

Corps Reserve for temporary appointment to the grade of brigadier general:

Alan T. Wood
Hugh W. Hardy

The following-named officers of the Marine Corps for temporary appointment to the grade of major general:

Kenneth J. Houghton James R. Jones
Frank C. Lang Charles D. Mize
Robert D. Bohn Norman W. Gourley
Edward J. Miller

The following-named officers of the Marine Corps for temporary appointment to the grade of brigadier general:

Nolan J. Beat Noah C. New
Edward A. Parnell Harold L. Coffman
Thurman Owens Maurice C. Ashley,
Edward B. Meyer Junior
William J. White

IN THE AIR FORCE

Air Force nominations beginning Omar R. Adame, to be lieutenant colonel, and ending

Thomas F. Lowry, to be lieutenant colonel, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 1973.

IN THE ARMY

Army nominations beginning Laverne H. Dahl, to be lieutenant colonel, Regular Army, and colonel, Army of the United States, and ending Michael A. Richardson, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 1973.

Army nominations beginning Joseph V. Brady, to be colonel, and ending Alberto W. Tio, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 15, 1973.

Army nominations beginning Sara E. Baumcom, to be captain, and ending Walter M. Zoller, to be second lieutenant, which nomi-

nations were received by the Senate and appeared in the Congressional Record on March 12, 1973.

Army nominations beginning Richard L. Absher, to be lieutenant colonel, and ending Armie K. Gruenewald, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on March 13, 1973.

IN THE DIPLOMATIC AND FOREIGN SERVICE

Diplomatic and Foreign Service nominations beginning Robert O. Blake, to be a career minister, and ending John E. Reinhardt, to be a career minister for information, and beginning John Eaves, Jr., to be a consular officer of the United States of America, and ending M. Patricia Wazer, to be a consular officer of the United States of America, which nomination list was received by the Senate and appeared in the Congressional Record on March 13, 1973.

HOUSE OF REPRESENTATIVES—Monday, March 26, 1973

The House met at 12 o'clock noon.

The Very Reverend Vasil Kendysh, Byelorussian Autocephalic Orthodox Church, Highland Park, N.J., offered the following prayer:

In the name of the Father, and the Son, and the Holy Spirit.

Almighty Father, Thou art our Creator, Teacher, and Judge. We beseech Thee, free us of all human weakness and guide us in every step of our life on a rightful path.

Eternal God, bless this august House of Representatives of the United States of America. Strengthen the minds of its Members with wisdom, fortify their hearts with love, and their deeds with courage and justice.

Merciful God, we pray Thee on this 55th anniversary of the Proclamation of Independence of Byelorussia, have mercy upon her people. Strengthen their faith in Thy infinite goodness, support them in their sufferings, restore their freedom.

O God, accept this humble prayer of ours, bless the United States of America. Bless Byelorussia and her oppressed people. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 3298. An act to restore the rural water and sewer grant program under the Consolidated Farm and Rural Development Act.

The message also announced that the Vice President, pursuant to section 123 (a), Public Law 91-605, appointed Mr. RANDOLPH to the Commission on Highway Beautification in lieu of Mr. BAYH.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C., March 22, 1973.

Hon. CARL ALBERT,

The Speaker, House of Representatives.

DEAR SIR: On this date I have been served a Summons and Complaint by the United States Marshal that was issued by the U.S. District Court for the District of Columbia. The summons and complaint are in connection with Robert L. Mauro v. W. Pat Jennings, Clerk of the U.S. House of Representatives, and Francis Valeo, Secretary of the U.S. Senate, Civil Action No. 447-73 (U.S.D.C. D. D.C.). I have also received this date by certified mail (987602) the Plaintiff's Application for a three judge court to hear this action.

The Summons requires an answer to the Complaint within sixty days after service.

It is my purpose to inform you that I intend to make arrangements for my defense as provided for the Officers of the U.S. House of Representatives under 2 U.S.C. 118.

The Summons, Complaint and Plaintiff's Application in question are herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

SUMMONS

[U.S. District Court for the District of Columbia, Civil Action File No. 447-73]

(Robert L. Mauro, Plaintiff, v. W. Pat Jennings, Clerk of the U.S. House of Representatives; Francis R. Valeo, Secretary of the U.S. Senate, Defendants)

To the above named Defendant: W. Pat Jennings, Clerk of the U.S. House of Representatives.

You are hereby summoned and required to serve upon Robert L. Mauro, plaintiff, whose address is 20 Lippincott Avenue, Long Branch, N.J., an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JAMES F. DAVEY,

Clerk of Court.

MARY B. DEAVERS,

Deputy Clerk.

Date: March 7, 1973.

[U.S. District Court, District of Columbia, Civil No. —]

COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

(Robert L. Mauro, Plaintiff, v. W. Pat Jennings, Clerk of the U.S. House of Representatives, and Francis R. Valeo, Secretary of the U.S. Senate, Defendants)

Plaintiff Robert L. Mauro files this complaint under the Federal Declaratory Judgment Act, 28 U.S.C. Section 2201, and the Administrative Procedure Act, 5 U.S.C.A. Section 2201, stating that the bases for jurisdiction are that the matter in controversy arises under the Constitution and laws of the United States, diversity of citizenship exists, and the civil rights guaranteed to plaintiff under the Constitution and laws of the United States, particularly under Article XIV are being infringed.

Plaintiff petitions for a three judge court to hear the within complaint.

Plaintiff Robert L. Mauro, a citizen of the United States, and of the State of New Jersey, residing at 20 Lippincott Avenue, in the City of Long Branch, State of New Jersey, by way of complaint against the defendant W. Pat Jennings in his official capacity as Clerk of the U.S. House of Representatives, and whose office is at Room H-105, Capitol Building, Washington, District of Columbia, and the defendant Francis R. Valeo, in his official capacity as Secretary of the U.S. Senate, said defendant's office being in Room S-221, Capitol Building, Washington, District of Columbia, alleges that:

FIRST COUNT

1. Defendant W. Pat Jennings is the Clerk of the U.S. House of Representatives, and defendant Francis R. Valeo is the Secretary of the U.S. Senate.

2. Among the official duties of the aforesaid defendants are the receipt of official communications to the U.S. House of Representatives and the U.S. Senate, the defendant W. Pat Jennings having these duties in regard to the U.S. House of Representatives, and the defendant Francis R. Valeo having these duties in regard to the U.S. Senate. In addition, the defendants W. Pat Jennings and Francis R. Valeo, have among their duties the custody of said communications, and the reporting of same on the official calendars and journals of the U.S. House of Representatives and the U.S. Senate, respectively.

3. Among the official communications which the defendants W. Pat Jennings and Francis R. Valeo and their predecessors receive, keep or oversee the keeping of, and report to the bodies of which they are Clerk

and Secretary respectively, are applications from States Legislatures to Congress to call a convention for proposing amendments to the U.S. Constitution, pursuant to Article V of the U.S. Constitution.

4. Article V of the U.S. Constitution, Amendments to the Constitution—How Made, requires in part that "The Congress . . . on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the Legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress . . ."

5. Over two-thirds (over 34 of 50) of the State Legislatures of the several states have, pursuant to Article V, made application to Congress to call a convention for proposing amendments to the U.S. Constitution, among the States being the following:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.

6. The membership of the U.S. House of Representatives and the U.S. Senate is subject to change every two years, in whole or in part, and the present Congress has not, to the best knowledge and belief of the plaintiff, received an official report on the calendar from either the defendant W. Pat Jennings or the defendant Francis R. Valeo as to the fact that more than two-thirds of the State Legislatures have made applications to Congress to call a convention for proposing amendments to the U.S. Constitution pursuant to Article V of the Constitution.

7. Plaintiff has a right under the Constitution and laws of the United States to have the provisions of Article V of the U.S. Constitution adhered to, and his constitutional and civil rights are infringed upon when the fact that two-thirds of the State Legislatures have submitted applications to Congress to call a convention for proposing amendments to the U.S. Constitution is not officially reported to the Congress (the U.S. House of Representatives and the U.S. Senate) by the defendants W. Pat Jennings, Clerk of the U.S. House of Representatives, and Francis R. Valeo, Secretary of the U.S. Senate, so that the U.S. House of Representatives and the U.S. Senate may be officially apprised that the prerequisite of Article V's mandate to call a convention, the filing of applications by two-thirds of the states, has been satisfied.

Wherefore, plaintiff prays as follows:

1) For a Declaratory Judgment that two-thirds of the State Legislatures have made applications to Congress to call a convention for proposing amendments to the U.S. Constitution within the meaning of Article V of the Constitution.

2) For an injunction directing defendants W. Pat Jennings, Clerk of the U.S. House of Representatives, and Francis R. Valeo, Secretary of the U.S. Senate, to officially report for the calendar or to place on the Calendar of the U.S. House of Representatives and the U.S. Senate respectively, that two-thirds of the State Legislatures have, pursuant to Article V of the Constitution, made application to Congress to call a convention for proposing amendments to the Constitution.

3) For such other relief as the Court may deem just and proper in the present case.

ROBERT L. MAURO,
Plaintiff.

STATE OF NEW JERSEY,
County of Monmouth, SS:

Robert L. Mauro, of full age being duly sworn according to law, upon his oath deposes and says:

1. I am the plaintiff in the within action, and am a citizen of the United States and of the State of New Jersey, residing at 20 Lippincott Avenue, Long Branch, New Jersey.

2. I have read the complaint and its allegations are true to the best of my knowledge and belief.

ROBERT L. MAURO.

Sworn to and subscribed before me this 5th day of March, 1973.

MIRIAM T. BONFORTE,
Notary Public of New Jersey.

U.S. District Court, District of Columbia,
Civil No. 447-73

APPLICATION FOR THREE JUDGE COURT
(Robert L. Mauro, Plaintiff, v. W. Pat Jennings, Clerk of the U.S. House of Representatives, and Francis R. Valeo, Secretary of the U.S. Senate, Defendants)

Plaintiff Robert L. Mauro hereby makes application for a three judge court to hear the within action.

ROBERT L. MAURO,
Plaintiff.

WASHINGTON, D.C.,
March 22, 1973.

Hon. HAROLD H. TITUS, Jr.,
U.S. Attorney for the District of Columbia,
Washington, D.C.

DEAR MR. TITUS: I am sending you a certified copy of a summons and complaint in a Civil Action No. 447-73 (U.S.D.C. D. D.C.) filed against W. Pat Jennings, Clerk, U.S. House of Representatives and Francis Valeo, Secretary of the U.S. Senate in the United States District Court for the District of Columbia and served upon me in my official capacity as Clerk of the House of Representatives by a U.S. Marshal on this date. I have also received this date by certified mail (987602) the Plaintiff's Application for a three judge court to hear this action and am attaching a certified copy of the Application.

In accordance with Title 2, U.S. Code, Sec. 118, I respectfully request that you take appropriate action, as deemed necessary, under the "supervision and direction of the Attorney General" of the United States in defense of this suit against The Congress of the United States.

I am also sending you a copy of the letter that I forwarded this date to the Attorney General of the United States.

With kindest regards, I am

Sincerely,
W. PAT JENNINGS,
Clerk, House of Representatives.

WASHINGTON, D.C.,
March 22, 1973.

Hon. RICHARD G. KLEINDIENST,
Attorney General of the United States, Department of Justice, Washington, D.C.

DEAR MR. KLEINDIENST: I was this day served with the attached copy of a Summons and Complaint by the United States Marshall that was issued by the U.S. District Court for the District of Columbia. The summons and complaint are in connection with Robert L. Mauro v. W. Pat Jennings, Clerk of the U.S. House of Representatives, and Francis Valeo, Secretary of the U.S. Senate, Civil Action No. 447-73 (U.S.D.C. D. D.C.). I have also received this date by certified mail (987602) the Plaintiff's Application for a three judge court to hear this action.

In accordance with the provisions of 2 USC 118, I have sent certified copies of the summons, complaint and application in this action to the U.S. Attorney for the District of Columbia requesting that he take appropriate action under the supervision and direction of the Attorney General. I am also sending

you a copy of the letter I forwarded this date to the U.S. Attorney.

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

BYELORUSSIAN INDEPENDENCE

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

Mr. PATTEN. Mr. Speaker, another year has passed since I last addressed the House about Byelorussia. It is sad to say that we are not any nearer to seeing the people of Byelorussia obtain their freedom.

Here was a land so full of promise; here were a people so full of hope. Now each day brings them closer to being completely dominated by the Soviet Union as to not exist at all.

Byelorussia was formed by hardy people who took an active part in the world about them. It became a crossroads in commerce between Eastern and Western Europe. Gathering new ideas from both areas, Byelorussia was soon an artistic and cultural center in its own right. But others were jealous of Byelorussia's achievements, and she had to continually fight off outsiders. Finally, the Russians conquered her. The Byelorussians tried every chance they could to break the chains of Russian rule. Finally, after World War I, they succeeded. On March 25, 1918, 55 years ago yesterday, the Byelorussian Democratic Republic was established. A constitution was set up which guaranteed the following freedoms: direct and secret ballot open to all, freedom of speech, press, and assembly; national and cultural autonomy of all minorities; an 8-hour workday, and the right to strike. Truly the Byelorussians wanted to be free and independent.

