example is a symbol of our wasteful life style. We need to cut down, slow up, stay home, eat vegetable soup and call up old friends once in a while. It is argued that Americans have been able to handle adversity. It is prosperity which is the danger. The voice of America is the strident singing commercial. Buy more, consume more, get more things, even if you can't afford them. "Wouldn't you really rather have a Buick?"

We have all become victims of the modern industrial technological syndrome in which we are all consumers. We devour the things produced by others and the more things we have the happier we believe we should be. So we have created a thingolatry—a civilisation which worships things. But there is another important aspect to all this.

A deliberate re-emphasis upon a simpler more natural pattern of life will not only demonstrate our individual and national capacity to make small sacrifices. But it will do more. It will compel us to adopt a more sensitive and finer set of values.

Consider what sort of people were those pilgrims who marked their first Thanksgiving. Of the 102 passengers who landed on Plymouth Rock, 51 died within the first six months. Their graves had to be kept level with the ground in order to save them from desecration and to keep from the Indians the knowledge of the frightful toll of casualties. Not a single family had been spared from death. The survivors lived on the fringe of starvation in a hostile unchartered world. They never knew what it was to have enough or to be secure. They stood alone against the forces of nature and man. These were the people who gathered to give thanks to God for His blessings.

Why did they give thanks? Well, among other things they thanked God for their own lives, for fair health, freedom, family, a home, work, companions, a little more to eat and clothes to wear.

Today we have so much more that by comparison we live like princes in gilded palaces. I don't know if we feel a deeper spirit of thankfulness but we certainly have proper cause for such. We here in America represent the most fortunate section of mankind. Most of the world's teeming population are not so blessed.

It should be natural and easy for us to give thanks. But in truth our appreciation for what we have comes only at widely separated moments. Thanksgiving Day is such a precious moment.

But giving thanks requires wisdom also. The question is what is the cause of our gratitude. To answer such a question calls upon our sense of values. Let us sort out our priorities. Life, health, friends, a home, work; these are the things that alone are of importance. Let us learn to rejoice in them and while we have them to embrace and cherish them for all we are worth. Life is good. Life is abundant. God is merciful. His miracles are with us every day. It is only that we take them for granted too much. We cross a busy road. There is no law that we must reach the other side. We go into a restaurant, eat food prepared by unknown hands. We fly thousands of miles and our lives are in charge of an unknown pilot with all the frailties of human nature. We go to sleep at night and wake in the morning. When someone doesn't wake up we think it strange. The strange thing is that most of us do wake. God's miracles are indeed with us night and day. In an old rabbinic ethic the followers are called on to bless God with 100 benedictions a day. But those lines of gratitude are for the simple things in life that we all take for granted.

One of the spiritual lessons of Thanksgiving will enable us to become aware of the real blessings we have—minds that can think, hearts that can love, hands that can lift, loved ones to whom we matter, freedom to grow and to quest, friends to converse with, books to read, music to hear, art to see. These are the things that make for happiness and call forth for our thankfulness. Not one of them is priced beyond our means. Not one of them will be affected by an energy crisis. Not one of them is associated with a call for a lower standard of living. The other things are the unessential baggage of our burden of life. But these are the elements of life itself.

So then, my message today is one with two sides. First, we can use the energy crisis of the time to improve our life style. Doing without some of the material things we have become used to will do us a lot of good—physically and spiritually. Secondly, as a continuation of this we are called upon to pay regard to the things that really do matter—the blessings of life and health and daily work. A wise man suggested that every man should place himself at zero and then reckon every degree ascending from that point as an occasion for thanks.

A countryman of mine—a son of a noble family—had a family motto—"Think and Thank". The message of that motto can well serve as a reminder of this two fold message. Think and Thank.

THE ENERGY CRISIS

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. COHEN. Mr. Speaker, a little over 100 years ago, James Russell Lowell, one of the most distinguished men of letters of 19th-century America, observed:

It is by presence of mind in untried emergencies that the native metal of a man is tested.

Lowell's message has not been dulled by the iron tongue of time.

In many respects, the energy crisis presently confronting the Nation represents an "untried emergency." The pervasive nature of the crisis threatens not only every facet of American life, but also calls into question the basic tenets upon which our society was founded and has prospered. This Nation has literally been developed without any restrictions due to lack of energy or mineral resources, while operating under the illusion that these resources were infinite. For far too long, we have failed to grasp the fundamental notion that energy is basic, and that in the absence of adequate supplies, our trillion dollar economy, our unprecedented standard of living, and our leadership in world affairs rest on a tenuous foundation.

To the majority of Americans, the

energy crisis represents a confounding experience. While accepting the reality of the shortage, they cannot comprehend why it was thrust upon us so suddenly, what its future impact will be on American society, and what decisions will have to be made to meet the challenge posed by the crisis.

ENERGY MYTHS

In order to understand the complexity and pervasiveness of the problem, it is essential that we first dispose of a number of illusions relative to the energy crisis. In the first place, we must realize that the energy crisis is not a temporary emergency. Our deficiency is a deepening long-term impasse that is certain to affect every facet of American life for at least the next decade. While it is a laudable goal, it is questionable that we can achieve energy self-sufficiency by 1980, as the energy industries need 6- to 10-year leadtimes to increase production to a level that will be adequate to our ever-escalating demand. Moreover, the planning and development of alternative sources of energy is a complicated business, not amenable to instant analysis or simplistic solutions.

It is also essential that we come to grips with the realization that the end of the "fossil fuel era" is approaching. We can no longer afford to ignore the reality that we have fixed resource boundaries, and that radical changes in our oil-based economy cannot be denied any longer. The era of cheap, abundant oil is over, and the sooner we accept this fact, the sooner we can get on with the task of developing alternative energy sources.

Another illusion that has surfaced with the onset of the energy crisis concerns the relationship between the shortage and our efforts to clean up the environment. Many have contended that concern for environmental values is incompatible with the development and use of our energy resources. The simple truth is that our efforts to clean up our air and water can in no way be categorized as a primary cause for the energy crisis. It has aggravated the situation—but it has not caused it. Environmentalists have warned for years that the gluttonous use of our energy resources would exact a stern price on our society if consumption were not moderated. We have now come to realize the foresight and wisdom of these predictions.

It would also be an illusion to blame our energy deficiency entirely on the Arab oil boycott. The crisis was imminent long before the Persian Gulf nations' closed the spigot on the United States, and it would be with us even if the oil embargo were to end today. The boycott simply brought to an explosive point a crisis that had been simmering for almost a decade, and which had erupted quite visibly as early as 1969.

Finally, we must dispel the notion that stringent, mandatory conservation measures are not necessary. While I am hopeful that rationing can be avoided, we must formulate effective waste elimination programs and policies designed to check our profligate use of energy. It is nothing less than a national tragedy that we waste at least one-third of the energy we consume. The average American uses as much energy in just a few days as half of the world's people on an individual basis consume in 1 year. It is critical that each of us redefine what is an essential use of energy, and moderate our excesses accordingly.

SOURCES OF ENERGY

In seeking a fuller understanding of the energy crisis, it is useful to quickly survey the sources of energy at our disposal, and the prospects for their development in the future.

OIL AND GAS

At the present time, oil and gas are responsible for three-quarters of our current energy needs in the United States. In 1970, 86 percent of the energy consumed in Maine was in the form of petroleum products. However, the prospect that oil and gas will meet the anticipated demands of the future is not encouraging. Even with the oil from the trans-Alaskan pipeline, estimated to rise to 2 million barrels per day by 1980, domestic production of oil will not exceed 12 million barrels per day, leaving a balance of 18 million barrels per day to be imported in order to meet estimated 1985 consumption levels. An Atomic Energy Commission report has shown that Arab oil will have to supply as much as 20 percent of our needs for the next 15 years, regardless of what the United States spends on alternate forms of energy. U.S. reserves of oil and gas are limited, and if we were to depend only on domestic sources, experts have predicted that our reserves would be exhausted by the year 2000. While it has been estimated by the Department of the Interior that there could be as much as 7 trillion barrels of oil trapped in shale in the Western States—enough to make this country energy self-sufficient for hundreds of years—a pressing need exists to further develop the technology to extract this oil without doing irreparable harm to our environment.

It seems clear from these facts that our own oil and gas resources are limited and we cannot afford to base our energy policy upon the shifting sands of other nation's passions or policies. The experiences of the Arab oil embargo and exorbitant price increases demanded for this oil of recent date, serve to vividly underscore the inadequacy of such a policy. Therefore, it is incumbent upon us to realize that oil and gas cannot adequately meet the anticipated demands of the future.

COAL

Coal, which accounts for 18 percent of the total energy consumed in this country, is in plentiful supply in the United States. While reserves are adequate for the future, concern over the expanded use of this energy resource chiefly centers on extraction and effluent problems. The extraction of coal not only scars the environment, but can be both unsafe and unhealthy. Unfortunately, environmental damage does not end with extraction. Much of the U.S. coal supply, particularly in the East, has a high sulfur content, which must be removed before combustion.

Nevertheless, we must consider coal a promising fuel for the future. It is vitally important that we press forward to further develop the technology associated with the processes of coal gasification and liquefaction. By 1990, coal could be supplying significant amounts of gas and oil if enough capital is forthcoming, ample water for the manufacturing process is available, and the safety and environmental problems attendant to extracting coal are solved.

NUCLEAR ENERGY

Nuclear energy, at once one of the most troublesome and promising new energy sources, presently accounts for only about 1 percent of our total energy consumption. In view of the fact that it takes 8 to 10 years to get a plant on the line in full operation, it can only be helpful to our energy situation in the long run. At present, 39 nuclear-powered generating plants are in operation, 55 are under construction, and 90 are on order. By 1980, it is estimated that nuclear energy will provide about 7 percent of the national demand for energy.

While many questions need to be asked and answered before full development of nuclear energy can proceed—such as how the hazards of thermal pollution, reactor accidents, and disposal of radioactive wastes can be reduced to an acceptable minimum—this source of energy holds great promise for the future.

SOLAR ENERGY

Solar energy's potential has been long underrated, but is quickly gaining advocates in the scientific community. Direct conversion of solar energy is possible by allowing the solar radiation to act as a heat source or by using photocells which produce an electric current when exposed to light. At the present time, utilization of this source of energy is almost nonexistent.

Although costs are likely to be high, the clean, renewable, and abundant nature of solar energy will provide strong incentive for extensive utilization in the future. Federal funding for solar research has increased fourfold this past year.

HYDROELECTRIC POWER

In consideration of alternative sources of energy, it is my strong conviction that we must have a thorough reexamination of the potential of hydroelectric resources, including tidal power. At the present time, about 70 percent of the hydroelectric power potential in the United States remains untapped. Put another way, an existing resource that could yield almost 500 billion kilowatt hours of electricity annually remains undeveloped.

In the past, the chief obstacle to the development of new hydroelectric resources, or the redevelopment of existing projects, has been expense. But the economics of energy production is undergoing radical change and this may prove to be far less expensive than other energy sources.

In recognition of the foregoing, I recently wrote to President Nixon requesting his support for a reexamination of the potential utility of hydroelectric energy. As we proceed to mold a future energy policy for this country, priority consideration must be given to nonpol-

luting, renewable, and available sources of energy.

WIND AND GEOTHERMAL ENERGY

Wind and geothermal energy are also being considered as alternate sources of energy, but research in these areas is in the embryonic stage. Limited amounts of geothermal energy are already being tapped, and account for about 0.1 percent of our present electric power capacity. In addition, scientists are exploring the possibility of converting chicken waste into methane gas.

As can be seen from the foregoing discussion, the development of new sources of energy will be neither easy nor immediate. There are substantial environmental, economic, and technological obstacles that must be overcome. For the present we have no choice but to rely on the more efficient use of available conventional fuels.

THE CAUSES OF THE ENERGY CRISIS—SHARING THE BLAME

More than any other single factor, our prolific demand for energy is responsible for the present shortage. Americans have been overheating, overcooling, and overlighting their businesses and residences for years. While we have only 6 percent of the world's population, we nevertheless manage to consume over 35 percent of the world's energy. By comparison, this is twice as much as West Germany and Great Britain consume, and 4½ times the level of consumption in Japan. In 1972, petroleum demand alone grew by 7.2 percent, and demand in 1973 has been running 1.2 million barrels per day ahead of last year. Put in another perspective, our demand for energy continues to increase at a rate far in excess of population growth, while supply has tightened considerably.

But demand has not been the only culprit. A serious lack of refining capacity has also led to our energy problems. Only one major refinery has been built in the United States since the late 1960's. Even if we could import all the crude oil we needed to balance supply with demand, our present refineries could only process about 13 million barrels per day, which is some 6 million barrels less than we are presently consuming daily. It has been estimated that to meet demand by 1985, the equivalent of 60 new refineries, with a daily capacity of 9 million barrels, must be constructed.

As stated earlier, environmental laws may have aggravated the crisis but have not caused it; in protecting the quality of water and air, certain trade-offs have been necessary. But we cannot afford to retreat from our overall commitment to a clean environment. We can take no pride in the fact that we can catch raw sewage in our rivers but not salmon. The goal of achieving energy self-sufficiency is not incompatible with a livable planet.

The oil industry can share a good deal of the blame for the energy crisis. As late as 1972, it refused to acknowledge that crude oil stocks were insufficient to meet anticipated demand. Moreover, for years the industry used its political and economic muscle to thwart efforts to remove import quotas. Even more disappointing, there is evidence the major oil companies may be using the crisis as a vehicle for driving many independent oil dealers out of business. Today, we still are not certain of the severity of the crisis because the oil companies refuse to disclose their reserves.

The ad hoc, diffuse, and often conflicting governmental approaches to energy policy must also be held accountable for our present dilemma. To date, Government responses to the energy problem have been crisis oriented, fragmented, and short term in scope. Energy policy has consisted of a myriad of laws, regulations, actions and inactions, without any consideration of the need for an integrated comprehensive national energy policy. The people of America have every right to expect their Government to act decisively and wisely in public policy matters, and the Government has clearly failed to meet this responsibility on the energy issue. Instead of leadership, statesmanship, and rational judgment, we have witnessed policymaking on the run.

In addition, the need for a mandatory allocation of petroleum products was evident a year ago, yet the administration time and again rejected the notion. The Congress gave the President standby authority to implement a program of mandatory allocation in April, yet it was not until the Persian Gulf nations closed the oil spigot and congressional passage of the measure was imminent, that the administration yielded in its opposition.

It should not, therefore, be surprising that the American people are disillusioned and bitter over the recent turn of events. They have listened to a parade of promises, numerous pronouncements, and addresses to the Nation with little meaningful followup, a lobbyists' convention at congressional hearings on emergency energy legislation, and staggering profits by the major oil companies who now object to any restrictions on the size of those profits while the consumer is told to tighten his belt, drop his thermostat, lower his speed, eliminate Sunday driving and recreational activities to help America meet the crisis and hold the line on inflation. In a year that has already severely tested the strength and resiliency of the American people, it is highly unfortunate that Government efforts to address the problems inherent in the energy shortage have been so feeble and inadequate.

PROSPECTS FOR THE FUTURE

While no one can escape from some share of the responsibility for the energy crisis, the solution does not lie in assessing blame. At best, pointing an accusatory finger is counterproductive, and can only impede our efforts to address the problem rationally and effectively. This is clearly a time when candor and a cooperative spirit must prevail, uninhibited by self-serving and parochial motives.

The immediate concern of this country centers around the short-term availability of fuel supplies. There is little that can be done to increase supply before the end of the decade, and our options have been narrowly restricted. For now, the only answer to our energy deficiencies is to stretch supplies through dampened demand. The degree of Government intervention needed to achieve this aim is largely contingent upon the willingness of consumers to voluntarily cooperate in conserving energy. To date, this response has been encouraging.

While an early settlement in the Middle East might result in increased Arab oil production and a resumption of sales to this country, it is important to realize that renewed imports would still not totally close the gap between supply and present demand. Until we are able to develop new energy resources, it is quite likely that radical energy conservation measures will be necessary.

From a long-term perspective, there appears little relief in sight for at least the next 10 years. Refinery construction takes 3 years, the creation of deepwater ports 5 years, and the development of an oil field 5 years. As noted earlier, the development of nonconventional fuels promises to take even longer. Due to the long leadtimes involved, it is essential that we take up the challenges immediately. Long-range planning and accelerated research by both the Federal and private sectors are necessary to reach solutions in an orderly manner. The national interest will only be further jeopardized by additional delays.

A NATIONAL ENERGY STRATEGY

I cannot overemphasize the urgency of the need for a comprehensive national energy strategy. Energy policy has been poorly defined for years, and we are now reaping the inconveniences and hardships emanating from our past mistakes. Although there is something inherently bad in formulating public policy in the midst of a crisis, we have no choice but to proceed at once in defining the steps necessary to meet the short- and long-term implications of the energy crisis.

During the later part of 1973, the President and the Congress began to respond definitively to the energy crisis. Passage of the trans-Alaskan oil pipeline, a mandatory allocation program, and a bill providing for year-round daylight saving time, represent important steps forward in meeting the challenge posed by the energy crisis. The House and Senate are becoming an "energy-oriented Congress," and 1974 is certain to yield additional legislation increasing funds for energy research and development, streamlining and reorganizing the Federal institutional structure for energy matters, and coordinating existing programs and policies so that an integrated and unified Federal response will be forthcoming to the energy crisis. The President's proposal to spend $10 billion on energy research and development programs over the next 5 years represents an additional affirmative response to the crisis.

The administration's recent announcement that a standby system for nationwide gasoline rationing has been set up is also a positive and necessary undertaking. While none of us hope that rationing will be necessary, it is nevertheless important that the machinery be in place and operable in the event that it might be needed. More importantly, it is essential that a rationing program be structured so as to recognize the special needs and circumstances of the people

who are heavily dependent upon their automobile for their livelihood.

The chief aim of a national energy strategy should be to keep the economy operating as close to full employment as possible, and minimizing the inconvenience and hardship resultant in energy shortages. The policy must be flexible enough to recognize special circumstances and must provide significant leeway to encourage State and local governments to develop their own energy conservation plans and means of utilizing energy resources. Moreover, Federal economic and technological assistance must be freely available to these units of government. Most importantly, a national energy strategy must be forward looking, taking into consideration the acute interplay between energy and our political, social, and economic institutions and policies.

In the final analysis, it is possible that the current crisis may—in the long run—prove to be a timely and invaluable lesson for America. As one national magazine put it: "Energy flows through the society like a network of uncharted streams." The ripple effects of the energy shortage have brought this fact of life to the surface with glaring emphasis. To be sure, this "untried emergency" presently confronting the Nation will severely test the "presence of mind" and the "native mettle" of each and every American. I am confident that America will not be found wanting.

GEOTHERMAL ENERGY: A PARTIAL SOLUTION TO OUR ENERGY CRISIS?

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MATSUNAGA. Mr. Speaker, last fall, a House Science and Astronautics Subcommittee held extensive hearings into the potential for harnessing the heat of the Earth, geothermal energy, to meet America's burgeoning energy needs.

Under the leadership of the University of Hawaii and with the cooperation and enthusiasm of other State and county agencies, the Hawaii geothermal project has begun to investigate geothermal sources on the Island of Hawaii, the so-called Big Island, with subsequent surveys slated for all major Hawaiian islands. After geophysical exploration, plans call for construction of a 10-megawatt geothermal pilot plant for the dual purposes of power distribution to Hawaii and international study by scientists and engineers.

In a recent edition of the magazine Honolulu, University of Hawaii Engineering Dean John Shupe explored the potential and the pitfalls of geothermal energy, particularly in Hawaii, and looks to a future when geothermal resources might supply a significant part of our country's energy demands.

I include the article to be printed in the RECORD at this point:

HARNESSING THE HOT ROCKS

(By John Shupe)

Does Hawaii's answer to the energy crisis lie in the tremendous amount of geothermal energy stored in these islands by volcanic activity?

It just might.

Our island state, with its total dependence on imported fossil fuels, is particularly vulnerable to the global energy market and this is a travesty.

There are few areas in the world so generously endowed with natural energy—wind, wave, solar and geothermal. And all are potential nonpolluting power sources.

The Hawaii Geothermal Project has been organized to develop a candidate from these natural sources with the greatest likelihood for an early payoff. Initial exploration for a usable geothermal resource will concentrate on the Big Island but subsequent geophysical surveys will cover all major islands in Hawaii.

Geothermal energy, simply defined, is the natural heat of the earth. Most of this heat is buried deep within the earth's core and can't be used effectively. However, there are certain regions (including the active volcanic area of the Big Island) where this heat is concentrated relatively near the surface and may be tapped as a potential source of power. These hot spots can exist as molten magma, hot rock, hot water or geothermal steam. Throughout recorded history the interface of these anomalies with the earth's surface in the form of geysers, fumaroles and hot springs has provided limited utility to society.

The first major use of geothermal energy as a power source originated in Italy in 1904 when dry steam from the Larderello geothermal field was expanded through a conventional turbine to generate electricity. Since then geothermal power has been developed in geyser fields in California, New Zealand, the Soviet Union, Japan, Iceland and Mexico.

The total geothermal power capacity throughout the world today stands right at 1,000 megawatts—A unit of power equal to one million watts—very nearly equal to the 1,015-megawatt generating capability of the Hawaiian Electric Company on Oahu. However, the technology for utilizing geothermal energy is in its infancy and current estimates from the U.S. Department of Interior predict that this country alone may be generating 100,000 megawatts of geothermal power by 1985.

This upsurge of interest in geothermal resources results, in part, from the energy crisis. The United States, with 6% of the world's population, consumes more than 33% of the world's energy. Unless the pattern changes, by 1985 some 20% of this energy must come from the oil-rich nations of the world, mostly in the Middle East. So whether our motivation comes from concern over power blackouts, gasoline rationing, $20 billion annual deficits in balance of payments, environmental degradation or political and economic pressure from those nations with excess energy, we must develop inexpensive, non-polluting, domestic alternatives.

The University of Hawaii is the lead agency for the Hawaii Geothermal Project but other state and county agencies are playing important roles in the program. There's a great deal of enthusiasm among faculty and staff on both the Manoa and Hilo campuses and 54 researchers have assisted in identifying 38 research tasks related to the exploration, generation and utilization of power in Hawaii. Assisting me with management of the project is George Woollard, director of the Hawaii Institute of Geophysics, and John Craven, dean of marine programs.

The 38 research teams are grouped into three programs. The geophysical program, with Gus Furumoto in charge, will determine if and where usable geothermal resources exist. The engineering program, under Paul Yuen's direction, will develop technology for the generation and distribution of power from the source. Bob Kamins is supervising the environmental and socioeconomics program.

A review of the magnitude of the research program (as well as the conviction that much of the geothermal technology developed in Hawaii would have application for many parts of the Mainland) led to a major proposal for research support from the National Science Foundation.

An initial grant of $252,000 was received from NSF in May of this year which will be supplemented by $200,000 from the state and Hawaii county to implement Phase I of the project. The majority of the effort in Phase I will be for geophysical explorations, with limited support for engineering and socioeconomics studies.

Additional federal support is anticipated to assist in the development of technology to construct a 10-megawatt geothermal pilot plant on the Big Island which will be well instrumented and designed to be environmentally pure. In addition to providing on-line power for distribution on Hawaii, the pilot plant will form the nucleus of a geothermal laboratory in Hawaii and will be available for observation and study by scientists and engineers from around the world.

Initially the Hawaii Geothermal Project was called the PELE Project in honor of the Hawaiian goddess of fire and in recognition of a number of appropriate acronyms, such as Power Extraction from Lava Energy. But this title was dropped at the request of the Congress of Hawaiian People, an organization that is also trying to establish ownership rights for the Hawaiian people to all geothermal resources.

It's our feeling on the project that, no matter how the ownership issue is resolved, it will be to the advantage of that owner (as well as to all citizens of the state) if our geothermal resources are located and the technology developed for early generation of power.

In our search for a new project name, it was the agile mind of Atherton Richards, one of the early proponents of geothermal power for Hawaii, who suggested *Wela Wela Pohaku* which means hot rock. The term is even more prophetic of later phases of the program when, rather than limiting the study to geothermal steam or hot water, we will endeavor to develop direct energy conversion techniques for extracting power from molten magma.

This project is haunted by the memory of an unsuccessful 1961 effort of the Magma Power Co. of California to drill wells for the commercial generation of steam on the Big Island. We are continually reminded by doubting *kamaainas* of this abortive attempt in which four test wells were drilled along the Puna rift, two of them in the vicinity of the 1960 Kapoho eruption. None of these wells produced significant amounts of steam. However, they were shallow holes—from 180 to 700 feet deep—and the majority of producing wells in the world are thousands of feet deep. So our geophysicists aren't at all discouraged by Magma's earlier venture.

The optimism that geothermal fluid does exist on the Big Island was reinforced recently by a drilling program in Kilauea National Park, again funded by NSF. This hole is being drilled for scientific rather than commercial purposes to check out a theory that a hot spot exists approximately 2,000 feet below the surface.

Early drilling results appear to support this theory and, although this particular site can't be used as a producing well, the likelihood that similar spots occur outside park boundaries is excellent.

What will be the impact on the Big Island and the rest of the state if large amounts of potentially inexpensive and nonpolluting energy are discovered? That's quite a question and one which our socioeconomic program will look into in some detail. Mayor Kimura of Hilo and his staff, particularly Lloyd Sadamoto, director of the county department of research and development, will work closely with the project in the preparation of social and economic models.

Currently, the peak power demand for the Big Island is around 70 megawatts. By contrast the geysers geothermal field is developing new power capacity in excess of an additional 100 megawatts each year. If a geothermal field of this magnitude is found, the pressure to utilize this resource will be tremendous.

Will it cut Big Island power rates? Will it stimulate Big Island industry and, if so, which industries—agriculture, aquaculture, extractive industries from the sea or processing of maganese nodules?

Will it be possible to bring this energy to Oahu, either with an inter-island electric grid or through the conversion and transport of hydrogen? Will the state become a net exporter of energy, again through transporting liquid hydrogen converted through electrolysis from sea water by geothermal energy?

Obviously, the answers to these questions will require concerted efforts in scientific, technological, societal, legal and political areas. The Hawaii Geothermal Project has been successful, to date, in obtaining the cooperation and support of all elements of the public and private sectors. State and county agencies, the National Science Foundation, our congressional delegates, Hawaiian Electric and the Hilo Electric Light Company, and faculty and staff from 14 departments and research institutes at Manoa and Hilo are all involved in bringing geothermal power to Hawaii.

It would appear that, as far as the future of geothermal energy, is concerned, when you're *wela wela*, you're *wela wela!*

CUNY WOMEN FILE SEX DISCRIMINATION SUIT

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Ms. ABZUG. Mr. Speaker, today the largest sex discrimination suit ever brought against a university was filed against the City University of New York in the Federal court, southern district, and I fully support this action. The suit, brought by the CUNY Women's Coalition, alleges that women are discriminated against in every possible aspect of employment. The coalition estimates that the suit will cost City University at least $40 million in back pay and damages.

At a press conference at Freedom House, Dr. Lilia Melani, coalition spokeswoman, charged:

The University has institutionalized second-class citizenship for women. We are conspicuously absent from positions of power and prestige, and our doctorates are worth $1,300 to $3,000 less per year than those of men.

According to the coalition, this suit is a response to the university's refusal to take any substantive actions to ameliorate the discriminatory conditions under which women work. The university has to date ignored charges of sex discrimination filed against it with HEW and EEOC by the coalition and individual women.

The suit deals with discrimination in hiring, initial appointment, salary, promotion, tenure, maternity, pension benefits and other terms and conditions of employment. The changes necessary to remedy current and past discrimination suffered by women will involve total restructuring of university policies "to eliminate the old-boys-club way of doing things," stated Dr. Clara Melman, a plaintiff.

The suit is being brought under title VII of the 1964 Civil Rights Act and section 1983 of the United States Code, on behalf of the 5,000 women faculty in City University.

In her statement, Ms. Melani said:

CUNY WOMEN'S COALITION

The purpose of today's press conference is to announce that the CUNY Women's Coalition has filed a class action suit against the City University of New York for sex discrimination. The suit has been filed in the Federal Court, Southern District, under Title VII of the 1964 Civil Rights Act and Section 1983 of the United States Code. The Coalition is being represented by the noted labor lawyer Judith P. Vladeck, Esq.

More important than the fact that the suit has been filed is the reason why women brought this suit, the largest class action charging sex discrimination ever filed against a university. Simply because of this: wherever we look in the University, we see men to the right, men to the left, men to the front—and women to the back.

Although women in City University have credentials that equal or exceed those of men, although they perform the same functions, appointed at the lowest ranks and usually regarded as inferior and treated as inferiors, at every level and in every aspect of University life.

At the department level, women are appointed at the lowest ranks and usually remain there. Fifty-nine percent of all the women faculty in City University are in non-tenure-bearing ranks. Even in fields where there are large numbers of women, men find no merit in women candidates. In 1972–1973, the English department at City College had 54 tenured men and only 5 tenured women; it should be noted that the City University itself has awarded 19 women but only 14 men the Ph.D. in English.

The departments are run by chairmen, and I mean chairmen. Consider the decade from 1963–1972. In the senior colleges, 84% of the chairmen were men; at the community colleges, 81% were men. Department appointments committees are also predominately made up of men. But then men in the University will tell you that chairmen and members of the appointments committees are elected democratically by members of the department. But are they? First, nearly 70% of the faculty is male. Second, and even more critical, is the fact that the majority of women are in ranks that exclude them from voting for, let alone serving as chairmen or members of the appointments committee. As a lecturer I cannot vote for my department chairman or appointments committee, although I have a Ph.D. and have been in the English Department at Brooklyn College for over ten years. The democratic traditions of this country do not include government without representation; there is no democracy for woman at the City University of New York.

The University has institutionalized second-class citizenship for women. We are conspicuously absent from positions for power and prestige, and our doctorates are worth $1,300 to $3,000 less per year than those of men. Even if women are hired at the same title as men, they are generally hired at the lowest salary step. It takes women longer to be promoted than men, particularly from the assistant professor to the associate professor level. A study by HEW of my department established that it took women two times longer to be promoted than men with comparable credentials. We can only assume that the men making promotion decisions felt that women's credentials were worth only half those of men's.

The discrimination against women follows them even when they retire. The pension plans treat women differently from men. The immediate response is, women live longer than men. But whites have a different life expectancy from blacks, Christians from Jews, why not divide the population into these categories? The reason is immediately apparent: because it would be discriminatory to do so. Currently women either pay more into their pension plans to get the same benefits at retirement as men or pay the same amount into the plan as men but receive lower benefits. However, the living expenses for women are the same as men's, working or retired. Rent and food cost me as much as they do a man, and I suppose that the same will hold true when I retire.

Because of the inequitable treatment of women as professionals and the indignities perpetrated upon women as a sex in City University, we are demanding redress, which, in financial terms, will require at least $40,000,000 in back pay and damages.

In 1620, on this very day, December 21, the pilgrims came to this country in search of religious equality. Continuing this tradition, we the women of City University are also seeking equality, except that ours is a search for equality with men.

Mr. Speaker, it seems incredible that more than a half-century after women won full citizenship under the Constitution, they should still be the victims of such pervasive discrimination and should be forced to resort to the courts to obtain justice.

TRIBUTE TO ERNEST PETINAUD

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. GIAIMO. Mr. Speaker, it is a pleasure to join with my colleagues in paying a well-deserved tribute to our mutual friend, Ernest Petinaud, who is retiring after serving the House of Representatives ably and faithfully for many years as maitre d' of the House restaurant.

Every Member of the House has a genuine affection for Ernest, whose warm and genial personality endeared him to us all. During the 15 years that I have had the privilege to know Ernest, I have been impressed by his constant ability to remain cheerful and tactful no matter how trying the circumstances became in the restaurant. His good humor and innate courtesy were with him always, and he made life more pleasant for all who came in contact with him.

As Ernest retires, Mr. Speaker, I want to take this occasion to express my deep

appreciation and my gratitude to him for his many thoughtful kindnesses to me, my family, and my guests. Ernest has been a true friend over the years to us all and a close personal friend to me. We shall miss him.

In the years head, I wish for Ernest and his loved ones, an abundance of good health and happiness. I hope that our paths will cross again.

THE UNIVERSITY IN THE UNCERTAIN SEVENTIES

HON. CLARENCE J. BROWN
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. BROWN of Ohio. Mr. Speaker, following is a copy of the address given by Dr. Robert J. Kegerreis on the occasion of his inauguration on November 27, 1973, as the second president of Wright State University, which is located in my congressional district at Dayton, Ohio.

Dr. Kegerreis assumes his duties as Wright State begins the second decade of its existence. The university is one of the 10 outstanding institutions of higher learning in my district, and I am extremely proud of the great strides and accomplishments it has made in its first 10 years. The next decade holds even greater promise for the university's growth.

The address follows:

THE UNIVERSITY IN THE UNCERTAIN SEVENTIES

(By Dr. Robert J. Kegerreis)

NOVEMBER 27, 1973.

I have greatly appreciated the greetings which have been addressed to me today and for the expressions of support which have come to me during recent months.

Every university and college in Ohio looks forward to the remainder of this decade of the 70's with mixed feelings. On the one hand most of these institutions have successfully weathered a pressure-packed transition period in which they left behind somewhat reluctantly the spectacular growth period of the 1960's and entered the relative stability of the early 70's. But there is uncertainty ahead. Historic patterns of enrollment are shifting. Fewer male students are registering at universities than has been the case heretofore.

The entire set of variables with which university administrators contend has developed a greater fluidity and unpredictability than we'd like. Inflationary pressures strike heavily at the universities and our total costs rise faster than traditional modes of income support can follow.

But this is not an occasion today for wringing hands or for crying wolf. It is more appropriate for expressions of confidence and strong resolve. Wright State University is still brimming with youthful vigor, and in many ways confident about its future both in terms of its place in the university system of Ohio and in the support expressed by the citizens of this area. In view of the conspicuous trend, in which universities are moving in the direction of service to their communities, this historically good relationship with its neighbors which Wright State has developed bodes well for us in the uncertain 70's.

Indeed, one of the most rewarding aspects of approaching the Presidency of Wright State is the knowledge that there is a demonstrated record of consistent public support for the university. It began with a spectacular burst of enthusiasm 10 years ago in the remarkable fund drive which furnished $3 million to the University of Dayton and another $3 million to Wright State.

To use the somewhat sterile language of the financial analyst, that $3 million investment had very significant leverage because the value of the university buildings alone today is in excess of $40 million. But the important element to recognize is that a high level of community support continues today!

In this connection it gives me great pleasure and satisfaction to announce today that the Thomas B. Fordham Foundation has given $500,000 to the new medical school at Wright State. The Presidents of our cooperating institutions—Dr. Lionel Newsom of Central State University, and Dr. Phillip Shriver of Miami, both of whom are here today—have agreed with the donor to allocate this magnificent gift to the establishment of the Fordham Medical Library at the new school.

I believe there is significant, as well as historical interest in the fact that seven years ago another local family fund had a central role in the building of the university's main library. At that time the Kettering fund gave more than a quarter of a million dollars to accelerate the acquisition program of the fledgling university library at a most critical point in its development. In a few minutes we shall dedicate the handsome new library building but implicit in our celebration is the recognition of both the significance and the essentiality of these local private gifts to this public university. Public funds are not enough to build a first-rate public university. There should be, indeed there must be, private funds available for a variety of programs and facilities if new State universities are to reach the level of quality which citizens expect. We have happily received such support.

Wright State has undeniably enjoyed a brilliant first decade. It owes a debt to its pioneer faculty and staff, a young, hard-working, admirably enthusiastic group; and to its first president, Dr. Brage Golding who experienced the joy and pain of leading the university through the turbulent early years. And also to Fred White, our senior vice president and first employee; and a further debt to the persevering trustees and to the generous public of western Ohio and the greater Miami valley.

But the first decade is past. Given this background, where does the university go and how does it go as it enters the last six years of the 1970's—those "uncertain seventies"?

HOW DOES IT GO?

Wright State University is still growing and should reach 15,000 students by 1980. The current growth rate is modest—it allows the university to plan carefully and to undertake only those new programs which can be justified on the basis of evident student need and mangeable risk. At the same time, the mission of a modern urban university is to provide new analyses and approaches to pressing social problems when it can be demonstrated that the university is clearly the best equipped institution to forge a coherent response.

The State University must tread a precisely defined track in these complex matters. It is an educational institution, not a social agency. It does not undertake social action—it undertakes social research. It develops educational programs, not political programs—it may study politics but it should not be *in* politics. It may properly study religions and the experience of religion in society but it may not reach. It may offer courses in philosophical, social, religious, and political doctrines, but it must not indoctrinate.

These limitations are really not restrictions upon the university's mission—rather they are bases for the liberation of the university. By adopting these fundamental concepts, the university is able to safeguard the environment of the scholar, to shield the teacher from unwarranted interference, to protect the researcher, to insure academic freedom—the indispensable ingredient. In other words, only by being responsible and accountable can the state university maintain its public support while avoiding absolute public control. There is a very delicate balance between the independence of scholarly thought on the one hand and the accountability to society on the other.

"Where does the university go"?

Taking into account the emerging strengths of the university, the academic areas of growth and promise, and the probable demands of our regional society—I have attempted to synthesize and summarize four goals of the university.

First, further bolster and develop our already comprehensive baccalaureate programs in the humanities, social sciences, the arts, basic and applied sciences, in the business disciplines, in education, in the health sciences, and in the allied health fields including environmental sciences.

Further, we seek to do our part at our Western Ohio Branch Campus and on the main campus to accelerate our development of selected two-year programs both those of terminal character and those which may lead later to the baccalaureate.

Second, very carefully and judiciously develop new graduate programs. We have a State-supported community college in Dayton which has effectively absorbed what would have been a considerable growth in our freshmen and sophomore classes. We consider Sinclair Community College as our partner in this regard and are working closely with them. Not having to care for further expansion at the entry end of our system leaves us free to respond more exactingly to expanding needs at the graduate level, where we experienced a 15% increase in students this year. In terms of the ratio between graduate and undergraduate students, we are tied for second in the State, just behind the Ohio State University. One in five of our students is at the graduate level, and the proportion is increasing.

The Greater Dayton Metropolitan area is noted for its intensive concentration of industrial firms and defense related establishments of a highly technological nature. The graduate programs can be seen in this light to be avenues for retreading, for reorientation, for beginning second careers, and for expanding one's professional career opportunities.

These citations are evidence of the fact, as well as the policy of the university, that our academic programs reflect our public service objective, that we respond legitimately to demands from our service area. This concern will be our guideline for further growth and development of graduate programs in close consultation with the chancellor, his staff and with the board of regents. We fully realize and we concur in the need for considerably more attention to be given in the future to the criteria and justification for proposals for graduate education.

Third, is to respond deliberately and forthrightly to the conspicuous need for education in the health sciences and in closely related disciplines. There is no social field in which higher education is more clearly called upon for intelligent planning and preparation. No doubt remains that the patterns of basic health care are going to change importantly during the time of the careers for which our students are now training.

Wright state has begun its response. Our school of nursing is underway, as are our baccalaureate programs in medical technology and in environmental health. These program areas are almost certain to grow in the years ahead.

And then there is the new medical school. The plan for the Wright State University School of Medicine which we are currently implementing in cooperation with Central State University and Miami University recognizes very clearly the conspicuous need today (and for an unknown number of years ahead) for primary care physicians.

For the first time a medical school has been established for the express purpose of concentrating on community medicine, on family practice, on primary care, on the emerging concept of the health care team which almost inevitably must be managed by a primary care physician. This medical school and its students will work throughout their educational experience in close touch with the community, in neighborhood clinics, in disadvantaged areas, in doctors' offices, and in the existing hospitals of the area to enable our students to become eminently aware of community medical practice and problems. They will be encouraged by a variety of environmental influences and educational designs to stay in greater numbers than ever before in the field of family practice and community medicine. In saying all this we acknowledge that Ohio could not support a plan for a medical school such as ours without the continued existence of the more comprehensive programs offered at the established medical schools at Case Western, Ohio State, University of Cincinnati, and the Medical College of Ohio.

Finally, regarding the new medical school, there has been nothing in my experience in higher education in which I have believed more deeply or about which I have been more confident, both as to its efficacy and as to its rewarding investment potential for Ohio taxpayers.

Fourth, is to concentrate more of our planning resources of perhaps the greatest challenge on the horizon for higher education—the growing realization that lifelong education will become a virtual necessity by the end of the century. In a new book called "Patterns for Lifelong Learning," published just two weeks ago, Hesburgh, Miller, and Wharton put the issue succintly in this way:

"Educational offerings will be expanded to accommodate an increasing demand for external degrees, individualized off-campus study, correspondence study programs and other modes of reaching the varied interests of students. While this growth will be welcome and should be encouraged, much more has to be done. Educational means must be multiplied and made more accessible than is now the case."

As a partial response, Wright State hopes to announce before the first of the year a major step forward in our cooperative program to offer courses and workshops that will upgrade and keep professionally current the engineering and science community in this region. But there is more to do. Chancellor Norton, in speaking to a class of June graduates at Kent State University this year said:

"In all probability you will have a continuing involvement with higher education deeper than any college generation before. Simply to keep in your field, you will probably be renewing your educational involvement with universities from time to time."

At Wright State we realize that we're probably going to encounter some new problems as we make higher education available and attractive to nonconventional students, but we must keep trying—the costs of errors are within limits and the potential for satisfaction on both sides is well worth the risk.

These then are our four immediate objectives: Further to refine our undergraduate programs, to enlarge judiciously our graduate educational programs, to develop greater capabilities in the health sciences, and to make significant strides in offering lifelong educational opportunity at Wright State.

In all these endeavors I shall encourage my colleagues at the University to be alert continually for the potential for joy and personal pleasure in university service, for the small daily satisfactions, for the saving grace of humor.

One thing more. Both Wright State University and I are used to uncertainty, to stress, and to success that is tempered by occasional failure. We look to the remainder of the uncertain seventies, not with apprehension or timidity, but with zestful anticipation, with an actual eagerness to begin the University's second decade. We see the period ahead as one in which Wright State, working hard to reach those four primary goals, will become recognized as a regional university of the first rank.

I pledge myself enthusiastically to the task and I call on all those assembled here for their support.

Thank you.

A TRIBUTE TO THE HOUSE LEADERSHIP

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MATSUNAGA. Mr. Speaker, as we await the final rap of the gavel to adjourn sine die the first session of the 93d Congress, permit me to congratulate the distinguished Speaker, Mr. ALBERT, the distinguished majority leader, Mr. O'NEILL, and the distinguished majority whip, Mr. MCFALL, for their demonstrated outstanding leadership during the past year.

As a deputy majority whip, I have had the invaluable experience of working closely under them and with them, and to feel the pulse of the House as it undertook to resolve the issues of the day. At no other time during my 11 years in this august body did I sense among the Members a closer awareness of what was pending in the House of Representatives.

The formation of the House Democratic Policy and Steering Committee, the beefing up of the whip organization and system with three additional deputies, and the institution of the innovative "Whip Advisory," all helped to make the 93d House of Representatives one of the best informed of them all.

I am sure the chief deputy whip, Mr. BRADEMAS of Indiana, and my colleagues, the other two deputy whips, Mr. WRIGHT of Texas and Mr. FULTON of Tennessee, share this conviction with me.

Although thoroughly handicapped by an uncooperative, most veto-minded Executive in modern history, the 93d Congress will nevertheless be recorded as having made great accomplishments in its first session. In the fields of aid to the aged, the disabled and handicapped, the unemployed, the poor, social security, and retirement benefits, vocational rehabilitation and education, advancements have been made despite the constant threat of a Presidential veto.

A most notable achievement was the overriding of the President's veto to enact a law curbing the war powers of the President. As a consequence we find after too long years, our Nation at peace with the world with no danger of future prolonged Executive wars.

Another historic achievement of the House is its passage of the Budget and Impoundment Control Act of 1973, which has every potential and promise of restoring the legislative branch of our Government to its rightful balance of power with the Executive.

I have no doubt whatsoever that we will overcome the energy crisis and that we can look to bigger accomplishments in the second session of the 93d Congress under the leadership of ALBERT, O'NEILL, and MCFALL.

WHITE HOUSE WORSHIP SERVICE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. TEAGUE of Texas. Mr. Speaker, on Sunday, December 16, my wife and I had the pleasure of attending the White House worship service conducted by the Reverend Dr. Billy Graham. I was much taken with the thoughts advanced by Dr. Graham and would like to share them with others who were not privileged to attend this service:

SUNDAY CHURCH SERVICE, DECEMBER 16, 1973

Reverend GRAHAM. Shall we pray.

Our Father, we thank Thee and praise Thee for this time of season when we can gather together and think of good will and cheer, but most of all the joyful news of the gospel that brings with it its news of forgiveness and transformation, both of people and societies. And we pray together in this house that Thou wouldst bless our President, his family, the members of this household, the friends that are gathered here today, the Nation, the representatives of our Nation throughout the world and we pray that at this Christmas season we may hear once again the voice of Christmas, for we ask it in Christ's name. Amen.

Our scripture today is taken from Luke's gospel, the second chapter beginning at verse eight. Perhaps the most familiar passage that all of us read at Christmas time. "And there were in the same country, shepards abiding in the field, keeping watch over their flock by night, and lo an angel of the Lord came unto them and the glory of the Lord shown round about them and they were very much afraid. And the angel said unto them, 'Fear not, for behold I bring you good tidings of great joy which shall be to all people. For unto you is born this day in the city of David, a Savior who is Christ the Lord, and this shall be a sign unto you. Ye shall find the babe wrapped in swaddling clothes lying in a manger.'

"And suddenly there was with the angel a multitude of the heavenly host, praising God, saying, 'Glory to God in the highest and on earth peace, good will toward men'."

Mr. President, Mrs. Nixon, Mr. Vice President, Mrs. Ford, distinguished guests, I am highly honored to be here today and to have the privilege of spending a part of Christmas at the White House, and I feel a little bit like a story my brother tells about a mule that a man down in Tennessee entered in the Kentucky Derby. And they said, "Well, do you expect your mule to win the Kentucky Derby?"

He said, "No, but look at the company he will be in." (Laughter)

And I feel this is the most distinguished company I have ever been in for a country North Carolina preacher, that I have ever been in at Christmas time and I am very grateful for the privilege.

That song the chorus sang so beautifully a moment ago, as most of you probably know, was written about 100 years ago by an assistant minister of a church in Oberndorf, Austria. The rats had eaten out the bellows in the organ and they weren't going to have any music on Christmas Eve night and he was deeply concerned about it. So he sat down and wrote a little poem and took it over to the church organist and he said, "Put some music to this and you and I will sing it as a duet tonight."

And that was Silent Night. Never dreaming it would go around the world as one of the great Christmas carols of all time.

1973 has been a very convulsive year in American history and millions of Americans at this moment are confused, discouraged, cynical, frightened and disillusioned. It has been a year marked by the death of two former Presidents, the second inauguration of President Nixon, the end of the American military involvement in Vietnam, the fury of Watergate, a devastating war in the Middle East which brought the world very close to Armageddon, and now the energy crisis, and each day seemed to add to our problems.

And in the midst of all this upheaval and crisis, and difficulty and problems and fear, comes the message of Christmas with all of its hope, good will and cheer. And I think the message of Christmas has been terribly misapplied and misunderstood for many years in this country.

Some think of business profits, shopping, gifts, tinsel, toys and celebration. Others think only of Bethlehem, of the star in the sky, shepards in the field and angels singing. Still others cynically ask, "Where is this Prince of Peace in a world filled with so much trouble?"

But the real Christmas message goes far deeper. It answers all the great questions that plague the human race at this hour. The Christmas message is relevant, revolutionary and reassuring to us in this room today. I believe it can be summed up in three words, a cradle, a cross and a crown.

First the cradle. On that first Christmas night the Bible tells us, as we have just read, about the angel coming to those fearful shepards and saying, "Fear not, I bring you good news." What is the real meaning of that good news?

During World War II, many a mother would take their son and try to keep the memory of the father who was away at war in the memory of that boy. And one mother I heard about took her son every day into the bedroom and showed him a large portrait of the father who was away. One day the little boy said to his mother, "Mom, wouldn't it be great if Dad could just step out of the frame?"

That is what happened that first Christmas. For centuries men had looked into the heavens longing for God to step out of the frame and at Bethlehem that is exactly what God did.

Incredible and unbelieving as it may appear to modern man, the Bible teaches that Jesus Christ was a visitor from outer space. He was God incarnate. That virgin born baby was God in human form. He humbled himself, he took the form of a servant. He was made in your likeness and mine. He identified himself with the problems of the human race and thus it was that the Apostle John wrote, "The word was made flesh and dwelt among us, and we beheld his glory as the only begotten of the Father."

In the early days of the 19th century, the world was following with fear and trembling the march of Napoleon across Europe and day after day they waited with impatience for the latest news of the wars. And no one was paying any attention to the babies that were being born.

In just one year, lying midway between Trafalgar and Waterloo, there came into the world a host of heroes. During that year of 1809, listen to the people that were born in that year when everybody was taken up with the problems of Napoleon. Gladstone was born in Liverpool, Alfred Tennyson was born, Oliver Wendell Holmes was born in Massachusetts, Frederic Chopin was born in Warsaw, Mendelssohn was born in Hamburg and Abraham Lincoln was born in Kentucky.

But nobody thought of babies, everybody was thinking of battles. Yet 154 years later with a truer perspective the years enable us to command, we can ask ourselves which of the battles of 1809 were more important than the babies of 1809.

What a difference the baby born in Bethlehem's manger 2,000 years ago makes to our world today. The educational systems he has inspired, the social reforms that his teachings have instituted and the transformation of families and lives that have come about as a result of a baby born at Bethlehem.

The whole world was thinking of Caesar, the whole world was thinking of Rome, but in God's eternal plan he was thinking of a baby in a manger in a little tiny town of Bethlehem.

Secondly, there is the cross. Christmas to have meaning cannot be separated from the cross. The angel said at the birth of Jesus. "He shall save people from their sins." Jesus himself said, speaking of his death, "To this end was I born." He was the only person that has ever been born in history that was born with the purpose of dying.

The Apostle Paul years later said, "Christ Jesus came into the world to save sinners."

The central message of Christmas is that Jesus Christ by his death and resurrection can transform both individuals and society, almost everyone at some time or another feels moral guilt and failure. It is like the little boy who said, "Guess I was born wrong."

Every newspaper or magazine that we pick up and every newscast that we catch, we see a picture of hate, and lust and greed and prejudice and corruption manifesting themselves in a thousand ways. The fact that we have policemen and jails and military forces indicates that something is wrong with the human race, something is radically wrong with human nature. Every time I board an airplane they search my luggage and they even search my clothes on some occasions, especially in Europe today.

And we ask ourselves, "What is wrong? Why can't we solve our problems? Why can't the world find this peace that this Prince of Peace was supposed to bring?"

You see man is actually a paradox. On the one hand, there is futility and sin, on the other, there is goodness and kindness and gentleness and love. On the one hand, he is a moral failure and on the other hand, he has the capacities that would relate him to almighty God. No wonder the Apostle Paul called this moral failure the mystery of iniquity.

The Bible teaches that the human race is morally sick. The disease has affected every phase of our life in society. The Bible calls this sin by an ugly three letter word, "sin".