Freedom was shortlived in Byelorussia, however, as the Red army once more came sweeping through. Since then the Byelorussian people have been subjected to oppression, terror, deportations, and an almost overwhelming program of russification. Still the Byelorussian spirit clings to hope, and they have faith that someday they will be free again.

Mr. Speaker, 55 years of servitude have failed to destroy the Byelorussian spirit, and it should be an inspiration to all of us who live in a free society. I urge my colleagues to do all they can to work for the freedom of Byelorussia so that the ideals we all share might be allowed to flourish again in this tiny nation.

THE 1973 JOINT ECONOMIC COMMITTEE REPORT

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

Mr. O'NEILL. Mr. Speaker, today, the distinguished chairman of the Joint Economic Committee and dean of the House, Hon. WRIGHT PATMAN, has filed the annual report of the Joint Economic Committee. This report is submitted each year in accordance with the requirements of the Employment Act.

I want to take this opportunity to commend this report to my colleagues in the House. It is a sharp and realistic exposure of the mismanagement of our economy by the administration. Let me allude briefly to some of the findings by this committee, which is made up of distinguished and able Members of both Houses.

While the administration claims that inflation will be held to 2½-percent rate in 1973, the facts are that we are in the midst of a runaway inflation that destabilizes our economy and our financial markets and threatens to bring about another recession.

The administration congratulates itself for the partial recovery from the low point that they got us into but totally ignores the tragic fact that the recession should never have taken place and that it cost the United States about \$180 billion in lost output.

Typical of mismanagement is the incredible seesawing on stabilization policy. After steadfastly ignoring the need for a wage-price policy, for 2½ years, the administration made a 180-degree turn and pushed the country into an overnight freeze followed by a partially effective program. Then, when things showed some improvement toward the latter half of the year, they abruptly switched course again and adopted a totally ineffective phase III program. The result is that our living costs are going up at a frightening rate and there is a great loss of confidence both at home and abroad in the capability of the administration to manage the economic affairs of the Nation.

Nowhere in the President's economic program is there any believable proposal for achieving full employment. Evidently, the White House is little troubled by the notion that many Americans are out of work who might very well be gainfully employed to their own advantage and to the advantage of the Nation.

The administration has proposed a budget which ignores the urgent needs of our social sector while proposing substantial increases in military outlays—in spite of the fact that we have achieved a cease-fire in Vietnam.

As the report indicates, the administration's economic program offers no constructive agenda for the Congress or the American people. In addition to the defects that I have touched upon it fails to increase low- and middle-income housing; to provide adequate mortgage financing at reasonable rates; to reduce the great inequities in our tax system. It offers no proposals for reforming our costly and inequitable welfare system, a situation that was ably documented by another Joint Economic Committee report issued today under the leadership of MARTHA GRIFFITHS, the able chairwoman of the Joint Economic Committee's Fiscal Policy Subcommittee.

It cuts back on programs that would reduce poverty and offers no solutions for the deficiencies and rigidities that exist in our economy.

This is a most welcome document to those of us who are confronted daily with the grim realization that we must do the job here. The administration has failed and is failing to handle the job. It is up

to us to decide the priorities in our Federal programs. It is up to us to decide on the stabilization measures needed. It is up to us to reform the tax programs. It is up to us to reverse the drastic scuttling of our poverty programs and resume the course of equitable, decent, and humane public policy.

REPORT OF JOINT ECONOMIC COMMITTEE

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

Mr. PATMAN. Mr. Speaker, I filed with the Congress today the 1973 Joint Economic Report of the Joint Economic Committee. The committee is required by Public Law 304 to file a report on the President's economic policy and to make recommendations to the Congress by March 1. However, due to the late filing of the President's Economic Report this year, House Joint Resolution 299 extended the committee's filing date to March 31.

I commend to my colleagues the findings of our report. Given the resurgence of inflationary pressures and the possibility of a credit crunch later this year, our economic prospects toward the end of 1973 are highly uncertain. The Joint Economic Committee recommends a comprehensive policy to keep the economy on a course of economic growth with relative price stability that will reduce unemployment to 4 percent within 12 months.

A responsible fiscal policy that can be achieved with a budget ceiling of approximately \$268 billion should be accompanied by a monetary policy that accommodates continued growth and maintains or lowers current interest rates. The committee urges the Congress to reorder priorities within the budget ceiling as the spending mix proposed by the administration is totally unacceptable and ignores many of our most pressing human needs. We also recommend a more vigorous price-incomes policy. The recent inflation well in excess of a 6-percent annual rate is evidence that phase III has been an utter failure. The budget and incomes policy issues will be before the Congress in the immediate future and the analysis of the committee should be valuable to us.

The report, in addition to the majority recommendations, also contains supplementary views, minority views, and joint views on international economic policy.

INDIAN SELF-DETERMINATION ACT OF 1973

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

Mr. MEEDS. Mr. Speaker, I am introducing today four bills designed for the better administration of Indian affairs, improved tribal government and economic progress, and greater participation of Indians in planning their own future.

The four bills are the "Indian Self-Determination Act of 1973" expanding

and facilitating the authority of Indian tribes to contract for BIA and Indian health services and programs; the "Indian Counsel Authority" proposed to increase the protection of Indian trust assets and eliminate conflicts of interest within the U.S. administration of Indian affairs; a bill to create an Assistant Secretary of the Interior for Indian Affairs; and a bill to amend or repeal inhibiting laws governing Indian affairs.

These bills are, in large part, adopted from the Indian legislative proposals submitted by the administration by executive communication of March 15. My four bills reach six of the seven areas covered by the administration's proposals. However, I have found it necessary to make several substantive changes in the proposals to make them conform to Indian requests and to better implement the oft-stated administration goal of Indian self-determination. In fact, my self-determination bill stands in lieu of three of the administration proposals which either fall short of the necessary tribal flexibility or endanger tribal stability.

I have introduced these bills primarily because the concept and intent of the proposals are good and is, in part, responsive to Indian-identified solutions to Indian problems and needs. As I said, I have made changes where appropriate and necessary. I will not, as yet, introduce a major important proposal expanding credit opportunities for Indians as I am not satisfied with many aspects of that administration proposal.

I also feel it necessary to introduce the legislation to gage the sincerity and will of the administration in moving forward with a sound, progressive Indian program. In a press conference of March 16 announcing the administration proposals, Under Secretary of the Interior John C. Whitaker stated that, had these bills been introduced and acted upon, the Wounded Knee seizure just might have been averted. He stated that—

We need congressional action—not inconclusive hearings or an expression of sentiment at a press conference.

I sincerely hope that Mr. Whitaker and this administration do not view these proposals, whatever their value, as a panacea for the problems which beset Indians. It is clear that they will not solve all of the problems which Indians experience. It is unfortunate that Mr. Whitaker should take that position. As he becomes more familiar with Indians and their problems, he will find that there is ample blame for the administration and the Congress—past and present—to share for the mismanagement of Indian affairs extending over 100 years.

To attempt to make this a political issue is a serious mistake. These are extremely difficult problems that will necessitate bipartisan efforts in the Congress and cooperation—not recrimination—from the administration. Little is served by political rhetoric or "an expression of sentiment at a press conference."

I want to assure the Members of the House and the Indian people that the Subcommittee on Indian Affairs intends to take aggressive action on these proposals and on the many other problem

areas in Indian affairs. I hope that the administration, having offered the proposals, will cooperate in arriving at the enactment of sound legislation and not forget the proposals. There follows the text of the first bill:

H.R. 6106

A bill to provide for the creation of the Indian Trust Counsel Authority, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in reaffirming the trust and treaty relationship between the United States of America and the American Indians, and between the United States and the Alaska Natives, which Indians and Natives are hereinafter referred to as "Indians", the purpose of this Act is to establish an Indian Trust Counsel Authority to provide independent legal counsel and representation for the preservation and protection of the natural resource rights of Indians.

SEC. 2. (a) The Indian Trust Counsel Authority, hereinafter referred to as the Authority, is established as an independent agency in the Executive Branch.

(b) The Authority shall be governed by a Board of Directors composed of three members to be appointed by the President by and with the advice and consent of the Senate.

(c) At least two of the members of the Board of Directors shall be Indians.

(d) The terms of office of members of the Board of Directors shall be four years, except that, of the first three members appointed, one shall be appointed for a two-year term, one shall be appointed for a three-year term, and one shall be appointed for a four-year term. A member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Upon the expiration of his term of office, a member shall serve until his successor has been appointed and qualified. A member of the Board of Directors may be removed by the President only for inefficiency, neglect of duty, or malfeasance in office.

(e) The President shall designate one of the Directors to serve as Chairman at his pleasure.

(f) The members of the Board of Directors shall receive pay at the daily equivalent of one rate provided for grade GS-18 in section 5332 of title 5, United States Code, for each day they are engaged in the business of the Authority, and shall be allowed travel expenses, including a per diem allowance as authorized by section 5703 of title 5, United States Code, in connection with their services for the Authority.

SEC. 3. The Board of Directors shall convene at the call of the Chairman, but must convene at least once each quarter, to set policy for the Authority and review its activities. The Board of Directors shall report to the President and the Congress annually on the activities of the Authority.

SEC. 4. The Board of Directors shall, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint and prescribe the duties of a chief legal officer for the Authority, who shall have the title of Indian Trust Counsel, and who shall be paid at a rate equal to that provided for in level V of the Executive Schedule (5 U.S.C. 5316), and a Deputy Indian Trust Counsel, who shall be paid at a rate not in excess of that provided for grade GS-18 in section 5332 of title 5, United States Code.

SEC. 5. (a) The Board of Directors shall appoint, fix the pay of, and prescribe the duties of such attorneys as it deems necessary after consulting with the Indian Trust Counsel.

(b) The Board of Directors shall appoint

and fix the compensation of such special counsel and experts as it deems necessary.

(c) Attorneys and special counsel appointed under this section may, at the direction of the Authority, appear for or represent the Authority in any case in any court, before any commission, or in any administrative proceeding.

(d) The Board of Directors may, in the event of a conflict between parties requesting the assistance of or the representation of the Authority under the provisions of section 8 or 9 hereof, hire special counsel or experts to assist or represent one or all of the parties.

SEC. 6. The Board of Directors shall, subject to the provisions of title 5, United States Code, appoint such employees as it deems necessary in exercising its powers and duties.

SEC. 7. The Authority, in the exercise of its functions, shall be free from control by any Executive Department.

SEC. 8. The Authority, with the consent of an aggrieved Indian, Indian tribe, band or other identifiable group of Indians, is authorized to render legal services in regard to rights or claims of the Indians to natural resources, including, but not limited to, rights to land, rights to the use of water, timber, and minerals, and rights to hunt or fish, within the United States' trust responsibility owing to the Indians, which services are now rendered by the Department of the Interior or by the Department of Justice, but nothing in this Act shall absolve the Department of the Interior and the Department of Justice of their responsibilities to the Indians, including those which derive from the trust relationship and any treaties between the United States and any Indian or Indian tribe: *Provided*, That the Department of Justice as of the effective date of this Act or as soon thereafter as practicable, is relieved of its responsibility to represent Indians or Indian tribes with regard to their rights or claims to natural resources, including, but not limited to, rights to land, rights to the use of water, timber, and minerals, and rights to hunt and fish. The legal services performed pursuant to this section may include, but shall not be limited to, the investigation and inventorying of Indians' land and water rights, and the preparation and trial and appeal of cases in all courts, before Federal, State, and local commissions, and in all administrative proceedings.

SEC. 9. The Authority, with the consent of an aggrieved Indian, Indian tribe, band or other identifiable group of Indians, acting in the name of the United States as trustee for the Indians, may initiate and prosecute to judgment in all courts of the United States suits against the United States, its officers and employees, and in all courts of the United States and of the States, suits against any of the States, their subdivisions, departments and agencies, or against persons and corporations, public or private, all actions in law and equity for the protection, preservation, utilization, conservation, adjudication or administration of natural resources or interests therein had or claimed by the Indians, including, but not limited to, rights to land, rights to the use of water, timber, and minerals, and rights to fish and hunt. The Authority is authorized to prosecute appeals in all courts of the United States and of the States, and to intervene in any Federal, State, or local administrative proceeding in order to protect the rights of the Indians. The United States waives its sovereign immunity from suit in connection with litigation initiated by the Authority under this section. Any suit against the United States, its officers, and employees shall be tried to the court without a jury.

SEC. 10. The powers granted to the Authority by this Act shall not extend to the filing or prosecution of or intervention in any action, claim, or other proceeding against the United States relating to any matter as

to which a claim has been filed or could have been filed under the Indian Claims Commission Act of 1946, as amended, or any other special statute authorizing a claims suit to be brought by Indians against the United States but shall extend to section 1346(a)(2) and 1491 of title 18, United States Code: *Provided, however*, That the Authority may assist any Indian tribe requesting such assistance in its claim pending before the Indian Claims Commission.

SEC. 11. The Authority is authorized to:

(1) Make such rules and regulations as it deems necessary to carry out its functions.

(2) Request from any department, agency, or independent instrumentality of the Government any information, personnel, services, or materials it deems necessary to carry out its functions under this Act; and each such department, agency or instrumentality is authorized to cooperate with the Authority and to comply with a request to the extent permitted by law, on a reimbursable or non-reimbursable basis.

(3) Receive and use funds or services donated by others.

(4) Make such expenditures or grants, either directly or by contract, as may be necessary to carry out its responsibilities under this Act.

SEC. 12. There are authorized to be appropriated to the Authority created herein such sums as may be necessary to carry out the provisions of this Act.

The Indian Trust Counsel Authority bill will establish an independent agency in the executive branch with three directors, two of whom would be Indian, appointed by the President with the advice and consent of the Senate. The Board of Directors would appoint a Trust Counsel, Deputy, and such other attorneys and special counsel necessary to carry out its functions. It would be free of control of any executive department.

Section 8 provides that the Authority, at the request of the Indian or Indian tribe, is authorized to provide the broadest range of legal service and representation with respect to Indian claims or rights to natural resources within the trust responsibility. Neither Justice nor Interior would be absolved of its trust responsibility to Indians except that Justice would no longer be required to represent Indians in natural resource cases.

Section 9 authorizes the Authority, in the name of the United States as trustee, to sue any party, including the United States, to protect the trust interest of the Indians and to appeal or intervene in any such case. The sovereign immunity of the United States would be waived for the purposes of the section.

Section 10 prohibits the Authority from representing Indians in claims before the Indian Claims Commission except that it could provide certain incidental assistance in this regard.

While there are provisions of the bill which have met with Indian objections or questions which may require amendment, the concept has received wide Indian support.

The text of the second bill follows:

H.R. 6103

A bill to promote maximum Indian participation in the government of the Indian people; to provide for the full participation of Indian tribes in certain programs and services conducted by the Federal Government for Indians and to encourage the development of the human resources of the Indian people; and for other purposes *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 "Indian Self-Determination Act of 1973".

CONGRESSIONAL FINDINGS

SEC. 2. The Congress, after careful review of the Federal Government's historical and special legal relationship with, and resulting responsibilities to, American Indian people, finds that—

(1) the prolonged Federal domination of Indian service programs has served to retard rather than enhance the progress of Indian people and their communities by depriving Indians of the full opportunity to develop leadership skills crucial to the realization of self-government, and it has denied to the Indian people an effective voice in the planning and implementing of programs for the benefit of Indians which are responsive to the true needs of Indian communities; and

(2) the Indian people will never surrender their desire to control their relationships both among themselves and with non-Indian governments, organizations and persons.

DECLARATION OF POLICY

SEC. 3. (a) The Congress hereby recognizes the obligation of the United States to respond to the strong expression of the Indian people for self-determination through maximum involvement and participation in, and direction of, Federal services to Indian communities which are more responsive to the needs and desires of those communities.

(b) The Congress declares its commitment to the maintenance of the Federal Government's unique and continuing relationship with and responsibility to the Indian people through establishment of a meaningful Indian self-determination policy which will permit an orderly transition from Federal domination of programs for and services to Indians to effective and meaningful participation of the Indian people in the planning, conduct, and administration of those programs and services.

DEFINITIONS

SEC. 4. For the purposes of this Act, the term—

(a) "Indian" means an Indian, Eskimo, or Aleut person who is a member of a tribe, band, nation or community, including any Alaska Native Community as defined in the Alaska Native Claims Settlement Act, for which the Federal Government provides special programs and services because of their identity as Indians:

(b) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native community as defined in the Alaska Native Claims Settlement Act, for which the Federal Government provides special programs and services because of its Indian identity; and

(c) "tribal organization" means the elected governing body of any Indian tribe or any legally established organization of Indians which is controlled by one or more such bodies or which is controlled by a board of directors elected or selected by one or more such bodies (or elected by the Indian population to be served by such organization). Such an organization shall include the maximum participation of Indians in all phases of its activities.

CONTRACTS BY THE SECRETARY OF THE INTERIOR

SEC. 5. The Secretary of the Interior is authorized, in his discretion and upon the request of any Indian tribe, to enter into a contract or contracts with any tribal organization of any such Indian tribe to plan, conduct, and administer programs, or portions, thereof, provided for in the Act of April 16, 1934 (48 Stat. 596), as amended and any other program or portion thereof which the Secretary of the Interior is authorized to administer for the benefit of Indians under

the Act of November 2, 1921 (42 Stat. 208), and any Act subsequent thereto.

CONTRACTS BY THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

SEC. 6. The Secretary of Health, Education, and Welfare is authorized, in his discretion and upon the request of any Indian tribe, to enter into a contract or contracts with any tribal organization of any such Indian tribe to carry out any or all of his functions, authorities, and responsibilities under the Act of August 5, 1954 (68 Stat. 674), as amended.

GRANTS TO INDIAN TRIBAL ORGANIZATIONS

SEC. 7. The Secretaries of the Interior and of Health, Education, and Welfare are each authorized, upon the request of any Indian tribe, to make a grant or grants to any tribal organization of any such Indian tribe for planning, training, evaluation, and other activities specifically designed to make it possible for such tribal organization to enter into a contract or contracts pursuant to section 5 and 6 of this Act.

DETAIL OF PERSONNEL

SEC. 8. (a) The Secretaries of the Interior and of Health, Education, and Welfare are each authorized, upon the request of any tribal organization, to detail any civil service employee serving under a career or career-conditional appointment for a period of up to one hundred and eighty days to such tribal organization for the purpose of assisting such tribal organization in the planning, conduct, or administration of programs under contracts or grants made pursuant to section 5, 6, or 7 of this Act. The appropriate Secretary may, upon a showing by a tribal organization of a continuing need for an employee detailed pursuant to this section, extend such detail for a period not to exceed ninety days.

(b) The Act of August 5, 1954 (68 Stat. 674), as amended, is further amended by adding a new section 8 after section 7 of the Act, as follows:

"SEC. 8. In accordance with subsection (d) of section 214 of the Public Health Service Act (58 Stat. 690), as amended, upon the request of any Indian tribe, band, group, or community, personnel of the Service may be detailed by the Secretary for the purpose of assisting such Indian tribe, group, band, or community in carrying out the provisions of contracts with, or grants to, tribal organizations pursuant to sections 5, 6, or 7 of the Indian Self-Determination Act of 1973: *Provided*, That the cost of detailing such personnel is taken into account in determining the amount to be paid to such tribal organization under such contract or grant, and that the Secretary shall modify such contract or grant pursuant to subsection (c) of section 9 of the Indian Self-Determination Act of 1973 to effect the provisions of this section."

(c) Paragraph (2) of subsection (a) of section 6 of the Military Selective Service Act of 1967 (81 Stat. 100), as amended, is amended by inserting after the words "Environmental Science Services Administration" the words "or who are assigned to assist Indian tribes, groups, bands, or communities pursuant to the Act of August 5, 1954 (68 Stat. 674), as amended."

ADMINISTRATIVE PROVISIONS

SEC. 9. (a) Contracts with tribal organizations pursuant to sections 5 and 6 of this Act shall be in accordance with all Federal contracting laws and regulations except that, in the discretion of the appropriate Secretary, such contracts may be negotiated without advertising and need not conform with the provisions of the Act of August 24, 1935 (49 Stat. 793), as amended.

(b) Payments of any grants or under any contracts pursuant to sections 5, 6, or 7 of this Act may be made in advance or by way of reimbursement and in such install-

ments and on such conditions as the appropriate Secretary deems necessary to carry out the purposes of this Act.

(c) Notwithstanding any provision of law to the contrary, the appropriate Secretary may, at the request or with the consent of a tribal organization, revise or amend any contract or grant made by him pursuant to section 5, 6, or 7 of this Act with such organization as he finds necessary to carry out the purposes of this Act.

(d) The appropriate Secretary may, in his discretion, enter into contracts pursuant to section 5 and 6 of this Act with tribal organizations, by negotiation, without advertising, for the construction or repair of buildings, roads, sidewalks, sewers, mains, or similar items: *Provided*, That nothing in this Act shall be construed as authorizing or requiring a tribal organization to enter into an agreement, directly or indirectly, with a non-Indian party for the construction of buildings, roads, sidewalks, sewers, mains, or similar items without compliance with requirements of advertising and competitive bidding if the same would have been required had the agreement with the non-Indian party been entered into directly by the United States.

(e) In connection with any contract or grant made pursuant to section 5, 6, or 7 of this Act, the appropriate Secretary may permit a tribal organization to utilize, in carrying out such contract or grant, existing school buildings, hospitals, and other facilities and all equipment therein or appertaining thereto and other personal property owned by the Government within his jurisdiction under such terms and conditions as may be agreed upon for their use and maintenance.

SEC. 10. The Secretaries of the Interior and of Health, Education, and Welfare are each authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying out the provisions of this Act.

SEC. 11. (a) The appropriate Secretary shall promulgate regulations relative to this Act no later than six months from the date of enactment of this Act.

(b) No later than sixty days prior to the promulgation of such regulations, the appropriate Secretary shall publish the proposed regulations in the Federal Register. No later than thirty days prior to the promulgation of such regulations, the appropriate Secretary shall provide, with adequate public notice, the opportunity for hearings on the proposed regulations, once published, to all interested persons.

SEC. 12. Nothing in this Act shall be construed as authorizing or requiring the termination of any existing trust responsibility of the United States with respect to the Indian people.

The Indian Self-Determination Act authorizes the Secretary of the Interior to contract with Indian tribes and organizations to carry out his functions and authorities under the Johnson-O'Malley Act, the Snyder Act, and any subsequent acts. The Secretary of HEW is similarly authorized to contract his Indian health functions to Indian tribes and organizations.

The bill also provides for grants to such organizations to aid them in planning and implementing such contracts. It authorizes the detail of certain BIA and IHS personnel, including commissioned PHS personnel, to such organizations for up to 270 days; provides for limited exemption of such contracts from certain Federal contracting laws which might prove too restrictive on Indian contractors; authorizes such contractor to use

Federal buildings, facilities, equipment, and personal property in carrying out the contract, and has a saving clause with respect to the continuation of the trust responsibility.

In testimony last year by Indian witnesses on the administration's "assumption and local control" proposal, it was apparent that the Indian people felt that this was another radical swing of the pendulum in Indian affairs without affording them the opportunity of experience in the middle ground. To them, Federal Indian policy seems to swing from rank paternalism to cruel termination. On the other hand, the proposed amendment of the Johnson-O'Malley Act does not go far enough. My proposal will provide this badly needed interim experience in Indian control of Indian programs.

The text of the third bill follows:

H.R. 6104

A bill to amend certain laws relating to Indians

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person owning or having in his charge or possession any horses, mules, burros, cattle, goats, sheep, or swine and who permits, drives, or otherwise conveys such livestock to range and feed on any trust or restricted land of any Indian or Indian tribe without the consent of said Indian or Indian tribe or otherwise to trespass thereon, shall be liable to a penalty of \$5 per day for each animal in trespass, together with the reasonable value of the forage consumed during the period of trespass and any cost of gathering, handling, and caring for said livestock and cost of collecting the amount due under the authority of this section. Any livestock trespassing on any trust or restricted land may be impounded by the Secretary of the Interior. Notice of the impoundment shall be given as prescribed by regulation of the Secretary. Any animals impounded may be claimed by the owner within the time specified in the notice, upon payment of \$5 per day for each animal impounded, the reasonable value of the forage consumed, and other costs allowed under authority of this section. An animal not so claimed shall be sold and net proceeds thereof, after payment of all necessary expenses and costs and the deduction of the \$5 per day penalty and forage charge, shall be paid to the owner if claim and proof of ownership satisfactory to the Secretary are submitted within six months after the date of sale. The \$5 per day penalty and forage charge, and the net proceeds of the sale if not paid to the owner of the animal, shall be deposited in the Treasury of the United States to the credit of the tribe, if tribal land is involved, or paid to the individual Indian owners, if individually owned land is involved. Any unbranded livestock over one year of age found running at large on trust or restricted land may be presumed to be in trespass and shall be subject to the provisions of this section.

Sec. 2. Indian tribal governments may enact laws and ordinances relating to the issuance of traders' licenses on their particular reservations. When a tribe has enacted such laws and ordinances, if it is so provided therein, the following Federal statutes relating to traders' licenses shall be inoperative as to that particular reservation: section 5 of the Act of August 15, 1876 (19 Stat. 200; 25 U.S.C. 261); section 1 of the Act of March 3, 1901, and section 10 of the Act of March 3, 1903 (31 Stat. 1066; 32 Stat. 1009; 25 U.S.C. 262); section 2132 of the Revised Statutes (25 U.S.C. 263, section 3 of the Act of June 30, 1834 (4 Stat. 729)); section 2133 of the Revised Statutes (25 U.S.C. 264, section 4 of

the Act of June 30, 1834 (4 Stat. 729)), except that no business transaction, property or use of property shall be subject to taxation by virtue of this provision or by any tribe's laws or ordinances making Federal statutes relating to traders' licenses inoperative on its particular reservation.