Dr. Karl Menninger, the noted psychiatrist, has just written a book that startled some of his friends entitled "Whatever Happened or Whatever Became of Sin." It is beginning to dawn on many of our intellectuals on both sides of the Atlantic that something is wrong and that something wrong could be sin, the Biblical sin, the original sin that the Bible talks about.

When President Nixon was a boy, they used to sing a song that I am sure he would remember, "There is Power in the Blood." I expect he could play it on the piano if we asked him to.

The Bible teaches that the only cure for sin is the blood of Christ on that cross. Every Catholic and Protestant church celebrates communion. When we put the wine to our lips, it is the symbol of that blood that was shed and one of the most prominent aspects of the worship of ancient Judism was the shedding of blood to make atonement for sin.

The word "blood" symbolizes life, a life that was given. Christ became the lamb of God that was shed and died on the cross for our sins. The cross and the resurrection stand today as man's only hope.

It was on Good Friday and Easter that God did for man what man could not do for himself. From these momentous events God is saying to sinful man, "I love you, I love you so much I gave my son."

But he is saying more than that. He is saying, "I can forgive you because of what he did on the cross."

And this is good news at this Christmas, but we must also do something. God did his part by giving his son, the great Christmas gift, God's great gift to the human race. But we must do something. We must humble ourselves, we must admit our sins. We must admit that we are moral failures and turn to him by faith. We must say as the publican did, "God have mercy upon me, a sinner."

The scripture says, "A broken and a contrite heart God will not despise."

If we as individuals here today and we as a Nation would humble ourselves and turn from our sins, God has promised forgiveness, healing to the Nation and eternal light to the individuals. This is the good news that the world is morally, psychologically and spiritually longing for.

Some of you may dismiss it as idiotic and ridiculous that a man dying 2,000 years ago could be relevant today. The Apostle Paul anticipated that we would say that because he said, "The proclamation of the cross is, I know, nonsense to those who are involved in this dying world. But to us who are being saved from that death, it is nothing less than the power of God."

Ladies and gentlemen, I believe that America stands on the threshold of divine judgment, morally, socially, economically, politically, and spiritually. We are in deep spiritual trouble. We have turned away from God and every month seems to take us further away from the only one who can reverse the tide, forgive our sins and forestall the imminent judgment. We must alter our course if we are going to see many more Christmas seasons as a free people.

We must reorder our priorities. We must remake the unjust structures that have taken advantage of the powerless and broken the hearts of the poor and the dispossessed.

We all admit that we need more sweeping social reform and in true repentance we must determine to do something about it, but that even as good as it is, is not our greatest need.

Our greatest need is a change in the hearts of people. That is why Jesus said, "You must be born again." That is why he said, "Except Ye repent, Ye shall perish."

The Apostle Paul in his famous sermon at Mars Hill said, "God calls upon men everywhere to repent and he hath appointed a day in which he will judge the world."

Who should repent? Everybody. This is what the cross calls for, the heart of its message is simple, repent or perish.

Thirdly, there is the crown. There is more to Christmas than the cradle and the cross. There is also the crown.

Chiseled into the cornerstone of the United Nations building is a quotation from the Bible that has never yet been fulfilled and it was the quotation that President Nixon put his finger on in his first Inauguration

in the Bible and it reads, "They shall beat their swords into plow shares and their spears into prunning hooks, nations shall not lift up sword against nation, neither shall they learn war any more."

This is a thrilling thought. It has often been repeated by men who long for peace and many of those men wonder why peace doesn't come. However, this quotation must not be taken out of context. The passage speaks of the time when the Messiah will reign over the whole earth. This is the era of which Jesus taught us to pray in the Lord's Prayer, "Thy Kingdom come, Thy will be done on earth as it is in heaven."

This is the time when he who came as the baby of Bethlehem shall come back as King of Kings and Lord of Lords.

Queen Victoria once heard a preacher preach on that subject and she said, "I wish he would come in my lifetime so I could lay my crown at his feet."

One hundred and 13 years ago a great French chemist said, "Within 100 years of physical and chemical science. man will know what the atom is. It is my belief when science reaches this stage, God will come down to earth with his big ring of keys and will say to humanity, 'Gentlemen, it is closing time.' "

The Bible teaches us that there will be a close to history as we know it. Man will have his last Armageddon but, when it seems that man is about to destroy him, God will intervene. Christ will return.

At the cradle he was in the stall of an animal. At the cross he wore a crown of thorns, but when he comes again it will be as commander-in-chief of the armies of heaven. He will take control of this war weary world and bring the permanent peace that we strive for and long for. A new world will be formed, a new social order will emerge. Many people wonder why it has taken so long between the time he came 2,000 years ago for all of this to be fulfilled. Why didn't he do it the first time?

Well, something had to be done about our sins so he died for our sins the first time. Why has it taken 2,000 years now of war, trouble and trial and difficulty and death and suffering and sorrow for this peace to come?

You remember in World War II there was D Day and then there was V day and in between there were many long months and thousands of casualties before the final victory was won.

The cross was God's D Day. When the back of the enemy was broken namely sin and the devil. V Day is when he returns in glory to set up his kingdom.

In the intervening period we have much work and much fighting to be done. We must do our best to keep the peace of the world. We must do our best to make better social conditions for our people. The fact that we know that he is coming does not mean that we just sit on our haunches and sing hymns all day.

He said, "Blessed is the servant when his master cometh, findeth so doing."

In the midst of the pessimistic gloom and frustration of the present hour, we are not to wring our hands. The angel said to the frightened shepherds, "Fear not," Jesus says, "Fear not if I go and prepare a place for you, I will come again."

The cradle, the cross and the crown are but three acts in God's grand cosmic plan of the ages. Act one was the first Christmas when God entered history. Act two on the cross when he died for sin. Act three which is yet to come, God will bring the world peace that men long for.

There is a popular song today entitled "The King is Coming." Yes, the King is coming and when he comes, sin will be eliminated, tears will be wiped from every eye, disease will be no more, death will be eliminated, nation will not lift up sword against nation and war shall be no more.

This is the promise of Christmas. This is our hope, this is the Christmas star that lights our evening darkness, this is the assurance that a new day is coming through the Messiah whose name was called by Isaiah the Prophet, wonderful, counsellor, the mighty God, the everlasting Father, the Prince of Peace.

That night, when in Judean skies the mystic star dispensed its light, a blind man moved about in sleep and dreamed he had sight. That night when shepherds heard the song of host angelic hovering near, a deaf man moved in slumber's spell and dreamed that he could hear. That night when in the cattle stall slept child and mother cheek and jowl, a cripple moved his twisted limbs and dreamed that he was whole. And that night when o'ver the new born baby the tender Mary rose to lean, a leper smiled in sleep and dreamed that he was clean. That night, when to the mother's breast the little King was held secure, a harlot slept a happy sleep and dreamed that she was pure. That night when in the manger lay the sanctified who came to save, a man moved in the sleep of death and dreamed there was no grave.

This is God's gift of Christmas, the cradle, his son; the cross, his life; the crown, the coming kingdom. But a gift to be complete must be received.

And now unto him who loved us and washed us from our sins in his own blood and hath made us kings and priests, unto him be the glory and the dominion and the power. Amen.

THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. FISHER. Mr. Speaker, the following is an article by Mr. R. D. Patrick Mahoney, of the Texas Tribune newspaper, regarding the Occupational Safety and Health Act of 1970. I recommend this article to everyone interested in the history of this legislation:

OSHA—REPRESSIVE LEGISLATION: FOUNDED ON MISTRUTH

(By R. D. Patrick Mahoney)

Free enterprise is the lifeblood of our nation. But business cannot be conducted if, at every turn, it is thwarted by repressive legislation which has been based on an illegitimate premise. The Occupational Safety and Health Act of 1970 is just such a piece of legislation. In this article, the first of a series, the history of that act will be studied, as well as the reasons why it never should have been passed. *The Texas Tribune* was created on the belief that if the Texas businesssman knows of the action that is taken in Washington daily to destroy his business, he certainly will be better able to prevent the governmental destruction of free enterprise. Hence, it seems fitting to begin this column with the history of OSHA. We pray that some day, with the right pressure and exposure, we shall be writing a future column on the demise of OSHA.

The OSHA bill was conceived and ratified under the guise of two seemingly indisputable assumptions: 1) that there is a need for factories and other places of employment to be made safer; and 2) that it is the legitimate concern of the federal government to legislate and enforce standards of safety and health in private businesses. Under the provisions of this law, federal specifications are being set for every facet of a functioning business from how many toilets per person per floor are "necessary," to the correct way to chill ice-water (i.e., the ice must not touch the water; it is unsanitary). At this date, the number of volumes of just such specifications which have already been written stack four feet high. Doubtless, there will be more. It will now be necessary for the Texas employer—who is subject to federal punitive action for not complying with any one of this myriad of specifications—to decipher hundreds of pages of "governmentese" in order to understand exactly what these specifications are. Compliance enforcement officers have been stationed in strategic areas throughout the United States; including Dallas, Houston and Lubbock. And all this is the result of legislation which was based on two assumptions, both of which are false.

On January 23, 1968, President Lyndon B. Johnson requested that Congress pass legislation covering occupational safety and health. He gave the following reasons: "Every year 14,500 workers are killed on the job, and 250,000,000 man-days of productivity are wasted." The legislation he wanted allegedly would alleviate this waste and he felt this could only be done by the federal government "strengthening the authority and resources of the Secretary of Health, Education and Welfare to conduct an extensive program of research. This will provide the needed information on which new standards can be developed." After the research needed to justify such a measure was completed, this legislation, according to President Johnson, would "empower the Secretary of Labor to set and enforce those standards."

Shortly thereafter, the House Education and Labor Committee reported out H.R. 2567, which restricted the Secretary of Labor's power to set safety standards and also provided for judicial review of any power that the Secretary of Labor might exercise. Businessmen at that time correctly viewed the legislation as "two steps forward and one step backward." They saw it as a move by the federal government to get its foot in the door with compromise legislation. Once that foot was in, it would be a simple matter to add any administrative law to the Federal Register, ratified by those faceless and nameless bureaucrats in Washington who (despite the fact that American business pays their salaries) are not oriented toward the free enterprise system. Thomas Jefferson once said, "That government is best which governs least." Not so with the Washington bureaucrats. Their philosophy is "that government is best which controls, harasses and eventually destroys business"—the lifeblood of our nation.

President Johnson's OSHA, having been greeted by concerted opposition from businessmen and conservative members of the House and Senate of both parties, met with sudden death in the House Rules Committee. Such a demise called for an agonizing reappraisal. On August 6, 1969, President Nixon sent a special message to the Congress on occupational safety and health.

The message read in part as follows: "Consider these facts. Every year in this country some 14,000 deaths can be attributed to work-related injuries or illnesses. Because of diseases or accidents sustained on the job, some 250,000,000 man-days of labor are lost annually." Additionally the message stated, "It is interesting to note that in the last five years, the number of man-days lost because of work-related injuries has been ten times the number lost because of strikes. What have we done about this problem? The record is haphazard and spotty. . . . The federal role in occupational safety and health has thus far been limited. . . . I am therefore recommending a new mechanism through which safety and health standards for industry in general can be improved . . . appropriate procedures to guarantee due process of law and the right to appeal will be incorporated."

Following this message, hearings were held before both labor committees of the Senate and the House, with a large parade of government bureaucrats from HEW, the Department of Labor and other governmental departments. The disaster figures were consistently repeated, furthering the lie of the impending repressive legislation. Shortly after these hearings Representative William A. Steiger of Wisconsin, co-sponsor of the bill, referred to "the carnage in our nation's workplaces," while speaking of this bill on the floor of the House.

But let us examine some of the completely neglected facts. "Carnage" is synonymous with "slaughter," and it behooves us to scrutinize those heartless leaders of American industry who perpetrate "slaughter" on American citizens. For sixty years the National Safety Council has been gathering statistics on safety in both home and industry; its information and safety-education programs are sacrosanct. The National Safety Council was chartered by an act of Congress; it is a *nongovernmental*, privately supported public service organization. Included in its annual statistical booklet entitled *Accident Facts* are statistics furnished by both government and private enterprise. One must keep this credibility—gained over a sixty-year period—in mind when considering both Presidential messages and the ballyhoo of "carnage" accusers on the floors of Congress.

According to the 1972 edition of *Accident Facts*, in both the manufacturing and nonmanufacturing categories for 1933 there were 39,000,000 workers employed with 14,500 deaths attributed to accidents in both areas. In 1971, when all of Steiger's alleged "carnage" was occuring, the National Safety Council reports that there were 80,000,000 employees in America and only 14,200 accidental deaths in manufacturing and nonmanufacturing business and industry. Simple arithmetic reveals an increase of over 100% in workers from 1933 to 1971. At the same time, the accident rate in 1933 of .00037, compared with the accident death rate in 1971 of .00017, shows a *decrease* of more than 150% in the death rate for the overall working force in America. The National Safety Council concluded that death rates for both manufacturing categories have, in fact, "reached their lowest levels *in the past five years.*" Those who furnished the figures to two successive Presidents, with gross tainting and omissions, were certainly fathers to the lie that has become the basis of another link toward national socialist control of American industry. But let us proceed with the figures.

Considering the principle causes of accidental deaths, the National Safety Council has broken down these figures into several categories: accidents occuring at work, in motor vehicles, in the home, and in public non-motor vehicles. In the statistics from 1961 to 1971 we find that accidental deaths at work have decreased 7%. This figure is exceeded only by the 10% decrease in accidental deaths in the home.

On the other hand, motor vehicle deaths have risen 27% and public non-motor vehicle deaths have risen 21% in the last ten years. Yet the accidental death rates in industry for this ten-year period have *decreased* in all but two industries—agriculture and government. Agriculture death rates have increased 10%. The government's have remained the same. It would appear that where government exerts the most control at present (as, for example, it does in agriculture) there is no incentive to diminish accidental deaths. On the other hand, in private business—which faces such problems as insurance costs, manhours lost, and other related factors—there is the realization that accidents are both expensive and detrimental to business interests. In a future column we shall cite examples showing that if OSHA regulations were complied with by the government, the government would probably cease to function.

Of the Texas delegation, John Dowdy, Graham Purcell, John Young and George Bush were conspicuously absent. Joining the misinformed mobocracy, however, were Jack Brooks, Bob Casey, Eligio de la Garza, Bob Eckhardt, Henry Gonzalez, Abraham Kazen, Jake Pickle, Richard White, James Wright and Bob Price. The only members who voted against the measure, perhaps remembering an earlier Alamo and rising to the role of honor, were Omar Burleson, Earle Cabell, O. C. Fisher, George Mahon, Wright Patman, W. R. Poage, Ray Roberts, Olin Teague and Jim Collins.

Thus we find that these Texas House members represented 49% of all House members present who voted against this legislation, indicating that Texas still has a large percentage of House members conscious of what their vote means. If people analyze the full implications of that vote on OSHA, they will soon be saying that if taxation without representation is tyranny, just look at our tyranny *with* representation.

HOW TO STOP SPRAWL: U.S. GROWTH POLICY

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. JOHNSON of California. Mr. Speaker, it is obvious that the House Public Works Committee's efforts to develop a National Public Works Investment Policy that will enable Federal programs under its jurisdiction to be more effectively used to stimulate and implement national growth and development plans and policies directly reflects a widespread national concern over the problems of our environment, population growth, and economic development. Recent committee hearings and studies clearly support the conclusion that if we are to protect our public works investments, conserve our rapidly disappearing natural resources, and yet still maintain a viable economy, we must give a more rational shape to the future growth and development of our Nation.

Mr. Speaker, the current energy shortage is one salient example of our country's apparent inability to anticipate the expected social, environmental, and economic problems between now and the year 2000 caused by unplanned, often chaotic growth, technological change, increased consumption levels, and public demands. We must be able to assist those areas affected by severe economic adjustments marked by the high levels of unemployment predicted for next year by providing more effective planning systems that will enable us to forecast the consequences of public and private actions on the quality of life for all Americans.

In a recent article published by the Chicago Tribune, Congressman JOHN A. BLATNIK, chairman of the House Public Works Committee, outlined the problems and challenges of our Nation's future growth. Mr. Speaker, under the innovative leadership of Mr. BLATNIK, the House Public Works Committee has begun planning for the Nation's future.

In his article, Mr. BLATNIK points out that—

Simply because we expect more suburban growth in the future does not mean that we have to accept more of the chaotic "suburban sprawl" of the past quarter-century.

He calls for a National Public Works Investment Policy, recognizing that—

In the past we have too often been forced to use public works projects to correct past mistakes rather than using such projects as a means to shape more orderly communities.

Mr. BLATNIK emphasized that a growth policy is truly a national concern and "should have as its emphasis people, not places—the priority should be helping people wherever they choose to live."

Mr. Speaker, I include Congressman BLATNIK'S remark in the RECORD:

HOW TO STOP SPRAWL: U.S. GROWTH POLICY

(By Representative JOHN BLATNIK)

The House Public Works Committee, of which I am chairman, has begun planning for the year 2000.

This may seem an ambitious role for a congressional committee normally concerned with day-to-day planning for highways, sewers, bridges, and dams but, in the past year or so, we have come to realize that our programs, along with other government actions, have contributed to the unplanned and chaotic growth of our suburbs in the past 25 years.

As a nation, we are already making our future; thru wise public works investments, we hope to give that future a more rational shape.

This fall we asked the population experts to show us the outlines of the American future. They said that if current trends in the birthrate hold—and that is a large "if"—we should have about 270 million people in the year 2000. They also make it clear that both the added people and the jobs they will need will be located in or near our metropolitan areas.

One geographer estimates that 95 per cent of all Americans already live within commuting distance of a major city. By the year 2000, we can expect to add 81 million people to the 144 million already living in urban areas.

By metropolitan growth, the experts mainly mean suburban growth. Despite the increase of population in urban areas, the density of population is actually declining owing to the decline of central cities and the liberal use of land for housing and large-lot zoning at the peripheries of metropolitan areas. Urban territory is expanding faster than urban population.

This seeming paradox is no accident. In one survey after another, Americans have shown a preference for living in small communities within commuting distance of large cities. This desire has proved convenient for developers and employers alike.

Vacant land at the edge of built-up areas is generally much less expensive and less difficult to use than older property that must be redeveloped.

Simply because we expect more suburban growth in the future does not mean that we have to accept more of the chaotic "suburban sprawl" of the past quarter-century, however.

Suburban sprawl is wasteful of land—some of which we may now need to put back into growing food—and it is wasteful of energy. Suburban sprawl is manifest not only in smoggy tract developments in California, but also in declining small towns in the Midwest and decaying slums in Harlem.

Here is where a public works investment policy becomes crucial. In the past, we have too often been forced to use public works projects to correct past mistakes, rather

than using such projects as a means to shape more orderly communities.

We all have seen highways congested with traffic as soon as they are built, and new sewage treatment plants that are too quickly overloaded by housing subdivisions.

Federal programs such as the Interstate Highway System, FHA and VA mortgage insurance, income tax policies, economic development assistance, and urban renewal have all contributed to sprawl.

Clearly, any public works investment policy must be a truly national concern. It must be accompanied by the development of more effective areawide planning systems that can forecast job and population shifts and take steps to cushion their impact.

Unfortunately, growth planning is now mostly in the hands of some 16,000 fragmented local government units; by the year 2000, there may be 32,000 such bodies.

A national growth policy should have as its emphasis people, not places. The priority should be helping people wherever they choose to live. Yet, there are steps we can take to make our declining rural areas and our decaying central cities—which share the problems of unemployment and depressed land values—more attractive places to settle.

We can make it more feasible to build high-density housing in the inner-city to accommodate the smaller families and single individuals who may want to congregate there.

We can build better transportation links to rural areas to bring them within the orbit of the cities.

This is not to say that it will be easy to move forward. Most people living in the suburbs like them as they are; they will be reluctant to accept higher density housing and restrictions on land use. We will have other conflicts between consumer preferences and wise use of our resources.

But a national public works investment policy will provide a framework within which such conflicts can be resolved.

THOUGHTS ON THE ENERGY CRISIS

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. SEIBERLING. Mr. Speaker, although the Congress has provided the President with the essential legislative powers to deal with the immediate problems facing the country as a result of the energy crisis, it is regrettable that the first session ended without action having been completed to deal with the longer range problems or the underlying causes of the problem. Unfortunately, a considerable amount of the blame for this state of affairs must be laid at the door of the administration, which consistently failed to face up to the realities of the situation until late in the year when it became so grave that it could no longer be avoided.

When the President finally did speak out, in his energy message of November 8, he failed to admit the real gravity of this situation. He misled the public through his promise of "self-sufficiency by 1980," a goal that many responsible experts say is impossible to achieve by that date. Worse yet, he failed to provide the kind of forthright and imaginative leadership needed to deal with the crisis in all its many aspects.

Many people have blamed the energy crisis on the cutoff of oil exports from the Arab countries. In fact, we would have had an energy crisis even if there had been no embargo of Arab oil.

Signs of an impending crisis were apparent last year when several Midwestern schools were forced to shut down for lack of heating fuel and the east coast experienced several serious brownouts.

Even before then, it was obvious to anyone who studied it that we would eventually be faced with a critical energy problem. Scientists have been warning for many years that the conventional energy sources we have been relying on are running out. The full implications of our dependence on oil and other limited resources were studied and reported by the House Subcommittee on Science, Research and Development's Task Force on Energy, of which I was a member, in 1972.

The task force found that Americans use six times as much energy per capita as the world average. Our entire Nation of 200 million people burns more energy than the 500 million people of Japan, Great Britain, Germany, and the Soviet Union combined. During the past 40 years, the American population has grown 70 percent, but our energy consumption has increased 310 percent. In just the next 30 years, unless there is a drastic change, the United States will consume more energy than it has in its entire history.

A couple of years ago, I asked one of my subcommittee's scientific advisers what it would mean to cut back on energy consumption to the 1940 level. He answered this way:

> If we had only the energy producing equipment we had in 1940, but consumed energy at the rate we consume it today, that equipment would sustain a United States population of only 20 million people—about one-seventh of the then actual population.

Mr. Speaker, before we start a new session, I would like to record as clearly and as briefly as possible my own understanding of the nature of the crisis and the actions that seem to be necessary to deal with it. As a member of the special Task Force on Energy of the Science and Astronautics Committee in the 92d Congress, and the Subcommittee on the Environment of the Interior Committee in this Congress, I have made a special effort to study and understand the long-range aspects of the energy crisis. Perhaps, therefore, my comments will be helpful to other Members trying to grapple with this complex set of problems.

WHERE WE ARE NOW

No one can have any doubt that this Nation, and in fact the entire world, is experiencing a shortage of energy—that is an insufficient supply of various forms of energy to meet all the essential demands of our technological civilization. However, we find ourselves in the incredible position of not knowing how severe the shortage actually is, or more importantly, to what extent, if any, the shortage has been artifically manipulated.

Every day the American people are faced with new, often contradictory statistics about the energy crisis. Much of what they read tells them that the sacrifices they have been asked to make by their Government under the guise of an "energy crisis" are really unnecessary; that the higher prices and lower temperatures they are living with are all part of a scheme to increase the profits of the oil companies.

We find ourselves in this appalling situation in large part because the Government has always relied solely on the voluntary cooperation of the oil, gas, coal, and electrical companies for any and all information about energy production and supplies. There are serious questions as to whether some of these industries do not suppress or distort information as to their true reserves and capabilities.

The only way this Government can plan for the Nation's energy needs is to develop their own reliable, independent sources of information about energy production. This must begin immediately. To assist the Federal Government, Congress should pass legislation as soon as it returns from the recess to authorize and require the Government to audit information reported by the oil and other energy companies, and to make it a crime to falsely report such information to the Government.

In addition, investigations should be begun immediately, by the Department of Justice and the House Judiciary Committee, into the extent of collusion by the oil companies in restricting supply and raising prices.

Although all the data is questionable, the best available information indicates that the normal demand for petroleum products for the first quarter of 1974 would be 20.2 million barrels per day, assuming a normal winter. Estimated total supplies will be 15.4 million barrels per day—11.0 from domestic sources, 4.4 from imports. In addition, available inventories are about 150 million barrels.

If we use our inventories at the rate of 1.1 million barrels per day, they will last for about 4 months, and we will still be short 3.7 million barrels per day. If we do not cut back sharply on our consummation at once, we could find ourselves, before the winter is over, with nothing but our current supply of 15.4 million barrels per day. The Nation will then be receiving 4.8 million barrels per day less than our normal demand. If we have an unusually cold winter, and do not conserve our inventories, the shortage will obviously be even greater. Yet, as far as I know, the highest figure quoted so far by the administration is a shortage of 3.5 million barrels per day, or 17 percent of projected demand. Even an end to the Arab oil embargo would not have any substantial effect on the oil supply for the first 3 months because of the long lead-time for transporting the oil from the Middle East.

In certain industries, cutbacks in petroleum allocations are more critical than others. For example, the petrochemical industry, which produces the Nation's supply of synthetic rubber, synthetic fibers, and plastics, depends on petroleum for its raw materials as well as its energy. Expert studies have indicated

that a 15 percent cut in petrochemical supplies would produce almost immediately a million unemployed workers in the tire, plastics, textile, and related industries, and if continued long would produce almost 2 million unemployed throughout the economy.

Unfortunately, having failed to organize itself to deal with the oil shortage until after it had reached a crisis stage, the administration is still floundering in its efforts to cope with it. It is obvious that the recently abandoned "voluntary" allocations program failed to provide for adequate distribution of petroleum resources for the most urgent needs. The more recently adopted mandatory allocations are still less than adequate to insure that the available petroleum resources are directed where the need is greatest. Certainly neither they nor any other measures adopted so far can assure that the Nation's petroleum consumption will not exceed its available supply.

Supplies of coal appear to be adequate. However, because of the fact that many powerplants, particularly those on the east coast, have been designed to burn oil instead of coal as fuel, there is a strong possibility of regional shortages of petroleum for use in such powerplants. In New England, these shortages may exceed 30 percent. Furthermore, it appears unlikely that expansion of coal production can take place rapidly enough or that oil-burning plants can switch to coal soon enough for coal to make any significant dent in the energy shortage in the next 6 months.

This leaves us with conservation and cubacks in fuel consumption as the only significant short-term solution to the crisis. It also means that supplies must be allocated in some way to meet the most important needs, from the standpoint of health, jobs and essential services. To this end, the Congress has given the President authority not only to control prices but has required him to adopt a mandatory fuel allocation program.

The Mandatory Fuel Allocation Act, which was adopted by Congress over the opposition of the White House, establishes a scale of priorities and, through a provision which I authored, requires that available supplies of fuel be allocated equitably to all users. This means, for example, that a new homeowner cannot be denied a fair share by a supplier merely on the grounds that he had not been a previous customer or had no previous demand.

In addition to curtailed supplies, we can expect the rise in price of petroleum products to continue for several years. This is because foreign suppliers of petroleum are taking advantage of the worldwide shortage to increase prices. These inevitably have an effect on domestic prices. There is no way to keep such price increases from being passed on to the consumer. However, consumers have a right to demand that the increases be no more than are necessitated by the increased cost of petroleum at the wellhead. Fortunately, as a result of the recent truckers' protests, the administration has now assigned 1,000 IRS agents to police oil and gasoline dealers and penalize any who have engaged in price gouging.

This is not to say that any large numbers of dealers have been guilty of such practices. In fact, most dealers are beset with serious problems. As their gasoline sales contract, the right to "pass through" their costs does not compensate the dealers for the loss of earnings resulting from the reduced sales volume. As a result, many thousands of dealers are already being squeezed out of business. It is urgent that the administration modify price regulations to enable them to earn sufficient income to remain in business. A drastic reduction in the number of competing service station outlets would not only inconvenience the public but would reduce retail competition and tend to result in higher prices.

Another energy-saving step, the recently enacted year-around daylight saving law, is expected to result in a reduction of 1 to 2 percent in our national energy consumption. While this seems like a small amount, it is actually quite large in terms of the amount of energy. Considering that an overall reduction of around 17 percent of our normal energy demand is necessary, daylight saving time will actually provide around 10 percent of the total energy saving needed.

Many constituents have expressed an understandable concern about our export of petroleum products in a time of crisis. The fact is that we import 30 times more oil than we export, and to a large extent these exports are exports in name only. They generally result from agreements with other oil-producing nations from whom we import far more petroleum than we export. In any case, as part of the Alaskan pipeline bill, the Congress directed the President to restrict all exports of oil except to the extent that he could certify that they would not result in a net reduction of available supplies.

HOW WE GOT HERE

The crisis did not begin with nor was it caused by the embargo which the Arab States have placed on the export of oil, although the embargo, coming on top of an already developing shortage of fuel, seriously aggravated the situation.

The best figures available indicate that prior to the embargo the United States was importing approximately 7 percent of its crude oil supply from the Arab States and some 30 percent from other areas outside of its borders. However, the Arab oil embargo, by reducing the available oil supply to Japan and Western Europe, both of which were much more dependent on imported oil than is the United States, put a severe strain on the other sources of oil, thereby causing a rapid price increase around the world and much heavier bidding for the available oil supplied by non-Arab countries.

Last spring, in a speech at Kent State University, I noted that oil experts within the administration have been warning for years that the projected demand for oil was rapidly outstripping the supply and that unless stringent conservation measures were undertaken immediately, the United States would become dangerously dependent on the Arab nations for a major part of its energy supply. I pointed out that in this situation the Arab States would inevitably raise prices drastically, which would create enormous balance of payments problems for the United States. I also pointed out the political danger of becoming dependent for a major part of our energy supply on backward nations in a remote and dangerous part of the world.

ENERGY CONSUMPTION

How did we get ourselves into this untenable position? As I pointed out earlier, one of the characteristics of the American economy has been a rapid increase in the Nation's demand for energy. Energy demand in the United States almost doubled from 1950 to 1970. It is expected to double again by 1985 and to triple by the end of the century. But the energy demand in other nations of the world has grown even faster.

One of the largest factors in this increased demand has been the automobile. In 1947, 3.9 million automobiles were produced in the entire world, and 3.5 million of these were produced in the United States. In 1972, over 8 million cars and trucks were produced in the United States alone and some 38 million were produced in the world as a whole. Looking back, it is astounding that the governments of the world gave so little thought to the implications of the policies they were following with respect to their transportation arrangements and the entire way of life that has been built around them. It is particularly astonishing, in view of the fact that our two principal forms of passenger transportation—jet planes and automobiles—rank first and second as the most energy-wasteful forms of transportation in common use. Yet, through the development of the Interstate Highway System and the local highway networks, we have produced a scattered society which has become almost exclusively dependent on these two forms of transportation for moving people and dangerously dependent on them for moving freight.

Coming from a community and an industry whose growth and, in fact, very existence, have been nurtured by the automobile, it is not pleasant for me to have to lay out this picture. But these are the facts and pretending they are not will only make a bad situation worse.

However, if our dangerous dependency on the automobile is the most outstanding example of a lack of intelligent energy planning, it is far from being the only one. Modern office buildings and homes, with their vast expanse of uninsulated windows and dependency on air-conditioning, have been designed to be energy consuming rather than energy conserving. Gas companies have promoted the use of decorative gas lights so successfully that it has been estimated that these alone consume enough gas to heat a city of 170,000 homes. Electric companies promote every conceivable use of electricity. Millions of

dollars have been spent on designing ever bigger and brighter and more numerous electric signs to outdazzle each other in a garish contest which gives the public higher prices, and uglier cities, and benefits only the electric companies and the sign manufacturers.

ENERGY PRODUCTION

On the energy production side, likewise, there has been little long-range planning from the viewpoint of the national interest. Oil production is dominated by huge multinational oil corporations, organized on a global scale, using national resources and national tax policies to their advantage not to serve the interests of any one nation but solely to aggrandize the corporate profit. In recent years, these corporations declined to build new refineries in the United States because they found it more profitable to build them in foreign markets. Similarly, they curbed their investment in new domestic oil fields in favor of wells in the Middle East and other foreign areas where the same investment would produce a much higher rate of return. Ironically, the U.S. Government continues to this very day to extend these companies the same depletion allowance and other tax benefits for wells drilled in Arabia and other foreign countries as they receive for wells drilled in the United States.

How little concern these huge multinational corporations have for the needs of the consuming countries is illustrated by the experience of Great Britain in granting them licenses for the development of the North Sea oil fields. After obtaining such licenses, the oil companies then dragged their feet on drilling in the North Sea because it was more profitable to bring in the oil from the Middle East. Now, even though the North Sea fields have an estimated potential sufficient to supply all the oil needs of Great Britain, that country finds itself at the mercy of the Arab oil potentates because of the failure of the multinational oil companies to act in the interest of the British nation.

OIL INDUSTRY PROFITS

While consumers have suffered, profits of the oil companies have soared. In the third quarter of this year, oil industry profits were 63 percent higher than in the third quarter of 1972. In the case of some of the major international oil companies, such as Gulf and Exxon, these profits were 91 and 81 percent higher respectively. At the same time, because of special tax privileges, these corporations have paid income tax at unbelievably low rates. For example, on a net income of $1,300,000,000 in 1971, Gulf paid Federal income tax at the rate of 2.3 percent. The average income tax rate in 1971 for the 18 largest oil companies was 6.7 percent of net income. To fully comprehend the injustice in these figures, one must realize that in the same year a family of four with an income of $10,000 paid Federal income tax at a rate of 10 percent.

In the case of coal, the Nation's most abundant mineral energy resource, the picture shows a similar lack of planning and foresight. Ninety-seven percent of the Nation's coal reserves, including most of the low-sulfur coal, can only be reached by deep mining. Because of the very poor health and safety record of the deep coal mining industry, Congress wisely enacted stringent coal mine safety rules and health benefits some years ago. However, little thought was given to the impact of these added costs on the coal mining industry. As a result, there has been a rapid shift of coal mine production from deep mining to strip mining. Over a thousand deep coal mines have closed in recent years. Belatedly, the country and the Congress have realized the terrible environmental devastation being caused by the growth of coal strip-mining. Not yet so widely recognized is the danger of a collapse of the deep mine industry and with it the ability to mine where most of the coal is.

In the case of research and development of new forms and sources of energy, the story is also one of poor vision and planning. Despite the boasts of corporate advertising, private industry has allocated insignificant amounts of effort and money to basic research. The electric power industry, for example, spends more on advertising each year than it does on basic research. The cost of research into new forms and sources of energy has been funded mainly by the Federal Government. But, the story there is one of under-funding, distorted priorities, and lack of coordination and planning among all the various Government agencies involved.

A single agency, the Atomic Energy Commission, has spent billions of dollars on research and development for atomic power plants—more than all the other Government energy research and development programs put together. Despite this enormous effort, after a quarter of a century, atomic powerplants supply only 1 percent of our Nation's energy demand. In this year's budget, for example, the AEC has been allocated over one-half billion dollars for continuing research on a liquid metal fast breeder reactor. Ironically, many scientists and engineers are skeptical that a practical breeder reactor can ever be developed. Many also feel that, even if one is developed, the problems of disposing of the radioactive waste material and of preventing the fissionable materials from falling into the wrong hands may involve unacceptable hazards and risks. The heat pollution alone from nuclear powerplants is double that of an oil- or coal-fueled plant.

At the same time, budgets for other new energy technologies, many of which are nonpolluting and virtually inexhaustible, have been pitifully small.

One such promising technology is solar energy. Yet the National Science Foundation's budget request for solar energy was only $12 million for this fiscal year as compared with some $500 million for AEC's liquid metal fast breeder reactor. Budget requests for coal gasification, new underground coal mining methods, and hydrogen cycle research have been similarly small or even nonexistent.

WHAT WE MUST DO ABOUT IT

If the present energy shortage is as severe as most statistics indicate, I see little chance that we can get through the next year without some form of rationing for gasoline and petroleum products. The alternatives strike me as either unworkable or unbearable. While voluntary restraints and such measures as bans on Sunday sales of gasoline will have a significant effect, the gap appears to be too great to rely on these measures alone.

Some have suggested that price controls be removed and the price of petroleum products be allowed to rise until they reach a natural level. Unfortunately, in a period of drastic shortages, the price rise would be so great as to be severely inflationary and deprive a great many people of the fuel necessary to heat their homes or get to work. Over a period of 5 or 6 years, such a drastic price rise might be tolerable, because people would have time to shift to smaller cars or other forms of transportation and new mass transit service could be established. Unfortunately, however, we have allowed ourselves to become so dependent on the availability of low-cost fuel, particularly for autos, that a rapid and drastic rise in the price of fuel would work severe hardship on many people.

Another suggestion has been to establish a very heavy tax on gasoline, say 40 cents per gallon. While this might have the advantage of curbing windfall profits for the oil companies, for the consumers it would have the same effect as a price rise.

Thus, rationing seems to be the only way to insure that everyone will get at least a minimum share of the available supply. However, because of the inevitable inequities, Government planning should work toward elimination of the need for rationing at the earliest possible time.

One way to minimize the need for rationing is to encourage and facilitate the use of carpools. At a trifling cost, the Federal Government could provide grants for each major urban area to set up a computerized carpool center, to help people match up with others traveling to and from the same neighborhoods. I am a cosponsor of a bill to authorize such grants.

An end to the need for rationing can be expedited by increasing as soon as possible the availability of mass transit at reasonable cost. Congress should complete action immediately on the $800 million Urban Mass Transit bill now in conference which will provide both capital and operating subsidies. We also expand and advance the effective date for the already authorized diversion of highway trust funds for capital subsidies.

In addition, Congress should enact a bill, introduced by Congressman CHARLES VANIK, to levy a special tax on all new model cars after the 1976 model year which get less than 20 miles to a gallon. I am pleased to be a cosponsor of this bill.

The recently enacted Northeastern Railroad Reorganization Act, with its provision to provide $500 million in federally guaranteed loans to construct a high-speed electrical rail system in the Northeast, is an important first step to-

ward the revival of efficient, long distance rail passenger service. But we must be willing to commit a much greater share of the Federal budget before rail transportation can truly be a meaningful alternative to the automobile and airplane.

An immediate and significant saving of fuel could be achieved by a ban on all use of electrical energy for huge outdoor advertising signs and for lavish floodlighting of buildings and other public facilities. Obviously, exceptions have to be made for business identification signs that consume only small amounts of electricity as well as for illumination essential to safety.

In addition, the Federal Government should follow the example of Ohio's distinguished Governor, John J. Gilligan, in ordering the power companies in Ohio to discontinue their advertising designed to encourage consumption of electricity. Furthermore, the electrical industry's rate structures that reward waste by decreasing the rate charged per unit of electricity as the use goes up should be reviewed and reversed, wherever feasible.

As our distinguished colleague from Arizona, Morris Udall, has so aptly put it, "The energy binge is over." Policies and practices of energy extravagance must be replaced as rapidly as possible by ones of energy conservation.

Another area where significant fuel savings could be achieved is in improved insulation for existing buildings. A Federal program of FHA low interest rate home improvement loan guarantees for home insulation would go a long way to help home owners to meet this particular problem. I have cosponsored a bill, introduced by Congressman COHEN, which would do just that. In the meantime, the administration, by unfreezing funds already appropriated by Congress, could take steps to make funds available for this type of conservation. It is unfortunate that the House, by a narrow margin, failed to approve legislation to authorize the General Services Administration to develop and publish standards for energy conservation in office buildings. Some Federal program to guide local businesses and governments in this area should have a high priority in the next session of Congress.

It is unfortunate that the first session of this Congress was unable to enact a bill creating a unified National Emergency Energy Administration. It seems absolutely essential to have a single agency within the Government which has authority to take steps necessary to insure the availability of supply to essential industries, such as the deep coal mining industry and the electric power industry, and the oil and petrochemical industries. Hopefully, the pressure of public opinion will be great enough to enable the second session to overcome the resistance of the spokesmen for selfish special interests and adopt a fair and effective Emergency Energy Act.

We must place a high priority on developing programs to deal with any increased unemployment caused by the energy crisis. The administration could move immediately to create thousands of new jobs by releasing some of the billions of dollars appropriated by Congress for housing, sewage treatment plants, and other needed programs that have been frozen by the President. Likewise, I hope the administration will move quickly to implement the Manpower Training and Emergency Employment Act just passed by the Congress which contains an important provision to provide new jobs in areas of high unemployment.

For its part, Congress should establish a special National Energy Emergency Employment Council with authority to monitor unemployment related to the energy crisis, to advise the National Energy Administrator on minimizing the adverse impact of energy controls on employment, and to recommend to the executive agencies and to the Congress programs to create new employment opportunities for the unemployed. Finally, Congress should speedily enact the expanded public service employment bill which would provide 500,000 new jobs in State and local government.

In the area of oil industry subsidies, the Congress should take a new look at the incentives for oil exploration, drilling, and the building of new refineries. A strong case can be made that the oil depletion allowance should be abolished and replaced by a direct subsidy for the costs of drilling new wells. Economists believe this would be more effective in stimulating new exploration and would cost the taxpayers far less than the present system of tax breaks for oil producers. In any event, the oil depletion allowance should, at least, be modified to require that the benefits will only be effective to the extent that the funds are reinvested in deeper pools and new wells. Such allowances should not apply to wells drilled outside the United States, except to the extent the President certifies that explorations in a particular country are in the interest of the United States. This would enable the Government to attain some degree of control over the oil companies' future investments in the Arab oil sheikdoms.

An expansion of offshore oil production on both coasts, while it involves serious environmental risks, is undoubtedly essential, and if properly supervised, can, with modern technology, maintain such risks at a minimum. Our immediate needs can also be augmented by increased production from the naval petroleum reserves until such time as other sources are able to meet the demand.

Now that Congress, by statute, has cleared away the major legal obstacles which were blocking the Alaskan oil pipeline, the construction of the pipeline should be expedited. In addition, the ownership of the pipeline should be divorced from the oil companies, and it should be reconstituted as an independent common carrier. In this way, other companies desiring to develop portions of the huge Alaskan oil reserves will have an incentive to do so, since they will have an assured way of transporting their oil from Alaska on an equal basis with their competitors.

It is important to remember that no oil will flow through the Alaskan pipeline until 1977 and that the full capacity of the line will probably not be used until 1983. Furthermore, the oil from the Alaskan pipeline will go to the west coast and will do virtually nothing to meet the demands of the Midwest and the East. Accordingly, negotiations should be initiated at once with Canada looking to the construction of a second pipeline from the North Slope of Alaska through Canada to the Midwest.

Furthermore, the administration must drop the pretense that the United States can become self-sufficient in oil within the next decade. The fact is that we will be dependent on foreign sources for a significant portion of our oil requirements for at least the rest of this century. That does not mean that we need be dependent upon the Middle East. Canada, Latin America, and Africa will all be substantial suppliers. Every effort should be made to work out reasonable long-term supply arrangements with these countries. It is particularly foolish that the administration, in its vacillating oil import policy and in its dealings on the oil pipeline from Alaska, has treated Canada in recent years as if it were a hostile Arab State instead of the neighbor with whom we have our most enduring and substantial trade relations.

Congress must also enact the strip-mine control bill now pending in the House Interior Committee. This bill is essential to end the disastrous environmental destruction of stripmining, which every week lays waste 4,500 acres of our land. But it also contains an important provision to help restore the competitive balance between stripmining and deep mining which was unbalanced by the coal mine safety and health legislation. Under this provision, a $2.50 per ton reclamation fee would be charged, against which deep mining operations would be authorized to credit the costs of coal mine safety equipment and black lung benefits. In addition, all coal mines would also be authorized to credit against the fee their costs for reclamation of the surface of the earth disturbed by mining.

The effect of this provision will be to equalize reclamation costs between Eastern and Western coal and thereby strengthen the ability of Eastern coal mines to meet the demand for coal in our most populous and industrialized areas. Although Western coal is somewhat cheaper to mine, it involves tremendous additional energy costs in transporting it long distances to the consuming areas, particularly in view of the perennial freight car shortage.

An essential element in solving our long-term energy needs will be the development of new energy technologies. Here again, the Government's policies have been characterized by lack of foresight. It is tragic that the Interior Department's coal gasification and coal liquefaction programs and its program for developing new techniques for underground coal mining have for years been victims of the administration's misplaced priorities. These programs must be

funded adequately and pusned as rapidly as feasible.

A major effort must be made to develop a workable program for extracting oil from the vast oil shale deposit in our Western States. These deposits represent the greatest known oil reserve in the entire world, estimated at 1.3 trillion barrels, of which 600 billion is potentially extractable by existing technology, at a cost which will be competitive with oil from other sources. Unfortunately, the development of this major resource carries with it very serious environmental problems, involving principally the disposal of the pulverized shale after the oil has been extracted and the contamination of ground and surface water. It will also require large amounts of water in areas with a severe water deficiency. It also involves the introduction of new industrial and urban development in a remote and fragile ecology.

Over two-thirds of the oil shale is located on the public lands of the United States. Because of the many unresolved environmental, technical and social problems associated with oil shale development, it would be most unwise for the Interior Department to proceed with its plans for leasing public lands to private corporations desiring to experiment with oil shale extraction. Accordingly, I have joined with Congresswoman MINK, the distinguished chairwoman of the Mines and Mining Subcommittee, as a cosponsor of her bill to provide for a TVA type corporation to develop all oil shale extraction programs on the public lands of the United States and to conduct research necessary to achieve the optimum use of this precious national asset. In any event, it will be some time before shale oil can make a major contribution to our national requirements. Estimates are that by 1985 we could be obtaining about 500,000 barrels of oil per day from this source, but even this represents only about 2.5 percent of our current requirements.

Paradoxically, even while we are expanding oil and coal production, we must be moving ahead as rapidly as possible to end our dependence on oil and coal by developing sources of energy that are inexhaustible and nonpolluting. Oil and coal represent mankind's one great reserve of organic minerals, from which are derived the petrochemicals and lubricants essential to our technology civilization. If they are all burned as fuel within the next few generations, we will have destroyed an asset for which, in many cases, there will be no replacement. We will also have radically increased the levels of carbon monoxide in the Earths' atmosphere, with incalculable and possibly disastrous climatic consequences.

Fortunately, there are several abundant and practicable sources of energy that are also inexhaustible and nonpolluting. The public is accustomed to thinking of nuclear energy as being in this category. Unfortunately, that is not the case with the kind of nuclear programs on which the Government has placed its major emphasis. I have already indicated my misgivings about these programs earlier in these remarks. I am not prepared to say that we should abandon the effort to develop an atomic power industry based on atomic fission. However, I believe the thrust of our research effort should be shifted to placing more emphasis on nuclear fusion, which, though it may be a generation away from practical application, has the potential for solving mankind's energy needs for all time without dangerous levels of radioactive wastes.

In addition, a tremendous increase in research and development for other sources of nonpolluting and inexhaustible energy is urgently needed. The most important of these is solar energy. In Japan today over a million homes are being heated by solar energy. Up to now, the inhibiting factor has been cost. However, the rapid increase in cost of other energy sources will soon eliminate this aspect of the problem. The Energy Research and Development Act recently passed by the House makes provision for development of solar energy for home heating and cooling purposes. However, the National Science Foundaiton and NASA also have programs looking toward the use of solar energy for power generation. It is essential that all of these programs go forward on a coordinated basis with greatly increased funding.

Another potentially fruitful source of energy is the so-called hydrogen cycle. This involves the use of electricity to break water into its components of hydrogen and oxygen. The hydrogen can then be used as a fuel for industry, power plant, surface transportation and possibly even for aircraft. In conjunction with the development of modern techniques for the use of wind power and solar power to generate electricity, hydrogen may well be the major fuel to replace oil and coal. It has the virtue of being universally available and practically nonpolluting, since the end product of burning hydrogen is water.

An expanded energy research and development program will require not only massive funding, but also sound priorities and effective coordination. It must be dominated by those concerned with meeting the interests of the public as a whole and not merely to profit a particular corporation or interest group. For these reasons, it is essential that the Energy Research and Development Act recently passed by the House be modified to provide for much clearer congressionally defined priorities and goals, much stronger guarantees of public participation, and the authority to coordinate all Government energy research programs, and not only those lodged in the Energy Research and Development Administration.

The Senate bill contains many provisions which would meet some of the deficiencies in the House bill, just as the House bill provides for a more effective administrative framework for the Energy Research and Development Agency. Hopefully, conferees will produce a bill combining the best features of the two.

In a way, it is fortunate that the Congress did not complete action on the Energy Administration bill and the Energy Research and Development bill prior to the year-end recess. The Members of Congress now have time to listen and to reflect, which should result in wiser legislation.

I am hopeful that, among other things, we will grasp the importance of reaffirming our basic commitment to clean air and water and to preserving not only national parks, wilderness areas, and scenic rivers, but the whole of our Nation's heritage of a beautiful and fertile land. To leave our descendants, in the name of energy, a land of slag heaps, spoil piles, poisoned streams, and eroded hills would be as unforgiveable as it is unnecessary. With care and common sense, we can balance the energy budget without destroying America the Beautiful.

I am also hopeful that the experience we are going through will bring home to us that the energy crisis is a worldwide crisis and can only be dealt with on a global basis. Truly it is one world, and a small one at that, with finite resources. The oil companies have organized on a multinational basis to deal with the world as it is, not as it was or as it should be. They are truly global institutions. Multinational corporations can no more be effectively regulated by national governments acting alone than interstate businesses can be effectively regulated by State governments acting alone.

It is high time for the United States to take the lead in developing new international institutions to achieve a better measure of control over these huge enterprises, which allocate capital and resources in accordance with their own internal interests—interests which do not necessarily coincide with those of the people of this country or any other country. We may not like to admit that the situation is beyond the control of any national government, but those are the facts, and it is best we face up to them. As Winston Churchill once remarked upon becoming Prime Minister during Britain's darkest hour, "Facts are better than dreams."

Mr. Speaker, because of the vastness of the energy problem, which lies at the very heart of an advanced industrial society such as our own, I have necessarily spoken in general terms and only touched the highlights. However, my remarks do reflect the matters uppermost in my mind as I study the energy crisis and synthesize the information I have been absorbing for the last several months and years. Undoubtedly, the views expressed will need to be revised as events unfold.

Let me say in conclusion that I believe the Arabs have unintentionally done us a great favor by imposing their oil restrictions at this time. Despite all of the difficulties and dislocations they will cause, these are nothing compared with what they would have been if the Arab States had waited a few more years for us to become even more dependent on Middle East oil.

We now have the opportunity to redirect our economy and our Nation's priorities toward a wiser and, in the end, a more agreeable society in which our uses of energy will be more in harmony with our natural environment and in keeping with the long-range as well as the immediate interests of our people.

U.S.A. IN MINIATURE

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. PARRIS. Mr. Speaker, my constituent, Mr. John R. Kanline of Alexandria, Va., is an ardent promoter and organizer of a proposed Bicentennial project entitled "U.S.A. in Miniature." The following letter which I received over the Christmas holidays updates his latest work with the project:

ALEXANDRIA, VA.,
December 31, 1973.

Congressman STANFORD E. PARRIS,
House of Representatives,
Congress of the United States,
Washington, D.C.

DEAR CONGRESSMAN PARRIS: Your continuing cooperation and help in advancing the cause of "USA in Miniature" is deeply appreciated. Your inserts in the Congressional Record and excellent local newspaper coverage has enabled me, a retired government worker and a layman with limited resources to publicize and entice interested parties to a most worthwhile Bicentennial proposal. This calls for a small park miniaturizing major features of the USA to be located somewhere in the National Capital Area.