Sec. 3. The following statutes or parts of statutes are hereby repealed:

(1) Section 2117 of the Revised Statutes, as amended, (25 U.S.C. 179).

(2) Section 2078 of the Revised Statutes (25 U.S.C. 68) and section 14 of the Act of June 30, 1834 (4 Stat. 734).

(3) Section 437 of title 18, United States Code, (62 Stat. 703).

(4) The Act of June 19, 1939 (ch. 210, 53 Stat. 840) (25 U.S.C. 68a, 87a).

The bill "to amend certain laws relating to Indians" is offered to eliminate some of the day-to-day irritations and complaints of the Indian people on the reservation and to transfer authority from the Federal Government to the tribal government.

Section 1 reforms the 1902 Federal law prohibiting and penalizing livestock trespass on Indian lands which has proven inadequate to control this problem. It increases the penalty for livestock trespass from \$1 per day per head to \$5 per day per head; imposes forage charges and other costs; authorizes impoundment and sale of such animals if not claimed, and disposition of the proceeds.

It is interesting to note, in view of the administration's policy of Indian self-determination, that the power of consent to such trespass is placed with the Secretary of the Interior in the administration's bill while the obsolete 1902 law placed it in the aggrieved Indian tribe's hands. My bill restores this power to the Indians.

Section 2 authorizes tribal governments to enact their own laws or ordinances regulating trading on Indian reservations. In the event of such tribal regulation, Federal laws licensing traders on Indian reservations are suspended and made inoperative on that particular reservation with the proviso that such suspension will not affect the tax status of Indians on the reservation.

Section 3 repeals certain obsolete laws regulating trade between Indians and Federal employees. While this is generally desirable, paragraph (3) of that section repeals a law prohibiting a Federal employee from having an interest in government or Indian contracts on behalf of Indians. I intend to examine that very closely.

The text of the fourth bill follows:

H.R. 6105

A bill to establish within the Department of the Interior the position of Assistant Secretary of the Interior for Indian Affairs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be hereafter in the Department of the Interior, in addition to the Assistant Secretaries now provided for by law, an Assistant Secretary of the Interior for Indian Affairs, who shall be appointed by the President by and with the advice and consent of the Senate, who shall be responsible for such duties as the Secretary of the Interior shall prescribe, and who shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of the Interior.

"Sec. 2. Section 5315, title 5, United States Code, is amended by striking the figure "(6)" at the end of item (18) and by inserting in lieu thereof the figure "(7)".

"Sec. 3. Section 1, title 25, United States Code (4 Stat. 564), is hereby repealed.

The Assistant Secretary legislation would create an additional Secretary of the Interior for Indian Affairs and abolish the position of Commissioner of Indian Affairs. Although the executive communication transmitting this proposal indicates that the duties of the new Assistant Secretary would be limited to Indian affairs, their proposed bill does not make this statutory.

We are eliminating a position whose sole responsibility and identity is Indian affairs. Indian witnesses have stressed the need to make this a matter of law to avoid the possibility that this position will become the catchall of miscellaneous functions within Interior. If the administration can make such a statement in their communication, they should have no objection to making it a matter of law. I have so proposed.

Mr. Speaker, with the appropriate revisions I have recommended and with my intent to hold comprehensive hearings on these proposals soon, I offer them for introduction and urge enactment.

INTENSIVE FOREST MANAGEMENT

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

Mr. WYATT. Mr. Speaker, intensive forest management is the key, not only to increasing U.S. timber production, but also to improving the forest environment for wildlife habitat, hunting, fishing, camping, and every conceivable form of forest recreation.

It is often easiest to define a term by saying what it is not. Intensive forest management is not a method of stripping our forests of their trees. Nor is it a concept which excludes all activities other than tree harvesting.

Lack of forest management implies letting the life cycle of a tree take its course, leaving the trees to the elements, to resist age, insects, disease, rot, wind, and fire and then to die wastefully, neglected, and unutilized.

Intensive management is one of the crowning achievements of the science of forestry. Many of its methods are those of the gardener. Weak and inferior trees are thinned to let in the sunlight and remove competition for harder specimens. Seedlings are planted and given the benefit of fertilizers and chemical protection from forest pests. Genetic selection insures that only the hardiest and fastest growing species populate the new forest.

Intensive management also means that when a tree is harvested another is planted immediately to take its place and that the new growth is properly spaced to maximize the growth of wood fiber. When all methods of intensive management are properly applied, the result can be three to five times the production of wood fiber possible in an unmanaged forest.

We need intensive management on every acre of land capable of sustaining commercial forests.

SALUTE TO VPI, NIT CHAMPIONS

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

Mr. WAMPLER. Mr. Speaker, I want to call the attention of my colleagues to the wonderful victory enjoyed by the basketball team from my alma mater, the Virginia Polytechnic Institute and State University, Blacksburg, Va.

Yesterday, in tense and exciting overtime play, Virginia Tech defeated Notre Dame by one point, to win the National Invitational Tournament. This is the first national championship ever to be won by Virginia Tech in any sport.

Congratulations are in order for Coach Don DeVoe and the entire team. Their execution of the game was brilliant. They were good sports from start to finish, and showed remarkable persistence and discipline.

You can well imagine the sense of pride all Virginians feel in this great victory won through the proper application of skill and dogged determination. They have brought distinction in the best American tradition to Virginia Polytechnic Institute and State University. I salute them.

CRIMINAL CODE REFORM ACT OF 1973

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

Mr. HUTCHINSON. Mr. Speaker, last Thursday I introduced with 14 cosponsors H.R. 6046, the Criminal Code Reform Act of 1973, prepared by the Department of Justice to revise the Federal criminal code. This bill had its origin in Public Law 89-801 wherein Congress created the National Commission on Reform of Federal Criminal Laws to review the existing criminal code and make recommendations for its reform.

Following the report of the National Commission on January 7, 1971, the President instructed the Department of Justice to make an independent evaluation of the Commission's recommendations, analyze the existing criminal code, and thereafter prepare appropriate legislation encompassing comprehensive reform of Federal crime laws. The present bill is the result of that effort, over more than 2 years, by a team of experienced attorneys.

The bill is in three titles. Title I contains the essence of the bill. It consists of three parts setting forth, first, general principles of criminal law, second, a description of offenses and defenses, and third, sentencing. Among the innovations made by this title the foremost is the approach to the treatment of Federal jurisdiction.

Instead of including the facts establishing such jurisdiction as an essential element of an offense, as does present law, the bill defines the offense in terms

of the culpable misconduct alone, while listing separately the circumstances giving rise to Federal jurisdiction. This approach, similar to the one recommended by the National Commission, is designed to enable the factfinder to concentrate on the alleged criminal conduct, for example, fraud, without having simultaneously to consider whether that conduct involved a use of some Federal instrumentality, such as the mails or an interstate wire facility, so as to give the Federal court jurisdiction. That question would be determined independently.

The bill also makes basic changes in the pattern of existing law by defining, for the first time, certain general defenses to alleged criminal activity and by replacing the current crazy-quilt of sentences and fines with a system whereby offenses are classified for purposes of imprisonment and fines into nine categories. Titles II and III of the bill primarily contain technical provisions as to conforming amendments, severability, and effective date, but title II also includes some substantive sections with respect to sanity of the defendant, parole, and juvenile delinquency.

Mr. Speaker, the need for a thorough overhaul of the Federal penal code is, as a result of the National Commission's groundbreaking and valuable work, commonly recognized as beyond dispute. I am, therefore, pleased to have introduced H.R. 6046 as a means of furthering the Congress' long overdue consideration of that subject. Of course, by introducing this bill I do not intend to convey my concurrence in all or any specific part thereof. Indeed, it is too early for such a final appraisal which must come only at the end of extensive hearings, consideration and debate. Nonetheless the bill does represent a solid springboard from which to begin our labors and I urge the Judiciary Committee to commence holding hearings with regard to the bill as soon as possible.

THE NUECES RIVER PROJECT

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

Mr. DE LA GARZA. Mr. Speaker, the 15th Congressional District of Texas has serious water problems, some of which would be solved by the Nueces River project, which has been determined to be a feasible way of providing municipal and industrial water to the Coastal Bend area.

When the Bureau of Reclamation issued its feasibility report two alternate sites were presented for the project's major storage structure. One is identified as the Choke Canyon Dam and Reservoir, the other as the R & M Dam and Reservoir.

Extensive studies have shown Choke Canyon to be the more economically feasible in meeting the area's water needs. This project would be located on the Frio River, a tributary of the Nueces, about 70 miles north of Corpus Christi. It would consist of the dam and reservoir with associated recreation and sport facilities. The reservoir, extending upstream about 34 miles, would have a controlled

capacity of 700,000 acre-feet and a surface area of 26,000 acres.

The State of Texas has found the Nueces River project, with Choke Canyon Dam and Reservoir as the storage and regulatory facilities, to be feasible and in the public interest. The city of Corpus Christi supports the project with Choke River Dam and Reservoir.

In view of these facts, I have introduced a bill with my colleagues, Representatives JOHN YOUNG and ABRAHAM KAZEN, authorizing the Bureau of Reclamation to construct, operate, and maintain this project. I am requesting the chairman of the Interior and Insular Affairs Committee to hold on-site hearings on the Choke Canyon project.

Mr. Speaker, it is my hope that we can move forward expeditiously on this project, so vitally important to a growing section of south Texas.

COMPOSITION OF COMMITTEE ON BANKING AND CURRENCY

Mr. O'NEILL. Mr. Speaker, I offer a resolution (H. Res. 324) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 324

Resolved, That during the remainder of the Ninety-third Congress, the Committee on Banking and Currency shall be composed of forty members.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO AMEND SECTION 14(B) OF THE FEDERAL RESERVE ACT

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

Mr. WIDNALL. Mr. Speaker, I have introduced today a bill H.R. 6092 to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

The proposed legislation would extend for an additional 2 years, from June 30, 1973 to June 30, 1975, the temporary authority under which Federal Reserve banks may purchase public debt obligations directly from the Treasury in an amount not to exceed \$5 billion outstanding at any one time. The present direct purchase authority was enacted during World War II and has since been extended from time to time on a temporary basis. The last extension was in 1971 and the authority will expire on June 30, 1973.

The authority has been used in recent years only in periods just prior to tax payment dates. Its existence permits the Department to operate with considerably lower cash balances than would otherwise be required. The authority was utilized once in both 1971 and 1972. The availability of the direct purchase au-

thority is also important as a standby means of providing a ready source of funds in the event of a disruption in the private financial markets due to a serious national emergency or a nuclear attack on the United States. The attached table demonstrates that the authority has been sparingly used in the past.

DIRECT BORROWING FROM FEDERAL RESERVE BANKS
1942 THROUGH 1972

Calendar year	Days used	Maximum amount at any time (millions)	Number of separate times used	Maximum number of days used at any 1 time
1942	19	\$422	4	6
1943	48	1,320	4	28
1944	(1)			
1945	9	484	2	7
1946	(1)			
1947	(1)			
1948	(1)			
1949	2	220	1	2
1950	2	180	2	1
1951	4	320	2	2
1952	30	811	4	9
1953	29	1,172	2	20
1954	15	424	2	13
1955	(1)			
1956	(1)			
1957	(1)			
1958	2	207	1	2
1959	(1)			
1960	(1)			
1961	(1)			
1962	(1)			
1963	(1)			
1964	(1)			
1965	(1)			
1966	3	169	1	3
1967	7	153	3	3
1968	8	596	3	6
1969	21	1,102	2	12
1970	(1)			
1971	9	610	1	9
1972	1	38	1	1

¹ None.

HELP FOR PREPARATION OF TAX RETURNS

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

Mr. RANDALL. Mr. Speaker, we are nearing the season when the preparation of income tax returns will occupy the time of a lot of our constituents and will try the patience of millions of American taxpayers.

In performing this tedious chore, our citizens have always in the past—and I am sure they will this year—cheerfully accept what we in America know as a unique institution, it is the American system of self-assessment for the taxes due the Federal Government.

However, in recent years more and more taxpayers—and the count is now up to 36 million—have felt the need to have to pay someone to complete their tax returns.

This situation arises from two roots. First, over the years it seems our tax forms have become terribly complex, defying the complete or accurate understanding of our ordinary taxpayers.

Then, second, taxpayer assistance as far as the Internal Revenue Service is concerned, is, in the over-all, just token or very minimal in nature. It does not even begin to meet the needs of the average taxpayer.

I point especially to the situation in non-urban or the rural areas of this country.

If I may digress for a moment I will mention one instance where in the past there was a part time Internal Revenue agent assigned to one county. Taxpayers would come to seek assistance from the two or three adjoining counties. Now this year the IRS agent will show up for a short period of time, but those seeking help travel further from more removed areas. As a result of this lack or failure of assistance by the Department, there is a whole new industry that has sprung up across this country to fill the void or meet the demand for assistance in tax return preparation.