How much success we have had to date I cannot tell. Your continuing cooperation in speaking out on this proposal and further help from the media in the form of magazine and newsletter coverage to bring it to the attention of a still wider audience will advance the cause. Follow-up stories and coverage based on the Congressional Record inserts, the local paper's letters to the Editor and the articles in the Washington Post and Washington Star News are in order.

Additional information is hereby provided as the proposal develops and I request this letter be included in the Congressional Record as the fifth insert on this subject.

1. More on the "Action Plan" for "USA in Miniature"

A. The site, surveys and designs:

First, a site is needed somewhere in the Washington Metropolitan area of about twenty acres, with power, sewers and water to accommodate the five acre core of the park. This could be donated by the National Park Service or purchased out of funds yet to be donated.

Secondly, some commitment from potential participants and backers is needed to defray general costs of surveys for marketability, attendance costs, etc.

Thirdly, a basic design of the park itself is needed, locating areas for exhibits, walkways for the circulation of the public, waterways, public conveniences, storage and workshops and for the exhibits themselves (unless the individual participant wants to design his own exhibit).

Certain marketing research and architectural firms have been alerted though no commitments could be made to any of these firms without project acceptance or funding availability.

This outlines the initial steps necessary to bring "USA in Miniature" to reality and to permit enough (not all) exhibits to be completed for the park opening two years hence. I hope the response to this and the previous insert in the Congressional Record will stimulate the needed commitments to participation from industry and philanthropists required to make this small Bicentennial park a major feature of our anniversary.

B. Organization and Operations:

Even at this early stage of the proposal and before it goes much farther toward implementation, I realize that I as a layman and as one single individual cannot begin to cope with all the complications of what will be a sizeable project even with the volunteer assistance offered by friends and interested parties such as Mr. and Mrs. Joseph Keys, and Mrs. Gainer of Alexandria, Mrs. Eccles and Mrs. Griffin of Silver Spring and many others.

What is needed and soon is the funding and establishment of a representative organizational unit to guaranty accountability, make sound technical judgments, make financial decisions, provide authenticity and attend to the day to day workload which will be rapidly developing. This unit should be under control of and primarily represent the contributors and participants and those elements providing backing and support to the project.

2. Observations:

The foregoing is merely a necessary and small inconvenience and price to pay for a very worthwhile and important project, and offers the basis for a sound and honest means of accomplishment. Anything as important and as expensive in total and involving so many different entities cannot be handled in an amateur fashion but should have technical and professional competence from the very beginning.

3. Philanthropic organizations and individuals:

Ideas on sources of philanthropic assistance would be welcomed. The CBS television program on the Rockefeller brothers was most tempting as a potential source to tap for this project. My approaches by telephone to New York to the Rockefeller Foundation and to the Ford Foundation met with questionable success. I am not aware of other sources nor do I know how to search them out.

May those in this great Country who have the vision to appreciate what a major contribution this park could have on the area, the nation, and our citizens and foreign visitors in providing a decent and truthful image of the United States of America and what makes it progress rise to the occasion and participate in this magnification project profiting patriotically in their involvement.

Again I hope that the industry and agriculture, philanthropic organizations and sources, the US Chamber of Commerce, the National Association of Manufacturers, the National Park Service, the US Travel Service and the Smithsonian all have thoughts on how this proposal can be advanced and how the organizational structure should be constituted. Their assistance is needed to steer this project through the stormy days ahead. Some meaningful discussion and interchange needs to be initiated with the new Bicentennial Administration taking the lead. Immediate action is called for and I hope the financial participants and parties concerned now come forward to meet this challenge. If we could get "the most accommodating people in the world" to accommodate and get the "we're involved" people to get involved this proposal would have sound backing and move.

May the seeds we've scattered soon fall on fertile ground.

Thanks again,

JOHN R. KANLINE.

ERNEST PETINAUD

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. SIKES. Mr. Speaker, I join in salute to Ernest Petinaud—one of the most genuine and likable among the hundreds of people who make up the Capitol group. He probably has as many friends as any man on Capitol Hill, and he deserves them.

His duties in the House restaurant have been exacting but he has discharged them ably and fairly. Day in and day out, year after year, Ernest has been the same friendly person, helpful to all of the thousands who flowed through the House restaurant. In the process he became one of the Capitol's celebrities and one of its landmarks.

We will miss Ernest Petinaud, but we will treasure his friendship and the memories of his outstanding service. In retirement we wish for him and Mrs. Petinaud happiness, contentment, and a continuing full life.

TRIBUTE TO ERNEST PETINAUD

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 1973

Mr. BIAGGI. Mr. Speaker, it is my distinct honor to pay tribute to a man who has become a true institution in the House of Representatives, Ernest Petinaud, who is retiring as the beloved and distinguished maitre d' of the House dining room.

Throughout his 25 years of service, Ernest has been held in the highest esteem by thousands of present and former Members of Congress and their families. His retirement marks the end of one of the longest and most exemplary careers of public service ever witnessed in this great city of Washington.

While there are many of my colleagues who have longer memories of Ernest, there are few who have any fonder ones than I. I considered Ernest to be a friend, as well as a first rate maitre d'. His warmth, sincerity, and easy manner complemented his complete and thorough knowledge of his job, thus making him a true master of his profession.

While we in the Congress may feel at times that ours is a life of pressure consider the strain which Ernest Petinaud faced daily in the normal execution of his duties. Consider the daily avalanche of hundreds of Members and their families, all converging on Ernest, seeking to be seated. Yet through it all, Ernest personally saw to it to give each Member personal attention and consideration, something for which I will remain grateful to Ernest for years to come.

Few men have served as many distinguished people in a lifetime as Ernest Petinaud. In his 25 years of service he served three Presidents while they were Members of the House of Representatives. In addition to this, Ernest Petinaud was accorded the distinct honor of being asked to accompany a U.S. NATO delegation to Paris on a study mission. His talents included being able to speak fluently in three languages, and this attribute turned out to be an invaluable asset to the NATO group while in Paris.

I am sure that if the thousands of Members which Ernest Petinaud has served were able to be gathered together, each of them would be honored to add their voices to the accolade of tributes which have been already bestowed on this great man.

Mr. Speaker, my own life in the Congress has been that much richer because of knowing a man of the caliber of Ernest Petinaud. His loss will be felt severely in the House. I extend to Ernest and his wife Jeanette, my sincerest wishes that their future years will be filled with both happiness and prosperity. God's blessings will come easily to Ernest Petinaud because he truly was a godsend to this institution.

HIGHLY RESPECTED CITIZEN OF NEW YORK PASSES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. ROSENTHAL. Mr. Speaker, I would like to insert at this point in the CONGRESSIONAL RECORD the minutes of a meeting of the Trustees of the Central Queens Savings and Loan Association, held on November 19, 1973, memorializing the death of Edward Sharf, the president of that association.

Edward Sharf was well-known to residents of Queens County in New York. He has resided there for years, was a practicing attorney there, and had been most active in a number of community organizations and affairs, had been one of the original funders of the Central Queens Savings and Loan Association, holding the office of president for the years since its formation, and was highly respected by his associates in both the banking and legal professions.

Deepest sympathies on his untimely passing are extended to his wife, Ida, and to the other members of the family.

The minutes follow:

MEMORIAL TO EDWARD SHARF

Mr. Larry Rose, the Chairman of the Board of Trustees, stated that the purpose of the meeting was to memorialize Edward Sharf, the President and founder of the Association, whose untimely and sudden death was m urned by his associates, past and present.

The Chairman called upon Robert Pape as Executive Vice-President of the Association. Mr. Pape stated that the Association has lost a good friend and speaking on behalf of the employees of Central Queens Savings and Loan Association, Mr. Pape extended to the family of Edward Sharf the great sense of loss that he and fellow officers and employees feel at the untimely death of Mr. Sharf.

The Chairman then called upon D. Vincent Tuohy. Mr. Tuohy stated that as a law associate of Mr. Sharf and as an associate in the Association he deeply grieved the passing of Mr. Sharf. Calling attention to a friendship spanning several decades when both Mr. Tuohy and Mr. Sharf as youths were known to each other, Mr. Tuohy noted Mr. Sharf's capabilities both as a lawyer and a banker. He too expressed his sympathy to the family of Edward Sharf.

The Chairman then called upon Hon. Lester Holtzman, former United States Congressman, now a Supreme Court Justice of the State of New York. Judge Holtzman noted his impressions of his first meeting with Mr. Sharf prior to his election to the Congress of the United States, his admirable qualities, basic intelligence and of his long association with Edward Sharf as law partner, associate in the Association and friendship as well as his affection for him. Noting the dedication of Edward Sharf to his family, Judge Holtzman stated that he would be missed by family, friends and associates.

The Chairman then called on Maurice O'Connell who stated that everyone he knew spoke well of Mr. Sharf and that he was generally well thought of and bore a very fine reputation in the savings and loan community.

The Chairman then entertained the following resolution:

Whereas, the untimely passing of Mr. Edward Sharf, President of Central Queens Savings and Loan Association, leaves a deep void and sadness among officers. Trustees and employees, and

Whereas, Mr. Edward Sharf as the first President and one of the original incorporators of the Association rendered yeoman service above and beyond the call of duty for and on behalf of the Association,

Now, therefore, it is unanimously resolved that the Trustees, officers and employees of the Association record their deep sense of sadness upon the passing of Edward Sharf; and it was further

Resolved, that this Resolution and the Minutes accompanying it be forwarded to the widow of our departed President, and that this Association express and extend to his family our profoundest condolences to Mrs. Ida Sharf, his widow, his daughter, Mrs. Enid Ross, and his son, Lawrence Sharf, as well as his brother, Harry Sharf and his sister, Florence Yosnow.

LARRY ROSE,
Chairman of the Board of Trustees.
ROBERT PAPE,
Executive Vice-President.

FORMER HAWAIIAN INVENTS DEVICE TO IMPROVE HIGHWAY SAFETY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MATSUNAGA. Mr. Speaker, how many times has each of us in the course of our daily lives been struck by the need for a new product? Most of us merely shrug, think to ourselves "someone ought to invent that," and forget it.

Not so with my good friend Andy Fraser, formerly of Honolulu and now a resident of Minnesota. When he nearly ran over a workman on the highway while driving at night, he was determined to do something about it and invented a product which promises to improve significantly the safety of highway construction workers, traffic police, snowmobilers, and others.

As an example of what a little ingenuity and a lot of determination can do, and as an inspiration to others, I submit for insertion in the RECORD the story of Andy Fraser which appeared in Minnesota newspapers:

[From the Edena (Minn.) Sun, June 14, 1973]

NEAR-MISS STIMULATES SUCCESSFUL INVENTION

If you are Andy Fraser, 120 Ashley Rd., Hopkins, you see a problem and you solve it.

Fraser recently took first place in the industrial Division of the Minnesota Investors Congress for his invention of a hardhat.

Fraser is a life insurance salesman. One day driving on Highway 100, he almost hit a highwayman painting the center line. Fraser decided this was a "hazardous way to make a living," and he decided right there to do something about it. That was in 1966. He had an idea, and he got his friend Malcolm D. Sinclair to back him financially.

The new hardhat has a flashing light in the top. The top of the hat is transparent and raised, with the bulb inside. The hat is designed to meet all the specifications required by the Occupational Health Safety Act.

How does an idea get from the inventor to the public? Fraser says that he and Sinclair were "naive." First they had to find someone interested in the product. It was sheer "determination" and "Scottish" perseverance which kept Fraser going.

He arrived at the patent office with his lawyer and, like in the New Yorker, he says, his invention in a brown paper bag.

"It was right from the word go," he says. He is still slightly surprised with his success. At that time the hardhat had a hole in the top through which Fraser held a flashing light. Quartet International Inc. thought his idea was a good one. It began business with Fraser about a year ago and hopes to market the hat in about six months.

When it comes out, the light bulb will be in snowmobile helmets as well as hard hats. It could be used by police, school children at traffic crossings, night ski patrols, etc.

Of course, the hardhat idea has been refined a little. It now uses 4A rather than 4C batteries, its charge now lasts 40 hours instead of 24, and there could be other modifications. But according to Fraser, "Beyond invention lies innovation, for it is the latter which makes of the former an economic success."

The invention, says Fraser, has "opened up the flood gates." He is now working on a couple of new safety-related devices.

[From the Minneapolis Star, June 11, 1973]

NOT A SINGLE MOUSETRAP—BUT SOME GREAT IDEAS

(By John Carman)

REDWOOD FALLS, MINN.—Ever try to carry on a conversation with a man who's wearing a lighted hardhat, one that blinks on and off?

The hat is a little distracting. But in a way, that is the whole idea behind Andrew Fraser's hardhat invention.

Fraser, 61, of 120 Ashley Rd., Hopkins, almost ran over a workman on Hwy. 100 a few years ago. Now if that workman had been wearing a blinking hardhat, he would have been—well—conspicuous.

The blinking bulb Fraser had atop the hardhat he wore in Redwood Falls last weekend symbolized the event he was attending—the 16th annual Minnesota Inventors Congress.

About 80 inventors demonstrated their brainchildren in booths at the Redwood County Fairgrounds. For a few, it may have been a wayside stop on their way to riches.

Fraser, an insurance salesman who decided only Friday to exhibit his invention, said a corporation already has been formed to make his hard hats.

They'll have a tiny bulb mounted under a transparent crown on hardhats and helmets. Powered by rechargeable batteries, they'll be able to blink for 40 hours between recharges.

They could be worn by highway crewmen, snowmobilers, motorcyclists, even whole families in electrical blackouts.

And, said Fraser, pounding his fist on one of his demonstration helmets, "It has all the attributes of a hardhat."

ACTION ON ENERGY CRISIS IRRESPONSIBLE

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. ARMSTRONG. Mr. Speaker, by adjourning until January 21 without passing legislation to cope with the energy crisis, Congress has acted with utmost irresponsibility.

This Nation urgently needs legislative leadership to deal with both the immediate and long-range effects of the shortage of natural gas, gasoline, heating oil, and other fuels.

For Congress to react to the obvious need by taking a month off for the holidays without enacting legislation is shockingly shortsighted, particularly since the peak winter heating season is just starting and shortages are threatened throughout the country.

This is not to suggest that Congress should have passed any of the three versions of the Energy Emergency Act which were defeated Friday night. This bill was an indecisive, vague, buck-passing bill that had more shortcomings than good features. It deserved to be rejected.

But when that happened, the House-Senate leadership could and should have moved to delete the controversial sections of the bill—particularly those parts of it dealing with rationing and taxation—so that the noncontroversial, but critically necessary, portions of the bill could be approved. I refer to provisions of the bill which would have permitted the President to allow utilities now using oil and natural gas to switch temporarily back to coal, approve requests of powerplants and industry for suspension of emission standards, and similar measures.

These portions of the bill were not controversial and could have an immediate impact on the energy gap which is growing wider every day. These provisions could have eased shortages considerably without undue hardship and without permanently lowering environmental standards.

I believe measures of this type are vastly preferable to gasoline and oil rationing, especially the rationing approach originally established by the bill. I think it is wrong to give the President unlimited power to impose rationing without providing congressional direction as this so-called emergency legislation would have done.

Personally, I hope rationing can be avoided altogether. Rationing does nothing to reduce demand or increase supply; rationing will require the creation of a costly bureaucracy; it will foster black markets and economic dislocations; rationing is impossible to administer fairly.

As far as I am concerned, rationing is the last resort.

Regrettably, by failing to enact other, more promising, solutions, Congress has made the ultimate imposition of rationing more likely. If this becomes inevitable. I hope Congress will face up to its duty to set the priorities instead of passing the buck to the President.

There are probably going to be a lot of cold and inconvenienced people in this country as a result of this week's congressional inaction. I think these folks are going to find it hard to understand why Congress could find time to consider hundreds of bills this year—most of them having little real importance—but could not take the time at the end of the session to work on this problem until a solution had been reached.

I expect a lot of these people will be talking to their Congressmen and Senators during the recess. I hope Members of both Houses will be ready to get down to business when we reconvene.

In addition to some of the worthwhile provisions of the bills defeated Friday, I intend to continue pressing for passage of proposals I have previously submitted which are intended to increase energy supply, curtail demand, encourage energy conservation, and protect the environment.

Among the measures which I recommend are: A new National Energy Policy; accelerated development of offshore oil; increased production of natural gas; tax incentives for energy production and conservation; research and development for new energy sources and environmental protection; deepwater ports; conservation of electric energy and peak demand reduction; leadership for voluntary efforts; free market pricing; and reorganization of congressional committee structure to deal more effectively with energy legislation.

OVERCOMING ADULT ILLITERACY

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. BRADEMAS. Mr. Speaker, many Members of Congress have long had an interest in the work of the United Nations Educational, Scientific, and Cultural Organization—UNESCO—in prompting better understanding among the peoples of the world.

In this connection, I wish to cite a significant address by Mr. Rene Maheu, Director-General of UNESCO, delivered on September 8, 1972, International Literacy Day, concerning the efforts being made by UNESCO to reduce adult illiteracy throughout the world.

I should note that although, from 1950 to 1970, illiteracy throughout the world was reduced from 44.3 percent of the adult population to 34.2 percent, because of increased population, the absolute number of illiterates increased during that period by 83 million people.

Mr. Speaker, I insert in the RECORD Mr. Maheu's remarks on the effort to eliminate what he so rightly calls the "scourge of illiteracy":

UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

(By Mr. René Maheu)

It is a deep satisfaction to me to welcome here, on the occasion of International Literacy Day, all those who have come to show, by their presence, the interest that they take in the campaign against illiteracy and in Unesco's efforts in this direction.

A WORLDWIDE CAMPAIGN WITH STRIKING RESULTS

We are well aware that the struggle we are carrying on against ignorance throughout the world must be a long one and that a year is a very short time to produce radical, definitive changes. Each year, however, marks further progress and the one which has passed since 8 September 1971 has produced striking results both quantitatively and qualitatively. During this period, the countries in which illiteracy is still rife, have, in the face of tremendous difficulties—particularly financial difficulties—made efforts to promote literacy teaching, remarkable both for their scale and for their diversity. At the cost of heavy sacrifices and unflagging endeavour, having studied the experiments made in other countries and adapted them to their own conditions, they have taken many new measures, launched fresh projects and added to their previous achievements, as can be seen from the many excellent candidatures submitted to the Jury responsible for awarding the Mohammad Reza Pahlavi Prize and the Nadezhda K. Krupskaya Prize.

The Third International Conference on Adult Education, which ended in Tokyo just a month ago, was thus able to record that the impetus which the literacy campaign had received from the World Congress of Ministers of Education, held in Teheran in 1965, has steadily grown and spread. Those attending that conference reaffirmed that the promotion of literacy is an essential factor in development, that it is the basis of adult education and that, far from being simply an end in itself—and still less a blind alley, as some still have the audacity to suggest—it is the most direct route to life-long education for hundreds of millions of men and women.

TO IMPROVE THE BOND OF PEOPLE AND WORK

This is not all. Through literacy teaching and, it must be said, through the carrying out of Unesco's Experimental World Programme, the idea of functional education has gradually been accepted as applying to educational processes in general. This idea was defined by the Tokyo Conference as resting on the bonds existing between man and work, in the broadest sense of the term, and being directed simultaneously to the fulfillment of the potential of the worker himself and to the general development of society. As a means of promoting people's awareness and bringing about change, not of fostering conformity and mechanical integration, functional education assists in the training of an individual capable of producing material goods and creating spiritual ones, who can freely enjoy what he creates. In this respect it is associated with and, ultimately, inseparable from cultural development.

A FUNCTIONAL, WORK-ORIENTED LITERACY

In this general effort to extend and improve education for illiterate adults, Unesco has continued, at the behest of the international community, to provide a motive force and to serve as a catalyst. It has furnished increasingly practical technical assistance to the twelve Member States in which work-oriented literacy pilot projects have been undertaken with the help of the United Nations Development Programme (UNDP) and, in three of these countries, with financial assistance, through funds-in-

trust, from the Swedish authorities, a Swiss foundation and the Danish and Norwegian Students' Association. Two of these projects are being carried out in co-operation with the Food and Agriculture Organization of the United Nations (FAO).

UNESCO THE CATALYST IN AFRICA, ASIA, AND LATIN AMERICA

Furthermore, a score of Member States in Asia, Africa and Latin America are benefiting from the services of experts, fellowships and equipment, the cost of which is financed out of Unesco's Regular Budget or by UNDP. The Regional Rural Functional Literacy Centres for Latin America (CREFAL) and for the Arab States (ASFEC), and the International Institute for Adult Literacy Methods, Teheran, have continued and developed their activities, whose importance was emphasized once again by the Tokyo Conference. CREFAL alone, which in 1971 organized ten practical training courses in Latin America for senior personnel for functional literacy work, has organized another ten since the beginning of this year. The Secretariat has also continued to provide the appropriate national centres, universities and research institutes interested, with a wealth of documentation and technical equipment to inform and help them in their literacy work.

The Experimental World Literacy Programme, which came up against a number of difficulties in the beginning, has made considerable headway in recent years, as regards both the increasing scale of operations and the methods employed, the senior personnel and instructors trained, the evaluation of results and the mobilization of public opinion.

METHODS DEVELOPED SPREAD TO OTHER SECTORS OF EDUCATION

The Experimental Programme has made it possible, among other things, to develop new methods which could be used to advantage in the other sectors of education, and thus to make a valuable contribution to the efforts at reform being made more or less all over the world. The distinctive feature of these methods is that education is no longer imposed from without but issues from the environment itself and, for this reason, is naturally attuned to the solution of the problems which this environment faces. With this approach, functional literacy is viewed as an overall educational method, in which reading, writing and arithmetic, vocational training, and the rudiments of social and economic training are all tightly knit together.

It is obvious that this sort of tailor-made education calls for great diversification not only in curricula but also in the educational media used and in the recruitment of teachers, who are being provided more and more by industry. The growth of interest in functional literacy in industrial circles can be judged from the fact that, on their own initiative, such circles frequently ask for the assistance of the specialists responsible for the execution of the experimental projects.

Similarly, vocational training has had to be adapted to the needs of a variety of programmes, and novel methods nave had to be devised for this purpose. One of these new methods is the "operational seminar," a practical training course organized at the scene and under the actual conditions of work.

PILOT PROJECTS END; EVALUATION BEGINS

In the present stage of the Experimental World Programme, when many pilot projects are drawing near their end, particular attention is being given, as is only right and proper, to the evaluation of results. After the preparation of a series of measurement indicators, with the assistance of a panel of evaluation specialists, a standard system for the presentation of data was worked out in 1971, to facilitate the international comparison of results. In addition, various studies and investigations have been undertaken to round out and improve socioeconomic and educational evaluation.

Much still remains to be done with regard to evaluation before Unesco can give the international community the scientifically-based conclusions for which it is waiting. Many facts already show, however, that the Experimental Programme is providing inspiration and food for thought, as well as valuable lessons, for the institutions and individuals concerned with literacy work. For example, several Member States which had organized experimental projects have decided to take over the methods and staff of these projects for national use. Some countries, like Mali, are already drawing on the means of functional literacy teaching, and the services of the staff engaged in it, for carrying out agricultural development programmes; and 11 of the 35 projects submitted by Member States under the Country Programming arrangements, and approved by the UNDP Governing Council in 1972, include functional literacy components.

UNESCO WORK PROMPTS 22 COUNTRIES TO EXPAND PROGRAMS

Finally, it should be noted that, in response to the measures taken by Unesco, over and above the Experimental Programme, to encourage national efforts to promote literacy, very many Member States have stepped up their work in this field. They have attempted, among other things to take adult motivation into account as well as the requirements of social, economic and cultural development, and to profit by the results of studies and research on the learning process in adults. Since 1968, 22 States have, in addition, adopted legislation for the establishment of literacy institutions, departments, national committees or centres; for enlisting the educated sections of the population in adult literacy work; for including literacy programmes in development plans; for awarding diplomas to the newly literate; for calling in private firms to organize literacy courses for their workers, etc. In one country, for example, a decree stipulates that every agricultural production unit must have its own functional literacy centre. In another, illiterate industrial workers under the age of 45 are legally obliged to attend the literacy classes organized for them.

PERCENT OF ILLITERATE ADULTS GOES DOWN—BUT ACTUAL NUMBER INCREASES

As this brief survey shows, the results achieved are far from negligible. Nevertheless, much still remains to be done, for it must not be forgotten that, although we have succeeded in reducing the illiteracy rate among the adult population, the absolute number of illiterates none the less continues to rise. From 1950 to 1970, while the illiteracy rate was reduced from 44.3% to 34.2% and the number of literate adults rose from 879 million to 1,504 million, the total of adult illiterates increased by 83 million. In addition, there are still countries where 90%, or even 95%, of the population are illiterate.

THE 1978 GOAL—HOLD TO 1970 ILLITERACY TOTAL

We therefore have to redouble our efforts and to look forward to action on a large scale in order to bring about a gradual reduction in the number of those who, because they have been deprived of an essential means of contributing effectively to the development of their society, have thus been prevented from achieving full human dignity. For this reason, in the Medium-Term Outline Plan (1973–1978) submitted to the General Conference, I have proposed to Member States the initial objective of ensuring that the number of illiterates in 1980 does not exceed the 1970 figure of 783 million. When population growth is taken into account, the world illiteracy rate would consequently drop to 27.7%.

UNESCO'S TASK: INCREASE TECHNICAL ASSISTANCE

Unesco, for its part, would concentrate first of all on completing the execution and evaluation of the projects that form part of the Experimental Literacy Programme, and on starting new activities, in the light of such evaluation, in connexion with development projects undertaken by Member States—in certain cases, with assistance from other organizations of the United Nations system. In particular, it would provide assistance to States wishing to strengthen and improve their functional literacy programmes. The Organization might, to that end, make a greater contribution to the methodology of literacy work, on the one hand, by promoting evaluation, research and experiment, with particular reference to the use of the mother tongue, and, on the other, by taking an active part in the training of leaders and staff, through CREFAL and ASFEC, for example. It would also take steps to publicize the results of the evaluation of the Experimental Programme widely among governments, financing bodies and, in general, among all circles interested.

THEN KEEP THEM READING

Furthermore, Unesco proposes to help Member States in carrying out post-literacy programmes. It is not enough to teach illiterates the rudiments of reading and writing; care must also be taken to see that they are not in danger, for want of practice, of forgetting what they have learnt. It is therefore essential to give them the means of actually using their new skills in everyday life. For this purpose, it will be necessary to make reading matter available to them by encouraging the establishment or development of rural newspapers and libraries. I am very pleased that excellent work has been done on these lines, since the beginning of 1972, in connexion with International Book Year.

AN UNDERTAKING OF LIBERATION

Lastly, since the Experimental Programme is, by definition, on a relatively small scale, and is intended to lead on to more extensive operations, the international community will in fact have to work out and adopt a real World Literacy Programme, drawing on the ideas, methods and means developed in the course of carrying out the Experimental Programme. By that I mean a whole group of national literacy efforts, co-ordinated in a planet-wide campaign, entailing mass mobilization, by the international organizations, of the human and material resources needed to carry out the national programmes. It would be difficult to imagine any undertaking more symbolic of liberation and progress to mark the Second Development Decade. And now is the time to begin steering the authorities and public opinion in this direction.

MARSHAL WORLD BROTHERHOOD

Meanwhile, it is important to give further impetus to international action, involving co-operation among States, the participation of non-governmental organizations, the contribution of financing bodies and the mobilization of all men and women of good will. Books are a light that is cruelly denied to many, many people. In this International Book Year, I earnestly hope that, stimulated by the edifying example of the achievements which the Jury has singled out, all those who are able to do so will combine their efforts, in a great surge of brotherly fellowship, gradually to do away with the scourge of illiteracy, in the same way as the great epidemics, which for centuries ravaged mankind, have now been eliminated.

In conclusion, I should like to convey my most sincere thanks to the distinguished members of the Jury who, under the chairmanship of Her Imperial Highness, Princess Ashraf Pahlavi, have so ably carried out the difficult task of selecting, from among so many deserving nominees, the winners of the Mohammad Reza Pahlavi and Nedezhda K. Krupskaya Prizes, as well as those who have received honourable mentions. Unesco is deeply grateful to them for their faithful and devoted service.

ELECTION REFORM BILL EXPECTED IN MARCH

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. FRENZEL. Mr. Speaker, the House Administration Committee expects to bring out an election reform bill by March. Surely such a bill is overdue, but there are many aspects of election reform on which there is still much disagreement.

One of the items in question is to determine spending limits for campaigns. We know the public would like to contribute less money. We would like to raise less too. But, in setting spending limits, the House should take into account that challengers must spend more than incumbents.

Of the principal election advantages of incumbency, the frank is perhaps the best known. It is a necessary legislative communications tool, and its use should be encouraged. At the same time it is certainly a tremendous political advantage. Its use has grown astronomically in the last 20 years. The following table from page 453 of the House Appropriations Subcommittee hearings in 1973 shows that franked mail has increased six times from 43.5 million pieces in 1954 to 257.6 million pieces in 1972. If congressional mailings from GPO—12.7 million—are added, the total of 270.3 million pieces indicates that the average Member sent 600 thousand pieces of mail to his district in 1972. That would be enough to cover every household nearly four times.

[Millions of pieces]

Fiscal years	Franked mail: Pieces	Franked mail: Percent of increase or decrease (−)	Congressional mailings by Government Printing Office: Pieces	Congressional mailings by Government Printing Office: Percent of increase or decrease (−)
1954	43.5		(1)	
1955	45.6	+4.8	6.4	
1956	58.2	+27.2	5.3	−17.2
1957	59.6	+2.4	5.4	+1.9
1958	65.4	+9.8	6.2	+14.8
1959	85.5	+30.6	6.0	−3.2
1960	108.0	+26.4	7.2	+20.0
1961	85.1	−21.2	5.9	−18.1
1962	110.1	+29.6	7.4	−25.4
1963 (P.O. letter 2/18/64)	94.7	−14.1	6.0	−5.7
1964 (P.O. letter 3/12/65)	119.5	+26.1	10.1	+73.5
1965 (P.O. letter 3/7/66)	120.9	+1.2	9.7	−4.0
1966 (P.O. letter 3/3/67)	197.5	+63.3	10.3	−6.2
1967 (P.O. letter 3/20/68)	192.9	−2.3	9.9	−4.8
1968 (P.O. letter 3/6/69)	178.2	−7.6	12.5	+27.5
1969 (P.O. letter 2/9/70)	190.0	+6.6	10.0	−20.0
1970 (P.O. letter 4/6/71)	201.0	+5.8	10.8	+8.0
1971 (P.O. letter 2/1/72)	238.4	+19.0	11.7	+8.0
1972 (P.O. letter 2/1/72)	257.6	+8.1	12.7	[2] −8.5

Footnotes omitted.

If, as seems likely, the average Member sends out three postal patron mailings per year, or its equivalent, a challenger attempting to equal that mailing, even using cheap printing or bulk mailing with volunteer help could be expected to pay about $40 thousand.

The timing of congressional mail has also been significant. The following table from page 983 of the Senate Appropriations Subcommittee hearings in 1972 shows how work piles up in the folding room in September and October of even-numbered years. In these 2 months in 1968, 1970, 1972, the folding room did about twice as much work as in the same 2 months of 1967, 1969, and 1971, and about one-third more than July and August of 1968, 1970, 1971.

PUBLICATIONS DISTRIBUTION SERVICE WORK UNITS FROM JAN. 1, 1967 THROUGH DEC. 31, 1972

	1967	1968	1969	1970	1971	1972
January	10,234,668	[1] 39,618,717	8,018,124	30,515,678	10,693,112	27,266,355
February	20,073,323	21,710,361	16,204,671	32,807,839	20,604,278	[1] 34,730,646
March	25,257,823	29,149,091	23,126,181	33,527,972	29,938,641	42,749,089
April	28,441,715	32,880,871	26,905,750	36,572,597	26,441,122	[1] 41,753,464
May	20,852,973	32,678,473	30,663,759	30,341,700	28,293,595	[1] 43,217,347
June	28,768,307	29,076,826	29,574,476	33,076,480	30,941,851	[1] 41,919,046
July	25,025,907	30,078,379	28,696,231	34,719,776	28,860,960	[1] 35,482,543
August	21,510,569	37,739,061	29,931,334	[1] 38,766,596	29,222,337	38,675,721
September	21,059,927	37,156,698	23,407,573	40,097,239	22,005,836	[1] 40,570,751
October	18,942,955	[1] 58,456,298	30,087,859	57,323,394	27,937,295	58,067,490
November	17,176,153	4,613,654	[1] 26,061,529	5,189,919	25,695,547	8,694,669
December	18,248,121	3,656,738	[1] 27,094,608	10,229,440	24,347,670	8,377,133
Total	255,590,441	356,864,167	299,772,195	383,177,630	304,982,244	421,334,234

Footnote omitted.

The table also shows that in the month of October of 1968, 1970, and 1972, the folding room averaged about 85 percent more work than it did in the average month of those years.

There are good reasons for this work distribution. Many Members feel obliged to report to their constituencies at the end of each session of Congress. That is a good thing for the constituencies. However, it is also a good thing for the incumbent candidate.

With the passage this year of the new franking law, postal patron mailings from House Members will go out before the customary September and October peak periods. The new law is expected to push the hump in the work distribution curve back about 60 days.

These two tables from our congressional records show in an easily understandable way some of the obvious election advantages of incumbents. If we restrict the ability of the challenger to match those advantages, challengers can seldom win.

THE REVEREND DR. JOHN POULOS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. BIAGGI. Mr. Speaker, today it is my distinct pleasure to pay tribute to one of the foremost representatives of the Greek-American community, the Reverend Dr. John Poulos, pastor of St. Demetrious Church, who was recently appointed chaplain of the New York City Police Department.

Father John, as he is affectionately referred to, has had an extraordinary career in terms of both personal accomplishments and service to his fellow man. Father Poulos was born in Greece in 1918. He embarked upon a distinguished scholastic career which included a scholarship received from the World Council of Churches, and culminated with his being awarded a Ph. D. from the University of Athens.

In 1954, Dr. Poulos received still another scholarship and came to the United States where he attended both Columbia University and the Union Theological Seminary. In 1955, he was ordained a priest in the Greek Orthodox Church and was immediately chosen as the pastor of the St. Spyridon Church in Washington Heights, N.Y., a position he served in for 4 years.

While serving in this position Father John was able to translate into meaningful action his lifelong commitment to

improving the lives of the Greek-Americans. While pastor at St. Spyridon, Father Poulos was made president of the Clergy Association of New York, at which time he founded the first Greek-American home for the aged in Yonkers, N.Y.

Father Poulos' influence on behalf of the Greek-Americans was felt on a national level as well. In the early 1960's while serving as a member of the National Council of Churches of America he was chosen to serve on a committee which submitted a plan to President Kennedy to revise the immigration laws of the United States, particularly with respect to Greece.

From 1958 to 1966, Father John served as the pastor of the Church of the Annunciation in Jersey City, N.J. As in all his endeavors, Father Poulos served with dedication and distinction in this post and earned the respect and gratitude of the entire Jersey City community.

For the last 7 years, Father Poulos has served as the pastor of St. Demetrious Church in Astoria, N.Y. The significance of this is that St. Demetrious is the largest Greek parish in the United States with a congregation of 22,500 persons. During these years, Father Poulos has succeeded in implementing numerous programs to enhance the quality of life for the Greek-Americans. Some of these programs include the establishment of volunteer committees to provide job opportunities, legal advice, and English lessons for the thousands of new Greek immigrants who come to Astoria each year. In addition, he introduced a highly successful cultural awareness program for his parishioners which features appearances by distinguished representatives from the cultural and educational fields.

Throughout his long years of service, Father Poulos' work has not gone unnoticed. He is the recipient of a number of distinguished awards. These include the Distinguished American Award presented by the Tricentennial Committee of Jersey City and the National Heritage Award. In addition he has received honors from the President of Cyprus, Archbishop Makarios as well as from the Ecumenical Patriarch, who bestowed upon him the highest title given to a married priest.

Yet now, after all these years of service, Father Poulos is entering still another important position, that of chaplain of the New York City Police Department. As a former, 23-year veteran of the department, I know the importance of the chaplain. In a perilous profession like law enforcement, many of its members look to the chaplain for the spiritual guidance and direction they need to carry out their duties. Based on his outstanding years of service to his fellow man, Father Poulos will prove to be an invaluable asset to the New York City Police Department.

Mr. Speaker, it is always a pleasure for me to single out men of such exemplary stature as Father John Poulos. His entire life has been dedicated to improving the life of the Greek-Americans. I wish him continued good health and success in the coming years.

MARINE MASS TRANSIT: AN ALTERNATIVE

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MATSUNAGA. Mr. Speaker, there is pending in conference legislation to deal with one of the most pressing problems facing the Nation today, mass transportation. The State of Hawaii, in particular the south shore of Oahu, has the potential to develop an experiment with a rather unique system, marine mass transit.

Mr. Gordon Trimble, an instructor at Honolulu's Chaminade College, and Dr. John Craven, dean of University of Hawaii marine programs, have outlined a detailed program which I would like to bring to the attention of my fellow Members, and I include their program, set forth in a recent article in the magazine, Hawaii Architect, in the RECORD at this point:

OAHU MARINE MASS TRANSIT

(By Gordan Trimble and John P. Craven)

INTRODUCTION

In the history of man, it is only recently that land forms of transportation have begun to reduce man's dependence upon the water. Even as late as the 1880's, 75 per cent of the agricultural lands in the United States were within 20 miles of navigable water. "Ribbons of steel," and later, "rivers" of asphalt and concrete brought, first locomotives, then, trucks and automobiles. While these helped to remove the economic constraints which restricted agriculture to areas within short distances of the water's edge, industry, manufacturing, commerce, and population centers are today still located along the land-water interface.

Within a few short decades the ship went from the most comfortable and convenient form of transportation to the least. Technological innovations including the pneumatic tire, shock absorbers and asphalt helped to make land travel more pleasant than the slow, rocking ride of aquavehicles.

Today the pendulum of technological change seems to be swinging in the direction of marine modes of transportation. Innovations within the last five years have allowed boats to travel not only economically at higher speeds but also without the traditionally characteristic stereo-rolling and pitching which made them undesirable to many as a form of transportation. These innovations make possible a mass transit system which takes cognizance of the Islands' unique beauty and topography. Such a marine system will also be an instrument of change that will help to produce the type of living environment which we want for Hawaii's future generations.

The purpose of this article is to sketch the general layout of a proposed Honolulu Marine Mass Transit System. This system is being proposed because it is far less costly than a land-based system in terms of both direct and secondary costs, and it can be implemented much more readily. A growing sector supports the marine system because its land use implications are preferable to those of alternative systems. These people have begun to view the marine system as a mode which will help channel the future pattern of development of the Islands into one that is uniquely Hawaiian.

SECOND GENERATION HYDROFOILS

While man is no longer constrained to working and living within the confines of water transportation, several recent developments in marine technology have significantly enhanced the ability of waterborne systems to compete with land-based systems. The hydrofoil is perhaps the most significant development in marine hull design since the Polynesian outrigger canoe. While the speed of conventional marine craft is limited by the boat's ability to push itself through the water, the hull of the hydrofoil rides on or above the top of the water. The hydrofoil can thus travel at much higher speeds at lower fuel consumption rates than conventional craft.

The ride characteristics of the first hydrofoils were comparable to modern land vehicles only when traveling across glassy waters. Now, with the second-generation hydrofoils, the foils are electronically controlled so that they automatically adjust to the height and length of the wave. These modern craft can travel at speeds of over 50 miles per hour while the hull of the craft remains remarkably unaffected by the turbulence of the surrounding waters.

Of the 29 countries around the world that are presently using hydrofoils, Russia makes the most extensive use with over 1,000 in operation. These vessels are of the first generation variety, and their use is restricted to canals, lakes, and relatively calm waters.

While Russia is currently manufacturing second generation hydrofoils, the Jones Act requires that any vessel which carries goods or people between two ports of the United States must be of United States construction and flag. The only company within the United States which is currently manufacturing hydrofoils of the type and design necessary for Hawaiian waters is the Boeing Co.

HAWAIIAN MARINE MASS TRANSIT

Marine Mass Transit is the name used to distinguish an integrated transportation system which uses boats from alternate proposals which do not. The marine system proposes to use various marine craft only in those situations where boats can more effectively and comfortably carry goods and people than can an alternative land mode.

The population of Oahu is distributed primarily within a narrow strip running along the coasts, with suburban communities extending up the valleys and ridges from the coastal plain.

The problem of trying to determine the most suitable site of a mass transit system is in many respects similar to one of trying to determine the optimal placement of an elevator shaft in a giant high-rise.

The optimal location of this elevator shaft may depend upon when the decision is made to have the elevator. If somehow the building has already been constructed and is being used, then it may be preferable to affix the elevator to the side of the building instead of tearing up the center portion to make room for the elevator shaft. Similarly putting a mass transit system through the center of downtown Honolulu will seriously interrupt the normal flow of goods and people.

One wonders, just as elevators were affixed to the exterior of buildings whose construction preceded the introduction of the elevator, why the ocean wasn't considered as an alternative in designing a transit system for Honolulu.

The most apparent response is that the initial planning of the fixed guideway system preceded the knowledge of technological innovations which allowed the hydrofoil to compete with other mass transit schemes. Indeed, the cost figure of $700 million for the fixed guideway system was made in 1967, two years before the introduction of the second generation of hydrofoils.

The success of the marine system, as with the fixed guideway system, is dependent upon a fully integrated bus and automobile system. While the marine is far more flexible than any other system, it is generally limited to areas that fall within the 10-foot contour line, as shown below. This line indicates that land area which is ten feet above low-mean tide. Except in the Diamond Head area, this generally falls on the mauka side of the H-1 freeway. Beyond this line dredging costs increase rapidly.

The marine system utilizes three distinct types of craft in serving inland and coastal areas from Hawaii-Kai to Pearl Harbor. Express hydrofoils cruising at speeds greater than 50 miles an hour could connect Hawaii-Kai, Waialae Park (Kahala), the Natatorium, Ala Wai Harbor, the Aloha Tower, the airport, and Pearl City. Locals will ply the same general routes as the express craft, stopping at intermediate terminals along the way. Shuttle craft will connect local and express terminals with inland areas via existing canals and stream beds. As previously mentioned, the 10-foot contour line determines the length of the stream which can be utilized for mass transit. This distance varies from .4 miles with the Manoa stream (mauka side of the H-1 freeway) to 1.5 miles with the Moanalua stream.

At present, the estimated cost of the marine subsystem is $181.5 million. The cost breakdown is as follows:

Dredging	$25,500,000
Lining	35,000,000
Bridges	20,000,000
Terminals	20,000,000
Vessels and spares	76,000,000
Support facilities	5,000,000
Total	181,500,000

EVALUATION OF ALTERNATE SYSTEMS

The most important considerations in evaluating the alternative transportation systems are: rider acceptability, the cost, the time required to implement the system, the interference of the implementation phase on the normal flow of goods and people, the ability of the system to adapt to changing conditions, and the long term impact of the transit system on the pattern of land use and development. The final decision as to whether the fixed guideway system or the marine transit system is chosen will depend upon what the people of Hawaii want Oahu to look like in the years to come, and the extent to which they can make their feelings known.

The 1967 cost estimate of the fixed guideway system was $700 million. The 1973 cost of the proposed marine system is less than $200 million.

The marine transit system has greater flexibility than its proposed alternatives. It is flexible in the sense that the State is not committed to the system even while it is in operation. The hydrofoils which constitute the single major expense of the system can be sold at about or slightly above the purchase price. Hawaii would not be locked in—having spent so much money in the beginning that it feels that it must continue supporting the system regardless of the cost.

For a sum of money less than that which is currently being spent for the planning of Honolulu's mass transit, the essential components of the marine system can be tested for rider acceptability. Only when rider acceptance has been shown do we suggest that the marine transit system, or any other system, be fully implemented.

Schedules, frequency, and destinations can be changed to accommodate the needs and wants of the people of Honolulu instead of trying to force them to fit their schedule and habits to that of the transit system. During off hour weekdays, hydrofoils can service the Neighbor Islands and ply the tourist trade. Evening events, such as trips to Halawa Stadium, can be easily accommodated. On weekends, the boats can service the various beaches around Oahu and travel to the Neighbor Islands.

Classically a good mass transit system has a high-speed spine and a number of subsidiary local loops or feeder routes. A central question is whether the ocean is not as good or better a high-speed spine than any other line drawn parallel to the coast. The fixed guideway is not exactly centered and is about as much mauka of the total city as the ocean is makai. It is not therefore automatically superior. Indeed, it does not directly serve Waikiki or the major Pearl Harbor facilities, even as the ocean does not serve Kaimuki.

The construction of a fixed guideway system in downtown Honolulu will seriously impede the normal flow of goods and people for a considerable length of time. Concomitant noise and dust will make the conduct of normal business activities practically impossible. The marine system, however, does not necessitate the tearing up of major portions of Honolulu or the limiting of access to the Hawaii-Kai. Construction of the marine system is limited to the dredging of drainage canals, raising of bridges, and the building of terminals.

The length of time required to implement the marine system is considerably shorter than that of alternate systems. It is limited primarily by the time required to obtain the necessary craft. For these reasons, the marine system has been suggested as a supplemental system to serve the people of Honolulu during the construction phase of the fixed-guideway system.

LAND USE IMPLICATIONS

Since the beginnings of man, modes of transportation and transportation systems have been instrumental in shaping society, including its physical characteristics. The rapid expansion of suburban America, for example, followed the conclusion of World War II. The private automobile and accumulated private savings together with the government's commitment to build roads made it possible for many to escape the dreary life of the inner city. Th subsequent decline of public means of conveyance and the further deterioration of life in the inner city is well documented.

Hawaii's limited land area makes it inadvisable for the State to continue its ad hoc and permissive policy of accommodating an ever-increasing number of private automobiles. We are not ready to continue a policy which will eventually lead to the rezoning of suburban Oahu. And yet, in our search for an alternative we seem bent on recreating the very misery the Mainland tried so hard to escape following World War II. Mass transit, particularly fixed rail and guideway systems, serves densely populated areas. They, in turn, tend to breed even higher population centers.

Construction of a fixed guideway system in Honolulu will, for a while, alleviate much of the visible congestion and pollution. This system, however, will tend to lead to the development of a solid corridor of people some 22 miles long, 3,000 feet wide, and some 500 feet tall. Future generations may refer to this corridor as the Great Wall of Honolulu. With its construction, the charm that was once ours will have vanished in columns of concrete, steel, and glass. Honolulu will be indistinguishable from any Mainland city. Years from now, people may wonder what possessed those who referred to Hawaii as the "Paradise of the Pacific."

Marine mass transit has land use implications far different from those of the automobile, bus, or fixed guideway transportation systems. While the majority of the advocates of marine transit prefers its lower costs, the nondisruptive nature of its construction, and its shorter implementation time, a growing number of people prefer it because they view it as a mechanism which will help develop the type of society and community they would like to see in Oahu and Hawaii.

Much of the Island of Oahu can be characterized as a series of distinct valleys, some one-half mile wide and three miles long, opening onto a narrow coastal plain.

It is these valleys which could become basic planning units. From the old Hawaiians we can borrow the idea of the ahu puaa—a contiguous land area which contained all that was deemed necessary to sustain life and livelihood. With proper planning and appropriate incentives these valleys of Oahu can become a series of modern ahu puaas. Each ahu puaa or community while having the necessary access to every other will have enough seclusion to form a separate and unique identity of its own.

High density living units will be located along the perimeter of the valley at the base of the cliffs. Thus one man's quest for a view will not destroy that of his neigbors and from every lanai there will be an open expanse from the mountains to the ocean.

A natural linear park will stretch along the stream from the upper reaches of the valley to its mouth. From the residential high-rises at the base of the cliffs to the park-shrouded stream would be a five to ten-minute walk. Between these two would be other low density functions such as schools, churches and golf courses.

While some stores will be located within the high-rise residential buildings, most of the commercial and service establishments are contained in the shopping center located along the stream at the mouth of the valley. This shopping center will also serve as a terminal for the marine transit system and a transfer point to the land-based transit system which makes the loop of the valley connecting schools, high-rises and the shopping center.

The marine transit system will connect to other places of employment and universities located in adjacent ahu puaas. The marine system will also carry goods from the commercial harbor to the shopping centers in the ahu puaas.

Each ahu puaa, while having the necessary access to every other, will thus be free to establish and maintain its identity as a living, working, recreating unit.

Many will challenge this concept as a pipe dream. Indeed the custom of our society is to conduct economic and cost-effective studies to justify initial prejudices, and to reject alternatives not previously considered. On occasion, as in the case of marine mass transit, the planners will discover the rude shock that the out-of-hand rejected alternative will survive the cost study. It is submitted that the ahu puaa concept outlined here will also survive any fair cost study which takes into account all of the true costs of a modern society.

PROPOSES MINIATURE VERSIONS OF MAJOR SIGHTS OF OUR NATION

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. PARRIS. Mr. Speaker, on several occasions in the past few months I have brought to my colleagues' attention the work which my constituent, Mr. John R. Kanline, of Alexandria, Va., has

done in connection with a project entitled "U.S.A. in Miniature."

Under my leave to include my remarks in the RECORD, I would like to include the following progress report from Mr. Kanline:

ALEXANDRIA, VA.,
December 26, 1973.

Congressman STANFORD E. PARRIS,
House of Representatives,
Congress of the United States,
Washington, D.C.

DEAR CONGRESSMAN PARRIS: I would like to express my appreciation for your three previous inserts in the Congressional Record on the Bicentennial proposal "USA in Miniature." This you recall is a proposal for a small four acre park in the Nation's Capital area depicting the major sights of the United States in miniature and patterned after a similar park in the Netherlands called the Hague.

Recent events call for updating the "Record" to include the following:

1. A recent article in the Washington Star News by Staff writer Betty James in the issue of Dec. 24, 1973 as follows:

"TINYTOWN U.S. PROPOSED AS A MINI-PARK

"(By Betty James)

"An Alexandria man believes his dream for the American Bicentennial would mean "Christmas most of the year" by capitalizing on the fascination for miniatures that has inspired generations of Americans to have trains and towns under the Christmas tree.

"John R. Kanline is into the second year of his one-man crusade to see his concept, "U.S.A. in Miniature," become reality.

"As he envisions it, a new and different kind of park of only four or five acres would be created in the Washington metropolitan area with copies in miniature of historic American sights and scenes from coast to coast.

"Kanline pictures islands of interest and industry including operating miniature versions of historic sights like Niagara Falls, the Golden Gate Bridge, the U.S. Capitol, the Grand Canyon and Cape Canaveral. The park also would include miniature reproductions of national sights like a blast furnace, an oil refinery, a seaport, an auto assembly line, a grain silo, an airport and a railroad. The park would be entertaining as well as educational but wouldn't be an amusement park, Kanline said.

"Kanline is a retired State Department official who was inspired by a 1970 trip to the Netherlands, where he discovered a park near The Hague called "Madurodam."

"Madurodam provides a microcosm of Dutch life carefully done to scale, with buildings about knee high.

Built on four acres, Madurodam features among other things a great church with chiming bells, medieval houses around a castle, a parliament building with carriages and honor guard in the courtyard, an airport, a motorway, a seaport, and a railroad that runs for two miles on a circular track.

"Miniature fountains play; so do miniature bands. The park, which is privately run, was established 22 years ago by the wealthy parents of a student who died in a concentration camp in 1945. The park attracts more than a million visitors each year and the admission charge is turned over to charity, Kanline said.

"Getting backing for his dream is Kanline's problem. So far, his biggest booster has been Rep. Stanford E. Parris, R-Va., who has applauded Kanline's efforts to make the Bicentennial celebration more enjoyable for visitors to the Nation's Capital and has put several communiques from Kanline in the Congressional Record.

"Kanline hopes the newly created American Revolution Bicentennial Administration will be more responsive than the old commission.

"Even the new group won't have authority or money to launch its own projects, but Kanline feels genuine interest on the part of the bicentennial administration would stimulate response from others. Among them would be government agencies like National Park Service and the Smithsonian Institution, industry groups like the National Association of Manufacturers and the U.S. Chamber of Commerce, and philanthropic and agricultural groups.

"He has contacted approximately 125 major American firms. Several have shown interest, but no commitments have been made.

"Mindful of the energy crisis, Kanline said the exhibit would be a 'low energy consumer' even if the park were lighted at night like Madurodam with 46,000 tiny lights. But even if the park were open only during the day it would be worth building, he said."

2. The need for immediate response, action and participation:

This proposal has been well described in the series of articles which you Mr. Congressman kindly inserted in the Congressional Record during 1973 captioned "USA in Miniature".

The time grows short and now, I repeat now is the time for commitment by those industries and agriculture interested in patriotic and tasteful advertising to come forward in the following manner:

The steel companies (U.S. Steel, Bethlehem, Republic, Jones & Laughlin, Armco, etc.) to say in writing to the Bicentennial Administration "we will put up an exhibit in the small park consisting of a miniature blast furnace and steel mill in whatever space provided"; for the oil refineries (Exxon, Gulf, American, Texaco, etc.) to say "we will put up a small refinery, oil storage tanks and float a tanker in the miniature harbor"; for the aluminum companies (ALCOA, Kaiser, Reynolds, Harvey, Anaconda etc.) to say "we will set up a small model of a smelter or a bauxite mine or an alumina plant"; for the power companies of the Nation "we will put in a miniature hydro electric dam, a nuclear power plant and transmission lines"; for the railroads "we will put in the miniature railroad and trains and controls etc."; for the shipping companies "we will float model cargo and passenger liners in the harbor and create the port and port facilities in the small park"; for the automobile companies (General Motors, Ford, Chrysler, American) "we will put in a small scale automobile assembly plant"; for the airlines (TWA, Pan American, United, National, Eastern etc.) to say "we will develop a miniature airport with moving planes taxiing on the runways"; for agriculture (National Grange, Farmers Union, Farm Bureau Fed.) saying "we will see that agriculture is well represented with farm scenes, grain silos, working agricultural equipment (International Harvester and Allis Chalmers please note)"; with the American Roadbuilding Federation, Greyhound, trucking organizations, and other motor carriers saying "we will put in the highway and the busses and trucks to traverse it"; the coal companies to say "we will include a small coal mine exhibit"; for Weyerhauser to say "we with our related industries will put in a miniature forest, saw mill and lumber yard and paper manufacturing plant"; for General Electric and Westinghouse to say "we will do something to help with the electrical elements, the small lights, power for the miniature railroad, lights for the buildings and the park itself"; for the glass companies (PPG, Corning etc.) to provide the small glass for buildings, churches, cathedrals etc."; for the beverage companies (Coca Cola, Pepsi Cola, Canada Dry, Anheuser Busch, etc.) to find a suitable contribution and commit themselves to participate; the same goes for General Foods, General Mills and the food processing industry; for the space industry complex such as Rockwell International to say "we will include a model of Cape Kennedy and other space paraphernalia in miniature"; for the large merchants such as Sears Roebuck, Montgomery Wards, Gimbels, Macys etc. to say "we will include models of some of our best stores in the park"; for the photographic industry such as Eastman Kodak, Polaroid, Sylvania, Honeywell etc. to find an appropriate role in the project; for major hotel chains like Holiday Inn, Marriott, Hilton, Ramada Inn, etc. to say "we will erect facilities near the park for tourists and visitors; for the restaurants and food chains like Hot Shoppes, McDonalds, Arbys', Burger Chef etc. to commit themselves to serving the park visitors; for DuPont to find an appropriate role in the project and commit themselves to participate; etc., etc., etc.

With only a few of these commitments to the Bicentennial Administration a major step toward our objective would be accomplished. The Bicentennial would then be in position to seek a site from the National Park Service, with the help of the Smithsonian to begin design of the park to approach philanthropic minded individuals and organizations for commitments on the historical and public sector displays and thus the project would begin to take form.

Who will be the first to come forward?

Opportunity exists for the private investment and insurance companies to participate and possibly to help shape an appealing investment package. With maximum participation of U.S. industry, agriculture, philanthropic interests, and Government the cost element will be minimized.

A positive response from industry, agriculture, transportation and philanthropic individuals and organizations to participate in some manner is imperative at this time and not much later and I hope fervently that most have the courage and wisdom to come forward. At this time, all pulling together in such a cooperative effort would be both enjoyable and self-rewarding and should present a challenge to the National Association of Manufacturers, the Chamber of Commerce and the myriad of associations representing the establishment.

Time is a factor with the Bicentennial celebration coming in two years, so some initial reaction is mandatory if this proposal is ever destined to become a reality. Let's start now and individually or collectively commit at least an interest in participation. A show of unity in this Country in these troubled times is in order and there is certainly nothing wrong in truthfully improving corporate images in this fashion.

3. World-wide implications:

As an interesting sideline there are possibilities for other countries around the world to create miniature parks depicting their own modern and historical sights for both tourist and local appeal. This happening could create a demand for certain services and supplies from U.S. sources. In this regard I have contacted Mr. David S. Horner of the Foreign Investment Staff, BIC, Dept. of Commerce to pass this idea on through the commercial channels and facilities of our U.S. Embassies abroad to foreign business communities and governments.

In conclusion I wish to extend my appreciation for your continued interest, cooperation and help and hope that if the opportunity arises you might discuss this proposal "USA in Miniature" with appropriate Members of Congress and speak out on this issue if the opportunity arises.

Many thanks,

Sincerely,

JOHN R. KANLINE.

HUNGARIAN REPRESSION IN TRANSYLVANIAN NATIONS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. HORTON. Mr. Speaker, a quarter of a century has passed since the United Nations adopted the Declaration of Human Rights. Today I should like to bring to the attention of the House the plight of Hungarians in their native lands whose rights under the declaration have been consistently disregarded. I submit for the RECORD the following letters from the Coordinating Committee of Hungarian Organizations in North America and a memorandum from the Committee of Transylvania explaining this intolerable violation of human freedom:

COORDINATING COMMITTEE OF HUNGARIAN ORGANIZATIONS IN NORTH AMERICA,
Washington, D.C., November 30, 1973.

His Excellency KRISHNA RAMPHUL RADHA,
Chairman of the Human Rights Commission of the United Nations, New York, N.Y.

SIR: On December 10, 1973 the United Nations will celebrate the 25th anniversary of the Declaration of Human Rights.

During the last quarter century many new nations have been born and are now independent states and members of the United Nations. Therefore, it is understandable that the Declaration of Human Rights is universally considered as the Freedom Charter of Mankind.

Unfortunately, the rights expressed in the Declaration are not enjoyed by the Hungarian Nation. For the last 25 years the Hungarians have lived under Soviet colonialism and have not enjoyed the rights which are incorporated in the said Declaration. A few examples follow:

Paragraph 19 of the Declaration says: "Everyone has the right to freedom of opinion and expression . . ." If the Hungarians criticize either the Soviet occupation or the Communist party, their personal freedom is in danger.

Paragraph 20 of the Declaration says: "Everyone has the right to freedom of peaceful assembly and association." For 25 years the Hungarians have not been allowed to establish any association or federation in the interest of the nation and the people; they can only have associations which serve the interest of the Soviet government or the Communist party. Neither can they assemble peacefully to discuss their national interest and the Soviet occupation.

Paragraph 21 of the Declaration says: "Everyone as a member of society has the right to take part in the Government of his country, directly or through freely chosen representatives." The Hungarians have not had free elections since 1947; they do not exercise the right of self-determination, without which no national life or independent state can exist.

Every kind of colonialism contains the seed of international turmoil and constitutes a permanent danger to world peace.

Although the General Assembly of the United Nations, in connection with the Hungarian Revolution, has demanded many times that the Hungarian people should exercise their fundamental human rights (1004–ES–H; 1005–ES11; 1006–ES; 1133–XI; 1857–XVII), their resolutions never went into effect, even when many young Hungarians died for the freedom and independence of Hungary during the 1956 Revolution.

We, the undersigned, who represent the Hungarians in the free world on four continents, respectfully request the Commission on Human Rights:

1. to put on its agenda the question of the denial to the Hungarian people of the exercise and the enjoyment of their fundamental rights;

2. to call upon the government of the Union of Soviet Socialist Republics and the authorities of Hungary to respect the above resolutions of the General Assembly, especially since the Hungarian people do not exercise the right of self-determination and the Soviet troops are still unlawfully stationed in Hungary and occupying the country;

3. to report and make the recommendations the Commission may deem advisable to the General Assembly.

Very truly yours,

Dr. JOZSEF KOZI HORVATH,
President, European Congress of Free Hungarians.

Dr. LASZLO VARGA,
President, Coordinating Committee of Hungarian Organizations in North America.

Dr. IMRE GACSER,
Association of Free Hungarians in Latin America.

Dr. ANTAL ENDREY,
Australian Hungarian Federation.

COORDINATING COMMITTEE OF HUNGARIAN ORGANIZATIONS IN NORTH AMERICA,
December 5, 1973.

His Excellency NICOLAI CEAUSESCU,
President of The Socialist Republic of Romania, the Embassy of the Socialist Republic of Romania, Washington, D.C.

YOUR EXCELLENCY: On the occasion of your visit to the United States the Coordinating Committee of Hungarian Organizations in North America is compelled to call your attention to the attached memorandum prepared under the auspices of one of its member organizations, The Committee of Transylania. This memorandum expresses the concern, defines the position and conveys the requests of all Americans of Hungarian descent in connection with the treatment of Transylvania-Hungarians by your government.

We strongly believe that the implementation of the policies outlined by the attached document is necessary to establish and promote a relationship between the Romanian and Hungarian nations in Transylvania which is based on mutual respect for human values and on the enjoyment of equal rights to life, liberty and pursuit of happiness.

Without the fulfillment of the proposals of the memorandum the safeguarding of the inherent civil rights of the Hungarians of Transylvania and the protection of their Hungarian identity in Romania cannot be assured.

We trust that our proposals, which are based on principles expressed by the Declaration of Human Rights and described in the enclosed memorandum, will meet your favorable consideration.

Sincerely yours,

I. B. GEREBEN,
Executive Secretary.

MEMORANDUM ADOPTED AT THE ANNUAL MEETING OF THE COMMITTEE OF TRANSYLVANIA

BACKGROUND

1. As it has been recognized and stated by the United States Department of State, the Romanian Government has pursued a systematic policy of de-Magyarizing the Hungarians of Transylvania.

The Romanian Government's goal is "to solve its Hungarian minority problem by reducing, rather than maintaining or expanding autonomous Hungarian institutions."

In addition the method of assigning jobs to most university graduates tends to scatter Hungarian intellectuals in pure Romanian territories outside of Transylvania.

The Bolyai (Hungarian) and Babes (Romanian) Universities in the Transylvania city of Kolozsvar/Cluj were amalgamated by government orders. All courses are taught in Romanian, even by professors of Magyar origin, except those on Hungarian language and literature.

It appears that the Romanian Government has indeed been following a course aimed at reducing Hungarian cultural and national influence in Transylvania, and at assimilating and absorbing the Hungarians there into the Romanian population.

2. A good number of United States Senators and Representatives have pointed out the oppressive discrimination against Transylvania Hungarians, in the last ten years or so, and have repeatedly protested against these practices of the Romanian Government, on the floor of the Senate and the House of Representatives.

3. On-the-spot reports by prestigious American and Western European newspapers and magazines attest to the same conditions of Transylvania Hungarians as do the above mentioned sources.

4. Conditions witnessed in Transylvania by numerous Americans and other individuals, many of them brought to the attention of Transylvania-oriented organizations, fully confirm the findings of the State Department, and the United States Legislators.

5. More recent reports suggest some degree of improvement in the discriminatory practices in Transylvania, mainly in certain aspects of cultural life. However, being only bits of information, inadequate to form an overall picture, these reports are often found to be out of context and so tend to distort, rather than clarify the situation.

The basic Romanian policy of assimilation, and a quasi second class citizenship assigned to the Hungarian population, may never have been on the books of the Romanian legislature.

Nevertheless, the unwritten law of oppression and discrimination has been the grim practical reality of Hungarian life in Transylvania for too long to believe.

In the last analysis, we do not know of meaningful, overall changes.

OUR POSITION

1. No nation should be destroyed whether by forced assimilation to another culture and gradual absorption thereby or in any other way. Policies against the survival of a nation violate fundamental human rights and international laws and treaties, such as the Charter of the United Nations, the Trianon Peace Treaty of 1919, and the Paris Peace Treaty of 1947.

2. It is the destiny of the Hungarian and Romanian nations to co-exist in the Eastern part of the Carpathion Basin, i.e. Transylvania, where their ethnic frontiers overlap.

There can be no fruitful co-existence, true brotherhood, or genuine peace between oppressed and oppressor, for these things can only exist between equals.

3. We believe that the Romanian Government should give meaningful recognition to the fact that the Hungarians of Transylvania did not immigrate into Transylvania. To the contrary, Hungarians have been the people of Transylvania for many centuries, beginning with the time when Hungary was established 1,000 years ago. Their individual rights to Transylvania are inalienable and not a jot weaker than the right of the Romanian population of many centuries.

4. We believe that the Romanian Government should fundamentally reevaluate its thinking on the assimilation of Transylvanian Hungarians. Renouncing Romani-

zation coupled with good faith implementing this change of policy would be a great contribution to genuine peace and harmony in that part of the world.

5. We believe that the proposals now to follow—if implemented—will serve to make Transylvania a better place to live for Hungarians and Romanians alike.

OUR PROPOSALS

1. Give Transylvania the status of a special province to be governed and administered by Romanians and Hungarians in proportion to their respective population, on all levels of government.

2. Make Hungarian an official state language, equally ranking with Romanian, throughout Transylvania and other former territories of Hungary attached to Romania by the Trianon Treaty.

3. Grant cultural autonomy to the Hungarian population and discontinue the present system of making Hungarian cultural institutions atrophied appendages of corresponding Romanian cultural institutions.

4. Legislate equality of Hungarians and Romanians in civil and national rights in all aspects of human endeavors, including education in mother tongue, job placement generally and in leadership positions, cultural developments, moving into cities, and allocation of funds to government controlled institutions and activities.

Implement State laws against discrimination on all governmental levels with full vigor.

5. Establish a complete and independent Hungarian school system.

6. Make the Kolozsvar/Cluj University again a Hungarian University.

7. Renounce the Romanian national policy aimed at the Romanization, assimilation and absorption of the Hungarian population of Romania. More particularly:

(a) No further alteration of the ethnic structure of Transylvania at the expense of the Magyar population by any means, including resettlement of Transylvania Hungarians outside of Transylvania, or Romanians into Transylvania.

(b) Stop establishing Romanian schools in Hungarian villages.

(c) Do not send Hungarian students to universities outside of Transylvania. Rather increase capacity of the Kolozsvar/Cluj Hungarian University which was drastically reduced as a result of unification with the Babes (Romanian) University.

(d) Stop scattering Hungarian intellectuals in all parts of Romania outside of Transylvania.

(e) Free use of Hungarian language.

LOUIS L. LOTE,
President,
Committee of Transylvania, Inc.

THE 93D CONGRESS—1ST SESSION SUMMARY REPORT

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 21, 1973

Mr. DONOHUE. Mr. Speaker, as we near the end of this 1st session of the 93d Congress I wish to include, in accord with my annual custom, a résumé report of some of the major legislative measures that were considered together with an account of my own convictions and voting actions in connection with these measures.

Of course we cannot, because of time and space limitations, comment upon every bill that was considered but even a summary review of the overall legislative activity that occurred will, I think, reveal that the congress was, in this first session, exceptionally diligent in application and substantially productive in achievement. On this score it may be of interest to note that the House of Representatives was in legislative session on 175 days, approved a total of 717 bills, had 307 yea-and-nay votes and 234 recorded votes which establishes a new record that was partly accomplished because of the installation and use, this year, of a modern electrically automatic voting system.

INFLATION CONTROL—THE ENERGY CRISIS—UNEMPLOYMENT

Although a great deal of Congressional attention and news media publicity was rightfully given to certain constitutionally related issues, such as the House directed Presidential impeachment inquiry and restrictions upon the President's war making powers, I continue to believe, as I have over these past few years, that inflation, now heightened by the energy crisis is still, and will unfortunately remain for the foreseeable future, the most immediately distressing problem that plagues the greatest number of American families and citizens. Because of my persevering, intense concern about this nationwide affliction I advocated and supported several additional inflation restriction bills that were adopted in this Congressional session, such as the extension of the previously approved Economic Stability Act granting Presidential authority to control prices, wages and profits, extension of the Federal authority to regulate interest rates, extension of the FHA Loan and Mortgage Insurance Programs and extension of the Public Works and Economic Development Act. These and other measures are designed to further empower the President to use and further emphasize, to him, the imperative necessity of using his vast Executive Department resources to relieve our beseiged citizens from some of the inflationary pressure sufferings besetting them and to prevent this country from falling into the major economic depression that is threatening us from all economic sides.

THE ENERGY CRISIS

Mr. Speaker, the disastrous energy crisis that has suddenly overtaken the country is even now spurring the inflationary spiral to increasingly higher levels and I most earnestly urge and hope that this Administration will exert every last vestige of its enormous economic control power to detect, publicize and halt any and all attempts by anyone to illegally and unethically profiteer, in this national emergency, from further unconscionable price increases in the basic necessities of life as well as in fuel oil, gasoline and other petrochemical products. In related actions I have introduced legislation and urged the President to stop the American exportation of oil and wheat during this emergency and I have also urged the authorities within my own Commonwealth to insure that the ordinary citizen and his family is not price gouged by any excessive and unjustified "adjustment" rate increases imposed upon them by public utilities and other service corporations allegedly because of the energy shortage. Any such announced charge increases should be required to be clearly justified beyond any doubt and our various State public utility departments and commissions should see to it that they are openly and publicly denied when they obviously cannot be so justified. And with respect to this subject, Mr. Speaker, let me emphasize that the primary reasons why I and so many other Members of the House of Representatives voted against the so-called Energy Emergency Act which was defeated in the House on the evening of December 21, last, were because of the failure of the administration to agree to the inclusion in that Act of realistic provisions to prevent windfall profits; to require major oil company record disclosures of current reserve supplies, past prices and profits and other pertinent information essential for fair and effective Federal restrictions upon exorbitant prices and profits in this emergency; and to give the Congress reasonable review authority over the President's energy control powers.

Mr. Speaker, inflation imposes its cruelest hardships and greatest burdens upon the poor, our older citizens on fixed incomes and low- and middle-income families and I shall remain unalterably opposed to the placement of any additional taxes or other financial sufferings upon this vast majority of our American citizenry because of a national energy shortage that has come about through no fault of theirs. I shall continue in the next congressional session to do everything I individually and cooperatively can to expedite the passage of an Energy Emergency Control Act that will impose equal sacrifices upon every individual in any segment of our American society while insuring that the act cannot be used by an unscrupulous few as a means of engaging in demoralizing profiteering at the economic expense and distress of all the rest of our people.

UNEMPLOYMENT

Mr. Speaker, everyone understands that the most catastrophic event affecting an individual, a family, and a nation is widespread unemployment. Realizing that the energy crisis would inevitably expand the already existing high unemployment rate throughout the country, the Congress approved an Emergency Manpower Utilization and Job Plan Program which I supported that will make public service employment available as the need arises. This wholesome legislation, together with extended and expanded unemployment compensation, which I also supported, will establish a major cushion in this emergency period to ease the tragedy of high unemployment and establish a means of providing meaningful jobs, not just training, to willing and able American citizens who find themselves out of work through circumstances over which they have no control.

SOCIAL SECURITY BENEFITS INCREASES

Inflationary costs of the basic necessities of food, clothing, rent and health

care and medicines, predicted by economic experts to go even higher immediately after the New Year, have inflicted and will continue to inflict their worst hardships upon a major number of social security benefit recipients. That is why I introduced, supported and urged the adoption of legislation to grant these more than thirty million individuals a speedup of some 6 months in effective date and an increase of some 5 percent in the previously authorized program. The legislation adopted in this first session provides for a 7-percent increase that will be reflected in social security checks received in early April of 1974 and for a further 4-percent increase that will be included in checks received in early July of 1974; it also provides for an automatic cost-of-living increase in June of 1975. Mr. Speaker, the advance in time and increase in the amount of these payments is only the extension of simple justice to these extremely distressed millions of loyal Americans who are actually desperate these days in just trying to keep their heads above the rising tide of inflation that could economically drown them if any additional financial emergency should arise.

IMPROVING THE NATIONAL HEALTH

There is no question whatsover that good health is essential to the progress of an individual or a nation.

The Congress in this first session enacted several health improvement measures. Most prominent among these measures were the Health Maintenance Organizations Act, the Emergency Medical Services Act and the National Biomedical Research and Training Act approved in the House. The Health Maintenance Organizations Act would encourage the development of the prepaid groups health programs, now servicing some several million people, which assure, for a single annual fee, that a family will receive a year's annual health care no matter how frequently a doctor's services may be required. It is authoritatively estimated that the Emergency Medical Services Act, designed to give more immediate and better medical attention and care to accident and sudden illness victims, will result in the saving of about 60,000 lives yearly. The Biomedical Research and Training Act, when finally adopted in the Congress, will enable medical scientists to continue their dedicated efforts to find the causes and cures for such grave illnesses as cancer, stroke, heart disease, diabetes, mental health, and many other dreaded human afflictions.

These and other measures such as the limited rehabilitation program and school lunch and child nutrition programs will serve to particularly preserve and protect the health of our school children and improve the health of all our American people in general.

I will continue to support the expansion and strengthening of these health programs and the adoption of a national health insurance program in the next session of the Congress.

LABOR-HEALTH, EDUCATION AND WELFARE APPROPRIATIONS BILLS

Supplementary to a great many of the previously listed programs is the annual Labor-Health, Education and Welfare Departments Appropriations Bill which I have consistently supported.

On two past occasions this bill incurred Presidential vetoes. I am most gratified, therefore, that the President signed into law the bill that the Congress recently passed for the third time to carry on higher education as well as essential elementary, secondary and veterans education programs, library services, training programs for doctors and nurses, aid to the handicapped, public service employment for the elderly, programs of financial assistance to students and many others.

I have long contended that the overly restrictive requirements for participation in current student financial aid programs have unintentionally served to practically eliminate the eligibility of great numbers of students from middle-income families to receive any assistance at all. Such elimination practically amounts to discriminatory injustice. I shall continue to advocate and support measures to remove that injustice and provide middle-income family students with the financial assistance they merit and need to complete their higher education.

Some of the other professionally valuable activities funded through these appropriations are manpower training, unemployment benefits, delivery of health services, vocational and adult education, alcoholism and drug abuse prevention, biomedical research and the Office of Child Development.

These and related activities conducted by two of the most vitally important departments of the Federal Government are chiefly responsible for the forward progress and development of the average American and I shall continue my sponsorship and advocation of them in the national interest.

PROGRAMS FOR OUR OLDER CITIZENS AND WAR VETERANS

Of the Nation's more than 20 million persons 65 and older about 4.7 million or one-quarter of them live in poverty with annual incomes of $2,328 or less for a couple and $1,152 for an individual living alone. It is unfortunately too clear that all our older citizens need every reasonable economic assistance that can be provided by this country and this Government to which they have contributed so much for so long. For these reasons this Congress expanded and strengthened several programs designed to extend further material assistance and morale encouragement to these special citizens. Among these measures are the social security benefit increases I have already mentioned, expansion of the Older American's Act to aid our elderly citizens in the areas of housing, transportation and employment and some limited improvement in social services programs.

Mr. Speaker, no group of citizens is more eminently deserving of our peoples gratitude than those who have militarily served this Nation in time of war and particularly the veterans of the Vietnam war. In recognition of this highest national obligation the Congress approved three measures of significance to our veterans and their families. The first grants an approximate 10-percent increase in the pensions received by disabled veterans as well as those received by widows and children and surviving parents of deceased veterans; the second measure modernizes the present veterans medical care program, extends the VA medical care to certain dependents and survivors of veterans and requires that sufficient hospital beds are made available so that eligible veterans are caused no undue delay in admission and treatment; the third establishes a National Cemetery System to be administered by the Veterans' Administration and provides for limited payments for burial and funeral expenses for veterans not interred in a veterans or other National Cemetery.

These programs, that I advocated and for which I voted, serve to give some reassurance to our veterans that they have not been entirely forgotten by the Congress and the country. However, another objective, that I and many other colleagues advocated, of paramount concern to our Vietnam veterans was not achieved in this first session. This objective is an urgently needed and justified increase, in the face of ever-rising tuition and related costs, of the educational allowances for our single and married Vietnam war veterans attending higher educational institutions and I am hopeful that such increase will be approved as soon as possible in the next congressional session.

Mr. Speaker, fair and just recognition of and response to our traditional obligation to our war veterans and to the basic economic needs of our elderly is essential to the maintenance of an imperatively urgent high national spirit. I shall, therefore, continue to support every legislative effort designed to reasonably aid and encourage our war veterans and older citizens in this turbulent period of our history.

OTHER LEGISLATION OF NATIONAL AND REGIONAL IMPORTANCE

Mr. Speaker, all the bills that were considered under these headings cannot, of course, be listed here but among the more important I think the following legislative actions, which I supported, deserve priority mention: The Cambodia bombing halt which resulted in the withdrawal of our American military forces from Vietnam; the war powers resolution providing for a 60-day limit on Presidential power to commit our armed forces to military action without congressional endorsement; the approval of funds to conduct a Presidential impeachment inquiry; the time extension of the Watergate grand jury; the adoption of rules to initiate a review of our present congressional committee system and to provide for open committee meetings, automatic votes on committee chairmen and other changes constituting the groundwork for the most far reaching reforms of congressional procedures in history; the adoption of a mandatory fuel allocation program; approval of a budget limitation and impoundment control measure to reestablish congressional responsibility in the budget setting and Federal spending areas; reductions in Defense Department and foreign aid programs; the Vice-Presidential confirmation of GERALD FORD; the Law Enforcement Assistance Act extension to provide better protection of area citi-

zens against criminal violence; the Drug Abuse Education Act extending, for 3 years, school and community based programs of drug abuse and alcohol prevention training; the Child Abuse Prevention and Treatment Act; the initiation of the trans-Alaska oil pipeline construction; the expansion of the national flood insurance program; the extension of the Clean Air and Solid Waste Disposal Acts; the Small Business Amendments Act, vetoed by the President, designed to expand critically needed assistance to small firms struggling for survival in this inflationary period; the Water Resources Development Act; the Minimum Wage Expansion Act which was also vetoed by the President last September 6; the Federal Aid Highway Act extension with a provision permitting the use of some allocated funds for urban mass transit projects; the Urban Mass Transportation Act authorizing, for the first time, Federal subsidies for the operating expenses of certain mass transit companies and extending special fare considerations to the elderly and handicapped; the Regional Rail Reorganization Act to restructure and upgrade overall rail service which is absolutely essential to the continued economic well-being of the people in our Northeast region; some increased funding for the National Railroad Passenger Corporation that may hopefully serve to increase the rail passenger service along the "Inland Corridor" through my home State of Massachusetts and on to other points; the reinstitution of daylight saving time; the establishment of a 55-mile-per-hour maximum highway speed limitation; the railroad retirement annuities benefits extension; the initiation of private pension reform; a bill that I managed and that was overwhelmingly approved in the House, to restructure, for more effective operation, the Bicentennial Celebration Administration and a host of other bills that cannot be included here because of space limitations.

CONCLUSION

Mr. Speaker, I have repeatedly stated, through the years of my service here, that the one most vitally important, basic thing a Member of Congress can do to contribute to the success of our national legislative goals is to conscientiously and diligently work and vote with absolute objectivity and impartiality, and without predjudice of any kind whatsoever.

I emphasize this principle because of the very heavy duty facing all Members of the House of Representatives and particularly those of us serving on the Judiciary Committee of the House in our individual determination of the evidence that will be presented in connection with the issue of Presidential impeachment that will be of such paramount concern in the next session of the 93d Congress.

It is my profound conviction that this imperatively important matter must be persistently pursued with the most scrupulous observance of all our traditional rules and standards of thorough study and brought to the most expeditious determination in the predominant national interest. I shall further and faithfully adhere to this conviction in all of my judgments related to the impeachment inquiry resolution and every other legislative challenge that will be presented to the Congress throughout the new year of 1974.

ROSALINA FAGARANG—AN INSPIRATION TO HAWAIIANS AND ALL AMERICANS

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MATSUNAGA. Mr. Speaker, I take this opportunity to share with my fellow Members of Congress the story of a remarkable woman. Rosalina Arzadon Fagarang, despite being handicapped at age 20 with polio, has gone on to help others in many ways. Rosalina Fagarang is a native of my own home island of Kauai, and I have known her for many years.

An accomplished singer, a community worker, and the youngest president in the history of the Hawaiian Federation of Women's Clubs, Rosalina has surmounted significant obstacles while making better the lives of those with whom she comes in contact.

The Pacific Courier recently published a profile of Rosalina which I would like to submit for the RECORD in recognizance of her achievements, and in the hope that her example will assist others struggling to overcome handicaps.

The article follows:

ROSALINA ARZADON FAGARANG— PROFILE OF COURAGE, DETERMINATION, AND ACCOMPLISHMENTS

The story of Rosalina Arzadon Fagarang is an exciting one in spite of that fact that at age 20 she was polio struck and followed by months of helplessness before she could walk again.

It was at that time of her life that she began to plan for the future and determined to lead a full and useful life in spite of polio. Her courage and faith brought her almost complete recovery, except for an ankle which is still weak.

Her illness stimulated her to take up singing and craft work seriously. Today she uses all of her talent to help others

The story of Rosalina is an inspiring one. Her first concert was for the Lions Club of Kauai, who netted $3,000.00 that being her expression of gratitude for their monetary support and moral backing during her illness.

Rosalina is an untiring worker today donating her talents to the Armed Forces, to the crippled children of the Shriner's Hospital, to her people on Kauai and her myriads of friends in the film industry of the Philippines. Her home on Kauai is the headquarters for all her friends. Her doors are always open. She is famed for her hospitality.

Rosalina Arzadon Fagarang, several years after her parlytic polio, was accorded a signal honor. She was elected president of the 1800-member Hawaii Federation of Women's Clubs composed of the Filipino Women's Civic Club, Chinese Women's Club, Hawaii Home Economic Ass'n, South Oahu County Home Demonstration Council and We The Women.

Of Rosalina's installation, then immediate past president Mrs. Edward W. L. Kam said, "She is the youngest president the organization has ever had and therefore has the greatest opportunity to carry on its traditions.

To those who know the dimpled Filipina with her serene self-possession, the honor was no surprise. She resolutely regarded her affliction not as a door slammed shut by a cruel and capricious fate, but a door opened to new vistas she would never otherwise have experienced.

Music and art for instance.

Today Rosalina is known for her lilting mezzo-soprano, a fact that started when she laid in her hospital bed.

"It was part of the training required by my doctor to limber the diaphragm and control the diaphragmatic muscles," she explained. She has been featured in concerts and sang regularly on radio singing light classics and light opera but always including Philippine numbers.

In spite of a slight limp, Rosalina's exuberance has not dampened her participation in multiple activities. In Manila she sang for the patients of the National Orthopedic Hospital where she was received with utmost enjoyment, more so when she said, "I am elated to be with you today, I know how you feel because we belong to the same world." The enthralled audience honored her with a truly resounding round of applause.

Rosalina had to wear ankle braces for six years after her illness but that did not prevent her from being active in club work. She narrated and produced pageants, edited the Liwanag, publication of the Filipino Women's Civic Club, all in addition to her full-time job as a teacher.

A sociology major, Rosalina discovered her aptitudes in arts and crafts during her struggle to overcome the crippling disease. This knowledge she shared with her pupils wherever she taught school.

She undertook the task of teaching the mentally retarded in her search for additional ways to serve. "The experience of being handicapped myself helped me understand in work with the ungraded students," she said.

The bubbling then Miss Arzadon received numerous proposals of marriage including one from a prince of the Sulu Archipelago who sent her a huge pearl bracelet and ring.

In 1963 Rosalina was accorded membership on the honorary committee for the joint anniversary celebration of the National Council of Women of the United States and the International Council of Women. That membership placed her in company of the nation's most distinguished women, including the wives of United States cabinet ministers in addition to the then First Lady, Jacqueline Kennedy. (In photos appearing in this issue, Rosalina is shown in many activities for the National Federation of Women's Club for Hawaii).

In the superlative fashion in which Rosalina met every challenge life has flung at her is an indication, she has every reason to rejoice, for her life has been full and in its fullness she has given joy, comfort and courage to many, many people.

To elaborate on Rosalina's accomplishments, honors received, educational attainments and her many, many contributions to the community would be voluminous.

Currently she serves as Adult Education teacher for the Community School for Adults and most of her students are newly-arrived immigrants who desire to learn basic English.

Besides her singing, Rosalina plays the piano, organ, is an expert on the auto-harp. She is an arts and crafts artist and her painting in oils is inspiring to behold.

She has done mosaics, sculpture, ceramics besides doing pictures in copper tooling. She had produced and directed many International Shows, both in fashion and songs.

Rosalina Arzadon Fagarang served as chairman of the past March of Dimes Campaign!

Talented multiform, a kind person, an un-

derstanding person is Rosalina but most of all she is gracious!

A profile in courage, determination and accomplishments!

TRIBUTE TO DR. E. W. DAVIS, THE FATHER OF TACONITE

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. BLATNIK. Mr. Speaker, the passing of one of Minnesota's truly great men of science and industry—Dr. Edward Wilson Davis, the father of taconite—must not go unnoted by the House of Representatives or the Nation.

He died December 3, 1973, at the age of 85, having lived to see his life's work blossom into a billion-dollar investment, and the possibility of a second billion to follow within a few years.

Dr. Davis will be revered in northeastern Minnesota as long as there are working men and women, and taconite jobs to sustain them. But his contribution is to the Nation as well, to whom he gave a new source of domestic iron ore for its backbone iron and steel industry.

He foresaw, as early as 1913, the exhaustion of the high-grade ores of the Nation's fabled Mesabi Iron Range in northeastern Minnesota, and dedicated his life to preparing for the day when the almost limitless supplies of very low-grade taconite iron ore would have to become the economic mainstay for northeastern Minnesota.

His triumph was assured 43 years later, in 1956, when Reserve Mining Co. began commercial operation of a taconite pelletizing plant at Silver Bay, Minn.—grinding to powder the low-grade rock called taconite, which is harder than granite; magnetically separating the iron from the powdered rock; and rolling the ore into high-grade—64 percent iron—pellets for the Nation's steel plants.

This process saved northeastern Minnesota from perhaps permanent economic depression, and assured the Nation a new domestic source of high-grade iron ore for decades to come.

I was first privileged to meet Dr. Davis in 1939 and, a year later, when I was elected to the Minnesota State Senate, I worked with him to write what became the Taconite Tax Act of 1941. This law established the tax climate which encouraged and provided the stimulus for the huge investments needed to build the massive plants and complex equipment which made the taconite process a commercial reality.

But beyond our professional relationship, I was privileged to call "Bud" Davis a friend.

Professor Davis was born in 1888 in Cambridge City, Ind., and graduated from Purdue University in 1911. In 1912 he joined the faculty of the University of Minnesota as a young mathematics instructor in the school of mines, now the school of mineral and metallurgical engineering. The following year he began the first pioneering research work on taconite.

From 1918 until 1939 he served as superintendent of the university's mines experiment station and, in 1939, became its director. It was here that the taconite process was born.

In 1951, Dr. Davis took leave of absence from the university to become associated with Reserve Mining Co., then operating a small pilot plant at Babbitt, Minn. Reserve, soon to become the world's first large-scale taconite processor, was then investing many millions of dollars in construction of a vast complex at Silver Bay, Minn., to process the raw taconite mined at Babbitt. That plant would eventually represent an investment of $350 million and would employ over 3,000 people directly and provide a livelihood for thousands of others in industries supplying the taconite companies.

By special resolution, Reserve's board of directors in 1953 named its Silver Bay plant the "E. W. Davis Works" in his honor.

Following his retirement from the university in 1955, Dr. Davis served as a technical consultant to Reserve until his death. He and his wife, the former Jessie Campbell whom he married in 1914, lived at Silver Bay and were active and beloved citizens of that community which his work, literally, created. His home, atop a high hill, overlooks the E. W. Davis plant.

As the result of Dr. Davis' untiring work, six companies—Reserve, Erie Mining Co., two taconite operations of the Hanna Mining Co., Ford Motor Co., and Oglebay Norton, and the Minntac plant of United States Steel—are now operating in Minnesota. Bethlehem Steel and Pickands Mather have begun construction of a new $150 million plant between Hibbing and my own home town of Chisholm, and Inland Steel is on the threshold of a decision on construction of a major taconite pelletizing plant in the area.

Mr. Speaker, it is given to few men to see their life's work equally fulfilled, and this knowledge gives us consolation as we mourn Dr. Davis.

We have lost a brilliant mind and a great heart, but we have gained, from Dr. Davis, an industry on which Minnesota and the Nation can depend for decades to come.

Dr. Edward W. Davis will be remembered as long as American industry produces, and American society and living standards require, steel from the high-grade taconite pellets he gave to the Nation.

Mr. Speaker, in closing I would like to include, for the RECORD, a copy of an editorial commemorating Dr. Davis, which appeared in the Wednesday, December 5, Duluth News-Tribune, expressing clearly the contributions of this remarkable man to Minnesota.

The article follows:

HE FREED TACONITE IRON

Northeastern Minnesota is saying farewell to Dr. Edward W. Davis of Silver Bay today. He died in Duluth Monday, aged 85. Taconite got its name in 1892, encountered "Bud" Davis at the University of Minnesota in 1913 and lost its stubborn fight to him 43 years later.

Minnesota ores suitable for shipping with or without simple treatment were abundant at the time. Some people thought we'd be finding a lot more of it. The difficulty and cost of tearing tiny bits of high-iron material out of hard, hard rock seemed prohibitive. Making a usable product of the hard-won concentrate was another discouraging problem.

Two world wars and multiplying peacetime demands for iron and steel used up mountains of the easier ore. Technology advanced Dr. Davis still had years of life before him when the taconite industry began to replace conventional iron mining in Northeastern Minnesota. This saved the economy of a whole region.

Although Dr. Davis emphasized the opportunities and advantages given him at the University of Minnesota, and the fine help he had, this whole development was identified with one man to an extent rare in our century. He lived to see—and reside in—a region transformed economically, with hope restored for thousands of people who welcome the work that lets them stay in a part of the country they love. He helped maintain a desirable economic balance in Minnesota. The ultimate contribution to national self-sufficiency was tremendous.

Rarely have education, science and industry, government and people worked so smoothly toward an achievement. Minnesota did its part by providing a university where such devoted research was possible. The tremendous task of educating the state to the tax changes needed found legislators and other spokesmen. Open-minded industrialists were willing to be convinced. Somehow the right man for the job was left free to persevere in it.

Sometimes things do go right. It was a great day for Northeastern Minnesota when a young man came to Minnesota 61 years ago as a mathematics instructor in the School of Mines. Others would have found the answers, eventually. But that is saying that they would not have done it as soon, or as well or with such a combination of persistence and boast-free worth. Even a short list of Minnesota's great men must include E. W. Davis.

LEGISLATIVE SUMMARY, JULY 1, 1973, THROUGH ADJOURNMENT, DECEMBER 22, 1973

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MAZZOLI. Mr. Speaker, in keeping with my policy of providing periodic reports to my constituents describing my legislative activities, I am inserting the following summary in the CONGRESSIONAL RECORD. The report covers the final 6 months of the 1st session of the 93d Congress.

JULY THROUGH DECEMBER 1973; A LEGISLATIVE SUMMARY

Although many troubling events preoccupied our thoughts during the final six months of 1973, Congress, acting without undue haste, emerged as a solid and stabilizing force. By contrast, the executive branch of our government faltered and became mired in controversy and doubt.

Congress enacted measures dealing with a broad sweep of problems and made full and effective use of its fact-finding powers to help

bring important information to the public's attention. A number of these recent Congressional achievements, while not spectacular in terms of making headlines, will nonetheless have profound and lasting significance.

I have divided this six-month summary into subject categories. This enables constituents with specific interests to more easily acquaint themselves with my record in each area. More detailed information, as well as additional copies of the summary, can be obtained by contacting my district office in Louisville, Room 551A, New Federal Building, 600 Federal Place, Louisville, Kentucky 40202—582-5129.

1. STRENGTHENING THE ROLE OF THE CONGRESS

By far the most heartening and significant activity in Congress in recent months has been its painstaking self-reexamination. The question to be determined is whether we really are fulfilling the responsibilities assigned us by the Constitution.

In three areas Congress found itself wanting, and moved to reassert its role as envisioned by the framers of the Constitution.

These three vital areas involve decisions affecting war and peace, the power of the Federal purse, and the duties of the Congress when there is loss of confidence in the Executive.

The first of these topics came to the House Floor in mid-July with the passage of the historic War Powers Act. This legislation, which I co-sponsored and vigorously supported, gives the President full and flexible power to deploy American armed forces in instant response to emergencies of any kind.

However, it very strictly requires him to obtain Congressional approval before such "emergency" deployments can drag on into a prolonged, undeclared war such as our tragic misadventure in Southeast Asia, which lasted more than a decade.

President Nixon vetoed the War Powers Act when it was sent to his desk for signature, setting the stage for a critical vote on November 7, 1973, to override the veto. The requisite two-thirds pluralities were mustered in both the House and the Senate, and the veto was overridden. This was the first override of a Presidential veto in nine tries in 1973.

In the second area, the battle over the Federal purse-strings, Congress has not yet completed action. However, the crucial—and most difficult—first step has been taken: Congress has tacity admitted that all of the fault in this area did not lie with the Administration.

Essentially, the battle lines are drawn over the issue of "impoundment"—the President's refusal to spend funds duly authorized and appropriated by Congress pursuant to laws on the statute books.

Instead of simply taking steps to prohibit the President from impounding funds without Congressional permission, the Congress has recognized that it first must get its own budgetary shop into order. In effect, we have admitted to a certain amount of fiscal irresponsibility in our past authorizing and appropriating procedures. We need to set our own budget ceilings, and then keep our spending within them.

Accordingly, legislation was brought to the House floor in late July—followed by another version in early December—which attempts to impose a fiscally responsible budgeting process upon the Congress, while simultaneously requiring the President to spend funds as he is directed by law—unless he can convince Congress of the wisdom of acting otherwise.

I voted for both versions of this legislation, which now awaits the ironing out of technical differences between the House and the Senate. Both Houses of Congress, however, are in fundamental agreement over this orderly and responsible new approach to the caretaking of Federal funds. Therefore, we should have an agreed-upon bill to present the President this year for his approval—hopefully—or his rejection.

The third situation which forced Congress to take stock of its Constitutional responsibilities, of course, was the shocking series of events and revelations which unfolded in the aftermath of the Watergate burglary.

In August, I co-sponsored legislation to explore the need and feasibility of a procedure under which—by a vote of two-thirds of both Houses of Congress—new national elections could be ordered in the middle of a discredited President's term. I'm not entirely convinced such a Constitutional change is needed, but given the current situation, I think it should be studied. In England's parliamentary system, the concept of a "vote of confidence" in the government has served a useful purpose over the years.

As our Constitution now stands, the only procedure for resolving serious allegations against the President is impeachment by the House and trial by the Senate.

Following the firing of Special Prosecutor Archibald Cox, I introduced a resolution directing that an investigation be made to determine whether grounds exist to impeach President Nixon. Such an investigation has been authorized and is now under way. On November 15, I joined in the House vote which approved a $1 million budget to insure that a thorough, responsible and fair inquiry will be made.

Also in November, the House approved extending the life of the Watergate grand jury for an additional six to twelve months to assure that a complete and thorough criminal investigation is carried out, as well. At present, most Members of Congress are satisfied with the independence being accorded the new Special Prosecutor, Leon Jaworski. But swift Congressional action to shore up that independence can be expected at the first hint of any move to curtail Mr. Jaworski's proper authority.

The confirmation of Gerald Ford as Vice President in early December not only restored the line of Presidential succession, but also demonstrated the ability of Congress to rise above Partisan considerations and honor the choice made by President Nixon.

In December, yet another indication of the spirit of self-reform became evident in the House. I refer to the issuance of a draft report by the House Select Committee on Committees, which is drawing up a plan for a long overdue fundamental reorganization of the House Committee system.

Not too many years ago it would have been unthinkable to propose such a reform, given the vested interests of the senior and ranking committee members who wield disproportionate power within the system as it is now organized. But, the mood of the Congress today is not "clubby" mood of old.

Having witnessed the Presidential encroachments, which can result from the creation of a Congressional vacuum, we are now moving to build a more efficient and responsible legislative system. Our balanced system of government depends upon the ability of the legislative branch to pull its share of the load.

2. THE ENERGY CRISIS

The national problem affecting citizens with greatest immediacy is the so-called energy crisis: shortages of gasoline, home heating oil, and in some areas natural gas, along with the threat of reduced electric-generating capacity. These are the issues most disturbing to the American people as winter settles in.

Whether this crisis could have been adverted by wiser planning and more aggressive earlier actions is a question that will be debated for a long time to come.

In this respect, I do not believe that either the Congress or the Administration is entitled to good grades for foresightedness. Most of the legislation requested by the President has been given him, but the final bill—the National Emergency Energy Act—was lost in a welter of confusion just before our December adjournment.

I voted against this bill, which would have granted the President a broad range of powers including the capability to impose gasoline rationing. I did so because I felt the legislation was conceived in haste without adequate review of reliable evidence and without adequate study of its impact.

When the Second Session of the 93rd Congress convenes later this month, there will be time to produce a more conscientious emergency energy bill, based on factual rather than emotional considerations.

Prior to the break-down over the final energy legislation, Congress responded with a number of other laws designed to help restore our nation's energy self-sufficiency.

In August, the House approved legislation clearing the way for construction of the Trans-Alaska Pipeline. I supported this bill after proponents of alternative routes for the pipeline failed to establish a convincing case. The President signed the final version of the bill on November 16, following House approval of a House-Senate Converence Report on November 12.

An Emergency Petroleum Allocation Act also was sent to the President for signature in November. This law, which I supported, requires the President to allocate fuel supplies on a rational basis to prevent regional shortages. Congress previously had granted the President optional authority to take such steps, but he had declined to do so.

Stop-gap measures to get through the present crisis by carefully husbanding existing fuel supplies, of course, will not produce a long-range solution. Year-round daylight savings time (which I opposed) and 55-mile-an-hour speed limits on Federal highways are mere band-aids to help cover-up the most obvious symptoms of the disease.

Over the long-haul, we must gear up our great research and development capabilities so that new energy sources can be harnessed, and known sources used with greater efficiency and less environmental damage.

Toward this objective, I co-sponsored three bills in November which deal respectvely with solar energy research, geothermal energy research, and the development of ground propulsion systems with lower energy-consumption levels. As the world's finite supply of fossil fuel resources dwindle, we must be readying new technologies.

3. HEALTH AND WELFARE

This is another legislative area in which Congress found itself restricted by the President's veto power. Two very important measures, delayed by earlier vetoes, finally were enacted during the closing months of the Session.

One of them is the Emergency Medical Services Act, which will provide Federal support for the development of desperately-needed systems for delivering speedy medical care to accident victims. It has been estimated that 60,000 lives are needlessly lost each year due to the lack of adequate emergency medical services.

On September 12, I voted to override the veto of the original emergency medical bill, but we fell 15 votes short of the needed two-thirds plurality. In late October, we came back and passed a new emergency medical bill, which the President was persuaded to sign.

Similarly, in September, we passed a new Vocational Rehabilitation bill to provide necessary services and training for handicapped citizens. A stronger version of this legislation had been vetoed earlier in the year, but the second—weaker—measure proved acceptable to the President.

Legislation which could profoundly affect

the future delivery of health services in the nation was passed by the House in September, was amended by a Conference Committee, and finally was signed into law by the President in late December. This is the Health Maintenance Organizations Act, which will provide Federal assistance for the development, on an experimental basis, of prepaid, innovative, health care organizations geared to the prevention and early detection of illness. In theory enormous sums of money can be saved through preventive medical care which forestalls long and expensive serious illnesses.

Other health related measures which I supported during the latter months of the Session include; the Veterans Health Care Expansion Act, the Lead-Based Paint Poisoning Prevention Act Amendments, a bill including provision for continued operation of U.S. Public Health Service Hospitals, and a three-year extension of the Drug Abuse Education Act.

Also worthy of note was the passage by the House in December of a bill establishing a National Center on Child Abuse and Neglect. Child abuse threatens to reach epidemic proportions in this nation and we need to find new ways to protect children and help parents.

4. FOREIGN POLICY AND NATIONAL DEFENSE

As our nation undertakes the difficult task of seeking to build a foundation for world peace through the establishment of détente with the Soviet Union and its allies, it has been necessary to readjust and realign many of the practices and policies which have carried over from the "Cold War" period of the 1950s and 1960s.

On December 10, the House passed the long-awaited Trade Reform Act of 1973, which will enable the United States to firm up its shaky "balance of payments" condition through the acquisition of important new trading partners.

Although the final version of the bill represented a compromise which did not totally satisfy all interested parties, I supported it in the belief that it may prove to be the key to improved international relations which can only bode well for world peace.

Incorporated in the Trade Reform Act was the thorny issue as to whether the United States should withhold "most favored nation" trading status from the Soviet Union until such time as Russian Jews are permitted to emigrate more freely. In view of the delicacy of attempts to establish détente with the U.S.S.R., I voted for this provision with considerable reluctance. But I voted against a proposal to link Import-Export Bank Credits to the Soviet Jewry question, as well. I had hoped that we might have been able to influence Soviet policy through moral suasion, rather than through the threat of withholding trading advantages.

In another issue related to detente, I voted against the $2.2 billion requested for emergency military assistance to Israel in the aftermath of the Yom Kippur War. First of all, only $1 billion of this amount could be justified as necessary to help Israel recoup her losses suffered in the October Mid-East flare-up.

Secondly, it is my belief that adding to Israel's military capacity at this time puts pressure on Russia to similarly undertake an arms build-up of her Arab allies.

What is urgently needed in the Middle East at this critical moment is not an intensification of the arms race, but instead a joint U.S.-Soviet move to force a peace agreement which both the Arabs and Israels can accept as an honorable settlement. To me, increasing the weaponry in the Middle East is not the recipe for peace.

Two other major bills passed during the closing months of the 1st Session were the Defense Department and Foreign Assistance appropriations bills. I voted in favor of the former, although I supported amendments to tighten up spending and reduce our overall troop strength by a prudent amount. I was unable to support the Foreign Assistance measure, largely because it included continued funding in support of the on-going war in Cambodia and because of the excessive military assistance for Israel.