We do have a complicated tax situation at the Federal level consisting of baffling sets of forms, and when one couples that with inadequate taxpayer assistance, my conclusion is that these factors hit hardest at those who can least afford it, and that means the low- and low-middle income taxpayers and pensioners, and some very small business people in the rural areas—and especially those taxpayers who live in the small towns of America.

In the 92d Congress the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations held 3 days of hearings at that time on a bill, H.R. 7590, which had two purposes: One, to require additional emphasis be placed on taxpayer assistance by the Internal Revenue Service; and, two, to propose the issuance of regulations to govern the army—and I use that word advisedly—army of commercial tax preparers that have grown and grown because of these complex tax laws and our difficult tax-reporting system. I do not know what the reason may be for their failure or omission but there has been no report as requested from the Internal Revenue Service. There was no departmental report submitted on H.R. 7590 prior to adjournment last year.

At the conclusion of the hearings last year the Treasury Department, recognizing the need for corrective action, advised that the problems concerning tax-return preparers were under study and that draft legislation was being prepared. Bear in mind, this is the Internal Revenue Service's own conclusion.

Many months elapsed in the last Congress and so far, nearly 3 months this year, without a report from IRS. Another tax season has rolled around, and still the promised specific legislative draft has not been received. Obviously then taxpayers this year must meet their deadlines again while the Department does nothing more than study the matter.

Today, now, we still have no relief in the form of better taxpayer assistance. Actually, we have less help from the Internal Revenue Service than we had last year.

Meanwhile there exists this army of tax preparers that I spoke of a moment ago. Bear in mind they are not all bad, but on the other hand there are a lot of them that are unscrupulous. Many of these so-called or self-styled "tax experts," are incompetent. Then too there is plenty of evidence to indicate there are some illegal practices. Such practices reflect unfavorably upon the careful and competent tax preparers and

accountants who are reputable and ethical.

So today, Mr. Speaker, as Chairman of the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, for myself, and on behalf of our ranking member, the gentleman from Florida (Mr. FASCELL) the gentleman from Rhode Island (Mr. ST GERMAIN) the gentleman from Michigan (Mr. CONYERS) the gentleman from Virginia (Mr. PARRIS) and the gentleman from California (Mr. HINSHAW)—all of whom are members of the Legal and Monetary Affairs Subcommittee—I am reintroducing what was the substance of H.R. 7590 of the 92d Congress. We have no illusions. We recognize that our step today is but a minimal first step, but we trust that it may get the Treasury Department off of dead center and that it may move in the direction of some affirmative action.

Certainly our committee is sensitive to the needs felt by the average American taxpayer for some assistance from a Government agency that continues to unload on them these more and more complex tax forms each year, which is exactly what will be happening between now and April 15. We view this bill as a vehicle from which we can start discussions that will lead to a fair and workable recommendation to eliminate some of the unqualified and unscrupulous tax preparers from our midst.

I hope our subcommittee will begin deliberations on these matters and achieve some favorable results before another tax season arrives.

THE 55TH ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

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

Mr. KEMP. Mr. Speaker, yesterday, March 25, marked the 55th anniversary of the declaration of national independence by the people of Byelorussia.

The history of Byelorussia statehood goes back to the ninth century when several Slav tribes founded independent principalities on the territory of what is now Byelorussia. In the 13th century a unification of lands took place around the cities of Navahrudak and Vilnia and a powerful new state, the Grand Duchy of Litva—Lithuania—was created.

The Grand Duchy introduced the ideas and works of the Renaissance to the area and became a cultural and artistic center of Eastern Europe. In 1517, Dr. Francisak Skaryna translated and published the Bible, making Byelorussia the third people, after Germans and Czechs, to have a printed Bible in their native tongue.

From the 13th to the 18th century, the people of Byelorussia endured severe trials to preserve their precious independence. In 1795, the growing state of Russia forcibly annexed all Byelorussia and subjected the newly conquered land to intense russification. The struggle for independence continued, however, and during Napoleon's Russian campaign Byelorussia was temporarily proclaimed

a sovereign state under its former name, Litva.

Anti-Russian uprisings occurred again in 1830 and from 1863 to 1870. The weakened state of the Russian regime during the First World War provided the Byelorussian people with the long awaited opportunity to achieve independence and self-determination.

In December, 1917, the All-Byelorussian Congress met in the city of Miensk and on March 25, 1918, proclaimed the Byelorussian Democratic Republic. A provisional constitution was adopted which provided for: direct and secret ballot open to all; freedom of speech, press, and assembly; national and cultural autonomy of all minorities; an 8-hour workday, and the right to strike.

More than a dozen states accorded de jure recognition to the independence of the Byelorussian Democratic Republic and legations and consulates were set up in several capitols.

Unfortunately, the people of Byelorussia were not to enjoy their new found freedom long. The Russians once again invaded the Nation and by overwhelming force subjugated Byelorussia.

In 1944, in Miensk, a Second All-Byelorussian congress was convened and reaffirmed the desire of the Byelorussian people for independence and freedom.

The proud history of Byelorussia clearly demonstrates that all efforts to eradicate Byelorussian nationalism and the search of her people for self-determination are doomed to failure.

It is fitting that we who live in a nation which has achieved the goals for which the Byelorussian people have fought for so many centuries, should pause on this important anniversary and pay tribute to these brave people. May the hopes and prayers of the Byelorussian people for restoration of liberty for their beloved nation soon be granted.

Mr. Speaker, Dr. Roger Horoshko, president of the Byelorussian-American Association, has provided me with several interesting articles which describe the historic struggles of the Byelorussian people. I include at this time, one of these articles, "The Golden Age of Byelorussian Culture":

THE GOLDEN AGE OF BYELORUSSIAN CULTURE

INTRODUCTION

Byelorussia, a charter member of the United Nations, and today a constituent Republic of the U.S.S.R., is a country of rich cultural and national heritage dating back a thousand years. Soviet Russia is using its "Operation Rewrite" to obscure this fact and in its place promotes its own thesis, namely that only with Soviet help did the Byelorussian people attain their nationhood.

In reality, the political and cultural role that Byelorussia played, especially during the time of its "Golden Age" in the 16th century, had a paramount impact on Eastern Europe. In Byelorussia this was an era characterized by advanced democratic basis of life and by religious and political tolerance hardly found anywhere else in Europe at that time. While most of Europe suffered from the effects of religious fanaticism, from persecutions and from inquisitions, the enlightened atmosphere in Byelorussia permitted Symon Budny, a philosopher, theologian and a disciple of Michael Servetus, to freely preach, publish and to disseminate his religious ideas. This took place at the time when in Geneva, Michael Servetus was

burned at the stake for his "heretic beliefs".

It was this tolerance of all ideas and an almost unlimited freedom of speech, conscience and faith, which led Todar Eulashevski, a Byelorussian writer of the late 16th century, to call that century golden.

Historically Byelorussia was known as Litva and the Byelorussian State as the Grand Duchy of Litva. The name Byelorussia was introduced during the Russian occupation of the Grand Duchy in the 18th and 19th centuries and has since then gradually gained acceptance. Litva should not be confused with the present day Lithuania, which under its historical name of Zhamoyc (Samogitia in Latin), was but a small part of the Grand Duchy to which it was semi-permanently annexed. On several occasions Zhamoyc was traded by the Grand Duchy in return for favorable military settlements.

BYELORUSSIA—THE CROSSROADS OF EAST AND WEST

During the last quarter of the 15th century, the Grand Duchy of Litva attained its maximum territorial expansion, encompassing vast territories from the Baltic to the Black Seas. To the east the boundary reached to within eighty miles of Moscow. Byelorussian lands formed the nucleus of this huge state and Byelorussian people were its masters both politically and culturally.

Simultaneously with the territorial growth of the Grand Duchy, commerce expanded. The rivers Nioman, Dzvina, Dniapro, and various overland trade routes connected Byelorussia with countries of Western and Eastern Europe. Along these routes also came new cultural and spiritual ideas and influences of the Western and Byzantine civilizations. The synthesis of these two cultural elements occurring on the substrata of Byelorussia's own national traditions later became the cultural characteristic of the Byelorussian people.

Cultural ties of Byelorussia with the West were also maintained through the educational opportunities which Byelorussian youth found at the Universities in Prague, in Germany and in Italy. A great number of Byelorussian statesmen, officials and well-to-do citizens used this opportunity to educate their sons, and through them Byelorussia was exposed to a continuous stimulating flow of progressive and bold ideas of the Renaissance and the Reformation.

Especially fruitful contacts with Western Europe were in the arts—painting, architecture, and graphic arts. Churches, castles, palaces and city halls were being built or renovated in the Gothic style, in the styles of the Renaissance and later in the Baroque style. In the 16th century an original Byelorussian building style was developed which combined harmoniously the Gothic and Byzantine forms with local architectural traditions. Excellent examples of this "Byelorussian Gothic" style are the churches in Mazheiki, Synkavichy and Suprasi.

BYELORUSSIAN—AN INTERNATIONAL LANGUAGE

An important prerequisite for the fast pace of development of Byelorussian writing and literature during the "Golden Age", was the high level of development of the Byelorussian literary language attained previously. For centuries the Byelorussian language was not only the language of everyday use and religious writing, but also the official language of the Government of the Grand Duchy of Litva, and not only in Byelorussian lands, but also in all other lands comprising this state.

Byelorussian language was used widely by the Orthodox Church which served 80% of the population of the Grand Duchy. Only in liturgy and other prescribed services was Church-Slavonic retained. The Catholic Church of the Grand Duchy used Byelorussian side-by-side with Latin. Scholars and preachers of the Reformation used Byelorussian language in their writings and publications. In the 16th century, Byelorussian

was also introduced into the Holy Books (Koran) of a small but politically significant Muslim population of the Grand Duchy.

The dominant political and cultural position of the Grand Duchy in Eastern Europe inevitably led to the wide use of Byelorussian language beyond its borders. Trade and peace agreements with other states of Eastern Europe were written in Byelorussian. The great Dukes and Byelorussian language in their correspondence and relations with the rulers of states and regions of Eastern Europe, among them Muscovy (Russia), Great Novgorod, Tver, Pskou, the then German Riga, Poland, Moldavia, Walakhia, and the Tartar Khanates. The rulers of these states, as a rule, replied to Great Dukes of Litva also in Byelorussian.

Latin was the only other language used by the Grand Duchy in diplomacy, and its use was limited to relations with Western Europe.

Thus during the 15th and 16th centuries Byelorussian language played an international role in the diplomatic relations of Eastern Europe similar to that of Latin in the West. For example, when in 1648 a dispute arose between Poland and Moscow concerning the language which was to be used in their diplomatic relations, the settlement came only after they both agreed to return to the established tradition—the use of the Byelorussian language.

AN ADVANCE LEGAL SYSTEM

The ancient democratic traditions of the Byelorussian people and a mass of accumulated legal and judicial records, provided just the right conditions for a high level of development of law in Byelorussia during the "Golden Age."

Codification of law had already begun in the 15th century and 1468 the first compilation of laws of the Grand Duchy, entitled "The Judgement Book," was completed. However, it wasn't until the 16th century that the high level of Byelorussian legal system was reached with the publication of the judicial code of the Grand Duchy known as the "Litouski Statut." The basic principles embodied in this code were deeply rooted in the tradition norms of Byelorussian common law.

Following two handwritten editions of 1529 and 1566, the first printed edition of the "Litouski Statut" appeared in 1588, and because of its completeness became one of the most authoritative judicial codes in Europe. Byelorussia's neighbors, the despotic Moscow and the anarchist-aristocratic Poland did not at that time attain a similar achievement in the legal field.

The chief editor and publisher of the third edition of the "Litouski Statut" was the Chancellor of the Grand Duchy, Leu Sapieha (1577-1633). In all three of its editions, "Litouski Statut" was written in Byelorussian. Later it was translated into Latin, Polish, Russian and German. The "Litouski Statut" remained in use for three centuries, and was used even after the Russian occupation of Byelorussia. It was only in 1839 that the judicially binding force of the code was terminated by Czar Nicholas I and Russian laws were universally imposed.

CHRONOLOGY

Chronology was another field which reflected the vigorous political and national life of the Byelorussian nation. During the 16th century there appeared a large number of new editions of old chronicles as well as a host of new chronicles. The more important chronicles that have survived the turbulent events of history are the chronicles of Bykhavets, of the Great Dukes, of the Dukes of Slutsk, chronicles of Krasinski and Bacynski, and a whole series of lesser local chronicles.

BYELORUSSIAN PRINTING

A very important factor in the development of Byelorussian written "Golden Age"

was the birth of Byelorussian printing at the beginning of the 16th century. The foremost pioneer of Byelorussian printing was a renowned scientist and humanist of his time, Francisak Skaryna (1485-1540). After obtaining his Doctorate in Medicine from the Padua University in Italy, Francisak Skaryna set forth as his main goal the dissemination of knowledge and education among his own people with the aid of printed books, and in the language best understandable to them, that is in his native Byelorussian. In 1517-19 in Prague and later in 1522-25 in Vilna, Skaryna published the books of the Bible in Byelorussian translation. This was the first Bible printed in Eastern Europe and one of the first in the world.