5. THE DOMESTIC ECONOMY

As we all realize painfully well, the Administration's efforts to hold back inflation have failed utterly. Although presently overshadowed by spiraling fuel prices, the most devastating impact on the American householder's pocketbook has been the rise of food prices.

Congress came to grips with this crucial problem by enacting drastic new farm legislation designed to encourage more abundant production which will lead to lower prices. Through long hours of acrimonious debate, the House last July scrapped several "sacred cow" farm support programs, which had long ago outlived their usefulness and in recent years had become totally unjustified. Many of these Federal farm programs, in point of fact, worked to discourage production and to raise prices, thus contributing directly to the inflationary injuries being inflicted upon the American consumer.

The new Farm Bill became law in August. It will take one or more growing seasons before its effect will be felt. But, at least, I think we can look forward to some relief in food prices as these saner and more sensible policies go into effect.

Another bill important to the economy—and important to the ability of thousands of Americans to exist within the economy—is the measure, which I supported, authorizing a two-stage, 11 per cent increase in Social Security benefits. Retired citizens will receive a 7 per cent increase in benefits in March, 1974, and an additional 4 per cent in June 1974.

Other legislation dealing with trouble spots in our domestic economy included two bills to assist the nation's rail transportation system—an asset that we will become more and more dependent upon as the fuel shortage impedes trips by automobile. I voted to continue Federal operating assistance for AMTRAK and for the Northeast Regional Rail Reorganization Act, both of which I deemed vital to our nation's crucial need to move both goods and people with efficiency and dependability.

I was disappointed to see two other bills fail of passage which would have encouraged more flexible building codes and architectural standards in Federally supported construction and housing programs. These bills would have led to greater efficiency—and hopefully greater economy—through reliance on modern technological developments.

6. PROBLEMS OF THE WORKING MAN

President Nixon vetoed Congressionally-passed legislation to increase the Federal minimum wage standard and to expand the coverage of the Fair Labor Standards Act. In September, I voted with a majority of my colleagues to override this unfortunate veto, but we failed to muster the two-thirds plurality necessary to reverse the outcome.

I very much regret the President's actions in this regard since this legislation directly affects the so-called "working poor" of our nation—the men and women who perform hard physical work for marginal wages rather than hold their hands out to the government for welfare. The 1973 Minimum Wage Bill had been carefully considered and approved by a House-Senate Conference in August and was found to be a responsible and necessary piece of legislation. I expect we will make another try on Minimum Wage legislation in 1974.

In another area, where the stroke of the President's veto pen has been felt in recent years, the Congress hammered out the Comprehensive Manpower Act of 1973, which provides for badly needed public service employment to cushion the shock of business recession, and manpower training programs to provide willing workers the skills they need to compete in today's job market.

I voted for the Manpower Act when it came up for passage in the House in late November, and I'm pleased to report that the President, despite earlier vetoes of similar bills, signed the measure into law.

7. THE ENVIRONMENT

The sudden onset of the "energy crisis" has interposed difficult and regrettable new factors and priorities, which in many instances weigh against steps I would like to see taken to enhance and conserve the environment.

In such a climate, Congress must be more vigilant than ever in meeting its responsibilities toward long-term management of our finite natural resources.

Although no major environmental bills were passed during the latter months of 1973, I was pleased to be able to assist in the passage of undated bills relating to water resources development; protection of the environment from hazardous chemical substances; protection of endangered species of fish and wildlife; establishment of the Big Cypress National Preserve in Florida, and the extension of the Environmental Education Act.

In early August, the House approved the Conference Report on the important Federal Aid Highway Act, in which a symbolic victory was won in the battle to diversify our national transportation strategy. For the first time, a significant proportion of funds under the highway act will be used in support of mass transit systems, rather than for highway construction.

The environmental movement was dealt a blow, in my opinion, by President Nixon's "pocket veto" during the Christmas recess of the Urban Mass Transit Act—passed by the House in October with my fullest support.

8. THE DISTRICT OF COLUMBIA

Although we don't all get to visit it as frequently as we might like—and others of us may, at times, feel we visit it too much—the District of Columbia is truly a Federal City which belongs to all of us.

As a Member of the House Committee on the District of Columbia, and as Chairman on one of its Subcommittees, I have devoted considerable attention to legislaton affecting local matters in our Nation's Capital.

In October, I took great pride in going to the House Floor as one of the co-sponsors and advocates of the historic District of Columbia Home Rule Bill, which restored—after an absence of 100 years—the right of Washington residents to elect their own local government. President Nixon signed this self-determination measure into law in late December, setting the stage for a charter referendum in the spring of 1974, followed by the election of a Mayor and City Council in November, 1974. At present, Washington is governed by officials appointed by the President.

In November, the House passed a bill which was developed in my Subcommittee which will establish a program of subsidies for persons wishing to adopt hard-to-place children, but lacking the financial means to fully meet the needs of such children. This law should enable a great many parentless children to make the transition from foster homes or institutions into adoptive homes in which they become true members of the family in every sense.

THE 1974 BUDGET SCOREKEEPING REPORT NO. 11, AS OF END OF SESSION, DECEMBER 22, 1973

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MAHON. Mr. Speaker, I am inserting for the information of Members, their staffs, and others, excerpts from "1974 Budget Scorekeeping Report No. 11"—the final report for the session just ended—prepared by the staff to the Joint Committee on Reduction of Federal Expenditures. The report itself has been sent to all Members.

This report shows that the impact of congressional actions and inactions on the President's 1974 budget recommendations has the estimated effect of increasing budgeted 1974 outlays by $600 million over the President's revised estimate of $270 billion as submitted in November.

The total impact of congressional actions and inaction in the recent session was to increase outlays by $3.5 billion over the original January budget as amended. However, the impact of congressional actions through mid-November had already been reflected in the President's revised budget estimates for fiscal 1974—that is the 1974 budget estimated in balance with $270 billion in outlays and revenue.

The excerpts from the report which I am inserting here include the highlights of action completed during the session just ended, together with estimated inaction on 1974 budget recommendations. The excerpts also indicate the major actions still pending at the close of the session which will carry over into the next session.

These excerpts follow:

EXCERPTS FROM 1974 BUDGET SCOREKEEPING REPORT NO. 11, AS OF DECEMBER 22, 1973 (END OF SESSION)

PART I—BUDGET OUTLAYS (EXPENDITURES)

1974 scorekeeping outlay highlights

The impact of congressional action to the end of the 1st Session of the 93d Congress, December 22, 1973, on the President's fiscal year 1974 budget outlay requests, as shown in this report, may be summarized as follows:

[In millions]

1974 budget outlay estimate (revised Nov. 15)	$270,000
Completed congressional action:	
Appropriation bills	−534
Legislative bills	+3,332
Inaction on legislative proposals included in the 1974 budget	+728
Total, completed action and inaction	+3,526
Deduct: portion of congressional action included in revised outlay estimate	−2,950
Impact of congressional action in excess of revised outlay estimate	+576
Estimated 1974 budget outlays based on congressional action and inaction during session	270,576
1974 budget receipts estimate (revised Nov. 15) adjusted to include congressional action	$269,867
1974 budget deficit estimate (revised Nov. 15) reflecting congressional action and inaction during session	−709

These figures are based on fiscal 1974 budget estimates as revised through November and adjusted for congressional action and inaction during the session. They do not, of course, reflect changes and re-estimates to be expected in the January 1974 budget message.

Completed actions

A summary of major individual actions composing the $3.5 billion total outlay impact of completed congressional action to date on 1974 budgeted outlays follows:

Completed action on budgeted outlays (expenditures)

[In thousands]

	Congressional changes in 1974 outlays
Appropriation bills:	
Regular 1974 bills:	
Labor-HEW	+$510,000
Agriculture	+250,000
Interior	+75,000
Public Works	+20,000
Military construction	−10,000
District of Columbia	−14,500
Legislative	−15,800
Transportation	−30,000
State-Justice-Commerce	−33,000
Treasury-Postal Service	−42,000
Foreign assistance	−250,000
Defense	−1,500,000
1974 Supplemental	−50,000
1973 supplemental bills (1974 outlay impact)	+556,600
Subtotal, appropriation bills	−533,700
Legislative bills—backdoor and mandatory:	
Social security—benefit increase (P.L. 93-233)	+1,061,000
Food stamp amendments (P.L. 93-86)	+724,000
Repeal of "bread tax" (P.L. 93-86)	+400,000
Federal employee pay raise, Oct. 1, 1973 (S. Res. 171)	+357,900
School lunch amendments (P.L. 93-150)	+244,000
Veterans pensions (P.L. 93-177)	+120,000
Unemployment benefits extension (P.L. 93-53)	+115,700
Veterans national cemeteries (P.L. 93-43)	+110,000
Federal employee health insurance (H.R. 9256)	+91,800
Welfare—medicaid amendments (P.L. 93-66)	+82,000
Social Security—Liberalized income exemption (P.L. 93-66)	+72,000
Winema forest expansion (P.L. 93-102)	+50,000
Veterans dependents' health care (P.L. 93-82)	+28,000
Airport development (P.L. 93-44)	+15,000
Petroleum allocation (P.L. 93-159)	+5,900
Civil Service retirement (P.L. 93-136)	+400
REA—removed from budget (P.L. 93-32)	−146,000
Subtotal, legislative bills	+3,331,700
Total, 1974 outlay impact of congressional action (excluding inaction)	+2,798,000

Inaction on legislative proposals

During the past session the Congress did not act on a number of legislative proposals which were contemplated in the President's fiscal 1974 budget requests, thereby having a direct impact on the budget outlay totals.

Inaction on seven proposals to reduce budget outlays has the effect of increasing 1974 budget outlay estimates by $1.4 billion, including proposals involving public assistance, social security, medicaid, and veterans pension reforms.

Inaction on 13 proposals for new or expanded programs has the effect of decreasing 1974 budget outlay estimates by $0.6 billion, including proposals involving Defense all-volunteer forces and retirement reform.

Pending action

At the close of this session, incomplete action has been taken on a number of legislative measures by one or both Houses of Congress. These bills, which remain pending in the second session of the 93d Congress, include incomplete actions affecting 1974 outlays in the following major areas if enacted:

[In thousands]

	House	*Senate*
Mass transit operating subsidies	----------	+$400,000
Trade reform-readjustment costs	+$300,000	
Civil Service minimum retirement	+172,000	+200,000
Veterans drug treatment	----------	+144,136

REVENUE LEGISLATION

Completed legislative action this session affecting 1974 revenue proposals are:

Railroad Retirement: decrease of $612 million due to failure to provide additional trust fund receipts requested.

Social security wage taxes: increase of $270 million in trust fund revenue due to wage base increases in two pieces of legislation.

The failure of Congress to consider certain revenue proposals included in the 1974 budget would have the net effect of increasing 1974 revenue by $297 million over that anticipated in the original budget estimates.

The November 15 budget revisions estimated revenue for fiscal 1974 at $270 billion. This is an increase of $14 billion over the original January estimate of $256 billion, and $4 billion over the June 1 estimate. (The revision includes a net increase of $108 million attributed to congressional action.)

THE DEFICIT

The original January estimate of the budget deficit for fiscal year 1974 was $12.7 billion. The November 15 budget revisions indicated a balanced budget for fiscal 1974, reflecting a federal funds deficit of $15 billion, offset by a trust fund surplus of $15 billion.

The November 15 budget revisions included the effect of certain congressional actions amounting to about $2.8 billion. The impact of further congressional action and inaction this session indicates a budget deficit of $0.7 billion for fiscal 1974.

The fiscal 1974 deficit position, as shown in this report, may be summarized as follows:

	Billions
Original fiscal 1974 deficit estimate	$12.7
Change in deficit due to:	
Budget revisions:	
Outlays	−1.6
Revenue	−13.9
Congressional action and inaction	+3.6
1974 deficit estimate, as revised and adjusted for congressional action	0.7

THE FEDERAL DEBT

The actual federal debt subject to the limit as of the end of fiscal 1973 was $459.1

billion, and it is currently estimated at $468 billion as of the end of fiscal 1974. Interest costs amounted to $24.2 billion in fiscal 1973 and are estimated at $29 billion for fiscal 1974.

The permanent statutory debt ceiling of $400 billion had been temporarily raised to $465 billion through November 1973. The Administration requested further increase in the debt ceiling to $480 billion, and the Congress provided for a temporary limit of $475.7 billion to the end of fiscal 1974.

PART II—BUDGET AUTHORITY

(APPROPRIATIONS AND OTHER OBLIGATIONAL AUTHORITY)

Although the recent revisions did not reflect a revised total for fiscal 1974 budget authority, adjustments commensurate with the outlay revisions supplied indicate that the revised and amended 1974 budget authority total is approximately $294 billion including about $1.7 billion in net congressional increases.

The impact of congressional action to the end of the session, December 22, 1973 on 1974 budget authority, as shown in this report, may be summarized as follows:

[In millions]

1974 budget authority (revisions partially estimated)	$294,032
Completed congressional action:	
Appropriation bills	−$3,320
Legislative bills	+5,340
Shifts between fiscal years 1973 and 1974 due to timing of action on budget requests	+3,890
Inaction on legislative proposals included in the 1974 budget	−295
Total congressional action, inaction and timing shifts	+5,615
Deduct: portion of congressional action included in revised 1974 budget authority request	−1,675
Completed congressional action in excess of revised budget authority request	+3,940
Estimated 1974 budget authority based on congressional action and inaction during the session	297,972

These figures are based on fiscal 1974 estimates as revised through November and adjusted for congressional action and inaction during the session. They do not, of course, reflect changes and reestimates to be expected in the January 1974 budget message.

Completed actions

The following is a summary of the major individual actions completed this session having impact on the 1974 budget requests for appropriations and other obligational authority:

Completed action on budget authority requests

[In thousands]

	Congressional changes in 1974 budget authority
Appropriation bills:	
Labor-HEW	+$1,376,843
HUD-Space-Science Veterans	+439,047
Supplemental, 1974	+168,941
Agriculture	+108,116
Interior	+72,770
Public Works	−8,066
District of Columbia	−15,281
Par value of gold supplemental	−47,000
State-Justice	−56,889
Legislative	−71,961
Transportation	−112,286
Treasury-Postal Service	−140,156
Military Construction	−$286,039
Foreign assistance	−1,212,483
Defense	−3,535,793
Subtotal, appropriation bills	−3,320,237
Legislative bills:	
Railway restructuring (P.L. 93-236)	+$2,080,000
Federal-aid highways (contract authority) (P.L. 93-87)	+1,307,220
Flood insurance (P.L. 93-234)	+750,000
Food stamp amendments (P.L. 93-86)	+724,000
Federal employee pay raise, Oct. 1, 1973 (S. Res. 171)	+357,900
Traffic safety (contract authority) (P.L. 93-87)	+281,000
School lunch amendments (P.L. 93-150)	+244,000
Social security—benefit increase (P.L. 93-233)	+150,000
Veterans pensions (P.L. 93-177)	+120,000
Social security—liberalized income exemption (P.L. 93-66)	+120,000
Veterans national cemeteries (P.L. 93-43)	+110,000
Federal employee health benefits (H.R. 9256)	+91,800
Welfare-medicaid amendments (P.L. 93-66)	+82,000
Railroad retirement—failure to provide trust fund revenue requested (P.L. 93-69)	−612,000
REA loans—removed from budget (P.L. 93-32)	−579,000
Other	+113,400
Subtotal, legislative bills	+5,340,320
Total	+2,020,083

Legislative bills—Shifts between 1973 and 1974

There has been completed action which has had the effect of shifting budget authority between fiscal years 1973 and 1974 as a result of the timing of congressional action on these budget proposals. The items are:

Airport development: enactment of this contract authority in fiscal 1973, instead of 1974 as requested, has the effect of reducing 1974 budget authority by $560 million and shifting it into 1973.

Highway programs: enactment of this contract authority in fiscal 1974, instead of 1973 as requested, has the effect of increasing 1974 budget authority by $1,450 million.

Urban mass transportation: enactment of this contract authority in fiscal 1974, instead of 1973 as requested, has the effect of increasing 1974 budget authority by $3 billion.

Although the so-called "shift" items must be scored as a net increase in 1974 budget authority as proposed in the January budget document, they do not represent true congressional increases over the amounts as requested. For timing reasons they have merely shifted from one fiscal year to another.

Inaction on legislative proposals

During the past session the Congress did not act on a number of legislative proposals which were contemplated in the President's fiscal 1974 budget requests, thereby having a direct impact on the budget authority totals.

Inaction on 7 proposals to reduce authority has the effect of increasing 1974 budget authority requests by $513 million, including proposals involving public assistance, social security, medicaid and veterans pension reforms.

Inaction on 13 proposals for new or expanded programs has the effect of decreasing 1974 budget authority requests by $808 million, including proposals involving Defense all-volunteer forces and retirement reform.

Pending action

At the close of this session, incomplete action has been taken on a number of legislative measures by one or both Houses of Congress. These bills, which remain pending in the second session of the 93d Congress, include incomplete actions affecting 1974 budget authority in the following major areas:

[In thousands]

	House	*Senate*
Mass transit operating subsidies (contract authority)		+$400,000
Trade reform: expansion of readjustment benefits	+$300,000	
Civil service minimum retirement	+172,000	+170,000
Veterans drug treatment		+144,136

AUTHORIZING LEGISLATION

In its actions during the current session to date, the Congress has made increases in various legislative authorizing measures reflected in the budget for continuation of ongoing programs. While these actions in themselves do not mandate additional spending, and are not scored for purposes of this report, they do provide for higher discretionary funding levels.

Further, on its own initiative, the Congress has authorized nonmandatory spending programs which were not proposed by the administration. Such legislation may also create additional discretionary funding requirements—now or in the future. For example, in the case of legislation enacted to extend the unbudgeted Economic Development Administration, supplemental funding was subsequently requested by the President involving increased outlays of $25 million.

Some of the major legislation of this type is listed below:

Major discretionary (nonmandatory) authorization increases

Congressional action increasing authorizations contemplated in the 1974 budget requests

[In thousands]

Authorization of budgeted ongoing programs:	
Enacted:	
Manpower programs (job training) (P.L. 93-203)	+$1,136,008
Housing programs (P.L. 93-117)	+777,000
Sewer plant reimbursements (P.L. 93-207)	+600,000
Health programs (P.L. 93-45)	+491,505
Clean air program, EPA (P.L. 93-15)	+469,000
Vocational rehabilitation (P.L. 93-112)	+260,904
Older Americans Act (P.L. 93-29)	+117,600
Law enforcement assistance (P.L. 93-83)	+108,876
Solid waste disposal (P.L. 93-14)	+93,000
Amtrak grants (P.L. 93-146)	+63,200
National Science Foundation (P.L. 93-96)	+53,000
NASA (P.L. 93-74)	+48,500
Emergency medical services (P.L. 93-154)	+45,000
Corporation for Public Broadcasting (P.L. 93-84)	+35,000
Maternal and child health (P.L. 93-53)	+30,105

Nonclosure of P.H.S. hospitals (P.L. 93–155)	+$29,100
New authorizations not included in 1974 budget:	
Enacted:	
Economic Development Administration (P.L. 93–46)	+430,000
Lead based paint poisoning prevention (P.L. 93–151)	+63,000
Pending in one or both Houses:	
National Institute of Health Care Delivery (S. 723)	
Biomedical research (H.R. 7724)	
Comprehensive alcohol treatment (S. 1125)	
Education for the handicapped (S. 896)	
Emergency employment (H.R. 4204, H.R. 7949, S. 1560)	
Rivers, harbors, and flood control (S. 2798, H.R. 10203)	
Energy conservation (S. 2176)	
Energy Research Management Project (S. 1283)	
Safe drinking water (S. 433)	

SCOUT LEADER MASAO MIYAMOTO: INSPIRATION TO YOUNG HAWAIIANS FOR ALMOST HALF A CENTURY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. MATSUNAGA. Mr. Speaker, in this age when many are prophesying moral decline of America, it is heartening to read of a man who trains our men of tomorrow in the high ideals of Scouting. Masao Miyamoto of Honolulu is such a man. I am proud to number him among my friends.

Knowing that Mr. Miyamoto's story is one worthy of being shared with my colleagues and other readers of the RECORD, I offer for inclusion at this point an article about him by Mr. Thomas Kaser of the Honolulu Advertiser:

[From the Honolulu Advertiser, Feb. 22, 1973]

HE'S REALLY A GOOD SCOUT

(By Tom Kaser)

For nearly 48 years now, Masao Miyamoto has been trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent.

As his friends attest, he has done his best to do his duty to God and his country, and to obey the Boy Scout law.

Also, they say, he has tried to help other people at all times, and he has kept himself physically strong, mentally awake, and morally straight.

In other words, Masao Miyamoto is a "Mr. Boy Scout" of sorts, especially for the countless young men who have known him—as a fellow scout, as an assistant scoutmaster, or as scoutmaster—in Kaimuki's Troop 10 over the last several decades.

Troop 10, in case you don't know, has been a sort of breeding ground for civic and professional leaders. Its alumni includes two chief justices of the Hawaii Supreme Court, including the incumbent, William S. Richardson; Maui Chief of Police Abraham Aiona; many doctors, dentists, architects, engineers and educators; plus many others—known and unknown—who are successful by other standards.

Miyamoto has no children of his own, but Troop 10 has given him thousands of surrogate sons, and he has loved them all. "I like young people and I like scouting; few things in life have given me more pleasure," he says.

He first started raising three fingers in the air back in 1925. Troop 10 was just seven years old then, and its scoutmaster was Charles S. Crane, who was to become mayor of Honolulu between July 14, 1938, and Dec. 30, 1940.

"Kaimuki was really out in the sticks then," he recalled. "There were few houses and paved roads, the area was thick with kiawe trees, and the main link with downtown was with trolley cars."

Scoutmaster Crane had managed to obtain for Troop 10 an old unused water reservoir on Crater Road. By the time Miyamoto joined the troop, Crane and his scouts had started to build a clubhouse inside the reservoir.

From the beginning, Miyamoto took scouting seriously, and in 1932 he earned its highest honor: the Eagle Scout Award. As he grew older, he remained with the troop, and in the late 1930s he served under Crane as assistant scoutmaster.

The war came along, and the clubhouse inside the "Scout Bowl," as the reservoir has come to be known, fell victim to the big guns that had been installed in Diamond Head. Vibrations from the guns' practice firing caused the clubhouse roof to cave in.

Until the war broke out, Troop 10 met every Friday night, but the wartime blackouts forced the troop to hold its meetings every Sunday afternoon. Later, however, evening meetings were permitted, and Miyamoto arranged to purchase a used quonset hut from a surplus dealer named Frank Fasi.

The price was $600, and the building was placed next to the Scout Bowl. Since then, it has been replaced by a more modern building that serves not only Troop 10's scouts but also an Explorer post.

Crane retired as scoutmaster in 1945, and Miyamoto has led the troop since then. He is thus the longest-serving scoutmaster in the Islands and, some say, the nation.

Now 60, he still speaks of scouting with the eagerness of a youngster who has just earned his first merit badge, and he can count on one hand the number of Friday-night meetings he has missed because of illness since he has been with the troop, either as a scout or a leader.

He now lives in Manoa Valley, and for the last 36 years most of his nonscouting hours have been spent as the University of Hawaii's photographer.

What was Miyamoto like as a scout leader? According to some of his former scouts, he was consistent, even-tempered, and interested in the development of character in boys.

"He always wanted to teach us little things that might be of use to us in later life," says Chief Justice Richardson, "like photography, and carpentry and cooking. He never missed a meeting that I can recall; he was there every Friday night."

Richardson also remembers Miyamoto as Hawaii's champion water-boiler. "He could start a fire by friction, and get a pot of water boiling faster than anyone else in the Islands," Richardson recalls.

"It was an amazing thing to see; everybody knew he was the champ."

Walter Nunokawa, professor of educational psychology at the University of Hawaii, remembers Miyamoto as an exceptionally light sleeper—so light that Nunokawa and other boys couldn't play tricks on him during campouts.

"When I was in Troop 10, back in the late 1930s, Masao was assistant scoutmaster, and as such was fair game for little pranks at night, like painting up a guy's face with lipstick while he slept," Nunokawa recalls.

"But Masao—probably because he always felt extremely responsible for us boys—was a light sleeper. Every time we got near him he'd wake up.

"I remember him as being level-headed and patient. Scout leaders can sometimes get a little autocratic, but Masao was always very gentle and understanding. And to him scouting wasn't just fun, although we had a lot of that, too; scouting also meant service, and we did a lot of community things."

William Bains-Jordan—who was in the troop from 1930 to 1938, and is now vice president and manager of the Bank of Hawaii's Kailua branch—remembers Miyamoto for his "gung-ho" spirit and behind-the-scenes hard work.

"When Charlie Crane became mayor, he still tried to come to meetings, and although he retained the title of scoutmaster, Masao did almost all of the work. He kept things going."

Miyamoto, who was recently honored at a testimonial dinner and by separate resolutions passed in the House and Senate of the Legislature, says he likes scouting not only because "boys are fun" but also because of the bridge it often forms between adults and young people.

"Fathers and sons often don't have much of a basis for talking to each other at home, and scouting helps fill that gap. Kids need guidance, and I'm concerned that too many fathers 'don't have time' for their children.

"That's why I have always stressed the importance of parental involvement in the scouting movement. You'd be surprised how scouting brings people together."

SUMMARY OF PUBLIC WORKS LEGISLATION IN THE 1ST SESSION OF THE 93D CONGRESS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. BLATNIK. Mr. Speaker, under leave to extend my remarks, I submit the following summary of public works legislation and various actions taken by the Committee on Public Works during the 1st session of the 93d Congress.

GENERAL STATEMENT

May I first express my deep appreciation for the efforts of the committee during a particularly long and difficult session. The majority and the minority have been extremely helpful and cooperative in the operations of the committee and in consideration of the legislation the committee handled this 1st session of the 93d Congress.

On February 2, 1973, the committee was formally organized into a structure consisting of six subcommittees:

Subcommittee on Water Resources;

Subcommittee on Transportation;

Subcommittee on Public Buildings and Grounds;

Subcommittee on Economic Development;

Subcommittee on Investigations and Review; and

Subcommittee on Energy.

The committee had 486 bills referred to it during the 1st session of the 93d Congress.

These dealt with a multitude of subjects covering many fields. Among these: amendments to the Public Works and Economic Development Act of 1965; extending the life of the Commission on Highway Beautification; establishing a national maximum speed limit of 55 miles per hour on public highways; the Federal-Aid Highway Act of 1973; amendments to the National Visitor Facilities Act of 1968; further appropriations for the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts; storage space for the U.S. Congress; authorizations for the construction of deepwater port facilities; amendments to the Federal Water Pollution Control Act to provide a formula for the allocation of sewage treatment facilities construction grant funds; the 1973 Flood Control Act.

The committee approved 24 projects, including construction authorizations and leases under the provisions of the Public Buildings Act of 1959, with 3 of the 24 to be financed under the purchase contract provisions of the Public Buildings Act Amendments of 1972.

In April of 1973, the Subcommittee on Energy visited the Tennessee Valley Authority to inspect the operations of the Authority, on the site, particularly as it related to energy matters under the jurisdiction of the subcommittee.

The Water Resources Subcommittee met on April 11 and again on December 12 for the purpose of receiving testimony from knowledgeable individuals and organizations concerned with the present problem of serious flooding on the Great Lakes and the resultant serious erosion. At these hearings, the subcommittee was open to all suggestions and ideas contributing both to immediate relief for property owners, and long-range control of the waters of the entire lake system.

SUBCOMMITTEE ON INVESTIGATIONS AND REVIEW

The subcommittee in 1973:

Held hearings on the safety hazard represented by narrow bridges and issued a formal report summarizing a 7-year inquiry into highway safety, particularly as it can be achieved in the driving environment itself. (Committee print 93–7), July 1973;

Followed developments in the sharply accelerated sewage treatment construction grants program, holding one hearing (June 1973) and scheduling a full series for early in 1974;

Analyzed such varied aspects of the water pollution program as the 1973 "needs" survey, management of program grants to the States, the issuance of permits to municipal and industrial dischargers, and guidelines issued by the Environmental Protection Agency in implementation of various provisions of the 1972 Act;

Probed various aspects of the postal and governmental buildings programs;

Studied urban transportation conditions nationwide and reported its findings in a 44-page document. (Committee print 93–6, April 1973);

Conducted field investigations of disaster relief programs carried out under the Disaster Relief Act of 1970 in California, Pennsylvania, and other States in the aftermath of various natural disasters;

Produced a 30-minute color film entitled "The American Highway," telling the story of the Nation's highway program with emphasis on safety, and made it available to Members, safety groups, and other interests; and

Reviewed the planning criteria for water resource/flood control projects, holding one hearing (February 1973) and contributing several memorandums.

BILLS AND RESOLUTIONS ENACTED INTO LAW TO EXTEND THE LIFE OF THE COMMISSION ON HIGHWAY BEAUTIFICATION—PUBLIC LAW 93–6

The Commission on Highway Beautification, established by section 123 of the Federal-Aid Highway Act of 1970, was directed to study and make recommendations concerning implementation of the Highway Beautification Act of 1965 and to investigate methods of preserving and enhancing natural beauty along the Nation's highways.

Although the authorizing legislation provided that the Commission should make a final report not later than 1 year after it was funded, August 1971, for various reasons the Commission did not become fully operational until December 1971. Following its organization, the Commission held public hearings throughout the country, and amassed considerable data and information about highway beautification.

The Commission prepared an interim report recommending certain statutory amendments and requesting an extension of time to enable it to complete a number of other investigations. Because of limited time and budget, the Commission had not been able to devote sufficient attention to a number of important matters, such as funding of beautification programs, control of on-premise signs, and the need for improved landscaping and esthetic developments. Furthermore, many problems related to the control of outdoor advertising were not yet sufficiently defined because regulatory legislation had been enacted by many States only in the last few months and was just beginning to be enforced in all States. While the Commission had gathered extensive data in many other matters, such as State and local sign control programs, it needed more time to complete its studies and to prepare a comprehensive report.

Accordingly, the date for the final report of the Commission on Highway Beautification was extended until December 31, 1973, and an additional $250,000 was authorized for support of its activities.

1973 AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965—PUBLIC LAW 93–46

The authorizations of the Public Works and Economic Development Act were extended for an additional year through fiscal year 1974. This legislation provides Federal assistance in cooperation with State and local government to economically distressed areas and regions suffering from high unemployment and underemployment, to enable these areas and regions to help themselves develop new employment for lasting economic improvement to their area. The act emphasizes long-range planning for economic growth and provides technical assistance, public facility grants and loans, business loans and guarantees, and other assistance as tools to implement the plans for economic growth.

The President's budget for 1974 had provided for the termination of the Economic Development Administration as of June 30, 1973. Twenty million dollars was recommended in the budget to administer the phaseout and termination. Other proposals such as rural development, better communities, responsive governments, and special revenue sharing, recommended to the Congress by the President, were to replace the need for the existing EDA programs. The Congress disagreed with the proposed termination.

The committee therefore concentrated its efforts on continuing the existing economic development act by reporting out a simple 1-year extension bill (H.R. 2246) on March 9, 1973. This bill continued existing authorized amounts and provided a total of $1,222.5 million for fiscal year 1974. It was passed by the House without amendment by a vote of 278–108 on March 15. The Senate passed this extension on May 8, but substantially reduced the funds authorized to a total of $362.5 million. The conferees agreed to a new total of $430 million. The conference report passed the House on June 8 by a vote of 276 to 2.

A section-by-section analysis of the bill as enacted into law follows:

SECTION-BY-SECTION ANALYSIS

Section 1—Amends Title I (Public Facility Grants and Supplemental Grants) by amending section 105 of the Act to authorize $200 million for fiscal year ending June 30, 1974 to carry out title.

Section 2—Amends Title II (Public Facility Loans and Financial Assistance for Business Development) by amending section 201(c) to authorize $55 million for fiscal year ending June 30, 1974 to carry out title.

Section 3—Amends Title III (Technical Assistance, Research, and Information:

(a) Amends section 301(b) to permit the Secretary to pay up to 100% administrative expenses of an Indian tribe.

(b) Amends section 302 to authorize $35 million for fiscal year ending June 30, 1974 to carry out title.

Section 4—Amends Title IV (Area and District Eligibility) by amending section 403 (g) to authorize $45 million for fiscal year ending June 30, 1974 to carry out title.

Section 5—Amends Title V (Regional Action Planning Commissions) by amending section 509(d) to authorize $95 million for fiscal year ending June 30, 1974 to carry out title.

Section 6—Amends section 2 of the Act of July 6, 1970 (P.L. 90–304) to reinstate a moratorium on de-designation of "redevelopment areas" to June 30, 1974.

Section 7—Requires a report to Congress within 30 days after enactment from the "Inter-Agency Economic Adjustment Committee" listing details of utilizing unused

defense property and other efforts to assist each community with plans for its economic development.

Section 8—Requires the President to instruct the Secretary of Commerce and the Office of Management and Budget to examine past and current Federal efforts to secure balanced national economic development and to submit proposal to Congress within six months for re-structuring Federal economic programs into coordinated plan for assistance.

FEDERAL-AID HIGHWAY ACT OF 1973—PUBLIC LAW 93-87

GENERAL

The Federal-Aid Highway Act of 1973 was reported out of the Committee on April 10, 1973 and was passed by the House on April 19, 1973. Conference agreement was reached with the Senate on July 27, 1973. The conference report was passed by the Senate on August 1, 1973—yeas 91, nays 5—and by the House on August 3, 1973—yeas 382, nays 34—culminating over 3,000 legislative mandays devoted to the highway bill over a 2-year period. The bill was signed into law on August 13, 1973.

HEARINGS

The Subcommittee on Transportation conducted 8 days of hearings in 1973 on all aspects of the Federal-Aid highway program and related activities. A total of 98 witnesses expounding a wide range of divergent views were heard, and more than 124 other statements and supporting material were filed with the subcommittee.

Hearings on highway safety were held on March 1, 6, and 7, 1973, followed by hearings on March 19, 20, 21, 22, and 23, 1973, on the Federal-Aid highway program, mass transit, related activities.

The intent of the hearings was to receive any information which would be of assistance in developing policies and legislation to meet the Nation's transportation needs. Much of the testimony received dealt with the problems of death, injuries and economic waste resulting from accidents on the Nation's highways. A considerable portion of the testimony also dealt with urban transportation problems and proposals for their solution. There was excellent testimony from a number of witnesses on the magnitude of the Nation's highway needs and the necessity for maintaining a viable national highway program. Overall, the hearings provided a basis for evaluating the existing law and developing committee legislation.

SUMMARY OF MAJOR PROVISIONS

INTERSTATE HIGHWAY SYSTEM

Funding authority for continued construction of the 42,500-mile system with allocations from the highway trust fund to be made as follows:

For fiscal year 1974 $2.6 billion, $3.0 billion for each of fiscal years 1975 and 1976, and $3.25 billion annually for 1977 through 1979, of which $12 billion is authorized in existing law.

The 1974 authorization includes an interim authorization approved by Congress at the end of June to enable continuation of the Interstate program while the House-Senate conferees were still negotiating their agreement.

Authorizations for 1974, 1975, and 1976 had been set in the 1970 Highway Act at $4 billion annually.

Over 35,000 miles, 83 percent of the Interstate System, is now open to traffic. On completion of the remaining mileage, the Interstate System will have cost an estimated $76.3 billion based on present estimates.

The deadline for States to schedule the construction of their remaining interstate segments is extended in the Conference agreement from July 1, 1973, to July 1, 1974.

URBAN MASS TRANSIT

Authority for $3 billion in contract authority for Federal grants for capital investment in mass transit facilities to be financed from the Federal Government's general revenues. The conference agreement sets no time limit for distribution of the grants.

This $3 billion authorization is in addition to $3.1 billion already authorized for such grants under the Urban Mass Transportation Act.

NONINTERSTATE FEDERAL-AID HIGHWAYS—URBAN AREAS

For extension of primary and secondary highways in urban areas—the so-called C system—$290 million for fiscal year 1974, and $300 million each for 1975 and 1976. The 1974 authorization includes an interim authorization approved by Congress at the end of June 1973.

For the urban highway system, such as arterial highways within an urban area—the so-called D system—$780 million for fiscal year 1974, and $800 million each for 1975 and 1976.

The urban total comes from the highway trust fund.

Beginning in fiscal year 1975, urbanized areas and certain other smaller urban areas as designated by the State highway department have the option of using their "urban system" allocations from the highway trust fund for either roads or passenger bus purchases, up to a total of $200 million. Beginning in fiscal year 1976, they may use all or any part of those allocations for buses, fixed rail transit systems, or highways. No trust funds may be used for mass transit operating subsidies.

The same option authorized for 1976 is available during fiscal year 1974, except that any such mass transit grants come out of the general revenue instead of the highway trust fund.

NONINTERSTATE FEDERAL-AID HIGHWAYS—RURAL AREAS

For primary road systems in rural areas—the A system—$680 million for fiscal year 1974, and $700 million each for 1975 and 1976.

For secondary road systems in rural areas—the B system—$390 million for fiscal year 1974, and $400 million each for 1975 and 1976.

The A and B rural road authorizations for fiscal year 1974 include interim authorizations approved by Congress at the end of June 1973.

The rural funds come from the highway trust fund.

PRIORITY PRIMARY SYSTEM

For fiscal year 1974 $100 million, $200 million for 1975, and $300 million for 1976, to be taken from the highway trust fund for improvement of heavily travelled sections of Federal-aid primary highways which connect to the Interstate System in both rural and urban areas.

These priority roads would be built to the highest standards required for the traffic they would handle, but need not be built to interstate standards. They could be two- or four-lane roads, or high-capacity city streets which could be upgraded or redesigned as an alternative to the construction of new freeways.

TRANSFERABILITY

The act permits a State to give up a planned segment of interstate highway in one section of the State and use that allocation from the trust fund for interstate mileage in another part of the State. Alternatively, the Secretary of Transportation may determine that the unused allocation may be transferred to another State or States where there is a more pressing need. An additional 300 miles of interstate construction would be authorized for the purpose of making these transfers.

The act provides for 40-percent transferability of funds between the Federal-Aid rural primary and secondary highway systems and 40-percent transferability between urban extensions of the primary and secondary systems and the urban system.

Urbanized areas would be permitted to "trade" their allocations for "controversial" interstate segments for an equal dollar amount of mass transit grants from the general revenues. The grants could be used to build rail lines or to buy rolling stock for any mode of public transportation. The money originally earmarked for the "traded" highway projects would remain in the highway trust fund for highway purposes.

GREAT RIVER ROAD

A total of $60 million for the 3 fiscal years through 1976 is authorized from the highway trust fund, to be allocated among the 10 States bordering the Mississippi River, for construction and reconstruction of a scenic highway along the Mississippi from the Gulf of Mexico to Lake Itasca in Minnesota. The 2,000 miles of its length utilizes both Federal-aid highways, highways on Federal lands and State highways where appropriate.

An additional $10 million for each of those three fiscal years is authorized from general revenues, for construction and reconstruction of roads not on a Federal-aid highway system.

HIGHWAY PUBLIC TRANSPORTATION

Highway funds for the A, B, C, D, and Interstate System may be used for exclusive or preferential bus lanes, fringe, and corridor parking areas, and other facilities to assist public mass transportation.

Additionally, publicly owned transpor-

tation authorities may use, without charge, any portion of a Federal-aid highway right-of-way where sufficient land is available to accommodate needed rail or nonhighway public transit facilities.

SPECIAL URBAN HIGH DENSITY TRAFFIC PROGRAM

Authorization of $150 million, out of the highway trust fund, for the 3 years ending June 30, 1976, for construction of short segments of highway connected to the Interstate System in urban areas with high traffic density. These segments can be no longer than 10 miles and must serve the urgent needs of commercial, industrial, airport, or national defense installations. No more than one such route may be built in any one State.

ECONOMIC GROWTH DEVELOPMENT HIGHWAYS

Authorizations of $225 million for the 3 years ending June 30, 1976, for highway construction to serve new "economic growth centers" in rural and semirural areas of the country. These centers, limited to areas with no more than 100,000 population, would be designated by the State Governors, subject to approval by the Secretary of Transportation. The objective of this provision is to encourage development of industries and economic opportunity in areas that have been losing population to the big metropolitan centers and, where possible, to reverse that trend.

HIGHWAY SAFETY

An authorization of $657.5 million for 3 years ending June 30, 1976, to carry out sections 402, 403, and 307(a) safety programs administered by the Federal Highway Administration and the National Highway Traffic Safety Administration. That includes $192.5 million for safety research, and comes out of the highway trust fund; $175 million out of the highway trust fund for the 3 years ending June 30, 1976, to survey and eliminate rail-highway crossings on the Federal-aid system; $175 million out of the highway trust fund for the 3 years ending June 30, 1976, for highway bridge reconstruction and replacement on the Federal-aid system; $175 million out of the highway trust fund for the 3 years ending June 30, 1976, for pavement-marking demonstrations in the various States.

In carrying out these demonstrations, priority would be given to two-lane rural roads, both on and off the Federal-aid system, where two-thirds of the Nation's vehicular fatalities presently occur. Funds not used by a State for pavement-marking demonstrations may be used to eliminate or reduce hazards on high-accident-rate sections of highway.

For spot improvement of hazardous sections of the Federal-aid highway system, $200 million out of the highway trust fund for the 3 years ending June 30, 1976.

For the elimination of road-side obstacles on the Federal-aid system, $175 million out of the highway trust fund for the 3 years ending June 30, 1976.

For a Safer Roads Demonstration Program to bring about safety improvements on roads that are not included in the Federal-aid system, $250 million out of the highway trust fund for the years ending June 30, 1976.

For implementation purposes, this program would be tied directly to the categorical grant safety programs previously enumerated—rail-highway crossings, spot improvements, roadside obstacle removal, bridge reconstruction and replacement, and pavement marking.

The safety section of the conference agreement also authorizes research and studies of the relationship of drug use and driver behavior on highway safety, highway safety education, pedestrian safety and other problems.

The agreement also contains provisions to permit the States to use their Federal-aid funds for bicycle trails and to make planning funds available to local transportation agencies.

AMENDING THE FLOOD CONTROL ACT OF 1968 REGARDING COLLECTION OF SPECIAL RECREATION USE FEES—PUBLIC LAW 93–81

To amend certain provisions of the Land and Water Conservation Fund Act of 1965 relating to the collection of fees in connection with the use of Federal areas for outdoor recreation purposes—Public Law 93–81.

This act amends section 4(b) of the Land and Water Conservation Fund Act of 1965, as amended, to provide for the collection of special recreation use fees for the use of sites, facilities, equipment, or services furnished at Federal expense. The bill prohibits a charge for the use of facilities or areas which virtually all visitors might reasonably be expected to utilize. Also, no fee may be charged for use or access to any campground not having the following—flush restrooms, showers reasonably available, access and circulatory roads, sanitary disposal stations reasonably available, visitor protection control, designated tent or trailer spaces, refuse containers and potable water. This law was enacted in order to stop the practice of Federal agencies of charging daily user fees for minimal and primitive recreational facilities. This law makes it unmistakably clear that the collection of such fees must be restricted to highly developed facilities.

RICHARD B. RUSSELL DAM AND LAKE—PUBLIC LAW 93–139

This act provides that the project referred to as the Trotters Shoals Dam and Lake on the Savannah River, Georgia and South Carolina, shall hereafter be known and designated as the "Richard B. Russell Dam and Lake" in honor of the late Richard B. Russell, the distinguished Senator from Georgia and ranking Member of the Senate at the time of his death in 1971.

B. EVERETT JORDAN DAM AND LAKE—PUBLIC LAW 93–141

This act provides that the New Hope Dam and Lake on the Haw River, N.C., a part of the project of the Cape Fear River Basin, N.C., authorized by the act approved December 30, 1963— Public Law 88–253—shall hereafter be known as the B. Everett Jordan Dam and Lake, in honor of B. Everett Jordan, a distinguished former Senator from North Carolina and former chairman of the Subcommittee on Flood Control-Rivers and Harbors, Senate Committee on Public Works.

WRIGHT PATMAN DAM AND LAKE—PUBLIC LAW 93–186

This act provides that the Texarkana Dam and Lake, Sulphur River, Tex., authorized by the Flood Control Act approved July 24, 1946, shall hereafter be known as the Wright Patman Dam and Lake in honor of Representative WRIGHT PATMAN for his many years of outstanding service to Texas and to the Nation.

JAMES G. FULTON FLOOD PROTECTION PROJECT—PUBLIC LAW 93–231

This legislation names that portion of the Flood Control Project on Chartiers Creek within Allegheny County, Pa., the "James G. Fulton Flood Protection Project" in honor of the late James G. Fulton, the distinguished Congressman from Pittsburgh and ranking minority member of the House Science and Astronautics Committee at the time of his death.

H. V. EASTMAN LAKE—PUBLIC LAW 93–217

This act names the lake to be created by the Buchanan Dam on the Chowchilla River, Calif., the "H. V. Eastman Lake" in honor of the late Harold V. Eastman, an outstanding leader in the development of water resources in the State of California and secretary manager of the Chowchilla Water District at the time of his death.

TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED—PUBLIC LAW 93–207

This legislation provides for a 1-year extension of the pilot operator training program for waste water treatment plants, set up under section 104(g)(1) of the Federal Water Pollution Control Act which would have expired July 1, 1973. In addition, three provisions are made amending section 206: the deadline for filing reimbursement applications is extended from October 28, 1973, to January 31, 1974; the authorization for reimbursement of 50 percent of project costs for sewage treatment plants on which construction was initiated between June 30, 1966, and July 1, 1972, is increased from $2 billion to $2.6 billion; and the Administrator of the Environmental Protection Agency is authorized to make interim payments to projects for which an application has been approved on the basis of estimates of maximum pro rata entitlement of all applicants under subsection 206(a). These provisions will permit the full implementation of section 206 and assure that all eligible applicants will in time receive the full amount of reimbursement to which they are entitled while preventing undue disruption in community plans and while facilitating an orderly cash flow by the U.S. Government.

ENVIRONMENTAL PROTECTION AGENCY "NEEDS" STUDY—PUBLIC LAW 93–243

On October 30 and 31 and November 7, the Water Resources Subcommittee held hearings on the "1973 'Needs' Study" on the Costs of Construction of publicly owned wastewater treatment works. This study was prepared by EPA and submitted to the Congress in compliance with the Federal Water Pollution Control Act Amendments of 1972. The survey was designed so that the results could be used by Congress to allocate

among the States the funds authorized for municipal treatment works after fiscal year 1974 as required by the Federal Water Pollution Control Act Amendments.

Witnesses included Russell Train, Administrator of the Environmental Protection Agency and representatives of several States and local communities. These hearings provided a base for Public Law 93–243.

This act amends the Federal Water Pollution Control Act, as amended, to provide a formula for the allocation of sewage treatment facility construction grant funds authorized for fiscal year 1975. The bill requires the Environmental Protection Agency to conduct a new survey of the needs for publicly owned treatment works before fiscal year 1976 construction grant funds are allocated. And, one provision of the bill clarifies the intent of Congress in the 1972 amendment to the Federal Water Pollution Control Act—Public Law 92–500—to specifically approve the practice of phased funding of large waste treatment works.

EMERGENCY NATIONAL MAXIMUM HIGHWAY SPEED ACT—PUBLIC LAW 93–239

To conserve fuel during periods of current and imminent fuel shortages, the act establishes a national maximum speed limit of 55 miles per hour on public highways. Four-lane or wider divided highways which had speed limits in excess of 55 miles per hour on November 1, would have to be set at, but not lower than, 55 miles per hour. This uniform speed would be applicable to all motor vehicles: cars, buses, and trucks, however, if such four-lane or wider divided highways had speed limits less than 55 miles per hour for certain classes of vehicles, such speed limits need not be increased merely for the purpose of achieving uniformity. Lower speeds could be set, under State permit provisions, for specialized heavy vehicles, and under temporary, hazardous road conditions.

To achieve uniformity of speeds to the degree practicable, any other public highway which had uniform speed limits on November 1, 1973, must remain uniform even though changed to comply with this act.

Sign changes required under the act may be paid from the States share of highway funds.

The act avoids the constitutional problems of enforcing a Federal speed limit by authorizing the Secretary of Transportation to withhold approval of highway projects within any State which is not in compliance with the act. States would thus have to utilize their own speed-setting procedures in order to continue to receive Federal highway funds, and would be responsible for enforcement.

This section of the act would terminate on June 30, 1975, unless the President decides it is no longer required before this date.

A car pool incentive demonstration program for 1 year is included in the act, with a study and report of its effectiveness due within 1 year. If the program proves effective, it can be extended at a future date.

The act also includes a provision for the extension of a December 29, deadline for the installation of "emergency locator transmitters" in certain aircraft.

INTERIM APPORTIONMENT OF INTERSTATE AND OTHER HIGHWAY FUNDS—PUBLIC LAW 93–61

Due to controversy surrounding some aspects of proposed changes in highway legislation, Congress was unable to pass a highway bill during calendar year 1972 and early 1973. Although the conference committee had begun to make significant progress by June 1979 in reconciling the differences between the Senate and House bills, final agreement was not likely to be reached within the next few weeks. Many States were being confronted with a shortage of funds for obligation during this critical period. Consequently, an interim highway bill was enacted while the conference committee continued its work on the comprehensive bill.

The interim act directed the Secretary of Transportation to apportion $1 billion of funds authorized to be expended out of the highway trust fund for the Interstate Highway System and approved the 1972 cost estimate, containing apportionment factors for the several States.

In addition, the act authorized $500 million out of the highway trust fund for the Federal-aid primary and secondary systems and for extensions of those systems in urban areas.

The comprehensive highway bill which passed into law August 13, 1973, required an adjustment in apportionments to conform the interim authorizations to the new law. This action, in effect, rendered the interim act inoperative.

NATIONAL VISITOR CENTER FACILITIES ACT OF 1968—PUBLIC LAW 93–62

The act amends the National Visitor Center Facilities Act to authorize the appropriation of $8,680,000 for construction necessary to complete the alteration and renovation of Union Station as a National Visitor Center, and to direct that the Secretary of the Interior provide interpretive transportation services in or between the National Visitor Center, the Capitol Grounds, the Mall, the Ellipse, John F. Kennedy Center for the Performing Arts, East and West Potomac Park, and such other visitor facilities as may be established pursuant to the National Visitor Center Facilities Act.

AUTHORIZING FURTHER APPROPRIATIONS TO THE SECRETARY OF INTERIOR FOR SERVICES NECESSARY TO THE NONPERFORMING ARTS FUNCTIONS OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS—PUBLIC LAW 93–67

The act amends the John F. Kennedy Center Act (72 Stat. 1968) to authorize appropriations to the Secretary of the Interior for maintenance, security, information, interpretation, janitorial, and all other nonperforming acts functions at the Center for an additional 2 fiscal years. The act authorizes an appropriation of $2.4 million for fiscal year 1974 and $2.5 million for fiscal year 1975, enabling the Congress to exercise continuing legislative review.

AMEND SECTION 8 OF THE PUBLIC BUILDINGS ACT OF 1959—PUBLIC LAW 93–72

The act authorizes the District of Columbia Armory Board to borrow $1.5 million to increase the seating capacity of the Robert F. Kennedy Memorial Stadium by up to 8,000 seats. It further mandates that in the case of revenue from professional football, 50 percent of the revenue attributable to the additional seats shall be used solely for the purpose of repaying the sums borrowed for the seats; 44 percent of such revenues shall be paid to the team operating under the trade name of the Washington Redskins, or its successors; and 6 percent of such revenues shall be subject to the provisions of section 6 of the District of Columbia Stadium Act of 1957. Upon completion of the repayment of any loan for the building and installation of the seats the previous contractual arrangements between the parties shall apply until their normal expiration date.