Commentaries and introductions to Skaryna's books were filled with expressions of intense patriotism, love of the common people and with religious tolerance. Historians of printing refer to Skaryna's richly decorated and illustrated books as "slavic *Elsevier*". Skaryna's varied interests and activities, typical of the learned men of Renaissance, left a legacy in many areas of Byelorussian cultural life—in religion, literature, art, linguistics, as well as in printing.

Following in Skaryna's footsteps were such men as Symon Budny, Vasil Ciapinski, Vasil Haraburda, Peter Mscislaviec, brothers Lukas and Kuzma Mamonic, Ryhor Charkievich, and the Orthodox Brotherhood of Vilna. By the end of the "Golden Age" there were over ten publishing houses in Byelorussia. Their books could be found not only throughout Byelorussia, but also in the territories of the southern Slavs and even in Moscow despite the fact that there they were banned and often burned as "heretic".

Printed literature was used extensively by the Byelorussian Reformation movement, forcing the Orthodox and the Catholics into a lively debate in print. Consequently, an extensive religious and polemic literature had been accumulated by the second half of the "Golden Age".

The most prominent representative of the Byelorussian Reformation movement was Symon Budny (1530?-1593), a philosopher and a student of the Bible. Budny, first a Calvinist, and later the leader of Byelorussian Unitarians, was a prolific writer of polemic letters and theological treatises which he wrote in Byelorussian, Polish and Latin, and distributed in Switzerland, England, Prussia, Poland, Hungary, and in Byelorussia. Budny's main work in Byelorussian is a large theological treatise "Katykhyzis" (Niasviz, 1562) which lays down the basis for his reformist ideas and expresses his views on the main social problems of that time.

Among the Orthodox, a notable activist and a reformer of the Orthodox Church of the "Golden Age" was the Metropolitan of the Grand Duchy, Jazep Soltan (Metropolitan in the years 1497-1519). A prolific contributor to Byelorussian Orthodox writing was Archimadrite Starhel Kimbar (1532-1585) of the Suprasl Monastery. The second half of the century marks important literary and editorial activity by Ryhor Charkievich (1505-1572). In 1575 Orthodox books were being printed in Vilna by Peter Mscislaviec. Famous for both their quality and the number of religious books published, were the Vilna publishing houses of Mamonic Brothers and of the Holy Trinity Brotherhood.

EDUCATIONAL AND SECULAR LITERATURE

Along with the general rise of the educational level in Byelorussia, the need for textbooks and reference books also increased. Publishers of religious books of all denominations turned their attention to this need. Special credit goes to the Orthodox Brotherhood in Vilna which published Byelorussian grade school readers, Byelorussian grammar and textbooks, and in 1595 published the first Byelorussian dictionary and lexicon edited by Laurenti Zyzani, an educator, scholar and theologian. Zyzani's Byelo-

rusian grammar later became the primary source material for the Russian grammar of Michael Lomonosov.

In the field of secular literature both Byelorussian and Latin were used. In 1521, during his stay in Rome, Mikola Husouski wrote a poem for Pope Leo X, entitled "The Song of the Zubr". This poem of nearly 2000 stanzas was written with remarkable talent and presents vividly the beauty of Byelorussian wilderness and masterfully describes a relative of the bison-zubr, the king of Byelorussian forests. It further describes all the dangers of hunting the zubr, and clearly reflects poet's love for his country and his views on the major political events of his time. Also in Latin, Michael Litvanus published "The Habits of Tartars, Lithuanians (Byelorussians) and Muscovites (Russians)". In the years 1573-74, Filon Charnabylski of Orsha wrote in Byelorussian his "Vodpisy" (Reports). During the last quarter of the century poet John Radvan "glorified Byelorussian magnates, his benefactors, with his Latin poems. A Diary" describing a wealth of topical and historical events was written in Byelorussian by Todar Eulashewski (1546-1604?).

CONCLUSIONS

This short survey points to a record of remarkable cultural and political achievements of the Byelorussian people and of the Byelorussian State, the Grand Duchy of Lithuania. In the 16th century, this level of accomplishment could not even be approached by Moscow, Poland or any other state in Eastern Europe. This is also the record which Soviet Russia tries to camouflage and falsify, thereby attempting to deny the cultural inheritance and historical achievements of the Byelorussian people. In this connection the change of names from the historical Lithuania to Byelorussia and from the historical Zhamoyc (Samogitia) to Lithuania, contributes to the confusion which the Russians exploit. However, a heritage of this scope and an abundance of documentary evidence from the era of the "Golden Age" still in existence, can not be suppressed either by might or by fraud.

BRINGING FEDERAL SPENDING UNDER CONTROL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 15 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, bringing Federal spending under control is a subject on the mind of every Member of this body. In an arena which thrives on disagreement and the adversary process, for once there is no dispute. We must inject fiscal sanity and fiscal responsibility into the Federal budgetary system.

To reach this goal, we must face a few basic facts. First, we must recognize that the cloud of uncontrolled Federal spending casts its shadow over most if not all of the problems grappled within this Chamber. The state of the Union rests upon the state of the economy which in turn is determined by the state of our Federal budgetary process. Reckless Federal spending effects every citizen of our land every time he or she picks up a paycheck and every time he or she goes to the supermarket or tries to balance the family budget at the end of the month.

We must face the fact that to cure inflation, we must get at the causes of inflation. And the candidate leading the field of probable causes is the unruly Federal budget. We must acknowledge,

just as every American family acknowledges, that there is only so much money to go around. When the income is less than the outgo, expenses have to be cut or an additional source of income has to be found. Put simply, more money spent means more taxes, more inflation, or both.

We must face the fact that for every right there is a responsibility, that the right to spend is coupled inseparably with the responsibility to keep the budget in reasonable balance.

We must realize that the American people want a more efficient, more responsive, less expensive Government. They want, as the President has said, to get the Government off their backs and out of their pockets. And they expect the Congress to exercise the same care with their tax dollars as they exercise with their own family budgets. In fact, the strong feeling of the American people on this subject is probably the greatest cause for optimism in the fight to inject fiscal reason into the Federal budget. We can achieve this goal because we have the people squarely on our side.

Mr. Speaker, I am introducing today a bill which would provide Congress with the tools to set national priorities while at the same time controlling Federal spending. The bill would create a joint committee on the budget. This committee would develop a legislative budget each year, including estimated receipts and expenditures. The budget would recommend a reduction in taxes or in the public debt if estimated receipts exceed expenditures in any fiscal year.

My bill differs from others at this point. Rather than stopping with the unlikely prospect of a surplus in receipts, my bill requires a recommendation by the joint committee for increases in taxes or in the public debt when estimated receipts do not equal proposed expenditures. If the public debt is to be increased, the committee must provide an estimate of the effect upon inflation.

If we ignore the possibility of receipts not meeting expenditures and if we overlook the hard choices required if this occurs, we are engaging in the same old fiscal hypocrisy.

The bill sets up a system by which the costs of a given program will be realistically projected over a 5-year period so as to give the Congress a better idea of just what sort of monster it may be creating. It requires all major spending programs to be evaluated at least once every 3 years. This will allow the Congress to keep a firmer grip on the handle of programs than has been the case in the past.

Every new process will be tested by a limited pilot program to see if it is worthy of the taxpayer's dollar. This will prevent our throwing money at problems before we determine the best, most efficient way to solve them.

Under this bill, money for all Federal spending will have to be appropriated annually by Congress. This would cut down on the large percentage of the budget each year which is unreviewable by Congress and therefore unsusceptible to budgetary improvement.

These are just the highlights of the bill, but the primary thrust is what is im-

portant. We must turn the full light of fiscal responsibility on the congressional budgetary process. We must become aware of the consequences of each expenditure. And, most importantly, we must recognize that sometime, some place, we have to say no. We have to say that this program or that program, while a good one, is not good enough to warrant inflation or a tax increase.

I have previously introduced two bills which bear on the subject of budgetary reform. H.R. 1388 would make the fiscal year coincide with the calendar year, doing away with the confusion and the lack of synchronization with sessions of Congress. House Resolution 102 calls on the Committee on Appropriations to report all general appropriation measures for each fiscal year to the House before the beginning of that fiscal year so that the measures can become law before the beginning of the fiscal year. Under the current procedure, administrators in many cases have no way of determining how much money they will have for the fiscal year until long after the previous year has ended. This does not foster good planning and good continuity of programs.

Mr. Speaker, substantial portion of the debate on budget reform so far this year has concerned itself with alleged usurpation of power by the President and with long and intricate discussions about the separation of powers in our system of government. Certainly I may disagree with impoundment of funds for particular items or programs, but I cannot disagree with the President's overall objective of halting runaway Federal spending.

I am reminded, as I listen to the heated debate over impoundment, of the seventh chapter of Matthew, second and third verses:

Why do you look at the speck of sawdust in your brother's eye, with never a thought for the great plank in your own? First take the plank out of your own eye and then you will see clearly to take the speck out of your brother's.

The Congress should dedicate its energies to removing the plank of fiscal irresponsibility from its own eye rather than concerning itself with the passage of bills which will burst the seams of the President's budget. Once we get our budget house in order, then we can take steps to extract the speck of impoundment from the President's eye.

THE ROLE OF CONGRESS

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

Mr. McFALL. Mr. Speaker, the relative strength of Congress as compared to other western legislatures is among the topics touched upon by several panelists in the recent Time, Inc.-sponsored Chicago symposium on the role of Congress. The moderator was Mr. Grunwald; the panelists were Henry Wilson, president of the Chicago Board of Trade; Senator WILLIAM SAXBE, of Ohio; Neil MacNeil, of Time magazine; John F. Bibby, of the University of Wisconsin; Senator WAL-

TER MONDALE, of Minnesota; and Dr. Charles Jones. I include their exchange in the RECORD:

Senator SAXBE. For one thing, these people are career people who usually survive the election, and I have seen this also operate in India, where they do not have this time to prepare. It is spontaneous there. Frankly, I have great admiration for the way this operates, because what a wonderful thing it would be to get Kissinger down on the floor of the Senate once a week simply to find out what is going on. Or to get Stans down to find out what went on at Watergate.

This whole thing makes the parliamentary system much closer to the people, it seems to me, even than our congressional system where we have to go out on the hustings and talk to them.

I think that a professional staff is not possible in the congressional system, as it is under the parliamentary system.

Mr. MACNEIL. Why not?

Senator SAXBE. I do not think it is possible because of the inability of the parties to be strong enough to attract and keep staff people.

Mr. MACNEIL. It was laid down in the Re-organization Bill of 1946, I believe, that the committee staffs be professional.

Senator SAXBE. All right.

Mr. MACNEIL. —which has not been followed except by a few committees.

Senator SAXBE. When Russell Long, for instance, presents a finance bill on the floor of the Senate, which is one of the most important periods in that respect, he has at his fingertips full access to all of the information. He has one or two men with him on the floor, as you know, and this is true of Magnuson, this is true of the other committee chairmen when they come in to present their bills.

On the other hand, the opposition people, usually the opposition people on the committee, are silenced before they ever get there because they have had their say, so we are talking about the opposition not within the committee. They can only single out one little area where they can be knowledgeable, and with our staffs so limited, we can't do a great deal more than that unless you have a staff like Senator Kennedy, who has 30 people or 40 people over and above his regular staff. I would guess he has got 60 or 70 people on his staff.

Mr. GRUNWALD. Gentlemen, I think it is approaching time for lunch, but I know that all members of the panel would like very much to hear questions from the floor. I think we do have time for a few questions from the audience now, and we will, of course, continue the questions if you do not mind, during lunch.

Yes, sir?

Mr. WILSON. My name is Henry Wilson, I am president of the Chicago Board of Trade, and I served for six and a half years on the White House staff, with responsibility for the relationship between the House of Representatives and the Executive.

May I ask whether I may make a comment rather than ask a question?

Mr. GRUNWALD. Yes, sir. By all means.

Mr. WILSON. I think that this extremely interesting discussion has really missed the nub of the problem. I think everything that has been said is valid, the problems of press criticism, the problems of procedures, the problems of inadequate staffing, patronage, courage in various areas. It seems to me that there is one and only one solution to it and that is to get abler members of Congress.

Now, there are some extremely able and some extremely courageous and hardworking members in both houses of Congress in both parties, but there are not enough of them. Two hundred years ago we had in this country, then a nation of 3,000,000 people, leaders of the quality of Washington, Jefferson,

Adams, John Marshall, and Alexander Hamilton. Just think how much abler our affairs would be conducted these days if we had that quality of political leadership.

It is ridiculous to suppose that there is not that kind of ability now in a nation of 200 million people, and it is ridiculous to suppose that there is anything inherent, particularly in an extremely well-educated country, which makes it impossible to revive such qualities of leadership.

What do we do to encourage it? Well, there are a lot of things, but this is a media-type meeting here. I think that Neil MacNeil ought to be permitted, far more than he is, to write about some of the heroes in the Congress, the people who stick their necks out, the people who work 12 and 14 hours a day, and bone up and become genuine experts in their fields. These people should be held up as an example to the young people entering and emerging from college and shaping their careers.