Furthermore, no part of any revenues derived from these seats shall be paid to the National Football League or to any visiting team within the League until all sums borrowed for the additional seats have been repaid.

INTERNATIONAL CENTER FOR FOREIGN CHANCERIES—PUBLIC LAW 93–40

The act amends section 6 of the International Center Act (Public Law 90–553) in order to carry out the purposes of that act by providing authority for an appropriation not to exceed $2.2 million, to allow the Secretary of State and the General Services Administration to initiate site development of the Center. The remaining site development costs would be provided through sale of property at the Center to foreign governments; such sales would also provide funds to reimburse the Treasury for all funds expended from the appropriation authorized in this act.

SECURING STORAGE SPACE FOR THE U.S. CONGRESS—PUBLIC LAW 93–180

The act provides that, notwithstanding any other provision of law, the Architect of the Capitol, with the approval of the House Office Building Commission and Senate Committee on Rules and Administration, be authorized to secure, through rental, lease, or other appropriate agreement, storage space in areas within the District of Columbia and its environs beyond the boundaries of the U.S. Capitol Grounds for use of the U.S. Senate, the U.S. House of Representatives, and the Office of the Architect of the Capitol, under such terms and conditions as such Commission and committee may authorize, and to incur any necessary incidental expenses in connection therewith. Any expenditures required to implement the provisions of this act will be paid from the appropriation "Contingent expenses, Architect of the Capitol" any and funds appropriated under that head would thereafter be available for such purpose.

JOHN WESLEY POWELL FEDERAL BUILDING—PUBLIC LAW 93–183

The act names the headquarters building in the Geological Survey National Center under construction in Reston, Va., the "John Wesley Powell Federal Building."

John Wesley Powell was a soldier, scientist, explorer and has left his mark

on agencies and legislation for the development and conservation of the natural resources of the world. Partly as a result of his activities and interests, the U.S. Geological Survey was established within the Interior Department, by legislation in 1879, and from 1881 through 1894 Major Powell was Director of that agency.

EARLE CABELL FEDERAL BUILDING—PUBLIC LAW 93–187

The act names the Federal office building at 1100 Commerce Street, Dallas, Tex., the "Earle Cabell Federal Building."

Earle Cabell served in the House of Representatives for 8 years. During his years in Congress, he served on the Committee on Science and Astronautics and the Committee on the District of Columbia. He served with great distinction and enjoyed the respect and affection of his colleagues and constituents.

HALE BOGGS FEDERAL BUILDING—PUBLIC LAW 93–215

Section 1 of the Act names the U.S. courthouse and Federal office building under construction in New Orleans, La., the "Hale Boggs Federal Building."

The purpose of sections 2 and 3 are to make corrective amendments. Section 21 of the Dwight D. Eisenhower Memorial Bicentennial Civic Center Act (Public Law 92–520) inadvertently designated the wrong address of the building which was intended to be named in honor of the late Senator Mundt. Section 2 amends the act so as to correctly designate the Earth Resources Observation Systems Data Center facility in Minnehaha County as the "Karl E. Mundt Federal Building."

Section 11 of the Dwight D. Eisenhower Memorial Bicentennial Civic Center Act (Public Law 92–520) named the jet propulsion laboratory in Pasadena, Calif., as the "H. Allen Smith Jet Propulsion Laboratory." Subsequent to the action of this committee, Representative Smith advised the committee he preferred the laboratory not be named after him. Accordingly, the effect of section 3 is to nullify the action taken in section 11 of the Dwight D. Eisenhower Civic Center Act (Public Law 92–520).

Hale Boggs served in the House of Representatives for 28 years until his tragic disappearance. His years in Congress were marked by qualities of determination and leadership. He was deputy Democratic whip in the House from 1957 to 1961. Democratic whip from 1962 to 1970, and House majority leader from 1971 until his disappearance. He served with distinction as a member of the House Ways and Means Committee, Committee on Elections, Subcommittee on Highway Financing, Joint Economic Committee, Subcommittee on Foreign Trade Policy, and the Joint Committee on Internal Revenue Taxation.

Devotion, love of country, and loyalty are just some of the remarkable standards that he adhered to throughout his lifetime of public service.

U.S. CAPITOL HISTORICAL SOCIETY STUDY—PUBLIC LAW 93–226

The act provides for a feasibility study for a sound and light performance system on the east front of our National Capitol.

The act also allows the United States, through the Capitol Buildings, Architect of the Capitol account, to accept gifts from the Historical Society.

Section 2 provides that the Architect of the Capitol review the study and submit it, along with his recommendations, to the Speaker, the majority and minority leaders of the House, and the U.S. Senate Commission on Art and Antiquities. If these House and Senate officials approve of the Architect's report, the Architect can then accept a gift of such sum or sums necessary to implement the project.

Section 3 allows the Architect, under the direction of the House leaders and Senate commissions to make expenditures in carrying out the review of such report.

Section 4 authorizes the Architect to expend any money left over from the gifts by the Historical Society to implement the project to defray the operation expenses of the sound and light show.

LYNDON BAINES JOHNSON MEMORIAL GROVE—PUBLIC LAW 93–211

The act authorizes the Secretary of the Interior to cooperate with two nonprofit associations—the Committee for a Lyndon Baines Johnson Memorial Grove on the Potomac, and the Society for a more Beautiful National Capital, Inc.—in developing a memorial to honor Lyndon Baines Johnson, the 36th President of the United States.

The memorial would be in the form of a living grove of trees and related facilities located in Lady Bird Johnson Park adjacent to the Potomac River here in the District of Columbia. The design of the grove would be subject to the approval of the National Capital Planning Commission, the Commission of Fine Arts, and the Secretary of the Interior.

The act provides the Secretary of the Interior opportunity to approve the design of the grove, and gives the organizations a period of 10 years in which to raise the necessary funds. The act clarifies the intent that the memorial will be developed at no expense to the United States.

BILL APPROVED BY THE HOUSE AND AMENDED BY THE SENATE WHICH RECEIVED NO ACTION

H.R. 11565, a bill to insure that certain buildings financed with Federal funds utilize the best practicable technology for the conservation and use of energy, was reported on November 29, 1973. On December 3, 1973, the House passed the bill and it now awaits action by the Senate. A hearing on this bill had been held November 27, 1973.

Approximately 450,000 buildings owned or leased by the United States exist today. These buildings range in size from small agricultural stations to imposing high rise buildings. Very little attention has been paid in the past to achieving building construction based on sound design incorporating the best practicable technology to assure efficient utilization and conservation of energy. Accordingly, the Administrator of the General Services Administration is authorized to develop design criteria to serve as the basis of design of buildings to assure that the best practicable use and conservation of energy is taken into account.

Architectural features and site orientation as well as insulation and elimination of excessive fenestration would be considered in the development of this criteria. The energy expended in the manufacture and transportation of building materials would be considered in the selection of materials of construction for a building at any given site. New techniques for energy supply, generation and transmission would also be studied.

The committee confined itself at this time to the development of legislation relevant to buildings under the control and custody of the General Services Administration. The number of buildings covered by this legislation is approximately 10,000; that is about one forty-fifth of the buildings owned or controlled by the United States.

The bill distinguishes between "new buildings" and "existing buildings". In both cases, buildings owned by the United States or where more than 66 percent of the net assignable area is leased by the United States are considered. A "new building" is a building that is to be constructed or altered by or on behalf of the United States or is to be leased by the United States after the date of enactment, while an "existing building" is a similar building owned or leased on or before the date of enactment of this act.

The Administrator of the General Services Administration is directed to develop design criteria for new buildings which shall be incorporated into the plans or specifications for new buildings to be under their custody or control. He is required to consider, among other items in the development of design criteria, architectural features and site orientation to make the most efficient use of sunlight and other material phenomena, insultation and elimination of excessive fenestration, energy expended in the manufacture and transportation of building materials, and many techniques of energy supply, generation, and transmission. It is not intended that criteria be used to justify the location of a building in one region as opposed to another. The determination of the location of a necessary Federal building would be based upon existing law which remains unchanged.

Once developed, the criteria would be incorporated into plans or specifications for "new buildings" to be constructed or altered or specifications for "new buildings" to be leased.

The most immediate energy conservation impact of the bill is section 3 requiring the Administrator to inventory and examine existing buildings under his custody or control in order to determine the improvements that can be made to insure that these buildings are energy efficient.

The Administrator of the General Services Administration is directed to report back his findings to Congress no later than January 1, 1975. Moreover, the Administrator of General Services Administration is directed to report to Con-

gress not later than January 1, 1975, the results of his activities in developing design criteria. Your committee anticipates that this design criteria will be of use not only to the General Services Administration but to all agencies and others with the responsibility for construction and maintenance of buildings.

BILLS APPROVED BY THE HOUSE BUT NOT ACTED UPON BY THE SENATE

H.R. 10203

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes—H.R. 10203:

H.R. 10203 is a water resources development project authorization and basin monetary authorization bill. Title I of the bill includes water resources development project authorizations similar to those found in the River and Harbor and Flood Control Acts which have been passed in recent years. The new title—Water Resources Development Act of 1973—reflects a reorganization of the committee in which the Rivers and Harbors and Flood Control Subcommittees were combined into one Water Resources Subcommittee. It also removes an unnecessary distinction between flood control and navigation projects. Both are truly water resources development projects.

A total of 20 projects is contained in sections 1, 2, and 3 of title I of this bill, with a Federal cost of $27,354,000. The projects are located in 15 States and cover all types of works under the jurisdiction of the committee and within the province of the Corps of Engineers.

Other provisions in title I include modifications to existing projects and general laws.

1973 FLOOD CONTROL ACT

The Water Resources Subcommittee held hearings on May 17, 22, 23, and on June 5, 6, 7, 12, 13, 14, 19, 20, and 21 on proposed rivers and harbors and flood control projects of the U.S. Army Corps of Engineers. During the course of the hearings, testimony was heard from representatives of the Corps of Engineers, Members of Congress, and concerned groups and individuals. These hearings provided a base for the Water Resources Act of 1973 which passed the House on October 12 and is awaiting action by the Senate.

A section-by-section analysis of title I, as passed by the House, is as follows:

SECTION-BY-SECTION ANALYSIS

Section 1—This section establishes a new procedure for authorization of major water resources development projects of the Corps of Engineers. Subsection (a) would authorize the Secretary of the Army, acting through the Chief of Engineers, to undertake the Phase I design memorandum stage of advanced engineering and design of major water resources development projects substantially in accordance with, and subject to conditions recommended by the Chief of Engineers in the reports designated in section 1. Subsection (b) would authorize the Secretary of the Army to undertake advanced engineering and design for the projects in Subsection (a) after completion of the Phase I design memorandum stage of such projects only upon a finding by the Chief of Engineers, transmitted to the Committees on Public Works of the Senate and House of Representatives, that the project is without substantial controversy, that it is substantially in accordance with and subject to the conditions recommended by the Chief of Engineers or the Secretary of the Army, as appropriate, in the designated reports, and that the advanced engineering and design will be compatible with any project modifications which may be under consideration. There is authorized to be appropriated for subsection (b) an amount not to exceed $5,000,000, and such funds may not be used for land acquisition or construction.

The Committee has adopted this change in procedure in recognition of its growing concern over the major changes that often take place in water resources development projects between the time a project is first proposed for authorization and the time detailed plans are prepared for construction. While the Committee recognizes the need to refine plans to make them responsive to changing public attitudes and needs that develop during the post-authorization planning period and which are responsive to newly enacted legislation and policy changes, it is noted that the changes incorporated in the project plans are often of such magnitude that the scope of the project is materially changed or that alternative solutions may prove to be more acceptable in the overall public interest. Under these circumstances, the Committee has adopted the procedure prescribed in section 1 which would give the Congress the opportunity to reaffirm or modify its previous authorization in keeping with the new information that becomes available.

A table of the projects in section 1 follows. Those projects are authorized for accomplishments of the Phase I design memorandum stage of advanced engineering and design only. The table lists the projects, project document numbers, and estimated Federal costs.

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Project	H. Doc. No.	Federal cost
Virginia Beach, Va	92-365	$954,000
Buena Vista, Va	93-56	665,000
Camp Ground Lake, Ky	92-374	330,000
Bowie Creek, Miss	92-359	390,000
Pearl River, Miss	92-282	310,000
Zumbro River, Rochester, Minn	93-156	150,000
Greenville Harbor, Miss., Sen. Doc	93-38	200,000
Warren to Wilkinson Counties, Miss	93-148	150,000
Bushley Bayou, La	93-157	300,000
Roaring River Reservoir, N.C		400,000
Curry Creek Reservoir, Ga		400,000
Dalton Reservoir, Ga		440,000
Blanco River, Tex	92-364	177,000
Arkansas River, Colo	93-143	1,140,000
Center Creek, Miss	92-361	150,000
Libby Reregulating Dam, Mont	93-29	10,000

Section 2—A list of the projects in section 2 follows. These projects are authorized for construction in their full amounts rather than for the Phase I design memorandum stage only because the proposed works are either largely non-structural or do not entail major structural measures and do not require significant time and costs for advanced engineering and design prior to initiating construction. The table lists the projects, project document numbers, and total estimated Federal construction costs.

Project:	Federal cost
Tamaqua, Pa	$2,355,000
Charles River, Mass	7,340,000
Prairie du Chien, Wis	1,840,000

Section 3—This section authorizes a modification of the authorized project for the Obion and Forked Deer Rivers to provide for the acquisition and development of lands for fish and wildlife purposes.

Section 4—This section authorizes a beach erosion control project on Ediz Hook at Port Angeles, Wash. The authorization includes such emergency interim measures as may be necessary to prevent the breaching of Ediz Hook prior to construction of the project.

Section 5—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to remove the sunken Steamer Glen from Manistee Harbor, Michigan.

The removal by the United States of wrecks in navigable waters is governed by Sections 19 and 20 of the Rivers and Harbors Act of March 3, 1899. The removal of a wreck by the Federal Government is predicated on its being an obstruction to navigation.

The wreck is obstructive to navigation, but present plans of the Department of the Army do not call for its removal in the near future. The purpose of section 5 is to secure the removal of the wreck as soon as possible, through the granting of specific authority, so that an existing hazard to navigation may be eliminated.

Section 6—This section provides the costs of operation and maintenance of the general navigation features of small boat harbor projects shall be borne by the United States. The long standing policy has been that the Federal Government assume these costs. Since 1970, however, small boat harbor projects submitted to the Congress for authorization, or undertaken by the Secretary of the Army, have provided for maintenance by non-Federal interests. Section 6 would restore the long standing policy as a matter of law.

Section 7—Section 116 of the River and Harbor Act of 1970 authorized the Secretary of the Army, acting through the Chief of Engineers, to undertake measures to clear the channel of the North Branch of the Chicago River, Illinois, of fallen trees, roots, and other debris and objects which contribute to flooding, unsightliness, and pollution of the river. Section 7 amends that authority to provide for continued maintenance of the channel by the Secretary of the Army.

Section 8—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to operate and maintain the San Francisco Bay-Delta Model in Sausalito, California, for the purpose of testing proposals affecting the environmental quality of the region including, but not limited to, salinity intrusion, dispersion of pollutants, water quality, improvements for navigation, dredging, bay fill, physical structures, and other shoreline changes which might affect the regimen of the bay-delta waters.

Section 9—This section provides that at any water resources development project under the jurisdiction of the Secretary of the Army, where non-Federal interests are required to hold and save the United States free from damages due to the construction, operation, and maintenance of the project, such requirement shall not include damages due to the fault or negligence of the United States or its contractors. The assurance was never intended to provide insurance to the United States against its own fault or negligence or that of its contractors, and section 9 clarifies the assurance's meaning.

Section 10—This section modifies the McClellan-Kerr Arkansas River Navigation System to include alteration at Federal expense of the municipal water supply facilities of the City of Conway, Arkansas, by the construction of water impoundment facilities at a location outside the flat flood plain of Cadron Creek, together with interconnecting pipeline and other appurtenant work, so that the water supply capacity is approxi-

mately equivalent to that existing before construction of the navigation system.

The Federal project contributes to an objectionable odor and taste that now occur during summer periods of extended low streamflow. A new source of raw water supply, different than the present streambank intake along Cadron Creek, is required.

Section 11—This section is similar to those in previous river and harbor and flood control acts providing for authorization of needed surveys at specifically named localities. It authorizes the Secretary of the Army to make survey investigations for navigation, flood control, and allied purposes at the following named localities:

San Luis Obispo County, California

East Two Rivers between Tower, Minnesota, and Vermilion Lake.

Buffalo River Basin, New York (wastewater management study).

Palo Blanco Creek and Cibolo Creek, at and in the vicinity of Falfurrias, Texas.

Miami River, Florida, with a view to determining the feasibility and advisability of dredging the river in the interest of water quality.

Port Las Mareas, Puerto Rico, with a view to determining the feasibility and advisability of assumption of maintenance of the project by the United States.

Saint Marys River at, and in the vicinity of, Sault Sainte Marie, Michigan, with a view to determining the advisability of developing a deep draft navigation harbor and international port.

Section 12—This section provides a uniform procedure for the deauthorization of water resources projects. This section provides that as soon as possible after the date of enactment of this section, and at least once each year thereafter, the Secretary of the Army, acting through the Chief of Engineers, shall review and submit to Congress a list of those authorized projects under his jurisdiction which have been authorized for at least eight years without any Congressional appropirations within the last eight years, and which he determines should no longer be authorized.

A project on the list is no longer authorized after one hundred and eighty calendar days of continuous sessions of Congress after the date of delivery of the list unless during that period either the House or Senate Committee on Public Works adopts a resolution stating that the project shall continue to be an authorized project.

The Secretary of the Army, acting through the Chief of Engineers, is required to review a project for inclusion in the list of projects provided for in subsection (a) if requested by a resolution of either the House or Senate Public Works Committee. If the project is not included in any of the first three lists submitted to Congress after the date of the resolution, a report giving the reasons for not recommending deauthorization must be submitted to the House and Senate Committees on Public Works not later than the date of the third list submitted to Congress after the date of the resolution. This provision spells out a means for the Congress to initiate the consideration of a project for deauthorization as part of the procedure established by this section.

Section 13—This section authorizes the Chief of Engineers and the Commissioner of the Bureau of Reclamation to make use of traffic projections in the engineering determination of the design standard to be used in the relocation of public roads at Federal expense as part of Federal water resources project construction.

Section 14—The project for the Sandridge Dam and Reservoir, Ellicott Creek, New York, was authorized by the Flood Control Act of 1970. That authorization contained the provision that construction should not be initiated until approved by the Secretary of the Army and the President.

It further provided that prior to commencement of the project, the Secretary of the Army, acting through the Chief of Engineers, shall investigate all possible alternative methods that will accomplish the purpose of the project, and shall report his findings and determinations to the Congress.

The flood situation in the area is critical, especially in view of the construction in the area of a new campus for the State University. Section 14 modifies the project to authorize the Secretary of the Army, acting through the Chief of Engineers, to undertake remedial flood control measures to alleviate the flooding in the reach between Stahl Road and Niagara Falls Boulevard in Amherst, New York. The measures must be compatible with the authorized project and any alternatives currently under study pursuant to the Flood Control Act of 1970. This will ensure that the work will be useful no matter what alternative method of flood protection is finally adopted.

Section 15—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to reconstruct the existing service and access roads along the line of protection at St. Louis, Missouri, so as to adequately carry present and anticipated traffic loads.

No appropriations for the reconstruction may be authorized until the engineering plans have been submitted to the House and Senate Committees on Public Works and approved by resolution of such committees.

Section 16—This section modifies the comprehensive plan for flood control and other purposes in the White River Basin to provide for a free highway bridge over the Norfolk Lake in the area where United States Highway 62 and Arkansas State Highway 101 were inundated as a result of the construction of the Norfolk Dam and Lake.

When this project was constructed, in the early 1940's during World War II, the State of Arkansas agreed to accept the payment of $1,342,000 from the United States as compensation for the inundation of State Highway 101, rather than insist that the United States construct a replacement bridge. This decision, made during the emergency wartime situation, turned out to be most disadvantageous to the State, as a serious need exists for a crossing of the lake to replace the inundated road. Section 16 provides for such a crossing, with the condition that the State repay to the United States the compensation received in 1943, with interest from that date.

Section 17—This section modifies the projects for Melvern Lake and Pomona Lake, Kansas, to authorize the Secretary of the Army, acting through the Chief of Engineers, to improve surface roads in the vicinity of the projects which he determines to be necessary for appropriate utilization of the projects.

The Federal share of the work authorized by the section may not exceed 70 percent. This is consistent with the cost sharing requirements under the Federal-Aid Highway Program.

Section 18—This section modifies the project for Tuttle Creek Reservoir, Kansas, to authorize the Secretary of the Army, acting through the Chief of Engineers, to improve a portion of a highway providing access to the project. This section is similar to section 17 and the reasons for it are the same—to authorize the improvement of roads needed for access to recreation areas at a Federal project.

Section 19—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to convey to the Andrew Jackson Lodge Numbered 5, Fraternal Order of Police, of Nashville, Tennessee, all right, title, and interest of the United States in and to thirty-eight acres of the Old Hickory Lock and Dam project.

The lands involved are currently leased to the lodge, which uses them for a youth camp facility for disadvantaged children. The usual protective provision is included that if the lodge shall ever use, or permit to be used any part of the property for any purpose other than as a youth camp facility for disadvantaged children, title to the property shall revert to the United States.

Section 20—Section 213 of the Flood Control Act of 1970 authorized the Secretary of the Army, acting through the Chief of Engineers, to resolve the seepage and drainage problems in the vicinity of the town of Niobrara, Nebraska, that may be related to operation of the Gavins Point Dam project. Not to exceed $7,800,000 was authorized to be appropriated for the work.

Subsequent to enactment of that legislation, the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 was enacted. Primarily because of the provisions of that Act, the cost of the Niobrara project has risen to an estimated $11,400,000. This section increases the appropriation authorization accordingly.

Section 21—This section modifies the project for flood protection on the Minnesota River at Mankato, Minnesota, to authorize the Secretary of the Army, acting through the Chief of Engineers, to reimburse the city of Mankato for local costs incurred in relocating that portion of the existing Mankato interceptor sewer extending approximately one thousand six hundred feet upstream and one thousand five hundred feet downstream of the Warren Creek Pumping Station.

Section 22—This section authorizes a general program of assistance to States in the planning for development, utilization, and conservation of water and related resources. The cooperative program authorized by this section will constitute a valuable complement to the program being carried out under the Water Resources Planning Act. The appropriation authorization is limited to $2,000,000 annually, and no more than $200,000 may be expended in any one year in cooperating with any State.

Section 23—Section 123 of the River and Harbor Act of 1970 authorized the Secretary of the Army to construct spoil disposal facilities in the Great Lakes. Non-Federal interests are required to contribute 25 percent of the construction cost of the facilities. This requirement is waived upon a finding of the Administrator of the Environmental Protection Agency that for the area to which the construction of the facility applies the State, its political subdivisions and industrial concerns are participating in an approved plan for construction, modification, expansion, or rehabilitation of waste treatment facilities.

This waiver provision applies only before construction of these facilities is commenced, as the repayment agreement must be executed prior to construction. If a local community agrees to pay the 25 percent and later meets the requirements for the Administrator's findings, no reimbursement may be made.

Section 23 remedies this inequity by providing that in the event the Administrator's findings occur after the agreement is entered into, any payments due after the date of the findings shall be waived.

Section 24—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to make a complete study of the items of local cooperation involving hold and save harmless provisions which have been required for water resources development projects prosecuted by the Department of the Army, and the reasons for such requirements, and to report thereon to the Congress not later than June 30, 1974, together with recommendations as to those items of local cooperation which should appropriately be required for various types of water resources development projects.

Section 25—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to study land use practices and recreational uses at water resource development projects under the jurisdiction of the Department of the Army, and to report thereon to the Congress not later than June 30, 1974, with recommendations as to the best use of such lands for outdoor recreation, fish and wildlife enhancement, and related purposes.

Section 26—This section amends existing authority of the Secretary of the Army to undertake small projects for snagging and clearing for flood control in two respects. It raises the limit for individual projects from $100,000 to $250,000 and the annual expenditure limit from $2,000,000 to $5,000,000. The increase is needed to keep pace with rising construction costs.

Section 27—This section increases the monetary limitations applicable to emergency bank protection works undertaken by the Corps of Engineers. The individual project amount is raised from $50,000 to $250,000 and the annual expenditure limitation from $1,000,000 to $5,000,000. The increases are necessary to keep pace with the increase in construction costs since 1946 when the authority was enacted. The section also clarifies the application of the authority by adding churches, hospitals, schools and other nonprofit public services to the definition of facilities which are eligible for protection.

Section 28—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to improve perimeter access at Lake Texoma, Texas and Oklahoma. Existing roads are to be utilized to the extent feasible. Not to exceed $3 million is authorized to be appropriated for the work.

Section 29—This section authorizes the construction of approaches to the eastern end of the Rock Island, Illinois, Centennial Bridge. It amends the Rock Island toll bridge Act, 52 Stat. 110, by inserting "(including the eastern approach in Rock Island, Illinois)", after the provisions for reconstruction, enlargement, and extension. This amendment would apply specifically to the eastern end of the bridge and work is to commence prior to December 1, 1974, and shall be completed by December 1, 1977.

Section 30—This section modifies the project for enlargement of Lavon Reservoir, Texas, to authorize the Secretary of the Army, acting through the Chief of Engineers, to provide a crossing and approaches at Tickey Creek and suitable surfacing to permit all-weather use of Collin County Road 115 (Culleoke Road).

Section 31—This section modifies the project for the Atlantic coast of Long Island, Fire Island Inlet to Montauk Point, New York, to provide that non-Federal interests shall (1) contribute 30 percentum of the first cost of the project, including the value of lands, easements and rights of way; (2) hold and save the United States free from damages due to the construction works; and (3) maintain and operate the improvements in accordance with regulations prescribed by the Secretary of the Army.

Section 32—This section authorizes a varied and comprehensive approach to find means of preventing and reducing the damages caused by the severe erosion problems along the Ohio River. The section authorizes an intensive evaluation of the erosion with a view to determining whether bank protection works should be provided at this time. It also authorizes the Corps of Engineers to develop and evaluate new methods and techniques for bank protection, conduct research on soil stability, identify the causes of erosion, and recommend means for prevention and correction of the problems.

In addition, the Secretary of the Army, acting through the Chief of Engineers, is authorized to construct and evaluate demonstration projects as determined by the Chief of Engineers.

Section 33—This section modifies the project for the Scioto River, Ohio, to permit the construction of local protection works at Chillicothe, Ohio, prior to commencement of construction of the Mill Creek Reservoir.

The project as originally authorized provided that the local work could not be undertaken until after construction of the reservoir.

Construction of the reservoir has been delayed. In the meantime, the town of Chillicothe is without badly needed flood protection. Under this section, the local protection work can proceed first with necessary revisions in the plan to provide a degree of protection substantially equivalent to that provided by the project as originally authorized.

Section 34—This section modifies the project for Newburgh Lock and Dam, Indiana, to direct the Secretary of the Army, acting through the Chief of Engineers, to perform bank protection work along the Ohio River at Newburgh, Indiana. Local interests are required to furnish necessary lands, easements and rights of way, operate and maintain the works after completion, and hold and save the United States free from damages due to the construction works.

Section 35—This section authorizes a demonstration pilot study program of bank stabilization on the delta and hill areas of the Yazoo River Basin, Mississippi.

Section 36—This section authorizes the construction of a two lane, all-weather paved road extending from old United States Highway 40, near Weimar, California, to the Eldorado County Road near Spanish Dry Diggings, to replace a road which will be closed as a result of construction of the Auburn Dam and Reservoir.

Section 37—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to review the requirements for local cooperation for the Santa Cruz Harbor project, Santa Cruz, California, with particular reference to Federal and non-Federal cost sharing, and report his findings to Congress within one year.

Section 38—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to review the requirements of local cooperation for the project for Anaheim Bay, California, with particular reference to Federal and non-Federal cost sharing, and to report his findings to Congress within one year.

Section 39—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to undertake such emergency bank stabilization measures as are necessary to protect the Sacred Heart Hospital in Yankton, South Dakota, from damages caused by bank erosion downstream of Gavins Point Dam on the Missouri River.

Section 40—This section modifies the project for San Luis Obispo Harbor, California, to authorize the Secretary of the Army, acting through the Chief of Engineers, to accept in annual installments during the period of construction the cash contribution of local interests required by the project.

Section 41—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to make a detailed study and report of the total benefits and costs attributable to the water resources development projects undertaken in the Ohio River Basin by the Corps of Engineers. The evaluation of benefits and costs is to include consideration of the enhancement of regional economic development, quality of the total environment, the well being of the people, and the national economic development. The report of the study must be submitted to Congress within two years after funds are made available to initiate the study.

Section 42—This section authorizes a combination of emergency work and studies to help prevent and reduce damages from streambank erosion in the reach of the Missouri River between Fort Randall Dam, South Dakota, and Sioux City, Iowa. It provides for emergency bank stabilization works as determined to be necessary by the Secretary of the Army, acting through the Chief of Engineers.

The section also authorizes and directs an intensive evaluation of streambank erosion along the Missouri River with a view to determining whether additional bank protecton works should be provided at this time. In addition, the Corps of Engineers is to develop and evaluate new methods and techniques for bank protection, conduct research on soil stability; identify the causes of erosion, and recommend means for prevention and correction of the problems. The results of the studies, with recommendations, are to be reported to the Congress.

Section 43—This section modifies the Cave Run Lake Project, Kentucky, to provide that the construction of any proposed road to the Zilpo Recreation Area shall not be undertaken which bisects those lands in the Daniel Boone National Forest, Kentucky, designated as the Pioneer Hunting Area.

Section 44—This section authorizes and directs the Secretary of the Army to convey to the Mountrail County Park Commission of Mountrail County, North Dakota, certain described tracts of land at the Garrison Dam and Reservoir project on the Missouri River. The lands are to be used by the Commission solely for public park and recreational purposes.

Section 45—This section amends section 252 of the Disaster Relief Act of 1971 to provide that the costs of replacing certain community services, for which the Act provides assistance, shall include those costs incurred in obtaining substitute services during the period of repair, restoration, reconstruction, or replacement of facilities to the extent such costs exceed the cost which would have been incurred in providing such services but for the disaster.

Section 46—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to amend the contract between the city of Aberdeen, Washington, and the United States for use of storage space in the Wynoochee River, Washington, for municipal and industrial water supply. The city entered into the contract on the basis of projected needs of local industry, however, these needs have not materialized because of adverse economic and employment conditions in the area, and the city has no customers for the water.

Section 46 provides for an adjustment in the repayment schedule so that while the city is seeking customers, its payments will start at only one-tenth of what they otherwise would have been, and will increase gradually over a ten year period. The interest rate to be charged will remain that established by the Water Supply Act of 1958.

Section 47—This section modifies the project for Wynoochee Dam and Lake to provide that the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to transfer to the State of Washington not to exceed $696,000 for construction of fish hatchery facilities for mitigation of project-caused losses of natural spawning areas for trout.

Section 48—Section 7 of the River Basin Monetary Authorization and Miscellaneous Civil Works Amendment Act of 1970 authorized the Secretary of the Army, acting through the Chief of Engineers, to participate with the State of Montana in the construction, operation, and maintenance of fish

hatchery facilities to mitigate fish losses caused by the Libby Dam project, Kootenai River, Montana. The amount of Federal participation was limited to $750,000. This participation was intended to cover the construction cost of hatchery facilities capable of producing 25,000 pounds per year of west slope cutthroat trout and operating and maintaining the facilities for about ten years.

The actual costs have turned out to be much higher than originally estimated, primarily because of requirements for pollution control and water reuse, and section 48 reflects this increase.

Section 49—This section modifies the project for Libby Dam, Montana, to authorize the Secretary of the Army to acquire not more than twelve thousand acres of land for the mitigation of wildlife grazing losses caused by the project, and to participate with the State of Montana in the maintenance of the lands for grazing purposes.

Section 50—This section modifies the project for Libby Dam, Montana, to authorize the Secretary of the Army, acting through the Chief of Engineers, to reimburse Boundary County, Idaho, for the cost incurred to elevate, relocate, or reconstruct the bridge located at the mouth of Deep Creek as it joins the Kootenai River. This work on the bridge is made necessary by the increased duration of high flows in the Kootenai River caused by drawdown of Libby Dam, which would substantially increase the amount of time the bridge is under water and unusable during spring and early summer.

Section 51—This section declares a described portion of the East River in New York County, State of New York, to be not a navigable water of the United States within the meaning of the laws of the United States, and gives the consent of Congress to the filling in of all or any part of the area or the erection of permanent pile supported structures in the area.

The area involved is the site of the proposed Manhattan Landing Project being developed by the City of New York.

The declaration of non-navigability is necessary to remove the cloud on title resulting from the navigation servitude of the United States.

The Committee has included the requirement that the proposed project be determined to be in the public interest on the basis of environmental studies conducted pursuant to the National Environmental Policy Act of 1969. This will require the consideration and balancing of the environmental and other impacts of the proposed project.

Section 52—The project for hurricane-flood control protection, from Cape Fear to the North Carolina-South Carolina State line, was authorized in 1966. Advanced engineering and design has been completed, but construction has not yet been commenced. The State of North Carolina is anxious to begin work at the Brunswick County Beaches, and wishes to start the work with State funds. Section 52 authorizes the State to do this and be reimbursed later.

Section 53—This section modifies the project for flood protection on the Grand River and tributaries, Missouri and Iowa, authorized by the Flood Control Act of 1965, to authorize the Chief of Engineers to proceed with engineering and design of the Pattonsburg Lake project so as not to preclude the subsequent addition of power.

Section 54—This section, which is to be cited as the "Shoreline Erosion Control Demonstration Act of 1972," authorizes a program to develop and demonstrate low-cost means to prevent and control shoreline erosion. The Secretary of the Army is directed to establish and conduct, for a period of five years, a national shoreline erosion control development and demonstration program, consisting of planning, constructing, operating, evaluating, and demonstrating, prototype devices, both engineered and vegetative. The program is to be carried out in cooperation with the Secretary of Agriculture, other Federal, State, and local agencies, private organizations, and the Shoreline Erosion Advisory Panel established by the Act.

Demonstration projects are to be undertaken at no less than two sites each on the shorelines of the Atlantic, Gulf, and Pacific coasts, and of the Great Lakes.

Section 55—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to provide technical and engineering assistance to non-Federal public interests in developing structural and nonstructural methods of preventing damages attributable to shore and streambank erosion.

Section 56—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to investigate, plan, and construct projects for the control of streambank erosion in the United States, its possessions, and the Commonwealth of Puerto Rico, when in the opinion of the Chief of Engineers, such projects are consistent with the objectives of sound flood plain management and will result in substantial public benefits through the provision of needed protection to public, residential, and commercial properties.

No single project may be constructed under this section if the estimated Federal first cost exceeds $250,000. An annual expenditure limitation of $10,000,000 is imposed.

Section 57—The initial project for Presque Isle Peninsula, Erie, Pennsylvania, was a cooperative project by the United States and the Commonwealth of Pennsylvania, completed in 1956. The River and Harbor Act of 1960 modified the project by providing for Federal participation in beach replenishment for a period of ten years from the year of the first major replenishment. The 10-year time limit for Federal participation in beach replenishment has expired. The project is being severely eroded and portions of the groin system are threatened by erosion. The project is under review at this time by the Corps of Engineers to determine whether it should be modified to provide other means of protection to reduce erosion.

This section would reactivate Federal participation in beach replenishment for another five years, or if the review study is not completed by that time, until a report on the review study is submitted to the Congress.

Section 58—This section modifies the project for navigation in the Atchafalaya River and Bayous Chene, Boeuf, and Black, Louisiana, to provide that local interests shall contribute 25 per centum of the costs of areas required for initial and subsequent disposal of spoil, and of necessary retaining dikes, bulkheads and embankments therefor.

This cost sharing requirement is to be waived upon a finding by the Administrator of the Environmental Protection Agency, that appropriate local interests are participating in and in compliance with an approval plan for the general area, for the construction, modification, expansion, or rehabilitation of waste treatment facilities.

Section 59—This section authorizes the States of Illinois and Iowa to contract individually or jointly with either or both of the cities of Keokuk, Iowa and Burlington, Iowa, to assume responsibility for the operation, maintenance, and repair of the bridges at Keokuk and Burlington over the Mississippi River. The bridges will become toll free after execution of the agreement shifting the responsibility for the bridges to either or both States.

Section 60—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to perform channel clean-out operations and snagging and clearing for selected streams where chronic and persistent flooding conditions exists in the lower Guyandot River Basin, West Virginia, in the interest of flood control and related purposes. These measures are to be performed on an interim measure pending completion of the R. D. Bailey Lake project, scheduled for 1974.

Section 61—This section authorizes the construction of small flood protection projects not specifically authorized by Congress. No more than $2 million may be allotted for any one project, and there is authorized not to exceed $25 million in each fiscal year for the next five fiscal years to construct these projects.

Section 62—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to perform such work as may be necessary to provide for the repair and conversion to a fixed type structure of dam numbered 3 on the Big Sandy River, Kentucky and West Virginia. This dam, originally a Federal project, was authorized to be turned over to the local interests by the Act of August 6, 1956. It is used to provide water supply for communities in the area. The section authorizes work necessary to place the dam in good condition and prevent its collapse.

Section 63—This section extends the date by which non-Federal interests must give their agreement of local cooperation for the Texas City and vicinity flood control project. The additional time is needed for the local interests to determine if they want the original project or an expanded project protecting a larger area, as authorized by the Flood Control Act of 1968 which gave them the option of the two projects.

Section 64—This section raises the annual authorized funding for the Corps of Engineers flood plain management services program. Under this program the Corps identifies flood plain areas and gives related technical and planning guidance to local and State agencies and to other Federal agencies.

Section 65—Section 102(b) of the Federal Water Pollution Control Act provides that the need for the value of storage for water quality control in any Federal reservoir shall be determined by the Administrator of the Environmental Protection Agency.

Where a project has been authorized with water quality storage, and that storage is determined by the Administrator to be not needed, or needed in a different amount, an Act of Congress is needed to modify the project, as a project purpose may not be deleted without such Congressional approval. Section 65 provides a procedure whereby projects may be modified to delete water quality storage without the specific approval of Congress in limited situations.

Section 66—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to undertake measures to clear that portion of the Little Calumet River, Illinois, between the point of its confluence with the Calumet-Sag channel and the Indiana State line, of fallen trees, roots, silt, and other debris and objects which contribute to flooding, unsightliness, and pollution of the river.

Section 67—This section authorizes a study by the U.S. Army Corps of Engineers of possible recreational conservation and preservation uses of the New River between its South and North Forks and the town of Fries, Va.

Section 68—This section directs the Secretary of the Army, acting through the Chief of Engineers, to make a review of the plan of development for the Lower Rio Grande

Basin in Willacy, Hidalgo and Cameron Counties, Texas, recommended as Phase I in the report of the United States Department of Agriculture, dated July 1969, and submit a report to Congress on the feasibility of the proposed Willacy-Hidalgo Floodwater Channel, and the North Floodway Channel as flood control improvements for the Lower Rio Grande Basin.

Section 69—This section modifies the project for beach erosion control and hurricane flood protection in Dade County, Florida, to provide for construction by non-Federal interests a segment of the project south of Baker's Haulover Inlet. The non-Federal interests would be reimbursed the Federal share as that share is defined in the original project authorization.

Section 70—This section extends the program to demonstrate the practicability of extending the navigation season on the Great Lakes, authorized by the River and Harbor Act of 1970. The extension of the program is necessary to enable the gathering of sufficient data and to complete the report which is to be made to the Congress on the results of the program.

Section 71—This section directs the Chief of Engineers to expedite the authorized study of the feasibility of enlarging the Corpus Christi Ship Channel and authorizes him to accept advance funds from non-Federal interests to perform the study.

Section 72—This section would authorize the Corps of Engineers to commence work on the beach erosion aspect of the combined hurricane-flood protection and beach erosion project at East Rockaway Inlet to Rockaway Inlet and Jamaica Bay, New York, authorized by the Flood Control Act of 1965. Initiation of construction would follow completion of environmental studies and receipt of adequate local participation assurances for the beach erosion aspect. Local interest would be required to contribute 50 percent of the cost of the beach erosion aspect.

Section 73—This section directs that in the survey, planning, or design by any Federal agency of any project involving flood protection, consideration shall be given to nonstructural alternatives to prevent or reduce flood damages. These non-structural alternatives would include such things as floodproofing of structures; flood plain acquisition for recreational, fish and wildlife, and other public purposes; and relocation.

Section 74—This section authorizes the construction of the Area VIII unit of the Arkansas Red River Basins Water Quality Control Project in advance of the final engineering and design of the feasibility of the other units in the project. This will avoid unnecessary delay in implementation of the overall project.

Section 75—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to make a study of the need for means of providing visitor protection services at Corps of Engineers recreation areas, and to report to Congress with recommendations not later than December 31, 1974.

Section 76—This section amends the existing authority available to the Corps of Engineers to conduct a survey of water utilization and control of the Great South Bay, New York, including the waters of adjoining lesser bays and inlets, and including but not limited to navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion and recreation, by specifying that the survey shall be provided to the Congress by 31 July 1975, and shall include the use of a comprehensive computer model.

Section 77—This section amends the Federal Water Project Recreation Act to increase the Federal share of the separate costs allocated to fish and wildlife enhancement from fifty percent to seventy-five percent.

Section 78—This section modifies the project for Indian Bend Wash, Arizona, to provide that the costs of a required siphon system be borne by the United States.

Section 79—This section modifies the Oologah Reservoir project, Oklahoma, to provide that the storage provided in the reservoir for hydroelectric power production may be reassigned to municipal and industrial water supply and made available for such purpose under the provisions of the Water Supply Act of 1958, as amended.

Section 80—This section enacts into law the interest rate formula used in the formulation and evaluation of water resource projects as established by the Water Resources Council in 1968. It also enacts into law the so-called "Grandfather" provision adopted by the Water Resources Council to determine the applicability of the 1968 formula to previously authorized projects.

Section 81—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to study the feasibility and practicality of constructing, operating and maintaining a hydraulic model of all or a part of the Great Lakes and their connecting channels and an associated technical center. The model would be used primarily to study levels and flows with secondary purposes and uses being determined during the study as applicable and needed by the various Federal and State agencies concerned with the water resources of the basin. The report of the study must be submitted to Congress not later than June 30, 1976.

Section 82—This section amends the Corps of Engineers emergency flood fighting authority by clarifying the intent of Congress that such sums as are necessary to reimburse the Secretary of the Army for his emergency expenditures may be appropriated to him. It also authorizes the emergency provision of drinking water on a temporary basis to communities whose water supply is contaminated and a threat to the public health.

Section 83—This section authorizes the Chief of Engineers to relocate the town of North Bonneville, including cooperating in the planning of the new town with other Federal agencies and appropriate non-Federal agencies; to acquire lands necessary for the new town and to convey title to said lands to individuals, business or other entities; to construct a central sewage collection and treatment facility and other necessary municipal facilities in connection with the construction of the Bonneville Lock and Dam, Oregon and Washington (Second Powerhouse).

Section 84—This section modifies the project for flood control on Four-mile Run, city of Alexandria and Arlington County, Virginia, to incorporate certain reductions in the physical aspects of the project, to limit the Federal participation, and to require non-Federal interests to bear an equitable portion of project responsibilities.

Section 85—This section authorizes a comprehensive plan to satisfy the water and related resources needs of the Potomac River Basin and the Washington Metropolitan Area. It consists of advanced engineering and design of the Verona and Sixes Bridge projects, construction and evaluation of a treatment plant to purify the waters of the Potomac Estuary, and a review study of the water and related resources needs of the Potomac River Basin and the Washington Metropolitan Area.

Section 86—This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to assist the National Park Service in the Park Service's program to restore the ecological and historical values of Dyke Marsh on the Potomac River.

The section also directs the Corps of Engineers, in consultation with other interested agencies, to study the siltation and to recommend feasible and environmentally sound means of removing riverbed materials, and methods of disposal of such materials.

Section 87—This section authorizes the Corps of Engineers to study the feasibility of modifying the project for Bayou Cocodrie, Louisiana, by enlarging the channel of Bayou Coutableau between Washington and the protection levee, in lieu of the authorized diversion channel, and the installation of additional culverts through the west protection levee.

Section 88—This section modifies the project for flood control below Chatfield Dam on the South Platte River, Colorado, to authorize the Secretary of the Army to participate with non-Federal interests in the acquisition of lands and the development of recreational facilities immediately downstream of the Chatfield Dam in lieu of a portion of the authorized channel improvements.

Section 89—This section modifies the Applegate Dam and Reservoir Project, Oregon, to provide that prior to use of the project for irrigation, non-Federal interests must make arrangements with the Bureau of Reclamation for repayment of the irrigation costs under the reclamation laws.

Section 90—This section authorizes, through Phase I advanced engineering and design, flood protection measures for the Tug Fork Valley, Kentucky and West Virginia.

Section 91—This section authorizes a drift and debris removal project for New York Harbor, and authorizes not to exceed $14 million to carry out the project.

Section 92—This section modifies the hurricane-flood protection project for Lake Pontchartrain, Louisiana, to permit the non-Federal interests to repay their case contribution in 25 yearly installmnets.

Section 93—This section increases from $22,000 to $45,000 the authorized annual expenditure for United States participation in the Permanent International Association of Navigation Congresses (PIANC).

Section 94—This section authorizes and directs the Secretary of the Army acting through the Chief of Engineers to repair existing flood damage to River Road and Huff Road in Boone County, Kentucky, or to relocate these roads and to construct needed streambank protection works to prevent future erosion damage to public and private facilities at and near Boone County, Kentucky.

Section 95—This section modifies the project for Russian River, Dry Creek, California, to authorize and direct the Secretary of the Army, acting through the Chief of Engineers, to compensate for fish losses on the Russian River, which may be attributed to the operation of the Coyote Dam, through measures such as possible expansion of the fish hatchery at Warm Springs Dam.

Section 96—This section authorizes and directs the Secretary of the Army, acting through the Chief of Engineers, to undertake a feasibility study concerning acquisition of approximately 4,000 acres adjacent to the project for Kehoe Lake, Kentucky, authorized by the Flood Control Act of 1966. Acquisition would provide for preservation of the area in its natural state for environmental investigations.

Section 97—This section declares certain described portions of the South Prong of the Wicomico River, Wicomico County, Maryland, to be non-navigable within the meaning of the laws of the United States. The declaration is contingent upon a finding by the Secretary of the Army, acting through the Chief of Engineers, that the proposed project is in the public interest, based on engineering and environmental studies. The proposed project involves revitalization and renewal of the riverfront in Salisbury, Maryland.

Section 98—This section authorizes the

Secretary of the Army acting through the Chief of Engineers to remove silt and aquatic growth from Broadway Lake, Anderson County, South Carolina, at an estimated cost of $400,000.

Section 99—This section authorizes modification of the Cache River Basin feature, Mississippi River and tributaries project, Arkansas, to provide for the acquisition of lands for the mitigation of fish and wildlife losses caused by the project.

Section 100—This section directs the Corps of Engineers to construct necessary measures to correct a design deficiency in the Knife River Harbor project on Lake Superior, Minnesota, at an estimated cost of $850,000.

Due to this error in judging the extent of the protective works necessary, unsafe entrance conditions to the harbor continue to exist and boats moored in the harbor have been severely damaged.

This section directs the undertaking of the necessary work to remedy the design deficiency.

Section 101—This section modifies the authorized project for flood protection on the Rahway River, New Jersey, to provide that costs of relocating utilities within the channel walls shall be borne by the United States.

Section 102—This section provides that title I of the bill may be cited as the "Water Resources Development Act of 1973."

TITLE II.—RIVER BASIN MONETARY AUTHORIZATION ACT OF 1973

Purpose

The purpose of Title II is to authorize an increase in the monetary authorization for 16 comprehensive river basin plans previously approved by Congress.

Section 201 provides increased authorizations for the prosecution of river basin plans for flood control and related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers. The appropriations intended to be covered by the increased authorizations are those necessary for the scheduled funding requirements through calendar year 1975.

Monetary authorizations first were put into effect by the Flood Control Acts of 1936 and 1938. They limit authority to appropriate and expend funds within specified basins or specified major projects to levels below the total costs of the authorized basin or project developments. In this way they give the Congress opportunity to review and control the rate of accomplishment of the basin plans and major projects to which they apply.

In these plans, the Congress has approved an entire plan for development of a river basin in the interest of flood control, navigation, power, and allied water uses, but limited the amounts of funds to anticipated appropriations for a specified period of years, allowing accomplishment of only part of the plan. Subsequently the Congress has augmented some of the previously approved plans, by authorizing additional projects, or modifications of projects, and increased the monetary authorization to provide for additional appropriations. When the monetary authorization limit of a plan is approached, legislation is required to provide additional authorization so that appropriations can be made to permit the plan to continue. If such legislation is not forthcoming when needed, construction of projects in the basin plan cannot proceed, even if funds have been included in appropriation acts for this purpose.

At the present time there are 29 basin development plans subject to basin monetary authorization limitations. Authorizations provided to date, including the most recent provided by legislation in 1971, are adequate for work to be performed through calendar year 1973. However, there are basins whose monetary authorizations will be exhausted in calendar years 1974 and 1975, unless further authorization is provided.

The following table furnishes for the basins shown in section 201 of the bill the dates of original authorization and the amount of increased authorizations needed for the work to be performed through calendar year 1975.

Basin	Act of Congress	Amount
Alabama-Coosa River	Mar. 2, 1945	$31,000,000
Arkansas River	June 28, 1938	14,000,000
Brazos River	Sept. 3, 1954	19,000,000
Central and southern Florida	June 30, 1948	15,000,000
Columbia River	June 28, 1944	94,000,000
Mississippi River and tributaries	May 15, 1928	211,000,000
Missouri River	June 28, 1938	72,000,000
North Branch, Susquehanna River	July 3, 1958	64,000,000
Ohio River	June 22, 1936	120,000,000
Ouachita River	May 17, 1950	4,000,000
Red River Waterway project	Aug. 13, 1968	9,000,000
San Joaquin River	Dec. 22, 1944	83,000,000
South Platte River	May 17, 1950	15,000,000
Upper Mississippi River	June 28, 1938	4,000,000
White River	June 28, 1938	9,000,000
Total		764,000,000

Section 202—Section 202 authorizes the initiation of the second phase of the bank erosion control works and setback levees on the Sacramento River, California authorized by the Flood Control Act of 1960. Not to exceed $16,000,000 is authorized to be appropriated for this purpose and this $16,000,000 is added to the Sacramento River Basin monetary authorization.

Section 203—Section 203 of the bill provides that Title II of this bill may be cited as the "River Basin Monetary Authorization Act of 1973".

H.R. 11622

A bill to name the Federal office building, south, in New Orleans, La., as the "F. Edward Hébert Federal Building"—H.R. 11622: The purpose of H.R. 11622 is to name the Federal office building, south, in New Orleans, La., as the "F. Edward Hébert Federal Building."