It is appalling to see the polls on "What would you want your son to be?" It is less than 1% in terms of going into politics.

Mr. MACNEIL. Henry, I would like to pick you right up there. I am permitted to write about the heroes, such as they are.

I want to respond a little bit to your idea of encouraging more people to run for Congress. I do not want to come out against it, but I think you made an unfortunate choice of the able members back at the time of the Revolution. You said Washington, Jefferson and Adams, Hamilton and Marshall. Only one of the men whom you named served in Congress. You would have done better mentioning Madison and some of the other men.

To me, today, however, the membership of Congress is more able than it has ever been, and it is a part of the process of the whole country being a more educated country. Fifty years ago, 100 years ago, there were members of Congress who literally could not read or write. We do not have such phenomena now.

The membership of Congress is abler today, college-educated, for example, than at any time in history. I think we always need abler people in government, but it is by no means the nub of the question, to me. It seems to me that during this very period when the membership has been increasing in its overall ability, the Congress has slid into its present difficulties vis-à-vis the Executive.

Mr. GRUNWALD. Would you like to comment on that, Senator, or has Neil said it for you?

Senator SAXBE. No. He said it. I am delighted that Fritz got here, because I am sure, being a member of the majority, he has a much better grasp of what happens inside than I do.

Mr. GRUNWALD. Senator Mondale, whom we welcome, has agreed to talk to us at somewhat greater length at lunch, rather than trying to wedge him in now. I think perhaps there might be time for one more question from the floor before we move into the other room. Yes, sir?

Mr. BIBBY. John F. Bibby, of the University of Wisconsin, Milwaukee. My question, I guess, is mainly directed to Chuck Jones.

I think one of the unusual things that he alluded to about Congress is that unlike the legislatures in the rest of the Western World, Congress is still relatively strong. It has not gone into the decline that others have.

I have always thought that one of the reasons for this was the diffusion of power, that it is virtually impossible not only for party leaders to get a handle on it, but also for Presidents. Seniority and other things elevate to positions of authority people whom Presidents really cannot control effectively.

I wonder, if we should strengthen party leaders in the way that Chuck was talking about, whether we would not perhaps unintentionally also strengthen the President's hand to control Congress?

The President is a much more powerful figure today than in the days of Uncle Joe Cannon, and Czar Reed, and I would think that his institutional resources would be such that he could probably dominate even a more united party, and the Congress would come perhaps even further under the thumb of the President, even if the legislative body asserted itself.

That is one of the things that concerns me about strengthening political parties in the Congress. The diffusion of power in Congress, I think, is a safe thing.

Dr. JONES. I think that puts it very well, John, but it is a matter of the swing of the pendulum, always, and the question is, for me anyway, how do you increase the authority for party leaders enough to make them accountable for something?

It is not reasonable for me to ask party leaders presently to account for what they are doing because of the diffusion of power. So how do you maintain enough authority for their accountability while maintaining the advantages of the committee system?

Mr. GRUNWALD. I think we might adjourn for lunch. We will take a little nourishment and refreshment, and then continue the discussion.

(Whereupon the symposium was recessed until 1:15 o'clock p.m.)

Mr. GRUNWALD. Ladies and gentlemen, I apologize for interrupting your meal, but Senator Mondale has just very speedily finished his own, and I am sure you will want to hear from him.

By way of introduction, briefly, I would like to tell you that the other night some of us were talking about the future and it occurred to us that if by any chance Senator Walter Mondale and Senator Charles Percy were to run for higher office, which at least has been discussed occasionally, the confrontation might become known as the Battle of the Eagle Scouts, because obviously they both were Eagle Scouts at one time or another, and I think they still are trying to live it down.

I will not take time to tell you about Senator Mondale's record, I am sure you are familiar with it, and his very vigorous fights for the causes he believes in. He has certainly been one of the President's strongest opponents in the Senate, which is by no means his only distinction. He has worked very hard for the poor, the hungry, he has worked for urban causes, civil rights and many other things.

I am sure some of you will disagree with many of his policies, but you cannot deny, I think, his energy, his devotion to what he believes in, and the fact that he has made, really, a very interesting figure in the Senate.

Having done a little bit more research about him, I think I would like to reveal to you, if you are not familiar with the fact already, that in his youth between college terms he once worked sorting peas for the Jolly Green Giant. I think anybody who has done that should find Congress almost easy by comparison.

Ladies and gentlemen, Senator Mondale.

Senator MONDALE. Thank you very much, Henry, for that kind introduction. Actually, I was a pea lice inspector, and that, I have found, comes in very handy almost daily in the U.S. Senate.

Senator Saxbe and friends. I thought I would speak very briefly about the Congress, but instead of that I have decided to devote my time to an attack on an airline. We had a very lovely two hours waiting to take off from Minneapolis. I won't say that our weather was bad, but when they finished deicing one wing, the other wing was iced up again, and we chased wings for about two hours, and I am very sorry that we were late.

I have been briefed by Neil on what has been said, and I will make just a very few comments about it. First of all, I think this movement, which is increasingly apparent by Time, Inc., demonstrated again in the

Stevenson-Mathias hearings now under way in Washington, the efforts by Common Cause and John Gardner and those by Ralph Nader in the recent congressional study, are long overdue, fundamentally important, and I hope are but the beginning of a long-term analysis and critique of the Congress and its role in American Government.

I understand a few points have been made that would certainly like to endorse without dwelling on them. One is the need for more and better staffing, and for computer technology and other kinds of consultant aid.

I have been through many debates that required better staffing and more technical information than usually is available to us. Perhaps one of the classics was the one on the aircraft carrier, where I had myself and one college kid versus the U.S. Navy, and everybody who wanted to build an aircraft carrier, or who had a friend who was an ensign or above. It wasn't an even fight. It took literally days and months to prepare for it, to read the detailed documents and tables in order to try to deal competently with what turned out to be an extremely technical matter.

The same thing was true in the debate involving the space shuttle. In addition to all of NASA's resources, and all the industries that had space business, you may recall that a mysterious and magical group of full-page ads appeared in all the papers of the country. There was even a half-hour documentary, sponsored by the space industries, ridiculing those of us who questioned the space shuttle. The voices of people like Dr. Van Allen and Dr. Day and many of the other truly gifted space scientists were barely heard at all in that debate.

I am convinced that we foolishly handicap ourselves in the Congress by failing to properly staff ourselves. I find, unlike public resistance to salary increases for ourselves, very little public resistance to improvements and expansions in staff. I hope that this would be a readily agreed upon objective.

Second is the matter of computers. I have been in many debates, for example on the Education Committee, that dealt with complicated formulas and distributions. And I have found that whenever I am on the side of the Administration, I am surfeited with computer print-outs and data that comes within seconds, whenever I need it to prove how right I am. But if I am opposed to the Administration, computer print-outs always come late, prove the opposite point or always are on some other topic. So I think one of the rules is that he who controls the computers controls the Congress, and I believe that there is utterly no reason why the Congress does not develop its own computer capability, its own technicians, its own pool of information. I would hope that we do so.

I read Dr. Jones' excellent paper and I have been briefed, and I understand that Mike Mansfield has not had a good day.

I would like to provide what I think is some balance on the performance of the Congress. I think there is much that richly deserves criticism, the unquestioned rewards that go to seniority, the sometimes inexcusable delays, our apparent impotence in constitutional showdowns with the Executive. But I do not believe that the Congress is without a record that is worth looking at, a record that provides some balance to some of the criticisms that I have heard.

We might begin with the war in Viet Nam. What forum in this country first provided meaningful debate on the issue? Where did Americans first go for a hearing to ventilate the issues surrounding the tragedy of the war in Viet Nam? I think there is no doubt that they went to the Congress and particularly to the United States Senate.

The Senate, and particularly the Committee on Foreign Relations, did stand up in providing a public debate on the truth of that tragic war.

It is true that we did not succeed in pass-

ing amendments contrary to the wishes of the Executive to end that war. But I think that one of the contributing factors to the fact that the war may now be ended is that the Congress kept up a constant drum fire, repeatedly opened up the debate. Repeatedly offered in the Senate were McGovern amendments, Hatfield amendments, Mansfield amendments, and Cooper amendments. Senators tried consistently to keep that issue in the forefront of American political debates, and I believe that some credit should be given for that performance.

I think there are many other areas. Look at the issue of the environment. Where has the real leadership come to try to make progress in protecting the American environment? I think quickly the names of Gaylord Nelson, of Ed Muskie and of John Blatnik come to mind.

The first proposals to begin the assault upon pollution came from the Congress in the early 1950s. They were met with presidential vetoes, I think on two or three occasions. And this has been consistently true in the late 1960s and the early 1970s, including the last massive and fundamental Water Quality Act which the President vetoed, and which the Congress overrode, and apparently the President is vetoing again. It was the Congress that led in the field of the environment.

In the field of consumer rights we had some leadership during the Johnson Administration, but basically the consumers' movement has found its forum in the Congress.

The legislation for truth-in-lending, truth-in-packaging, auto safety, product safety, pipeline safety, flammable fabrics, the Consumers' Protective Agency, the movement for class actions; all these measures have found their support and movement largely within the Congress, and not from the Executive Branch.

I think in the last few years the civil rights movement of this country has depended upon the Congress and not upon the Executive Branch. We have tried to make the case, to develop the record, to argue in the Congress that the President's effort to dismantle this nation's longstanding objective to eliminate discrimination was wrong. And it has been the same with the President's effort to populate the Supreme Court with people deeply committed against the effort to enforce the 14th Amendment.

Those efforts came from the U.S. Senate, most of them with bipartisan support.

I believe that in many other areas such as education and alleviating poverty, areas in which I have been deeply involved, the Congress has acted effectively. It was Congress that developed such programs as those embraced in the recent Higher Education Act and the Child Development Act—programs which this nation desperately needs but which the President vetoed. There have been strong congressional efforts for emergency, stand-by employment measures as well.

I do believe it is unfair simply to dismiss the Congress as a totally inefficient, incompetent, unresponsive reactive institution. I believe it has many, many problems, but I believe we would be making a mistake just to dismiss it in those broad terms.

Now, having said that, I wish to say that I think there are many procedural changes that are needed. We have discussed here an addition to staff. I think we ought to take a tough look at the seniority proposals. I think we ought to take a look at the filibuster rules. We ought to take a look at the way the caucus selects committee membership, all sorts of things. But I think the underlying fact is that Congressmen usually do what they want to do. Often there are not just procedural reasons, but substantive reasons why things don't get done, political reasons.

The war in Viet Nam is a good example. We could have ended that war. All we needed

was the votes, but we did not have them. These people in the House went home time and time again, and they got elected, even though they voted against end-the-war amendments.

SPENDABLE EARNINGS INDEX CALLED MISLEADING AT BEST

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

Mr. MOSS. Mr. Speaker, may I call to the attention of my colleagues an article by Phillip W. McKinsey entitled "Spendable Earnings Index Called Misleading at Best."

I want to share Mr. McKinsey's summary of the spendable earnings index which spotlights one more misrepresentation and the resulting havoc President Nixon's economic policies have created. The article follows:

SPENDABLE EARNINGS INDEX CALLED MISLEADING AT BEST

(By Philip W. McKinsey)

Until late in 1972 Nixon administration economists rarely missed an opportunity to talk about how fast the index of real spendable earnings was rising.

It showed, they claimed, how well the average American worker was faring under Phase 2 of wage-price controls, and it was a major piece of ammunition used to rebut union critics who argued controls were stiffer on wages than on prices and profits.

Since last October, however, the index has declined 1.5 percent and not much is being said about it. Real wages have not declined by anything like that much, but when a tax change occurs—social security taxes went up in January—the index reflects it because it is an "after-tax" measure. Thus the index dropped sharply in January, the latest figures available.

Other changes affect the index, too, so that its use as an indicator of the financial situation of an individual worker can be highly misleading. In the current issue of the *Brookings Papers on Economic Activity*, Brookings Institution economist George Perry looses a blast at the series:

"The series . . . is one of the most misused economic statistics. One reason for its misuse is that it is one of the most misleading economic statistics receiving regular monthly publicity," writes Mr. Perry in an unmistakable dig at the administration.

LIKE A STOPPED CLOCK

"In recent years, the series showed no increase at all in earnings and was often cited as evidence that wages were suffering badly in the race against inflation. In recent quarters, it has risen sharply and has been cited as evidence of how spectacularly well wage earners have been doing," he adds. "Like a stopped clock, the earnings series occasionally tells a true story. But when?"

Mr. Perry, who is recognized as one of the nation's leading economists in the field of labor force composition and related areas, believes the earnings series can be useful only if it is adjusted in a variety of ways depending on what question is asked of the data. "In fact, it is hard to think of any interesting question it can answer without adjustment," he says.

Even if one wants a measure that incorporates the effects of tax and price changes on wages, the real spendable weekly earnings index can be distorted from month to month by three other factors: overtime pay, the employment mix, and the number of hours worked. The index, as published, does

not include sufficient information to allow one to sort out the effect of any of these.