F. EDWARD HÉBERT was elected to the 77th Congress and has been reelected to each succeeding Congress ever since. He is the chairman of the Armed Services Committee and has served with great distinction on the District of Columbia Committee, Naval Affairs Committee, House Un-American Activities Committee, and the House Committee on Standards of Official Conduct.

He is widely recognized by his colleagues and constituents for his invaluable contributions and dedicated service.

H.R. 11311

A bill to name the Federal building, U.S. post office, U.S. courthouse in Brunswick, Ga., as the "Frank M. Scarlett Federal Building"—H.R. 11311—the purpose of H.R. 11311 is to name the Federal building, U.S. post office, U.S. courthouse, at 801 Gloucester Street, Brunswick, Ga., as the "Frank M. Scarlett Federal Building."

Francis Muir Scarlett was born in Glynn County, Ga., on June 9, 1891, and remained a resident of Glynn County until the day of his death on November 18, 1971.

In 1946 he was appointed as a U.S. district judge for the southern district of Georgia. Among Judge Scarlett's professional accomplishments was the establishment of the Brunswick of the southern district of Georgia.

H.R. 10044

A bill to increase the amount authorized to be expended to provide facilities along the border for the enforcement of the customs and immigration laws—H.R. 10044.

The purpose of H.R. 10044 is to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," approved June 20, 1930, as amended (19 U.S.C. 68) to increase from $100,000 to $200,000 the limitation on the amount of funds that may be expended to provide facilities for the enforcement of the customs and immigration laws along our land borders.

Under existing law (19 U.S.C. 68) the Secretary of Treasury and the Attorney General are authorized to expend from the general appropriations of the Bureau of Customs and the Immigration and Naturalization Service such amounts as may be necessary to acquire land and erect buildings, sheds, office quarters, and living facilities which are otherwise unavailable, at points along the Canadian and Mexican borders and in the Virgin Islands, as an aid to the enforcement of the customs and immigration laws, provided that the amount expended on any one project, including the site, does not exceed $100,000. The Attorney General is authorized to expend not more than $100,000 for similar purposes in Guam. If a project is intended for the joint use of the Bureau of Customs and the Immigration and Naturalization Service, its combined cost including the site is charged to the two appropriations concerned. The proposed bill would increase the maximum costs that may be incurred under existing law to $200,000.

The proposed new ceiling of $200,000 is needed to meet the increased costs of site acquisition and construction since 1962 when Congress last amended the original act.

H.R. 11763

A bill to amend the National Visitor Center Facilities Act of 1968, as amended, to facilitate the construction of an intercity bus terminal, and for other purposes—H.R. 11763.

The purpose of H.R. 11763, is to amend the National Visitor Center Facilities Act of 1968 to facilitate the construction of an intercity bus terminal, and for other purposes.

Section 1 of H.R. 11763 amends the National Visitor Center Facilities Act of 1968 to authorize the Secretary of the Interior to lease space within the visitors center parking facility to be constructed pursuant to the act for the purpose of facilitating the terminal in connection with the new railroad passenger station now planned. It is contemplated that intercity bus companies will cooperate to construct a joint passenger facility.

Essentially, the Department would be making air space and some portions of the parking facility available to the private companies so as to allow private development of an intermodal transportation terminal.

Under section 1 of the bill, the lessee would bear the cost of construction of the facility and would pay rent based

upon the economic value of the leased premises and the cost of the improvements to be constructed by him. The plans and specifications would be subject to the Secretary's approval and other conditions of the lease arrangement would protect the Government's long-term interest in the property, particularly in regard to the terminal's relationship to the interpretive program of the visitor center.

Section 2 of the bill is intended to expand and make more flexible the utilization of the parking facility which is required by the act to be constructed as part of the visitor center complex. The bill deletes the goal that the parking facility be constructed to accommodate as nearly as possible 4,000 motor vehicles, but instead, required that the facilities house a balance of transportation needs, by providing for adequate circulation for all uses and the accommodation of charter buses and shuttle and interpretive visitor transportation, as well as private automobiles.

BILL REPORTED TO THE HOUSE WHICH FAILED OF PASSAGE

A hearing on H.R. 11714 a bill to provide for the development of improved design, lighting, insulation, and architectural standards to promote efficient energy use in residential, commercial, and industrial buildings, was held on December 11. The bill was reported on the floor of the House on December 18 under suspension, but failed to receive the two-thirds majority.

The bill provides an authorization of $5 million for fiscal year 1974, $10 million for fiscal year 1975, and $1 million for fiscal year 1976. The testimony before the subcommittee from both the private sector and the GSA showed that this sum was reasonable and necessary to accomplish the following purposes:

First. Experimentation to determine ways to save our energy being wasted in building. A waste which far exceeds that of most other uses. The National Bureau of Standards has a test house and an environmental chamber for this purpose. They are doing important experimental work in this area. This work should be encouraged and made available to the American citizen.

Second. Universities, public agencies, private individuals and organizations have been working in this area. Until now with a seemingly inexhaustible supply of inexpensive energy little attention has been paid to them. It is imperative now that we gather that information, analyze it, and see to it that it is made available to the public.

Third. Major installations such as hospitals, schools, industrial buildings use great amounts of energy. But we are informed that very little attention has been paid to design of such facilities to make thrifty use of energy. This is not as simple a problem as say adding insulation to an existing dwelling place. It is a complicated problem requiring study and evaluation by the best engineering and architectural brains, coordination between discipline and development, and new understanding of our needs.

Fourth. Dissemination of the information. Telling the public, the professions, and the State and local authorities the findings and best way of utilizing them. Today most of us rely on a little folder that comes with our heating bill for advice. We need more than that now. We need to know when we support a bond issue for a building that proper energy-saving techniques will be used. They can only be used if we will find out what they are and tell the American public so it too knows.

BILLS REPORTED IN THE HOUSE BUT NOT ACTED UPON

S. 1901

A bill to amend the act of August 20, 1963, as amended, relating to the construction of mint buildings (S. 1901): Hearings were held on November 13, 1973, by the Subcommittee on Public Buildings and Grounds and the bill was reported favorably to the full committee. On November 29, 1973, the Committee on Public Works ordered S. 1901 to be reported to the House without objection.

The act of August 20, 1963, as amended (31 U.S.C. 291–4), authorized the Secretary of the Treasury, acting through the Administrator of General Services to acquire sites for, and to construct and equip, such buildings as may be necessary in connection with the operations of the Bureau of the Mint. The legislation would amend section 4 of that act to increase from $45 million to $95 million the amount authorized to be appropriated for the building of new mints and would extend the time during which monies could be appropriated from July 1, 1973 to July 1, 1983. This increase, together with the balance remaining for that previously authorized, will permit construction of a new mint at Denver, Colo., to replace the existing Denver mint.

S. 261

On December 21, 1973, the Committee on Public Works reported favorably S. 261, extension of the Uniform Relocation Assistance Act.

The primary purpose of this bill is to continue full Federal funding of the first $25,000 of any single relocation payment for 2 additional years after the July 1, 1972, deadline which was established in Public Law 91–646. This extension should be sufficient to allow all States to come into compliance with the law.

Since amendments to the act passed both Houses of the Congress in 1972, but the conference report failed final enactment in the late hours of the session, in our judgment States have a legitimate right to anticipate reimbursement for projects commenced, and this legislation will insure the continuation of some very meaningful programs which had been planned with full expectation of Federal reimbursement.

The committee held 3 days of hearings, March 13, 14, and 15, 1973, at which time testimony was heard from Federal, State, and local officials which indicated that because of the lack of Federal funds, many worthwhile programs were being delayed.

In addition to the 2-year extension, three additional amendments are included in the House version of S. 261. The first, section 101(1), clarifies the inclusion of "legislative takings" in the original 1970 act.

Sections 2 and 3 of the amendment reiterate the intent of Congress to insure that all persons displaced by projects after January 2, 1971, shall receive the benefits of the act. The first involves a General Services Administration lease project in Alexandria, Va., and the second involves the National Cancer Institute Research Center at Tufts University, Boston, Mass.

H.R. 10701

A bill to amend the act of October 27, 1965, relating to public works on rivers and harbors to provide for construction and operation of certain port facilities—H.R. 10701.

This legislation provides for the licensing and regulation of deepwater ports off the coast of the United States. These port facilities are necessary to handle the large supertankers and make possible the efficient importation of crude oil and petroleum products.

Among the most basic and important concepts in the bill are those of "adjacent State" and "significantly affected State."

A State must meet two requirements to qualify as an adjacent State. Its coast must be nearer than that of any other State to the deepwater port facility; and all or a major part of the land-based facilities directly related to that deepwater port must be located in the State. If a State meets these requirements, then its interest in the facility and the facility's potential effect on the State are such that the State is given three special considerations by the legislation. These are: First, a preferential right to be granted a license for the construction and operation of the facility; second, no license may be granted to any person to construct or operate such a facility unless the adjacent State has an environmental program which includes construction of deepwater port facilities off its coast and the proposed facility and directly related land-based facilities are consistent with that program; and third, the adjacent State may charge fees for the use of the facility and its directly related land-based facilities, such fees to be limited to the State's economic, environmental, and administrative costs attributable to the facilities, as approved by the Commission. The fees cannot include costs that can be recovered through other cost recovery provisions such as ad valorem taxes.

A "significantly affected State" is defined as a State whose shorelines might suffer environmental harm as a result of the activities of a deepwater port facility. The Deepwater Port Facilities Commission cannot issue a license for a deepwater port facility unless it has first considered the economic, environmental, esthetic, and regional effects of the construction and operation of the facility on all significantly affected States.

The bill establishes a Deepwater Port Facilities Commission to grant licenses for the construction and operation of the

deepwater port facilities. The Commission consists of the Secretary of Transportation, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, and the Secretary of the Army, acting through the Chief of Engineers. The Secretary of Transportation is designated Chairman of the Commission. The Commission's license is the only Federal license required. One environmental impact statement for each license is prepared by the Commission.

The legislation authorizes two or more States to negotiate or enter into agreements or compacts, not in conflict with any law or treaty of the United States, for the construction and operation of deepwater port facilities, and the establishment of agencies to implement the compacts.

The legislation also provides that no person shall on the ground of sex be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity: first, carried on or receiving assistance under the act of October 27, 1965; second, under the jurisdiction of the Deepwater Port Facilities Commission; and third, the water resources program of the Secretary of the Army acting through the Chief of Engineers.

BILL APPROVED BY THE HOUSE AND SENATE AND VETOED BY THE PRESIDENT

H.R. 10511

Section 164(a) of the Federal-Aid Highway Act of 1973 provided that no Federal financial assistance for the purchase of buses under the Urban Mass Transit Act of 1964 and under subsections (a) and (c) of section 142, title 23, United States Code—urban system—and under subsection (e) of section 103, title 23, United States Code—interstate transfer—shall be provided to any applicant for such assistance unless the applicant and the Secretary of Transportation shall have first entered into an agreement that such applicant will not engage in charter bus operations outside the urban area within which the applicant provides regularly scheduled mass transit service. A violation of the agreement would bar an applicant from receiving additional assistance under these provisions of law.

Unfortunately, section 164(a) was construed as prohibiting local transit authorities from engaging in charter bus operations even though private bus operators in the area were unwilling or unable to provide the necessary service. Since this was not intended, H.R. 10511 was passed by the Congress to ease the restrictions imposed on local transit operators as a result of section 164(a).

The amendment provided that no Federal financial assistance for the purchase of buses under the Urban Mass Transportation Act may be provided to any applicant if it engages in charter bus operations outside the urban area within which it provides regularly scheduled mass transit service, except as provided in an agreement with the Secretary of Transportation. The Secretary would assure that fair and equitable agreements are reached which would not foreclose private operators from the charter bus industry. The agreements would be enforceable by the Secretary; for a continuing pattern of violations, the Secretary would be authorized to bar a grantee or operator from further capital assistance under the Urban Mass Transportation Act.

The amendment would also permit the Secretary to revise any agreements theretofore entered into under section 164(a) to reflect the new standards and remedies authorized by the new legislation.

BILL ORDERED REPORTED TO THE HOUSE

S. 2079

A bill to amend the Federal Property and Administrative Services Act of 1949, as amended (S. 2079): The bill would exempt the Federal Judiciary and the U.S. Tax Court from the authority of the Administrator of General Services under section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended, to charge anyone furnished space and services at rates to be determined by the Administrator, beginning with fiscal year 1975. It would authorize appropriations to General Services Administration to reimburse the fund into which such user charges are deposited for the loss of revenue resulting from the Federal Judiciary and the United States Tax Court being exempt.

On November 29, 1973, the Committee on Public Works ordered S. 2079 to be reported to the House without objection.

SUMMARY

BILLS AND RESOLUTIONS ENACTED INTO LAW

Public Law No.	Bill No.	Date approved	Title
93-6	H.J. Res. 123 (S.J. Res. 42)	Feb. 16, 1973	To extend the life of the Commission on Highway Beautification.
93-46	H.R. 2246	June 18, 1973	Public Works and Economic Development Act of 1965, extend for a 1-year period.
93-87	S. 502 (H.R. 6288)	Aug. 13, 1973	Federal-Aid Highway Act of 1973.
93-62	H.R. 5857	July 6, 1973	To amend the National Visitor Center Facilities Act of 1968 and include interpretive transportation services.
93-67	H.R. 5858 (S. 1759)	July 10, 1973	To authorize further appropriations to the Secretary of Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for Performing Arts.
93-72	H.R. 6330	July 10, 1973	Robert F. Kennedy Stadium, increase the seating capacity.
93-81	H.R. 6717	Aug. 1, 1973	Public recreation areas located at lakes and reservoirs under the jurisdiction of the U.S. Corps of Engineers, amend the Flood Control Act of 1968 regarding collection of special recreation use fees.
93-40	H.R. 6830 (S. 1235)	June 12, 1973	To authorize an additional appropriation for an International Center for Foreign Chanceries.
93-61	S. 1808	July 6, 1973	Interim apportionment of Interstate and other highway funds.
93-139	H.R. 10252 (S. 2486)	Oct. 26, 1973	Richard B. Russell Dam and Lake, change the name of the Trotters Shoals Dam and Lake, Georgia and South Carolina, to the.
93-141	H.R. 9611 (S. 2282)	Oct. 26, 1973	B. Everett Jordan Dam and Lake, change the name of the New Hope Dam and Lake, North Carolina, to the.
93-186	H.R. 974 (S. 2604)	Dec. 15, 1973	Wright Patman Dam and Lake, designate the Texarkana Dam and Reservoir, Red River Basin, Texas, as the.
93-180	S.J. Res. 155	Dec. 3, 1973	Storage space for the U.S. Senate, the U.S. House of Representatives and the Office of the Architect of the Capitol, authorize.
93-183	H.R. 6862 (S. 1618)	Dec. 15, 1973	John Wesley Powell Federal Building, name the Geological Survey National Center under construction in Reston, Va., as the.
93-187	S. 2503	Dec. 15, 1973	Earle Cabell Federal Building, name a Federal Office Building in Dallas, Texas, as the.
93-231	H.R. 1920 (S. 2535)	Dec. 29, 1973	James G. Fulton Flood Protection Project, designate that portion on Chartiers Creek, Allegheny County, Pennsylvania, as the.
93-217	H.R. 655	Dec. 28, 1973	H. V. Eastman Lake, name the lake to be created by the Buchanan Dam, Chowchilla River, California, as the.
93-215	H.R. 9430 (S. 2178)	Dec. 28, 1973	Hale Boggs Federal Building, name the U.S. Courthouse and Federal Office Buildings under construction in New Orleans, La., as the.
93-239	H.R. 11372	Jan. 2, 1974	Emergency National Maximum Highway Speed Act.
93-226	H.J. Res. 736	Dec. 29, 1973	Provide for a feasibility study and to accept a gift from the U.S. Capitol Historical Society.
93-207	S. 1776	Dec. 28, 1973	Amend the Federal Water Pollution Control Act, as amended.
93-211	H.J. Res. 858	Dec. 28, 1973	Lyndon Baines Johnson Memorial Grove on the Potomac, provide for the establishment of.
93-243	H.R. 11928 (S. 2812)	Jan. 2, 1974	Federal Water Pollution Control Act, amend to establish the ratio for allocation of public works construction grant funds to insure grants may be given for other than open units, and to clarify the requirements for development of priorities.

BILL APPROVED BY THE HOUSE AND AMENDED BY THE SENATE WHICH RECEIVED NO FINAL ACTION

Bill No.	Date passed House	Date passed Senate	Title
H.R. 11565	Dec. 3, 1973	Dec. 20, 1973, amended	Insure that certain buildings financed with Federal funds utilize the best practicable technology for the conservation and use of energy.

BILLS APPROVED BY THE HOUSE BUT NOT ACTED UPON BY THE SENATE

Bill No.	Date passed House	Title
H.R. 11311	Dec. 17, 1973	To name the Federal building, U.S. post office, U.S. courthouse, in Brunswick, Ga., as the "Frank M. Scarlett Federal Building."
H.R. 11622	Dec. 17, 1973	To name the Federal office building, south, in New Orleans, La., as the "F. Edward Hébert Federal Building."
H.R. 10044	Dec. 18, 1973	Border facilities for the enforcement of the customs and immigration laws, increase the amount authorized to be expended to provide.
H.R. 11763	Dec. 18, 1973	National Visitor Center Facilities Act of 1968, as amended, amend to facilitate the construction of an intercity bus terminal.
H.R. 10203 (S. 2798)	Oct. 12, 1973	Water Resources Development Act of 1973 and River Basin Monetary Authorization Act of 1973.

BILL REPORTED TO THE HOUSE WHICH FAILED OF PASSAGE

Bill No.	Date reported	Failed of passage	Title
H.R. 11714	Dec. 14, 1973	Dec. 18, 1973	Energy use in residential, commercial, and industrial buildings, provide for the development of improved design, lighting, insulation, and architectural standards to promote efficiency.

BILLS REPORTED IN THE HOUSE BUT NOT ACTED UPON

Bill No.	Date reported	Title
H.R. 10701	Nov. 28, 1973	Construction and operation of certain port facilities, amend the act of October 27, 1965, relating to public works on rivers and harbors to provide for.
S. 1901	Nov. 29, 1973	To amend the act of Aug. 20, 1963, as amended. relating to the construction of mint buildings.
S. 261	Dec. 21, 1973	To amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments for four additional years.

BILL APPROVED BY THE HOUSE AND SENATE AND VETOED BY THE PRESIDENT

Bill No.	Date vetoed	Title
H.R. 10511	Jan. 3, 1974	Amendment to the Federal-Aid Highway Act of 1973.

BILL ORDERED REPORTED TO THE HOUSE

Bill No.	Date ordered reported	Title
S. 2079	Nov. 29, 1973	To amend the Federal Property and Administrative Services Act of 1949, as amended.

My sincere appreciation for their splendid cooperation to the committee members, particularly the subcommittee chairmen—Congressman RAY ROBERTS, chairman of the Subcommittee on Water Resources; Congressman JOHN C. KLUCZYNSKI, chairman of the Subcommittee on Transportation; Congressman KENNETH J. GRAY, chairman of the Subcommittee on Public Buildings and Grounds; Congressman ROBERT E. JONES, chairman of the Subcommittee on Economic Development; Congressman JIM WRIGHT, chairman of the Subcommittee on Investigations and Review; and Congressman JAMES J. HOWARD, chairman of the Subcommittee on Energy.

To Congressman WILLIAM H. HARSHA, of Ohio, the ranking minority member of the committee, as well as the other able members of the minority who have done much to further the work of the committee, I wish to extend my deep and sincere appreciation also.

To all the staff of the committee and subcommittees, may I thank you sincerely for a job well done.

REPORTS ON VOTING RECORD

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Saturday, December 22, 1973

Mr. OWENS. Mr. Speaker, under leave to extend my remarks, I include a report of my voting record during the first session of the 93d Congress.

The RECORD contains all rollcall votes for 1973. The description of the bills is for the purpose of identification only; no attempt has been made to extensively describe the bills or to elaborate upon the issues encompassed within them. The purpose of this report is, rather, to provide my constituency with a comprehensive, accessible compilation of my voting record.

The report follows:

CONGRESSMAN WAYNE OWENS' VOTING RECORD, 1ST SESS., 93D CONG., 1973

Roll call No.	Date	Measure, question, result	Vote
2	Jan. 3	Election of Speaker (236–188)	Albert.
10	Jan. 31	H. Res. 132. A resolution to create a select committee to study the operation and implementation of rules X and XI of the Rules of the House of Representatives. On agreeing to the Resolution. (282–91.)	Yes.
11	Feb. 5	H.J. Res. 123. A joint resolution to amend sec. 123 of the Federal-Aid Highway Act of 1970 establishing the Commission on Highway Beautification, as amended. On motion to suspend the rules and pass. (283–40.)	Yes.
15	Feb. 7	H.R. 2107. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program. On amendment to make available $140,000,000 of REAP appropriation for the purpose of carrying into effect the rural environmental assistance program authorized by secs. 7 through 15, 16(a), and 17 of the Soil Conservation and Domestic Allotment Act, for the fiscal year ending June 30, 1973. (Failed, 176–217.)	No.
16	do	H.R. 2107. On amendment to require that as a condition of eligibility for cost-sharing benefits, a person must certify in writing that his average annual net income from all sources during the preceding 3 years, as reported to the Internal Revenue Service, was $10,000 or less. (Failed, 132–260.)	No.
17	do	H.R. 2107. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program. On passage. (251–142.)	Yes.
19	Feb. 20	H.R. 3694. A bill to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended. On motion to suspend the rules and pass. (286–72.)	No.
20	Feb. 21	H.J. Res. 345. A joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes. On passage. (311–73.)	Yes.
21	Feb. 22	H.R. 1975. A bill to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes. On amendment to extend coverage under the act for 18 days to 555 counties designated as disaster areas. (196–160.)	Yes.
22	do	H.R. 1975. A bill to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes. On passage. (269–95.)	Yes.
24	Feb. 27	H.R. 3577. A bill to provide an extension of the interest equalization tax, and for other purposes. On passage. (358–23.)	Yes.
26	Feb. 28	H. Res. 256. A resolution creating a select committee to investigate all aspects of crime affecting the United States. On agreeing to the resolution. (317–75)	Yes.
28	do	H. Res. 257. A resolution authorizing the Committee on the District of Columbia to conduct studies and investigations. On agreeing to the resolution. (Failed, 153–234.)	Yes.
30	Mar. 1	H.R. 3298. A bill to restore the rural water and sewer grant program under the Consolidated Farm and Rural Development Act. On passage. (297–54.)	Not voting.
32	Mar. 5	H.R. 4278. A bill to amend the National School Lunch Act to assure that Federal financial assistance to the child nutrition programs is maintained at the level budgeted for fiscal year ending June 30, 1973, as amended. On motion to suspend the rules and pass. (352–7.)	Do.
33	do	H.J. Res. 393. A joint resolution to amend the education amendments of 1972 to extend the authorization of the National Commission on the Financing of Postsecondary Education and the period within which it must make its final report. On motion to suspend the rules and pass. (332–29.)	Do.
37	Mar. 7	H. Res. 259. A resolution to amend the Rules of the House of Representatives to strengthen the requirement that committee proceedings be held in open session. On amendment that representatives from executive agencies be permitted to attend mark-up sessions. (201–198.)	No.
38	do	H. Res. 259. A resolution to amend the Rules of the House of Representatives to strengthen the requirement that committee proceedings be held in open session. On agreeing to the resolution. (371–27.)	Yes.
41	Mar. 8	H.R. 17. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes. On amendment in the nature of a substitute. (Failed, 165–213.)	No.
42	do	H.R. 17. A bill to amend the vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes. On passage. (318–57.)	Yes.
44	Mar. 13	H.R. 71. A bill to strengthen and improve the Older Americans Act of 1965. On amendment in the nature of a substitute. (Failed, 168–229.)	No.
45	do	H.R. 71. A bill to strengthen and improve the Older Americans Act of 1965. On passage. (329–69.)	Yes.
48	Mar. 14	S. 583. A bill to promote the separation of constitutional powers by securing to the Congress additional time in which to consider the rules of evidence for U.S. courts and magistrates, the amendments to the Federal Rules of Civil Procedure and the amendments to the Federal Rules of Criminal Procedure which the Supreme Court on Nov. 20, 1972, ordered the Chief Justice to transmit to the Congress. On passage. (399–1.)	Yes.
50	Mar. 15	H.R. 2246. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 1-year period. On passage. (278–108.)	Not voting.
52	Mar. 20	H. Res. 285. A resolution providing funds for investigations and studies by the Committee on Public Works. On agreeing to the resolution. (372–9.)	Yes.
54	Mar. 21	H.R. 5446. A bill to extend the Solid Waste Disposal Act, as amended, for 1 year. On passage. (392–2.)	Yes.
56	Mar. 22	H. Res. 308. A resolution providing funds for investigations and studies by the Committee on Internal Security. On agreeing to the resolution. (289–101.)	Not voting, A[1]
57	do	H.R. 5445. A bill to extend the Clean Air Act, as amended, for 1 year. On passage. (387–1.)	Not voting.
61	Mar. 29	H.R. 5293. A bill authorizing continuing appropriations for the Peace Corps. On motion to recommit. (Failed, 132–238.)	No.
62	do	H.R. 5293. On passage. (299–72.)	Yes.
63	Apr. 2	H.R. 3153. A bill to amend the Social Security Act to make certain technical and conforming changes. On motion to suspend the rules and pass. (340–1.)	Yes.
64	do	H. Res. 330. A resolution on United States oceans policy at the Law of the Sea Conference. On motion to suspend the rules and pass. (303–52.)	Yes.
70	Apr. 4	H.R. 3577. A bill to provide an extension of the interest equalization tax. On agreeing to the conference report. (396–18.)	Yes.
74	do	H.R. 5683. A bill to amend the Rural Electrification Act of 1936, as amended, to establish a rural electrification and telephone revolving fund to provide adequate funds for rural electric and telephone systems through insured and guaranteed loans at interest rates which will allow them to achieve the objectives of the act. On amendment in the nature of a substitute. (Failed, 162–244.)	No.
75	do	H.R. 5683. On passage. (317–92.)	Yes.
77	Apr. 5	H. Res. 340. A resolution authorizing additional investigative authority to the Committee on Interior and Insular Affairs. On agreeing to the resolution. (281–70.)	Yes.
79	Apr. 9	H.R. 4586. A bill to incorporate in the District of Columbia the National Inconvenienced Sportsman Association. On passage. (328–0.)	Not voting.
80	do	H.R. 342. A bill to authorize the District of Columbia to enter into the Interstate Agreement on Qualification of Educational Personnel. On passage. (331–1.)	Do.
82	Apr. 10	H.R. 3298. An act to restore the rural water and sewer grant program under the Consolidated Farm and Rural Development Act. On overriding Presidential veto. (⅔ required. Failed, 225–189.)	Yes.
85	Apr. 11	H.R. 3180. A bill to amend title 39, United States Code, to clarify the proper use of the franking privilege by Members of Congress. On passage. (354–49.)	Yes.
86	Apr. 12	H.J. Res. 496. A joint resolution making supplemental appropriations for the fiscal year 1973. On passage. (367–0.)	Yes.
90	Apr. 16	H.R. 6168. A bill to amend and extend the Economic Stabilization Act of 1970. On amendment to the substitute amendment (H.R. 2099, by voice vote, considered in lieu of) imposing a price ceiling. (Failed, 139–263.)	Yes.
91	do	H.R. 6168. On amendment to substitute amendment providing regulations for proposed wage or salary adjustments. (271–132.)	Yes.
92	do	H.R. 6168. On amendment to substitute amendment on extending date from Apr. 30, 1973, to June 30, 1973. (Failed, 151–253.)	Yes.
93	do	H.R. 6168. On amendment to substitute amendment to authorize President to stabilize rents at January 10, 1973 levels. (Failed, 173–225.)	Yes.
94	do	H.R. 6168. On amendment to substitute amendment to allow President to stabilize rents and roll back rents. (Failed, 147–250.)	Yes.
95	do	H.R. 6168. On amendment to substitute amendment to establish wage, rent and price ceilings. (Failed, 101–303.)	No.
97	do	H.R. 6168. On passage. (293–114.)	No.
100	Apr. 17	H.R. 6691. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1974. On amendment to delete funds for the extension of the West Front of the Capitol. (Failed, 189–195.)	No.
102	Apr. 18	H.R. 6691. On motion to recommit. (Failed, 185–215.)	No.
108	do	S. 50. A bill to strengthen and improve the Older Americans Act of 1965. On concurring in Senate to House amendment, essentially identical to House passed version of the bill. (348–0.)	Yes.
110	Apr. 19	S. 502. A bill to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code. On amendment to permit use of urban systems funds for mass transit projects. (Failed, 190–215.)	Yes.
111	do	S. 502. On amendment to assign to the States the responsibility for allocation of funds on basis of need instead of per capita distribution. (292–93.)	Yes.
114	Apr. 30	S. 398. A bill to extend and amend the Economic Stabilization Act of 1970. On agreeing to the conference report. (267–115.)	Yes.
116	May 1	H.R. 3932. A bill to provide that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate. On amendment that would exempt current Director and Deputy Director of OMB from Senate confirmation. (Failed, 130–263.)	No.
117	do	H.R. 3932. On passage. (229–171.)	Yes.
119	May 2	H.R. 6388. A bill to amend the Airport and Airway Development Act of 1970 to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air commerce. On passage. (386–16.)	Yes.

Footnote at end of table.

Roll call No.	Date	Measure, question, result	Vote
121	May 3	H.R. 982. A bill to amend the Immigration and Nationality Act. On amendment to strike 3-step civil and criminal penalty for employers who knowingly employ aliens. (Failed, 96–266.)	No.
122	do	H.R. 982. On passage. (297–63.)	Yes.
124	May 7	H.R. 4967. A bill to authorize appropriations for the Indian Claims Commission for fiscal year 1974. On motion to suspend rules and pass. (336–8).	Yes.
125	do	H.R. 6574. A bill to amend title 38, United States Code, to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under Servicemen's Group Life Insurance for such members and certain members of the Retired Reserve. On motion to suspend the rules and pass. (341–1).	Yes.
126	do	H.R. 2828. A bill to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration. On motion to suspend the rules and pass. ⅔ required. (340–1.)	Yes.
127	do	H.R. 29. A bill to provide for payments by the Postal Service to the Civil Service Retirement Fund for increases in the unfunded liability of the fund due increases in benefits for postal employees. On motion to suspend the rules and pass. ⅔ required. (344–0.)	Yes.
128	May 8	H.R. 5452. A bill to extend and make technical corrections to the National Sea Grant College and Program Act of 1966. On motion to suspend the rules and pass. ⅔ required. (368–9.)	Yes.
129	do	H.R. 5451. A bill to amend the Oil Pollution Act, 1961 (75 Stat. 402), as amended, to implement the 1969 and 1971 amendments to the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, as amended. On motion to suspend the rules and pass. ⅔ required. (370–1.)	Yes.
131	May 9	H.R. 7445. A bill to amend the Renegotiation Act of 1951 to extend the act for 2 years. On passage. (388–0.)	Yes.
133	May 9	H.R. 6370. A bill to extend certain laws relating to the payment of interest on time and savings deposits, to prohibit depository institutions from permitting negotiable orders of withdrawal to be made with respect to any deposit or account on which any interest or dividend is paid, to authorize Federal savings and loan associations and national banks to own stock in and invest in loans to certain State housing corporations. On passage. (376–4.)	Yes.
134	May 10	S. 394. An act to amend the Rural Electrification Act of 1936, as amended, to reaffirm that such funds made available for each fiscal year to carry out the programs provided for in such act be fully obligated in said year. On agreeing to the conference report. (363–25.)	Yes.
136	do	H.R. 7447. A bill making supplemental appropriations for the fiscal year ending June 30, 1973. On amendment to delete language authorizing the transfer of $430,000,000 by the Department of Defense. (219–188.)	Yes.
137	do	H.R. 7447. On amendment that would postpone the provisions of amendment prohibiting the use of funds to finance combat activities in Cambodia. (Failed, 180–219.)	No.
138	do	H.R. 7447. On amendment to prohibit use of funds appropriated to the Department of Defense for direct or indirect support of combat activities in, over or from off the shores of Cambodia by United States Forces. (224–172.)	Yes.
139	do	H.R. 7447. On amendment to increase the funding for category B impacted aid school assistance from 54 percent to 68 percent. (211–178.)	Yes.
140	do	H.R. 7447. On amendment prohibiting transfer of $430,000,000 within the Department of Defense. (194–187.)	Yes.
141	do	H.R. 7447. On passage. (284–96.)	Yes.
143	May 15	H.R. 6768. A bill to provide for participation by the United States in the United Nations environment program. On amendment to delete $40,000,000 total authorization and reduce the $10,000,000 authorization for fiscal year 1974 to $2,500,000. (Failed, 164–216.)	No.
144	do	H.R. 6768. On an amendment to authorize appropriation of $5,000,000 for fiscal year 1974. (200–184.)	No.
145	do	H.R. 6768. On amendment to authorize appropriation of $5,000,000 for fiscal year 1974. (Failed, 192–198.)	No.
146	do	H.R. 6768. On passage. (266–123.)	Yes.
148	May 16	H.R. 5777. A bill to protect hobbyists against the reproduction or manufacture of certain imitation hobby items and to provide additional protections for American hobbyists. On passage. (382–7.)	Yes.
149	May 21	H.J. Res. 512. A joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages, to extend authorization under laws relating to housing and urban development. On passage. (357–1.)	Not voting.
150	do	H.R. 6330. A bill to amend sec. 8 of the Public Buildings Act of 1959, relating to the District of Columbia, as amended. On motion to suspend the rules and pass. (270–98.)	Do.
152	May 22	H.R. 6717. A bill to amend sec. 210 of the Flood Control Act of 1968, as amended. On motion to suspend the rules and pass. (307–90.)	No.
154	do	H.R. 7200. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to revise certain eligibility conditions for annuities; to change the railroad retirement tax rates; and to amend the Interstate Commerce Act in order to improve the procedures pertaining to certain rate adjustments for carriers subject to pt. I of the act. On passage. (387–5.)	Yes.
156	May 23	S. 518. An act to require that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate. On overriding Presidential veto. ⅔ required. (Failed, 236–178.)	Yes.
158	do	H.R. 7528. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management. On amendment which would prohibit appropriated funds to be used for tracking and data acquisition to be expended in South Africa. (Failed, 104–294.)	Yes.
159	do	H.R. 7528. On passage. (322–73.)	No.
161	May 29	H.R. 6912. A bill to amend the Par Modification Act. On amendment to permit private purchase, sale and ownership of gold after Dec. 31, 1973. (Failed, 162–162.)	Yes.
162	do	H.R. 6912. On amendment to prohibit Presidential determination of private gold ownership. (Failed, 100–218.)	No.
163	do	H.R. 6912. On passage. (281–36.)	Yes.
166	May 30	H.R. 5857. A bill to amend the National Visitor Center Facilities Act of 1968. On passage. (288–75.)	Not voting.
167	do	H.R. 5858. A bill authorizing further appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts. On passage. (260–100.)	Do.
169	May 31	H.R. 7806. A bill to extend through fiscal year 1974 certain expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act. On passage. (372–1.)	Do.
170	do	H.R. 7724. A bill to amend the Public Health Service Act to establish a national program of biomedical research fellowships, traineeships, and training to assure the continued excellence of biomedical research in the United States. On amendment which would provide that the Secretary may not conduct or support research in the United States or abroad on a human fetus which is outside the uterus of its mother and which has a beating heart. (354–9.)	Do.
171	do	H.R. 7724. On passage. (361–5.)	Do.
172	do	H.R. 6458. A bill to amend the Public Health Service Act to authorize assistance for planning development and initial operation, research, and training projects for systems for the effective provision of health care services under emergency conditions. On passage. (261–96.)	Do.
174	June 4	H. Res. 398. A resolution providing for the promotions to positions of a supervisory capacity on the U.S. Capitol Police force authorized for duty under the House of Representatives, to reduce by 15 positions the total number of positions on such force under the House. On motion to suspend the rules and pass. ⅔ required. (299–0.)	Do.
176	June 5	H.R. 8070. A bill to authorize grants for vocational rehabilitation services. On motion to suspend the rules and pass. ⅔ required. (384–13.)	Yes.
179	June 6	H.R. 7935. 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. On amendment to raise the minimum wages of agricultural workers to the base level of industrial workers. (Failed, 186–232.)	Yes.
180	do	H.R. 7935. On amendment to increase minimum wage to $2.10 by 1975 for workers covered prior to 1966, set a lesser scale for agricultural workers, provide a youth differential and offer no additional coverage. (Failed, 199–218.)	No.
181	do	H.R. 7935. On amendment to set a minimum wage scale for workers covered prior to 1966 at levels lower than the bill provided. (Failed, 193–225.)	No.
182	do	H.R. 7935. On amendment to increase minimum wage to $2.20 over a 2-year period instead of 1 year in the bill. (Failed, 189–224.)	No.
183	do	H.R. 7935. On amendment to provide for a less rapid increase in the minimum wage for agricultural workers. (Failed, 195–224.)	No.
184	do	H.R. 7935. On amendment to raise agricultural worker's minimum wage to $2.20 by June 30, 1975. (Failed, 102–313.)	No.
185	do	H.R. 7935. On amendment to strike language extending coverage of the minimum wage to all Federal employees. (Failed, 167–249.)	No.
186	do	H.R. 7935. On amendment to strike out extension of coverage to employees of local and State governments. (Failed, 182–233.)	No.
187	do	H.R. 7935. On amendment to provide exemption from overtime payments for workers in the canning of perishable products for a period of 20 days each year. (251–163.)	Yes.
188	do	On amendment to establish a subminimum wage rate for workers 18 and under at 80 percent of the applicable minimum wage or $1.60 per hour, whichever is higher. (Failed, 199–215.)	No.
189	do	H.R. 7935. On amendment to allow that the increases in the minimum wage rates prescribed by this bill would not apply to the minimum wage rates applicable under this bill to employees employed in the Canal Zone. (213–203.)	No.
190	do	H.R. 7935. On passage. (287–130.)	Yes.
194	June 7	H. Res. 382. A resolution disapproving Reorganization Plan No. 2. On agreeing to the resolution. (Failed, 130–281.)	Yes.
195	do	H.R. 7645. A bill to authorize appropriations for the Department of State. On passage. (331–57.)	Yes.
196	do	H.R. 7446. A bill to establish the American Revolution Bicentennial Administration. On passage. (344–14.)	Yes.
197	June 8	H.R. 2246. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for 1-year period. On agreeing to the conference report. (276–2.)	Yes.

CONGRESSMAN WAYNE OWENS' VOTING RECORD, 1ST SESS., 93D CONG., 1973—Continued

Roll call No.	Date	Measure, question, result	Vote
199	June 8	H.R. 7670. A bill to authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce. On passage. (266–10.)	Yes.
203	June 11	H.R. 4083. A bill to improve the laws relating to the regulation of insurance in the District of Columbia. On passage. (330–0.)	Yes.
204	do	H.R. 6713. A bill to amend the District of Columbia Election Act regarding the times for filing certain petitions, regulating the primary election for Delegate from the District of Columbia. On passage. (330–12.)	Yes.
205	do	H.R. 8250. A bill to authorize certain programs and activities of the government of the District of Columbia. On passage. (268–84.)	Yes.
206	do	H.R. 4771. A bill to regulate the maximum rents to be charged by landlords in the District of Columbia. On passage. (210–144.)	Yes.
207	June 12	H.R. 5293. A bill authorizing continuing appropriations for the Peace Corps. On agreeing to the conference report. (329–64.)	Yes.
209	do	H.R. 77. A bill to permit employee contributions to jointly administered trust funds established by labor organizations to defray costs of legal services. On amendment to provide for employees, their families and dependents the right to select their own counsel. (279–126.)	No.
210	do	H.R. 77. On amendment to provide that no labor organization or employer shall be required to bargain on the establishment of any such trust fund, and refusal to do so shall not constitute an unfair labor practice. (Failed, 111–293.)	No.
211	do	H.R. 77. On amendment concerning what constitutes an unfair labor practice. (Failed, 177–223.)	No.
212	do	H.R. 77. On passage. (257–149.)	Yes.
219	June 13	H.R. 8410. A bill to continue the existing temporary increase in the public debt limit through Nov. 30, 1973. On passage. (261–152.)	No.
222	June 14	H.R. 3926. A bill to extend the National Foundation on the Arts and the Humanities Act. On amendment reducing funding levels. (Failed, 141–248.)	No.
223	do	H.R. 3926. On amendment to eliminate funding of program for fiscal years 1975 and 1976. (Failed, 146–235.)	No.
224	do	H.R. 3926. On passage. (309–63.)	Yes.
228	June 15	H.R. 8619. A bill making appropriations for agriculture, environmental, and consumer protection programs for the fiscal year ending June 30, 1974. On amendment prohibiting funds for salaries of personnel with Cotton, Inc., engaged in research and promotion of cotton. (234–125.)	Not voting.
229	do	H.R. 8619. On substitute amendment that would prohibit use of funds under this act for payment of salaries of personnel who formulate or carry out certain programs. (195–157.)	Do.
230	do	H.R. 8619. On passage. (304–3.)	Do.
233	June 18	H.R. 8658. A bill making appropriations for the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974. (321–64.)	Do.
235	do	H.R. 8152. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to improve law enforcement and criminal justice. On amendment making optional the inclusion of representatives of citizen, professional, and community organizations on State planning agencies and regional planning units. (227–162.)	Do.
236	do	H.R. 8152. On amendment clarifying administration's authority over grants and grantees. (231–161.)	Do.
237	do	H.R. 8152. On passage. (391–0.)	Do.
238	June 19	H.R. 689. A bill to amend sec. 712 of title 18 of the United States Code, to prohibit persons attempting to collect their own debts from misusing names in order to convey the false impression that any agency of the Federal Government is involved in such collection. On motion to suspend the rules and pass. (⅔ required. (399–0.)	Yes.
239	do	H.R. 6129. A bill to amend sec. 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands. On motion to suspend the rules and pass. ⅔ required. (387–14.)	Yes.
240	do	H.R. 7127. A bill to amend the act of Oct. 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historical properties throughout the Nation. On motion to suspend the rules and pass. ⅔ required. (385–16.)	Yes.
242	do	H.R. 5464. A bill to authorize appropriations for the saline water program for fiscal year 1974. On agreeing to committee amendment raising authorized funds from $2,500,000 to $9,100,000. (281–125.)	Yes.
243	do	H.R. 5464. On passage. (399–4.)	Yes.
244	June 20	H.R. 5094. A bill to amend title 5, United States Code, to provide for the reclassification of positions of deputy U.S. marshal. (319–84.)	Yes.
246	do	H.R. 8760. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974. On amendment striking $1,600,000 for construction of the moorings for the Mackinaw at Cheboygan, Michigan. (Failed, 107–309.)	No.
247	do	H.R. 8760. On amendment adding $3,000,000 for urban transportation for the aged, the handicapped and the lame. (Failed, 204–213.)	Yes.
248	do	H.R. 8760. On amendment adding $9,700,000 for research and demonstration for a personal rapid transit system. (Failed, 137–277.)	Yes.
249	do	H.R. 8760. On amendment striking funds for research, development and demonstrations for urban mass transportation programs. (Failed, 17–392.)	No.
250	do	H.R. 8760. On passage. (414–2.)	Yes.
254	June 21	H.R. 7824. A bill to establish a legal services corporation. On amendment prohibiting the corporation from giving contracts or grants for backup research, training or technical assistance. (245–166.)	No.
255	do	H.R. 7824. On amendment permitting individuals to bring suit against the corporation and recover costs in case of favorable rulings. (Failed, 159–237.)	No.
256	do	H.R. 7824. On amendment to insure that no funds made available to recipients by the corporation shall be used at any time, directly or indirectly, to undertake to influence any executive order or similar promulgation of any Federal, State, or local agency, or to undertake to influence the passage or defeat of legislation by the Congress of the United States, or by any State or local legislative bodies, except under certain conditions. (200–181.)	No.
257	do	H.R. 7824. On amendment to place certain regulations on activities of attorneys receiving more than one-half of their annual professional income from legal assistance activities supported in whole or in part by the corporation. (207–171.)	No.
258	do	H.R. 7824. On amendment prohibiting legal services for litigation relating to the desegregation of schools. (221–150.)	No.
259	do	H.R. 7824. On amendment eliminating funds for backup legal research centers. (233–139.)	No.
261	do	H.R. 7824. On amendment prohibiting providing legal assistance in proceedings or litigation which seeks to procure a nontherapeutic abortion. (316–53).	Yes.
262	do	H.R. 7824. On amendment prohibiting legal assistance with respect to any proceeding or litigation relating to abortion. (301–68.)	Yes.
263	do	H.R. 7824. On passage. (276–95.)	Yes.
265	June 22	H.R.8510. A bill to authorize appropriations for activities of the National Science Foundation. On amendment to restrict fund transfers to 10 percent of any particular category and require congressional notification of such transfers. (Failed, 109–238.)	No.
266	do	H.R. 8510. On amendment prohibiting expenditure of funds to conduct or support research in the United States or abroad on a human fetus which is outside the womb of its mother and which has a beating heart. (288–73.)	No.
267	do	H.R. 8510. On passage. (364–6.)	Yes.
269	do	H.R. 8825. A bill making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain related agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974. On amendment to increase funds for the comprehensive housing and development planning grants. (Failed, 168–184.)	Yes.
270	do	H.R. 8825. On amendment to increase the amount of funds allocated for urban renewal. (Failed, 106–241.)	Yes.
271	do	H.R. 8825. On passage. (316–21.)	Yes.
273	June 25	H.R. 7447. A bill making supplemental appropriations for fiscal year ending June 30, 1973. On amendment to recede from disagreement to Senate amendment prohibiting use of funds herein appropriated or appropriated under any other act to support directly or indirectly combat activities in, over, or from off the shores of Cambodia or in or over Laos by the U.S. forces. (235–172.)	Yes.
274	do	H.R. 7447. On amendment to agree with Senate amendment with amendment allowing for use of funds until Sept. 1, 1973. (Failed, 204–204.)	No.
275	do	H.R. 445. A resolution providing that it shall be in order for the Speaker at any time during the week of June 25, 1973, to entertain motions to suspend the rules notwithstanding the provisions of clause 1, rule IIVII. On agreeing to the resolution. (276–129.)	Yes.
277	do	H.R. 8662. A bill to authorize appropriations to the Atomic Energy Commission in accordance with sec. 261 of the Atomic Energy Act of 1954. On amendment to permit the States to regulate the level of emissions from atomic reactors. (Failed, 136–266.)	Not voting.
278	do	H.R. 8662. On passage. (398–4.)	Do.
282	June 26	H.J. Res. 636. A joint resolution making continuing appropriations for the fiscal year 1974. On a motion to limit further debate. (275–136.)	No.
283	do	H.J. Res. 636. On amendment to extend limitations on expenditure of funds in Southeast Asia to previously appropriated but unexpended funds. (218–194.)	Yes.
284	do	H.J. Res. 636. On amendment to cut off funding under this resolution after Sept. 1, 1973, for direct or indirect support of combat activities in or over Cambodia or Laos or off the shores of Cambodia or Laos. (232–181.)	Yes.
285	do	H.J. Res. 636. On amendment to prohibit use of funds under this resolution for support directly or indirectly combat activities in or over or off the shores of Cambodia, Laos, Vietnam and South Vietnam without the express consent of the Congress. (240–172.)	Yes.
286	do	H.J. Res. 636. On passage. (325–86.)	Yes.
290	do	H.R. 8877. A bill making appropriations for the Department of Labor, and Health, Education and Welfare, and related agencies, for the fiscal year ending June 30, 1974. On amendment to reduce funds appropriated for the Office of Economic Opportunity. (Failed, 110–288.)	No.
291	do	H.R. 8877. On package of amendments to reduce funds for 26 sections of the bill. (Failed, 186–213.)	No.
292	do	H.R. 8877. On amendment to increase funds for bilingual education programs. (Failed, 161–244.)	Yes.
293	do	H.R. 8877. On amendment to reduce by 10 percent the funds for educationally deprived children. (Failed, 190–218.)	No.

Roll call No.	Date	Measure, question, result	Vote
294	June 26	H.R. 8877. On motion to recommit with instructions. (Instructions sought to reduce funds in 26 sections of the bill by $500,000,000.)(Failed, 186–219.)	No.
295	do	H.R. 8877. On passage. (347–58.)	Yes.
297	June 27	H.R. 8215. A bill to provide for the suspension of duty on certain copying shoe lathes until the close of June 30, 1976. On agreeing to the committee amendments to accomplish suspension. (403–0.)	Yes.
298	do	H.R. 4200. A bill to amend sec. 122 of the Internal Revenue Code of 1954. On passage. (402–0.)	Yes.
299	do	H. Res. 470. A resolution waiving points of order against H.R. 8917, a bill making appropriations for the Department of Interior and related agencies for the fiscal year ending June 30, 1974. On agreeing to the resolution. (401–12.)	Yes.
300	do	H.R. 7447. A bill making supplemental appropriations for the fiscal year ending June 30, 1973. On over-rising Presidential veto; ¾ required. (241–173.)	Yes.
304	do	H.R. 8917. A bill making appropriations for the Department of Interior and related agencies for the fiscal year ending June 30, 1974. On passage. (405–4)	Yes.
306	June 28	H.R. 8537. A bill to amend the Dependents Assistance Act of 1950. On motion to instruct conferees to insist on House position prohibiting flight pay for persons assigned to flight units who do not fly. (238–175.)	Yes.
308	do	H.R. 8947. A bill making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1974. On amendment to eliminate funds from the program for the nuclear stimulation of natural gas. (Failed, 108–303.)	No.
309	do	H.R. 8947. On amendment to add $4,700,000 for geothermal research. (206–205.)	Yes.
310	do	H.R. 8947. On passage. (384–26.)	Yes.
311	do	H.R. 8548. A bill to amend the International Economic Policy Act of 1972 to change membership of the Council on International Economic Policy. On passage. (322–62.)	No.
313	June 29	H.R. 9055. A bill making supplemental appropriations for the fiscal year ending June 30, 1973. On amendment to prohibit use of funds under this bill for direct or indirect support of combat activities in over or from any other sovereign state. (Failed, 57–346.)	No.
314	do	H.R. 9055. On amendment to prohibit use of funds herein or heretofore appropriated under any other act for direct or indirect support of combat activities in, over or from off the shores of Cambodia or in or over Laos by the U.S. forces. (Failed, 169–236.)	Yes.
315	do	H.R. 9055. On passage. (278–124.)	No.
317	do	H.R. 8916. A bill making appropriations for the Department of State, Justice, and Commerce, the Judiciary and related agencies for the fiscal year ending June 30, 1974. On amendment to increase funds for probationary and supporting personnel. (220–164.)	Yes.
318	do	H.R. 8916. On passage. (370–11)	Yes.
319	do	H.R. 8410. A bill to continue the existing temporary increase in the public debt limit through November 1973. On motion to recede from disagreement to the Senate amendment. (Failed, 185–190.)	Yes.
321	June 30	H.R. 8410. On motion to recede and concur on amendment, including provisions relating to unemployment compensation, continuation of maternal and child health programs, and the dollar campaign check-off. (294–54.)	Yes.
322	do	H.J. Res. 636. A joint resolution making continuing appropriations for the fiscal year 1974. On agreeing to the conference report. (266–75.)	No.
323	do	H.R. 7445. A bill to amend the Renegotiation Act of 1951 to extend the act for 2 years. On motion to recede and concur with an amendment, including an increase in social security payments, modifications in welfare and medicaid, and an extension of certain social service programs. (327–9.)	Yes.
325	July 10	H.R. 8860. A bill to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices. On amendment limiting farm subsidy payments to $20,000 per commodity. (313–89.)	Yes.
326	do	H.R. 8860. On amendment to limit farm subsidy payments for the 1974 through 1978 crop years to no more than $20,000 total under 1 or more of the annual programs established by titles IV, V, and VI of this act. (246–163.)	Yes.
327	do	H.R. 8860. On amendment prohibiting use of funds of the Commodity Credit Corporation for direct or indirect financing or guaranteeing sale of any wheat or feed grains to the Union of Soviet Socialist Republics or to the People's Republic of China. (Failed, 139–264.)	No.
329	July 11	H.R. 8860. On amendment ending $10,000,000 annual authorization for cotton promotion and research by Cotton, Inc. (241–162.)	Yes.
330	do	H.R. 8860. On amendment to remove the escalator clause providing for annual adjustment of target prices. (Failed, 174–239.)	No.
331	do	H.R. 8860. On amendment to permit Secretary of Agriculture to extend loan provisions to noncooperators under the wheat, feed grains, and cotton programs. (Failed, 160–247.)	No.
322	do	H.R. 8860. On amendment to provide a 3-year phaseout of income payments and by shifting the set-aside program to a cropland basis. (Failed, 186–220.)	No.
335	July 12	H.R. 8606. A bill to amend the Small Business Act. On amendment to strike the $2,500 forgiveness at 3 percent and/or the choice of a 1-percent loan. (Failed, 167–245.)	No.
336	July 12	H.R. 2990. A bill to provide for annual authorization of appropriations to the U.S. Postal Service. On passage. (328–65.)	Yes.
338	July 16	H.R. 8860. A bill to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices. On amendment to strike out cotton section of the bill. (207–190.)	No.
340	do	H.R. 8860. On amendment to strike provisions transferring OSHA from the Department of Labor to the Department of Agriculture. (221–177.)	Yes.
342	July 17	S. 504. A bill to amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive area emergency medical services systems. On agreeing to the conference report. (306–111.)	Yes.
343	do	H.R. 6078. A bill to include inspectors of the Immigration and Naturalization Service or the Bureau of Customs within the provisions of sec. 8336(c) of title 5, United States Code, relating to the retirement of certain employees engaged in hazardous occupations. On motion to suspend the rules and pass. ⅔ required. (296–123.)	Yes.
344	do	H.R. 8949. A bill to amend title 38 of the United States Code relating to basic provisions of the loan guaranty program for veterans. On motion to suspend the rules and pass. ⅔ required. (412–3.)	Yes.
345	do	H.R. 9048. A bill to amend title 38 of the United States Code to provide improved medical care to veterans; to provide hospital and medical care to certain dependents and survivors of veterans; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery, as amended. On motion to suspend the rules and pass. ⅔ required. (421–0.)	Yes.
346	do	S. 2120. A bill to amend the Federal Railroad Safety Act of 1970 and other related acts to authorize additional appropriations. On motion to suspend the rules and pass. ⅔ required. (409–7.)	Yes.
347	do	S. 1752. A bill prescribing the objectives and functions of the National Commission on Productivity and Work Quality. On motion to suspend the rules and pass. ⅔ required. (174–237.)	No.
349	July 18	H.J. Res. 542. A joint resolution concerning the war powers of Congress and the President. On an amendment to require Congress to specifically approve or disapprove by bill or resolution the commitment of forces by the President in the absence of a declaration of war within 90 days of such Executive action. (Failed, 166–250.)	No.
350	do	H.J. Res. 542. On amendment to prohibit the President from committing troops unless Congress declared war or authorized such commitment, or if the President found such action within his constitutional authority. (Failed, 353–262.)	No.
351	do	H.J. Res. 542. On amendment to require Congress to specifically approve or disapprove the commitment of troops within 120 days by a declaration of war or by passage of a resolution. (Failed, 200–211.)	No.
352	do	H.J. Res. 542. On passage. (244–170.)	No.
354	July 19	H.R. 8860. A bill to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices. On amendment deleting language including persons in public assistance programs under social security in the food stamp program and food distribution program. (238–173.)	Not voting.
355	do	H.R. 8860. On amendment to make ineligible for food stamps those persons involved in a labor dispute or strike. (213–203.)	Do
356	do	H.R. 8860. On amendment to substitute the food stamp section which removes the requirement of a prior certificate of eligibility, restores the eligibility of students, and permits use of stamps to purchase imported foods. (210–207.)	Do.
357	do	H.R. 8860. On amendment to prohibit payments, direct or indirect, to any producer of agricultural commodities by any agency or instrumentality of the United States with respect to any crop which was planted, cultivated, or harvested during a labor dispute involving such producer and persons who have been in his employ. (Failed, 85–326.)	Do.
358	do	H.R. 8860. Substitute amendment that would make ineligible for food stamps those presons involved in a labor dispute or strike, unless they had been receiving food stamps prior to the commencement of the strike. (208–207.)	Do.
359	do	H.R. 8600. On amendment that reinserts the cotton section to the bill, but eliminates $10 million for Cotton, Inc. (250–165.)	Do.
361	do	H.R. 8860. Amendment to strike escalator clause for cotton. (248–165.)	Do.
362	do	H.R. 8860. On motion to recommit with instructions to strike all of the escalator clause provisions. (Failed, 182–225.)	Do.
363	do	H.R. 8860. On passage. (226–182.)	Do.
365	July 20	H.R. 8538. A bill to amend the Communications Act of 1934, to extend certain authorizations for the Corporation for Public Broadcasting and for certain construction grants for noncommercial educational television and radio broadcasting facilities. On amendment prohibiting grants to any applicant who is not in compliance with laws, rules and regulations relating to nondiscrimination in employment. (Failed, 189–190.)	Do.
366	do	H.R. 8538. On passage. (363–14.)	Do.
368	July 23	H.R. 5356. A bill to regulate interstate commerce to protect health and the environment from hazardous chemical substances. On amendment defining Administrator's authority under this act. (193–192.)	Yes.

CONGRESSMAN WAYNE OWENS' VOTING RECORD, 1ST SESS., 93D CONG., 1973—Continued

Roll call No.	Date	Measure, question, result	Vote
369	July 23	H.R. 5356. On amendment to sec. 23 concerning rules promulgated by the Administrator. (Failed, 159–236.)	No.
370	do	H.R. 5356. On amendment defining Administrator's authority under the act. (Failed, 189–202.)	Yes.
371	do	H.R. 5356. On passage. (324–73.)	Yes.
374	July 24	S. 1888. A bill to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices. On ordering the previous question on the motion to instruct conferees. (244–155.)	Yes.
375	do	S. 1888. On motion to instruct conferees. (371–35.)	Yes.
377	do	H.R. 8480. A bill to require the President to notify the Congress whenever he impounds funds, to provide a procedure under which the House of Representatives or the Senate may disapprove the President's action and require him to cease such impounding, and to establish for the fiscal year 1974 a ceiling on total Federal expenditures. On amendment to empower the Comptroller General to exempt from provisions of the act impoundments he determines in accordance with the Anti-Deficiency Act. (Failed, 180–229.)	No.
378	do	H.R. 8480. On amendment to require both Houses of Congress to disapprove impoundments by concurrent resolution. (Failed, 205–206.)	No.
380	July 25	S. 1423. A bill to amend the Labor Management Relations Act, 1947, to permit employer contributions to jointly administered trust funds established by labor organizations to defray costs of legal services. On agreeing to conference report. (256–155.)	Yes.
382	do	H.R. 8480. A bill to require the President to notify the Congress whenever he impounds funds, to provide a procedure under which the House of Representatives or the Senate may disapprove the President's action and require him to cease such impounding, and to establish for the fiscal year 1974 a ceiling on total Federal expenditures. On amendment that provides that an impoundment cease after 60 days unless ratified by both Houses by concurrent resolution. (Failed, 96–318.)	Yes.
383	do	H.R. 8480. On amendment reducing spending ceiling to $260,000,000,000 which would balance the budget. (Failed, 156–252.)	No.
384	do	H.R. 8480. On amendment reducing spending ceiling by $3,800,000,000. (Failed, 205–205.)	No.
385	do	H.R. 8480. On motion to recommit with instructions. (Failed, 208–212.)	No.
386	do	H.R. 8480. On passage. (254–164.)	Yes.
391	July 26	H.R. 9360. A bill to amend the Foreign Assistance Act of 1961. On amendment reducing authorized funds by $75,000,000. (Failed, 131–271.)	No.
392	do	H.R. 9360. On amendment to strike language authorizing $93,000,000 for selected development problems. (Failed, 203–204.)	No.
393	do	H.R. 9360. On amendment to strike language authorizing $60,000,000 for assistance to selected countries and organizations. (Failed, 173–232.)	Yes.
395	do	H.R. 9360. On amendment restricting assistance under this act to countries which nationalized or expropriated or seized ownership or control of property owned by any U.S. citizen or by any corporation, partnership, or association not less than 50 per centum of which is beneficially owned by U.S. citizens. (278–102.)	No.
396	do	H.R. 9360. On amendment to strike out section which establishes the U.S. Export Development Credit Fund. (240–137).	Yes.
397	do	H.R. 9360. On amendment to reduce total authorization by $68,000,000. (232–139.)	Yes.
398	do	H.R. 9360. On passage. (188–183.)	No.
399	July 30	H.R. 8947. A bill making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1974. On agreeing to the conference report. (373–9.)	Yes.
400	do	H. Res. 512. A resolution providing for the consideration of S. 1989, a bill to amend sec. 225 of the Federal Salary Act of 1967 with respect to certain executive, legislative and judicial salaries. On agreeing to the resolution. (Failed, 156–237.)	No.
401	do	S. Con. Res. 42. A concurrent resolution providing for the conditional adjournment of the Senate and the House from Aug. 3, 1973 to Sept. 5, 1973. On agreeing to the resolution. (370–22.)	Yes.
402	do	H.R. 9474. A bill to amend title 38 of the United States Code to increase the monthly rates of disability and death pension, and dependency and indemnity compensation. On motion to suspend the rules and pass. ⅔ required. (385–0.)	Yes.
405	July 31	H.R. 9826. A bill to authorize appropriations during fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selective Reserve of each Reserve component of the Armed Forces, and the military training student loads. On amendment to delete the authorization of $657,000,000 for further construction of the CVN–70 nuclear aircraft carrier. (Failed, 88–323.)	Yes.
406	do	H.R. 9826. On amendment to strike the B–1 bomber program. (Failed, 96–313.)	Yes.
407	July 31	H.R. 9826. On amendment prohibiting stationing or basing of active duty forces in any nation to aid in the defense of that nation where the nation in question is expending a smaller proportion of its gross national product on its own defense than does the United States or has failed to officially notify the Secretary General of the NATO that henceforth its commitment to its own defense in terms of its own gross national product shall be at least equal to that of the United States for fiscal year 1974 and subsequent years. (Failed, 130–282.)	Yes.
408	do	H.R. 9826. On amendment to reduce U.S. troop levels in NATO, and in the Western Pacific. (Failed, 67–339.)	Yes.
409	do	H.R. 9826. On amendment to add language: That the Committee on Armed Services of the House shall report to the House by Apr. 1, 1974, a detailed and independent study on the advisability of maintaining our present military commitment to Europe in view of the current economic and military situation in Europe. (242–163.)	No.
410	do	H.R. 9826. On amendment concerning spending limitation under titles I and II of the act. (242–163.)	Yes.
411	do	H.R. 9826. On passage. (367–37.)	Yes.
412	Aug. 1	H.R. 8825. A bill making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974. On agreeing to the conference report. (401–9.)	Yes.
413	do	H.R. 8825. On motion that the House disagree with Senate Amendment numbered 44. (222–189.)	No.
415	do	H.R. 9590. A bill making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1974. On amendment to cut the committee recommendations for the Office of the President by 5 percent. (Failed, 199–209.)	Yes.
416	do	H.R. 9590. On amendment to reduce the appropriation for OTP salaries and expenses by 25 percent. (Failed, 190–217.)	Yes.
419	Aug. 2	H.R. 9130. A bill to amend sec. 28 of the Mineral Leasing Act of 1920, and to authorize a trans-Alaska oil and gas pipeline. On amendment restricting granting of right-of-way or permit in certain circumstances. (Failed, 160–261.)	Yes.
420	do	H.R. 9130. On amendment to add new section: Proceedings in any U.S. Federal court with respect to any action taken by the Secretary of the Interior in accordance with the Provisions of the National Environmental Policy Act of 1969 or relating to any right-of-way to construct the proposed trans-Alaska pipeline or to any permit in relation thereto shall be given precedence over all other cases pending therein, and shall be assigned for hearing and determined at the earliest practicable date, and all courts involved shall cause the case to be in every way expedited. (Failed, 198–221.)	Yes.
421	do	H.R. 9130. On amendment to assure all regions of the U.S. equitable allocations of crude oil. (Failed, 179–233.)	Yes.
42	do	H.R. 9130. On amendment to prohibit use of materials supplies or articles not from or manufactured by the United States in the construction of the trans-Alaska pipeline.	Yes.
423	do	H.R. 9130. On amendment to require permits issued by civil authorities in addition to those issued by the Secretary of the Interior. (Failed, 177–228.)	Yes.
424	do	H.R. 9130. On passage. (356–60.)	Yes.
425	Aug. 3	S. 1636. A bill to amend the International Economic Policy Act of 1972. On agreeing to the conference Report. (335–71.)	No.
426	do	H. Res. 518. A resolution providing for the consideration of S. 1264, a bill to authorize and direct the Secretary of the Treasury to make grants to Eisenhower College, in Seneca Falls, N.Y., out of proceeds from the sale of silver dollar coins bearing the likeness of the late President of the United States, Dwight David Eisenhower. On agreeing to the resolution. (Failed, 183–230.)	No.
427	do	S. 502. A bill to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code. On agreeing to the Conference Report. (382–34.)	Yes.
428	do	H.R. 7935. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates under the act, to expand the coverage of that act. On agreeing to the conference report. (253–152.)	Yes.
429	do	S. 1888. A bill to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices. On ordering the previous question on motion to concur in the Senate amendment with an amendment. (349–54.)	Yes.
430	Aug. 3	S. 1888. On motion to concur in the Senate Amendment with an amendment directing the Secretary of Agriculture to implement policies under this act which are designed to encourage American farmers to produce to their full capabilities during periods of short supply to assure American consumers with an adequate supply of food and fiber at fair and reasonable prices. (252–151.)	Yes.
431	do	H.R. 8658. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974. On agreeing to the conference report. (342–47.)	Yes.

Roll call No.	Date	Measure, question, result	Vote
432	do	H.R. 8760. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974. On agreeing to the conference report. (359–5.)	Yes.
434	do	H.J. Res. 512. A joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages, to extend authorizations under laws relating to housing and urban development. On motion to recommit the conference report. (202–172.)	Not voting.
435	Sept. 5	H.R. 8920. A bill to amend the Lead-Based Paint Poisoning Prevention Act. On passage. (368–11.)	Do.
436	do	H.R. 8449. A bill to expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known flood prone communities to participate in the program. On passage. (359–21.)	Do.
437	Sept. 6	H.R. 6912. A bill to amend the Par Value Modification Act. On agreeing to the conference report. (322–59.)	Yes.
438	do	H.R. 8351. A bill to amend the Rail Passenger Service Act of 1970, as amended, to provide financial assistance to the National Railroad Passenger Corporation. On passage. (357–37.)	Yes.
440	do	H.R. 8547. A bill to amend the Export Administration Act of 1969, to protect the domestic economy from excessive drain of scarce materials and commodities and to reduce the serious inflationary impact of abnormal foreign demand. On amendment to direct the Secretary of Commerce to immediately report any prohibiting or curtailment of exportation of any commodity pursuant to this section to the Speaker of the House and the President pro tempore of the Senate. If either House of Congress shall by simple resolution disapprove of such prohibition or curtailment it shall cease with the passage of said resolution. (Failed, 154–211.)	Yes.
441	do	H.R. 8547. On passage. (220–133.)	No.
442	Sept. 10	H. Res. 536. A resolution to direct the Speaker of the House of Representatives to certify a certain report on G. Gordon Liddy by the Committee on Armed Services of the House of Representatives to the U.S. Attorney for the District of Columbia. On agreeing to the resolution (334–11.)	Yes.
443	do	H.R. 7482. A bill to amend the Federal Cigarette Labeling and Advertising Act of 1965 as amended by the Public Health Cigarette Smoking Act of 1969 to define the term "little cigar". On passage. (287–63.)	Yes.
445	Sept. 11	H.R. 7645. A bill to authorize appropriations for the Department of State. On motion to reject section 13 of the conference report. (213–185.)	No.
446	do	H.R. 2096. A bill to prohibit the imposition by the States of discriminatory burdens upon interstate commerce in wine. (248–152.)	No.
447	do	H. Res. 511. A resolution providing for the consideration of the bill S. 1697 to require the President to furnish predisaster assistance in order to avert or lessen the effects of a major disaster in the counties of Alameda and Contra Costa in California. On agreeing to the resolution. (Failed, 163–233.)	Yes.
449	Sept. 12	S. 504. A bill to amend the Public Health Service Act to authorize assistance for planning, development and initial operation, research and training projects for systems for the effective provision of health care services under emergency conditions. On overriding presidential veto. ⅔ required. (Failed 273–144.)	Yes.
450	do	H.R. 7974. A bill to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations. On passage. (369–40.)	Yes.
451	do	H.R. 8789. A bill to provide a new coinage design and date emblematic of the bicentennial for the American Revolution for dollars, half-dollars, and quarters. On passage. (396–4.)	Yes.
452	Sept. 13	H.R. 8619. A bill making appropriations for the Agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1974. On motion to instruct conferees. (231–160.)	Yes.
453	do	H.R. 6576. A bill to authorize the Secretary of the Interior to engage in feasibility investigation of certain potential water resource developments. On passage. (321–74.)	Yes.
455	do	H.R. 9639. A bill to amend the National School Lunch And Child Nutrition Acts for the purpose of providing additional Federal financial assistance to the school lunch and school breakfast programs. On amendment to delete section raising Federal reimbursement for school lunches from 8 cents to 10 cents. (Failed, 127–272.)	Yes.
456	do	H.R. 9639. On passage. (389–4.)	Yes.
457	do	H.R. 9553. A bill to amend the communications Act of 1934 for 1 year with regard to the broadcasting of certain professional home games. On passage. (336–37.)	Not voting.
458	Sept. 17	H.R. 7265. A bill to provide for the operation of programs by the ACTION Agency, to establish certain new such programs. On motion to suspend the rules and pass. (⅔ required. (339–14.)	Yes.
459	Sept. 18	H.R. 8070. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services to those with severe disabilities. On agreeing to the conference report. (400–0.)	Yes.
460	do	H.R. 7730. A bill to authorize the Secretary of the Interior to purchase property located within the San Carlos Mineral Strip, as amended. On motion to suspend the rules and pass. ⅔ required. (Failed, 236–164.)	Yes.
461	do	H.R. 37. A bill to provide for the conservation, protection, and propagation of species or subspecies of fish and wildlife that are threatened with extinction or likely within the forseeable future to become threatened with extinction, as amended. On motion to suspend the rules and pass. ⅔ required. (390–12.)	Yes.
463	do	H. Res. 420. A resolution to establish as part of the congressional internship program, an internship for secondary school teachers of government or social studies in honor of President Lyndon Baines Johnson, as amended. On motion to suspend the rules and pass. ⅔ required. (345–64.)	Yes.
465	Sept. 19	H.R. 7935. 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. On overriding a Presidential veto. ⅔ required. (Failed, 259–164.)	Yes.
466	do	H.R. 9715. A bill to authorize appropriations for the United States Information Agency. On amendment: "After the expiration of any 35-day period beginning on the date the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives has delivered to the office of the Director of the USIA a written request that the committee be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in the custody or control of such agency, and relating to such agency—none of the funds made available to such agency shall be obligated unless and until there has been furnished to the committee making the request the material requested. The written request to the agency shall be over the signature of the chairman of the committee acting upon a majority vote of the committee. (240–178.)	Yes.
467	do	H.R. 9715. On passage. (305–108.)	No.
470	Sept. 20	H.R. 8917. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1974. On agreeing to the conference report. (385–14.)	Yes.
417	do	H.R. 8917. On motion to recede and concur in Senate amendment with an amendment reducing the Senate appropriation for the National Endowment for the Arts by $4,000,000. (326–73.)	Yes.
472	do	H.R. 9281. A bill to amend title 5, United States Code, with respect to the retirement of certain law enforcement and firefighter personnel. On motion to recommit with instructions. (Failed, 116–282.)	No.
473	do	H.R. 9281. On passage. (299–93.)	Yes.
474	do	H.R. 9256. A bill to increase the contribution of the Government to the costs of health benefits for Federal employees. On passage. (217–155.)	No.
475	Sept. 25	H.R. 8619. A bill making appropriations for the agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1974. On agreeing to the conference report. (348–24.)	Yes.
476	do	H.J. Res. 727. A joint resolution making further continuing appropriations for fiscal year 1974. On amendment to provide full 1973 funding levels for per pupil grants to local school districts. (Failed, 184–198.)	Yes.
477	do	H.J. Res. 727. On amendment providing that the aggregate amount made available to each local educational agency under title I–A of the Elementary and Secondary Education Act of 1965 shall not be less than 85 percent of the amount made available for that purpose for 1973. (286–94.)	Yes.
478	do	H.J. Res. 727. On amendment to provide that none of the funds made available by this act shall be used by the Cost of Living Council to formulate or carry out a program which discriminates among petroleum marketers in the method of establishing prices for petroleum products. (371–7.)	Yes.
479	do	H.J. Res. 727. On passage. (368–7.)	Yes.
481	Sept. 26	H.R. 981. A bill to amend the Immigration and Nationality Act. On amendment to provide ceiling of 35,000 temporary immigrant visas for natives of Canada and Mexico, and a 20,000 ceiling for all other foreign states. (Failed, 174–203.)	Not voting.
482	do	H.R. 981. On amendment to provide a 5-year aggregate limit on extensions of 1-year visas for migrant workers, and specified employment contract requirements and working conditions. (Failed, 70–310.)	Do.
483	do	H.R. 981. On passage. (336–30.)	Do.
485	Oct. 1	H.R. 8029. A bill to provide for the distribution of funds appropriated in satisfaction of certain judgments of the Indian Claims Commission and the Court of Claims. On motion to suspend the rules and pass. ⅔ required. (331–33.)	Yes.
486	do	S. 2419. A bill to correct typographical and clerical errors in Public Law 93–86. On motion to suspend the rules and pass. 2 required. (330–28.)	Yes.
487	do	H.R. 10397. A bill to extend the authorization of appropriations for the Cabinet Committee on Opportunities for Spanish-speaking People On motion to suspend the rules and pass. 3 required. (Failed, 241–130.)	No.
488	Oct. 2	S. 795. A bill to amend the National Foundation on the Arts and the Humanities Act of 1965. On agreeing to the conference report. (294–106.)	Yes.
489	do	S. 1914. A bill to provide for the establishment of the Board of International Broadcasting, to authorize the continuation of assistance to Radio Free Europe and Radio Liberty. On passage. (313–90.)	No.
493	Oct. 3	H.R. 6452. A bill to amend the Urban Mass Transportation Act of 1964, to provide a substantial increase in the total amount authorized for assistance thereunder, to increase the portion of project cost which may be covered by a Federal grant, and to authorize assistance for operating expenses. On amendment to delete provisions for Federal funding of operating expenses of mass transportation systems. (206–203.)	No.

CONGRESSMAN WAYNE OWENS' VOTING RECORD, 1ST SESS., 93D CONG., 1973—Continued

Roll call No.	Date	Measure, question, result	Vote
494	Oct. 3	H.R. 6452. On motion to strike the enacting clause. (Failed, 143–268.)	No.
495	do	H.R. 6452. On amendment. (Failed, 205–210.)	No.
496	do	H.R. 6452. On passage. (219–195.)	Yes.
497	do	H.R. 10088. A bill to establish the Big Cypress National Preserve in the State of Florida. On passage. (376–2.)	Yes.
499	Oct. 4	H.J. Res. 748. A joint resolution making an appropriation for special payments to international financial institutions for fiscal year 1974. On amendment to reduce the obligational authority of the U.S. Treasury to the International Monetary Fund. (Failed, 129–237.)	Not voting.
500	do	H.J. Res. 748. On passage. (274–90.)	Do.
505	Oct. 10	H.R. 9682. A bill to reorganize the governmental structure of the District of Columbia, to provide a charter for local government in the District of Columbia subject to acceptance by a majority of the registered qualified electors in the District of Columbia, to delegate certain legislative powers to the local government, and to implement certain recommendations of the Commission on the Organization of the Government of the District of Columbia, On Amendment giving President power to appoint judges to the District of Columbia Superior Court and Court of Appeals. (228–186.)	No.
506	do	H.R. 9682. On amendment. (Failed, 138–273.)	No.
507	do	H.R. 9682. On amendment to create a Federal enclave within the District of Columbia. (209–202.)	No.
508	do	H.R. 9682 On amendment. (132–275.)	No.
510	do	H.R. 9682. On amendment prohibiting physical planning for the Federal Government in the Metropolitan Washington area being under the control of the District government. (Failed, 130–278.)	No.
511	do	H.R. 9682. On amendment containing provisions of H.R. 10692 implementing the recommendations of the Nelsen Commission and providing an elected city council and appointed mayor. (Failed, 144–273.)	No.
512	do	H.R. 9682. On passage. (343–74.)	Yes.
515	Oct. 11	H.J. Res. 727. A joint resolution making further continuing appropriations for the fiscal year 1974. On motion to recommit the conference report. (Failed, 182–225.)	Yes.
516	do	H.J. Res. 727. On agreeing to the conference report. (309–99.)	No.
518	Oct. 12	H.R. 10614. A bill to authorize certain construction at military installations. (359–28.)	Yes.
520	do	H.J. Res. 542. A joint resolution concerning the war powers of Congress and the President. On agreeing to the conference report. (238–123.)	Yes.
521	do	H.R. 10203. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control. On passage. (337–14.)	Yes.
525	Oct. 15	S. 907. A bill to authorize the appropriation of $150,000 to assist in financing the Arctic Winter Games to be held in the State of Alaska in 1974. On motion to suspend the rules and pass. ⅔ required. (306–54.)	No.
526	do	H.R. 8346. A bill to amend the Housing and Urban Development Act of 1970 to provide a more effective approach to the problem of developing and maintaining a rational relationship between building codes and related regulatory requirements and building technology in the United States, and to facilitate urgently needed cost-saving innovations in the building industry, through the establishment of an appropriate nongovernmental instrument which can make definitive technical findings, insure that the findings are made available to all sectors of the economy, public and private, and provide an effective method for encouraging and facilitating Federal, State, and local acceptance and use of such findings. On motion to suspend the rules and pass. ⅔ required. (Failed, 108–258.)	No.
528	Oct. 16	H.R. 9590. A bill making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1974. On agreeing to the conference report. (403–10.)	No.
529	do	H.R. 9590. On motion to recede and concur in Senate amendment to permit per diem compensation rates of individuals to be set by the President notwithstanding existing Government service regulations for such rates. (253–153.)	No.
530	do	H.R. 9590. On amendment to provide funding of the President's official entertainment expenses. (302–107.)	No.
531	do	H.R. 6691. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1974. On agreeing to the conference report. (400–11.)	Yes.
532	do	H.R. 10717. A bill to repeal the act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin as a federally recognized sovereign Indian tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians. On motion to suspend the rules and pass. ⅔ required. (404–3.)	Yes.
533	do	H.R. 9681. A bill to authorize and require the President of the United States to allocate crude oil and refined petroleum products to deal with existing or imminent shortages and dislocations in the distribution system which jeopardize the public health, safety, or welfare; to provide for the delegation of authority. On amendment on application of provisions concerning pricing for producer level. (Failed, 136–245.)	Yes.
534	do	H.R. 9681. On motion to close debate. (Failed, 161–214.)	No.
536	Oct. 17	H. Res. 601. A resolution providing for the consideration of the conference report on the bill H.R. 9286, the military procurement authorization for 1974. On agreeing to the resolution. (Failed, 193–216.)	No.
537	do	H.R. 9681. On amendment. (Failed, 152–256.)	No.
538	do	H.R. 9681. On passage. (337–72.)	Yes.
539	do	S. 2016. A bill to amend the Rail Passenger Service Act of 1970 to provide financial assistance to the National Railroad Passenger Corporation. On agreeing to the conference report. (346–51.)	Yes.
541	Oct. 18	H.R. 10397. A bill to extend the authorization of appropriations for the Cabinet Committee on Opportunities for Spanish-speaking People. On passage. (273–97.)	Not voting—A.[1]
542	do	H.R. 9639. A bill to amend the National School Lunch and Child Nutrition Acts for the purpose of providing additional Federal financial assistance to the school lunch and school breakfast programs. On motion to concur in Senate amendment. (Failed, 145–218.)	Not voting.[1]
544	Oct. 23	H.R. 10586. A bill to amend title 10, United States Code, to authorize the use of health maintenance organizations. On passage. (345–41.)	Yes
549	Oct. 24	H.R. 3927. A bill to extend the Environmental Education Act for 3 yrs. On amendment to reduce period to 1 yr. (Failed, 140–252.)	No.
550	do	H.R. 3927. On passage. (335–60.)	Yes.
552	Oct. 25	H.R. 10956. A billion the Emergency Medical Service Systems Act of 1973. On passage. (364–18.)	Yes.
554	Oct. 30	H.R. 9456. A bill to extend the Drug Abuse Act of 1970 for 3 yr. On passage. (372–13.)	Yes.
556	Oct. 31	H.R. 9286. A bill to authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces and the military training student loads. On motion to reject Public Health Service hospitals of conference report. (Failed, 103–290.)	No.
558	Nov. 6	H.J. Res. 735. A joint resolution authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy 2 citizens and subjects of the Empire of Iran. On motion to suspend the rules and pass. ⅔ required. (343–28.)	No.
559	do	H.R. 5874. A bill to establish a Federal Financing Bank, for coordinated and more efficient financing of Federal and federally assisted borrowings from the public. On motion to suspend the rules and pass. ⅔ required. (349–25.)	Yes.
560	do	H.R. 8219. A bill to amend the International Organizations Immunities Act to authorize the President to extend certain privileges and immunities to the Organization of African Unity. On motion to suspend the rules and pass. ⅔ required. (340–39.)	Yes.
561	do	H.R. 10937. A bill to extend the life of the June 5, 1972, grand jury of the U.S. District Court for the District of Columbia, as amended. On motion to suspend the rules and pass. ⅔ required. (378–1.)	Yes.
563	Nov. 7	H.J. Res. 542. A joint resolution concerning the war powers of Congress and the President. On overriding Presidential war-powers veto. ⅔ required. (284–135.)	Yes.
566	do	H.R. 11104. A bill to provide for a temporary increase of $13,000,000,000 in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974. On amendment to reduce the increase of the debt limit by $2,300,000,000. (263.147.)	Yes.
567	do	H.R. 11104. On amendment to make the increase in the debt ceiling permanent. (253–153.)	Yes.
570	Nov. 8	H.R. 9142. A bill to restore, support and maintain modern, efficient rail service in the northeast region of the United States, to designate a system of essential rail lines in the northeast region to provide financial assistance to rail carriers in the northeast region, to improve competitive equity among surface transportation modes, to improve the process of Government regulation, and for other purposes. On amendment concerning limitation on payments and allowances to protected railroad employees and to provide that railroad retirement benefits will be paid in the same manner as under the Railroad Retirement Act. (Failed, 148–245.)	No.
571	do	H.R. 9142. On amendment to define length of time the monthly displacement allowance shall continue for protected employees deprived of employment. (Failed 187–198.)	No.
572	do	H.R. 9142. On passage. (306–82.)	Yes.
574	Nov. 13	S. 1081. A bill to authorize the Secretary of the Interior to grant rights-of-way across Federal lands where the use of such rights-of-way is in the public interest and the applicant for the right-of-way demonstrates the financial and technical capability to use the right-of-way in a manner which will protect the environment. On motion to recommit the conference report with instructions. (Failed, 162–213.)	No.
575	do	S. 1081. On agreeing to the conference report. (361–14.)	Yes.
577	do	H.R. 8619. A bill making appropriations for the Departments of State, Justice, and Commerce, the Judiciary and related agencies for the fiscal year ending June 30, 1974, and for other purposes. On agreeing to the conference report. (394–11.)	Yes.
578	do	H. Con. Res. 378. A resolution providing that when the House adjourns on Thursday, Nov. 15, 1973, it stand adjourned until 12 o'clock meridian, Monday, Nov. 26, 1973. (215–190.)	Yes.
579	do	H.R. 8877. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1974, and for other purposes. On motion to recommit the conference report. (272–139.)	Yes.

Footnotes at end of table.

Roll call No.	Date	Measure, question, result	Vote
581	do	S. 1570. A bill to authorize the President of the United States to allocate crude oil and refined petroleum products to deal with existing or imminent shortages and dislocations in the national distribution system which jeopardize the public health, safety, or welfare; to provide for the delegation of authority to the Secretary of the Interior; and for other purposes. On agreeing to the conference report. (348–46.)	Yes.
582	Nov. 14	H. Res. 128. A resolution expressing the sense of the House of Representatives with respect to actions by Members convicted of certain crimes. On agreeing to the resolution. (388–18.)	Yes.
585	do	H.R. 11459. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes. On passage. (366–29.)	Yes.
587	Nov. 15	H. Res. 702. A resolution providing funds for the Committee on the Judiciary. On amendment to reduce total amount of investigative funding by $500,000. (230–182.)	Yes.
588	do	H. Res. 702. On ordering the previous question. (233–186.)	Yes.
589	do	H. Res. 702. Recorded vote on motion to recommit the resolution with instructions. (Failed, 190–227.)	No.
590	do	H. Res. 702. On agreeing to the amendment. (367–151.)	Yes.
591	do	H.R. 11333. A bill to provide a 7 percent increase in social security benefits beginning with March 1974 and an additional 4 percent increase beginning with June 1974, to provide increases in supplemental security income benefits, and for other purposes. On amendment to strike out the "hold-harmless" provision of the bill under SSI. (246–163.)	Yes. Yes.
592	do	H.R. 11333. On passage. (391–20.)	Yes.
594	Nov. 26	H.R. 11238. A bill to amend the act of March 16, 1926—relating to the Board of Public Welfare in the District of Columbia—to provide for an improved system of adoption of children in the District of Columbia, and for other purposes. On passage. (350–0.)	
595	Nov. 27	H.R. 7446. A bill to establish the American Revolution Bicentennial Administration, and for other purposes. On agreeing to the conference report. (357–34.)	Yes.
597	do	H.R. 11324. A bill to provide for daylight saving time on a year-round basis for a 2-year trial period. On passage. (311–88.)	Yes.
599	Nov. 28	H.R. 11010. A bill to assure opportunities for employment and training to unemployed and underemployed persons. On amendment to reduce from 100,000 to 50,000 population level required for a unit of local government to be a prime sponsor of public service programs. (248–149.)	Yes.
600	do	H.R. 11010. On amendment to permit local units of government which in combination equaled 50,000 population to qualify as prime sponsors of public service programs. (260–140.)	Yes.
601	do	H.R. 11010. On amendment to increase by $500,000,000 the funds for manpower training. (Failed 107–292.)	No.
602	do	H.R. 11010. On passage. (369–31.)	Yes.
603	Nov. 29	H. Res. 721. A resolution disagreeing to the Senate amendments to H.R. 11104, a bill to provide for a temporary increase of $10,700,000,000 in the public debt limit and to extend the period to which this temporary limit applies to June 30, 1974. On agreeing to the resolution. (347–54.)	No.
605	do	H.R. 11575. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes. On amendment to restore $1,250,000 in funds cut from the race relations and equal opportunity programs. (Failed, 178–226.)	Yes.
607	Nov. 30	H.R. 11575. On amendment to remove fixed employment levels between private and naval personnel in shipyard employment. (Failed 170–203.)	Yes.
608	do	H.R. 11575. On amendment to provide that from total appropriations made available in this act, $3,500,000,000 shall be available only from unobligated and unexpended balances available to the Department of Defense. (Failed, 118–250.)	Yes.
609	do	H.R. 11575. On amendment seeking an additional general troop strength reduction of 22,000. (Failed, 160–210.)	Not voting.[3]
610	do	H.R. 11575. On passage. (336–23.)	Not voting—F.[3]
612	do	H.R. 11576. A bill making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes. On amendment to increase funds for vocational rehabilitation. (Failed, 160–164.)	Not voting.[3]
613	do	H.R. 11576. On passage. (295–8.)	Do.[3]
615	Dec. 3	S. 1191. A bill to provide financial assistance for a demonstration program for the prevention, identification, and treatment of child abuse and neglect, to establish a National Center on Child Abuse and Neglect, and for other purposes. On motion to suspend the rules and pass. ⅔ required. (354–36.)	Do.[3]
616	do	H.R. 11710. A bill to insure that the compensation and other emoluments attached to the Office of Attorney General are those which were in effect on Jan. 1, 1969, to amend title 39, United States Code, to clarify the proper use of the franking privilege by Members of Congress, and for other purposes, as amended. On motion to suspend the rules and pass. ⅔ required. (261–129.)	Do.
617	do	H.R. 9437. A bill to amend the International Travel Act of 1961 to authorize appropriations for fiscal years 1974, 1975, and 1976, as amended. On motion to suspend the rules and pass. ⅔ required. (272–120.)	Do.
620	Dec. 4	S. 1443. A bill to authorize the furnishing of defense articles and services to foreign countries and international organizations. On agreeing to the conference report. (120–193.)	No.
621	do	H. Con. Res. 173. A concurrent resolution relating to congressional support of the U.S. fishing industry as amended. On motion to suspend the rules and pass. ⅔ required. (405–0).	Yes.
622	Dec. 5	H.R. 8877. A bill making appropriations for the Department of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1974. On agreeing to the conference report. (371–33.)	Yes.
623	do	H.R. 8877. On amendment limiting Presidential impoundments. (263–140.)	No.
624	do	H.R. 7130. A bill to amend the rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, to provide for a legislative budget director and staff. On amendment to change the date by which all authorization bills must be acted upon. (Failed, 106–300.)	No.
625	do	H.R. 7130. On amendment to establish procedures to evaluate Federal programs. (Failed, 185–218.)	No.
626	do	H.R. 7130. On amendment to require reviews on period of authorization of new budget authority for major outlay programs. (Failed, 192–217.)	No.
627	do	H.R. 7130. On amendment to provide that all appropriations bills go to the President at the same time. (Failed, 117–289.)	Yes.
628	do	H.R. 7130. On amendment to strike out title II of the committee amendment in the nature of a substitute. (Failed, 108–295.)	No.
629	do	H.R. 7130. On amendment to provide for a concurrent resolution disapproving of a Presidential impoundment. (Failed, 186–221.)	No.
630	do	H.R. 7130. On amendment delaying effective date of anti-impoundment provisions until Oct. 1, 1975. (Failed, 185–221.)	No.
631	do	H.R. 7130. On passage. (386–23.)	Yes.
634	do	H. Res. 735. A resolution confirming the nomination of Gerald R. Ford, of the State of Michigan, to be Vice President of the United States. On agreeing to the resolution. (387–35.)	Yes.
635	Dec. 7	H.R. 11459. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974. On agreeing to the conference report. (329–40.)	Yes.
637	do	H.R. 9107. A bill to provide increases in certain annuities payable under chapter 83 of title 5, United States Code. On passage. (270–95.)	Yes.
643	Dec. 11	H.R. 10710. A bill to promote the development of an open, nondiscriminatory, and fair world economic system, to stimulate the economic growth of the United States. On amendment to deny loans, credits, and guarantees to nonmarket countries denying freedom of emigration. (319–80.)	Yes.
644	do	H.R. 10710. On amendment to strike title IV. (Failed, 106–298.)	No.
645	do	H.R. 10710. On passage. (272–140.)	No.
646	do	H.R. 11088. A bill to provide emergency security assistance authorizations for Israel and Cambodia. On amendment providing for funds authorized under this act shall be applicable to support of the implementation of U.N. Security Council Res. 242. (Failed, 82–334.)	No.
647	do	H.R. 11088. On passage. (364–52.)	Yes.
650	do	H.R. 11771. A bill making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1974. On amendments to delete funds for and prohibit aid to Chile. (Failed, 102–304.)	Yes.
651	do	H.R. 11771. On amendment to reduce by $100,000,000 emergency military assistance funds for Cambodia. (Failed, 147–256.)	Yes.
652	do	H.R. 11771. On amendment prohibiting obligation or expenditure of funds under this paragraph for the use or benefit of any nonmarket economy country. (Failed, 134–266.)	No.
653	do	H.R. 11771. On passage. (219–180.)	No.
658	Dec. 12	H.R. 11450. A bill to direct the President to take action to assure, through energy conservation, rationing, and other means, that the essential energy needs of the United States are met. On amendment concerning energy conservation plan provisions for transportation controls or such other restrictions on the public or private use of energy. (Failed, 152–256.)	No.
659	do	H.R. 11450. On amendment to strengthen and clarify antitrust provisions of the bill. (286–112.)	Yes.
661	Dec. 13	H.R. 11450. On amendment to remove coal from the windfall profits section of the bill. (256–155.)	Yes.
662	do	H.R. 11450. On amendment prohibiting allocation of petroleum products to any person if the product so allocated will be used for the transportation of any public school student farther than the public school closest to his home offering educational courses for the grade level and course of study of the student within the boundaries of the school attendance district wherein the student resides. (221–192.)	No.
663	do	H.R. 11450. On motion to limit debate. (Failed, 58–351)	No.
664	do	H.R. 11450. On amendment to redefine windfall profits. (Failed, 188–213).	No.
665	do	H.R. 11450. On amendment to relax emission control standards under the bill. (199–180.)	Yes.
667	Dec. 14	H.R. 11450. On amendment to strike sec. 114 the antitrust exemptions on retail business voluntary agreements. (Failed, 170–223.)	Yes.
668	do	H.R. 11450. On amendment to delay by 3 yr the effective date for emission controls. (Failed, 180–210.)	Yes.
669	do	H.R. 11450. On amendment to remove from energy controls school busing that was voluntarily enforced into by a school board or appropriate school authority. (Failed, 185–202.)	Yes.
670	do	H.R. 11450. On motion to limit debate. (197–196.)	Yes.
671	do	H.R. 11450. On motion to strike enacting clause. (Failed, 56–335.)	No.
672	do	H.R. 11450. On amendment to limit Government purchase of more than 30 percent of fuel inefficient vehicles. (299–89.)	Yes.
673	do	H.R. 11450. On amendment concerning subsec. (9)(a) on p. 36 dealing with 1st sale of crude oil or petroleum condensates produced from any lease within the United States. (Failed, 189–194.)	Yes.

Footnote at end of table.

CONGRESSMAN WAYNE OWENS' VOTING RECORD, 1ST SESS., 93D CONG., 1973—Continued

Roll call No.	Date	Measure, question, result	Vote
674	Dec. 14	H.R. 11450. On amendment that under sec. 105, energy conservation plans submitted pursuant to section shall include proposal to provide for federally sponsored incentives for the use of public transportation and Federal subsidies to maintain or reduce existing fares and additional expenses incurred because of increased services. (197–184.)	Yes.
675	do	H.R. 11450. On motion that the committee rise. (Failed, 104–280.)	No.
676	do	H.R. 11450. On amendment concerning authorizing President to make grants to States to provide assistance to any individual unemployed as a result of administration or enforcement of this act. (311–73.)	Yes.
677	do	H.R. 11450. On amendment to prevent discrimination against businesses which operate at hours other than 9 to 5, Monday through Friday. (301.60.)	Yes.
678	do	H.R. 11450. On amendment to include marine activities within the category of agriculture. (332–19.)	Yes.
679	do	H.R. 11450. On amendment prohibiting exportation of coal, petroleum products, or petrochemical feedstocks if either Secretary of Commerce or of Labor certifies that such exports would contribute to unemployment in the United States. (327–27.)	Yes.
680	do	H.R. 11450. On amendment that nothing in this act shall affect the naval petroleum reserves or any other Federal land under the jurisdiction of the Department of the Defense. (Failed, 174–202.)	No.
681	do	H.R. 11450. On amendment to exempt certain oil producers from the "windfall profits" provisions. (Failed, 140–226.)	Yes.
682	do	H.R. 11450. On amendment to adding subsection: The Interstate Commerce Commission shall by expedited proceedings adopt appropriate rules under the Interstate Commerce Act which will contribute to conserving energy by eliminating discrimination against the shipment of recycled materials in rate structures and other Commission practices. (349–8.)	Yes.
683	do	H.R. 11450. On motion that the committee rise. (Failed, 86–290.)	No.
684	do	H.R. 11450. On amendment to limit exportation of crude oil, residual fuel oil or refined petroleum product unless the President, by order, after considering evidence submitted by the person desiring to export approves such export upon a finding that such export will in no way contribute to any shortages of any such oil or product within the United States. (Failed, 152–205.)	Yes.
685	do	H.R. 11450. On amendment suspending requirement of emission controls on automobiles until Jan. 1, 1976, or the day on which the President declares that shortage of petroleum is at an end. (Failed, 170–205.)	Yes.
686	do	H.R. 11450. On amendment prohibiting petroleum exports for military operations in Indochina. (201–172.)	Yes.
687	do	H.R. 11450. On amendment prohibiting petroleum exports for military operations in South Israel. (Failed, 50–230.)	No.
688	do	H.R. 11450. On motion to recommit. (Failed, 173–205.)	No.
689	do	H.R. 11450. On passage. (265–112.)	Yes.
692	Dec. 17	S. 1435. An act to provide an elected mayor and city council for the District of Columbia. On motion to recommit the conference report. (Failed, 80–259.)	No.
693	do	S. 1435. On agreeing to the conference report. (272–74.)	Yes.
694	do	S. J. Res. 180. A joint resolution relative to the convening of the 2d sess. of the 93d Congress. On motion to suspend the rules and pass. ⅔ required. (263–91.)	No.
695	do	S. 2482. An act to amend the Small Business Act, as amended. On motion to suspend the rules and pass. ⅔ required. (339–21.)	No.
697	Dec. 18	H.R. 9256. A bill to increase the contribution of the Government to the cost of health benefits for the Federal employees. On agreeing to the conference report. (307–82.)	Yes.
698	do	H. Res. 746. A resolution authorizing the Speaker to entertain motions to suspend the rules on Wednesday, Dec. 19, 1973, and for the balance of that week. On agreeing to the resolution. (284–101.)	Yes.
699	do	S. 2166. An act to authorize the disposal of opium from the national stockpile, as amended. ⅔ required. (270–122.)	No.
700	do	S. 2316. An act to authorize the disposal of copper from the national stockpile and the supplemental stockpile, as amended. On motion to suspend the rules and pass. ⅔ required. (315–73.)	No.
701	do	H.R. 11714. A bill to provide for the development of improved design, lighting, insulation, and architectural standards to promote efficient use in residential, commercial, and industrial buildings. As amended. On motion to suspend the rules and pass. ⅔ required. (Failed, 230–160.)	Yes.
702	do	H.R. 11763. A bill to amend the National Visitor Center Facilities Act of 1968, as amended, to facilitate the construction of an intercity bus terminal. On motion to suspend the rules and pass. ⅔ required. (356–18.)	Yes.
704	Dec. 19	H.R. 11576. A bill making supplemental appropriations for the fiscal year ending June 30, 1974. On motion to recommit with instructions the conference report. (216–180.)	No.
706	do	H.R. 11510. A bill to reorganize and consolidate certain functions of the Federal Government in the New Energy Research and Development Administration and in a Nuclear Energy Commission in order to promote more efficient management of such functions. On amendment to add 1 additional assistant administrator designated for energy conservation. (Failed, 112–271.)	Yes.
707	do	H.R. 11510. On passage. (355–25.)	Yes.
709	Dec. 20	S. 1559. An act to provide financial assistance to enable State and local governments to assume responsibilities for job training and community services. On motion to recommit the conference report. (Failed, 93–264.)	No.
710	do	S. 1559. On agreeing to the conference report. (330–33.)	Yes.
711	do	H.R. 11575. A bill making appropriations for the Defense Department for the fiscal year ending June 30, 1974. On motion to recommit the conference report. (Failed, 88–280.)	No.
712	do	S. 11575. On agreeing to the conference report. (336–32)	Yes.
713	do	H.R. 11771. A bill making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1974. On agreeing to the conference report. (216–149.)	No.
714	do	S. 1983. An act to provide for the conservat on, protection, and propagation of species or subspecies of fish and wildlife that are threatened with extinction or likely within the foreseeable future to become threatened with extinction. On agreeing to the conference report. (335–4.)	Yes.
715	do	H. Res. 754. A resolution to take from the Speakers table the bill (H.R. 6186) to amend the District of Columbia Revenue Act of 1947 regarding taxability of dividends received by a corporation from insurance companies, banks, and other savings institutions, with Senate amendments thereto, and agree to the Senate amendments. On motion to suspend the rules and agree. ⅔ required. (319–26.)	Yes.
716	do	H.R. 9142. A bill to restore, support and maintain modern efficient rail service in the Northeast Region of the United States to designate a system of essential rail lines in the Northeast Region, to provide financial assistance to rail carriers in the Northeast Region, to improve competitive equity among surface transportation modes, and to improve the process of Government regulation. On agreeing to the conference report. (284–59.)	Yes.
717	do	H.R. 11576. A bill making supplemental appropriations for fiscal year ending June 30, 1974. On agreeing to the conference report. (329–10.)	Yes.
719	Dec. 21	H.R. 11333. A bill to provide a 7-percent increase in Social Security benefits beginning with March 1974, and an additional 4-percent increase beginning with June 1974, to provide increases in supplemental security income benefits, and for other purposes, with the Senate amendment thereto, and to concur in the Senate amendment. On concurring in the Senate amendment. (301–13.)	Yes.
720	do	H. Res. 759. A resolution to take from the Speakers table the Senate bill S. 921, to amend the Wild and Scenic Rivers Act, with a Senate amendment (S. 2589) to the House amendment thereto, and agree to the Senate amendment to the House amendment with an amendment (H.R. 11228—Energy bill with windfall profits provision. On ordering a second. ⅔ required. Failed, 148–13.)	Yes.
721	do	H. Res. 759. On motion to suspend the rules and agree. (169–95.)	Yes.
723	do	H. Res. 761. A resolution to take from the Speaker's table the Senate bill S. 921, to amend the Wild Scenic Rivers Act with a Senate amendment (S. 2589) to the House amendment thereto, and agree to the Senate amendment. On motion to suspend the rules and agree. ⅔ required. (Failed, 36–228.)	No.
724	do	H. Con. Res. 411. A concurrent resolution providing for the adjournment sine die of the 1st session of the 93d Congress. On agreeing to the resolution. (Failed, 74–171.)	No.
725	Dec. 22	On motion to adjourn. (Failed, 39–160.)	No.

[1] Not voting, paired against.

[2] In district.