If the length of the average work week increases, as it typically does during a recovery from recession and as it did last year, the index will rise even if wages do not and prices and taxes are unchanged. Likewise, if the amount of overtime pay increases and nothing else changes, the index will rise. And vice versa, of course.

In each case, a worker's pay will have risen because he has worked more hours not because he has gotten a pay increase. Mr. Perry cautions, however, "Once variations in average hours and overtime premiums are accounted for, the resulting measure of average hourly wages is still a distorted indicator of an individual's basic wage." He explains why:

"If every individual's wage were unchanged, but the employment of low-wage individuals expanded, the average wage and earnings would decline. Something like this has been happening in the U.S. economy for a long time, and the rate at which it happens varies from year to year."

Mr. Perry also disputes the usefulness of an index that lumps together even adjusted changes in real earnings and tax changes. "While measures of after-tax income are needed for many purposes, they are inappropriate in a measure of how well wages have been keeping up with prices, or even in a measure of well-being," he argues.

ADJUSTMENT TOOL PROPOSED

And last, the Brookings economist suggests that any earnings series of this type ought to be deflated—adjusted for price changes—using not the consumer price index (CPI), as is done, but using instead the deflator for consumption spending in the national income accounts. The CPI and the consumption deflator, which is a broader measure of price changes, have not moved together closely in recent years and Mr. Perry would opt for the latter.

Recognizing some of these problems, the Bureau of Labor Statistics (BLS) began more than a year ago to publish a real average hourly wage index that adjusts for changes in the employment mix and for overtime and use the CPI to deflate current-dollar wages.

Mr. Perry notes the existence of this new series but says something more is still needed. "We are [far] from having a combined measure of how much work a typical worker does and how much pay he receives per hour of work," he says, adding, "There is understandable interest in a measure of weekly take-home pay, too. While BLS does attempt to describe its series on real weekly spendable earnings carefully and to point out its shortcomings, a substantially improved series is urgently needed."

THE ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 30 minutes.

Mr. KASTENMEIER. Mr. Speaker, the American public has been inundated recently with messages from the oil industry about the energy crisis. The American Petroleum Institute keeps reminding millions of television viewers that "a nation that runs on oil cannot afford to run short" Continental Oil Co., in a double-page spread in several national magazines, warns us that "energy costs are bound to rise" and that "we need some practical trade-offs in the ecological area." And Mobil Oil Corp. wonders, in full-page newspaper ads, "Is anybody listening?" to its past and future warnings about the "energy crisis." But the

fact is, much of the so-called energy crisis is being concocted in the board rooms and public relations offices of the Nation's major oil companies.

That is not to deny that many parts of the Nation are experiencing serious fuel shortages: schools closed in Denver, factories shut down in West Virginia, Illinois, Mississippi, and elsewhere, jet fuel was scarce at John F. Kennedy Airport in New York and Iowa farmers were unable to dry their corn harvest. In my State of Wisconsin, the State government was coordinating the day-to-day juggling of supplies to meet needs. Now we are hearing predictions of a gasoline shortage this spring. But those problems were avoidable. The fuel shortages are a demonstration of, not an energy crisis, but a gross failure by the Nation's oil companies and by the Federal Government.

According to petroleum figures, the supply of known oil reserves—exclusive of the large supply in Alaska—would last 9 years at current rates of production. Granted, the recent decline in the reserve/production ratio in the lower 48 States is worrisome, but surely a 9-year supply could have gotten us through the winter. Indeed, the Office of Emergency Preparedness says that oil industry representatives—including those from the American Petroleum Institute, Continental and Mobil—assured OEP last fall that there would be no fuel shortage this winter. But a shortage did develop and with it a well-timed stepped-up industry ad campaign about the "energy crisis."

This public relations blitz by the oil companies is aimed at preparing the consumer for higher prices although prices already are artificially high;

It is aimed at convincing Government agencies to relax environmental standards, although the incalculable social costs still would have to be paid even if not by the oil companies;

It is aimed at persuading Congress to deregulate the price of natural gas, although that is the single major Government energy policy which protects the consumer instead of the oil industry;

It is aimed at preserving the oil import quota system, although it can be demonstrated that it has failed to achieve its purpose;

And it is aimed at preserving or enlarging oil industry tax loopholes, although no industry is the beneficiary of more corporate welfare.

One might think from the TV commercials of the American Petroleum Institute that the Nation is in danger of running out of oil and other energy resources. That certainly is not the case. A publication prepared for the Senate Committee on Interior and Insular Affairs, "Conservation of Energy," had this to say:

The potential for improving the domestic resource base for both oil and gas is considerable. For example, it has been estimated that the ultimate reserves of oil in the lower 48 states could be between 575 billion and 2,400 billion barrels. Present proved reserves are 36.5 billion barrels. The ultimate natural gas resources have been estimated to be between 1,250 trillion and 2,175 trillion cubic feet. Present proved reserves are estimated at about 275 trillion cubic feet.

The Department of the Interior, in a 1972 publication entitled "United States Energy, a Summary Review," outlined the vast wealth of energy resources in this country:

Our nation has been bountifully endowed with a large resource base of fuel minerals, which include petroleum, natural gas, coal, oil shale, uranium and thorium. The energy content of known resources of these fuel minerals amounts to 13,100 quadrillion BTUs, enough to last 190 years at the rate of energy use in 1970.

The potential resources of fuel minerals that are on the verge of use but await technologic advance will last 16,500 years at the rate of energy use in 1970.

The industry itself acknowledges that the Nation's store of mineral wealth is immense. In its ad, Continental Oil says that the country has potentially recoverable oil reserves sufficient to meet present demand for 65 years, gas reserves for 50 years, coal reserves for 300 years, uranium reserves for 25 years and oil shale reserves for 35 years.

Why are not those vast resources being tapped? Amazingly, the oil companies contend that they need greater incentives for further exploration and production. But any projection of energy consumption for the next 25 to 30 years should furnish ample incentive to any company which hopes to grow and prosper. The Department of the Interior is predicting that the Nation's energy consumption will double before 1990, and others are predicting more rapid growth. That growth should be a boom for industry profits.

The oil companies would have us believe that these are difficult times for the industry in terms of profits. That, too, is not the case.

The 1972 National Petroleum News Factbook issue includes financial data on the Nation's largest oil companies, including profits in 1961 and 1971. The 24 companies for which figures are available for both years have more than doubled their combined profits, from \$2.9 billion to \$5.9 billion. The same publication shows that the Nation's domestic demand for all oil products jumped from 3.6 billion barrels in 1961 to 5.5 billion in 1971. Thus, while the Nation's oil consumption increased by just over 50 percent in a decade, the major oil companies' profits increased by just over 100 percent.

The country's largest oil company, Standard Oil of New Jersey, now Exxon, increased its profits from \$758 million to \$1,517 million during the decade. Second-ranking Texaco jumped from \$430 million in profits to \$904 million; third-ranking Gulf Oil from \$339 million to \$561 million; fourth-ranking Mobil Oil from \$211 million to \$541 million.

The same rosy profit picture emerges in comparing the oil industry to others. The M/G Financial Weekly, published by Media General Inc., reports a wealth of information on more than 3,400 major American corporations, including a compilation of earnings by industry groups. A recent issue showed that the 3,400-plus corporations reported total earnings of \$50 billion in the past year. Of that total, 42 corporations engaged in oil refining and marketing reported earnings of more than \$7 billion. In other words, roughly 1 percent of the corporations in the M/G

list, the major oil companies, earned 14 percent of the profits. Those 42 companies had an average profit margin of 6.9 percent, compared to 5.1 percent for all corporations; and their return on stockholders equity was 11.2 percent compared to 10.6 for all companies.

That the current fuel shortage is a concocted "crisis" does not diminish in any way the fact that the nation will face a real energy crisis if decisive action is not taken now. U.S. energy demand is doubling every 20 years; electrical consumption alone is doubling every 10 years. But reserve supplies of oil and natural gas, which now furnish three-quarters of the Nation's energy, have been declining for more than a decade; the development of the Nation's most abundant fossil fuel—coal—cannot proceed full-scale until we can avoid the hazards of air pollution and devastation of strip mining; nuclear power is considered the long-range energy answer, but it still poses safety and environmental problems; and such sources as geothermal and solar energy await further technologies before widespread use.

What is needed—and on this point all agree—is a national energy policy. Regrettably, many who have addressed this problem have placed great emphasis on an adequate energy supply and less emphasis on environmental protection and consumer costs. The oil companies, in particular, talk of "trade-offs" in the ecological area and of "balancing" environmental considerations and energy needs and—always—of higher prices. What I propose today is an energy policy in which environmental and consumers concerns are paramount.

My proposals are based on three principles:

That the Nation can meet its fuel needs by conserving huge amounts of energy now being wasted and by developing new technologies to tap our vast resources.

That the environment can and must be protected because any trade-offs which sacrifice environmental considerations merely shift the true costs to someone other than the user of the energy.

That energy costs can be held down by assuring competition between fuels and between energy companies, competition which is dwindling as the industry becomes more concentrated.

1. CONSERVE ENERGY

Much of the Nation's energy potential is lost either through inefficiencies in recovery of fuel resources or in converting energy to its ultimate use. The average amount of oil recovered from a reservoir, for instance, is only 30 percent of the amount in the ground. Only about 18 percent of the gasoline burned in the average car is converted to useful energy; the rest is wasted in start up, idling, deceleration, and elsewhere. A light bulb converts only 10 to 14 percent of its energy into light; the remainder is wasted as heat. The conversion of fossil fuels—oil, natural gas and coal—into electrical energy is enormous in terms of energy consumption, but the resulting electricity amounts to only 33 percent of the energy in the original fuels.

More efficient automobile engines or electrical generators obviously would conserve the limited supplies of fossil

fuels. Less obvious, but of equal importance, are the benefits to the environment and to consumers. If an automobile converts a greater percentage of gasoline to useful energy, less pollution fouls the air and the driver saves on fuel costs. The same is true for generation of electricity.

Even without the new technologies necessary for greater efficiencies, however, a number of steps can be taken to conserve energy.

In the transportation sector, where one-quarter of the Nation's energy is consumed, one of the top priority items should be a shift from energy-gulping automobiles to cheap, clean, and convenient mass transit systems. With the same energy used by one car driver, we can move four commuters to and from work by bus. It is time for the Congress to consider tapping the highway trust fund for mass transit financing in urban areas where that is a practical alternative.

In the commercial and residential sector, where one-fifth of the Nation's energy is consumed, improved insulation in homes, apartments, and offices could reduce energy consumption—and costs—for heating and air conditioning by 20 percent. This could be accomplished by upgrading FHA standards for insulation.

In the utility sector, where one-quarter of the Nation's energy is consumed, we should be working toward establishment of a national power grid to interconnect the country's electrical transmission lines. By taking advantage of seasonal and time variations in utility peakload requirements, a national power grid would reduce by 20 percent the country's need for future generating capacity, according to one estimate. One example of its benefits: while west coast residents are still sleeping, excess electricity could be shifted to the East where demand is greater.

In the industrial sector, where well over one-quarter of the Nation's energy is consumed, we should provide the incentive of higher energy costs to encourage companies to implement energy-conserving efficiencies. Figures compiled by the Federal Power Commission show that big industrial users pay less than half as much as homeowners for each kilowatt hour of electricity. Permitting utility monopolies to provide volume discounts to big users makes no sense, either in terms of energy conservation or economic equity.

2. RESEARCH NEW SOURCES

Those and other energy-conserving measures will give the country some lead time in developing the new technologies needed to meet the increasing energy demand. In the past, research and development expenditures by oil companies and utilities have been relatively modest, less than 1 percent of their revenues. One wonders whether we would be facing an energy problem if those companies had spent less telling us about the energy crisis and more solving it.

In order to meet the needs of the future, it will be necessary for the Government to become significantly involved in energy research in the next few years. Since this research eventually will be turned into profits by the oil companies

and utilities, the costs should be directly charged back to those companies rather than financed through general tax revenues. The research costs will, of course, be passed on to consumers by the oil and utility companies, but in proportion to each consumer's energy use.

Top priority for research to meet near-term energy needs should be on environmentally sound uses of the Nation's abundant coal resources. This should include methods to remove sulfur oxides from stack gas emissions and to convert dirty coal into clean fuels through coal gasification and coal liquefaction.

The most promising coal research—and one that deserves adequate funding—is being done on a process called magneto-hydrodynamics. An MHD generator converts heat directly into electricity, skipping the mechanical portion of the conventional turbine generator. It is a highly efficient process which produces little pollution. In addition, it requires comparatively small amounts of water and would be a boom in the West where low-sulfur coal is abundant, but water is not.

The biggest share of Government money now being spent for energy research is on development of nuclear power. The conventional fission reactor now in use would rather quickly exhaust the Nation's supply of low-cost uranium. But the liquid metal fast breeder reactor, now being developed, has the rather amazing ability to produce more fuel than it consumes and it would extend the life of uranium resources by 50 to 70 times.

But nuclear energy is not without its problems, not the least of which is disposal of nuclear wastes. I believe, however, that a recent newsletter of the Federation of American Scientists put this particular problem in proper perspective. The federation pointed out that a 1,000-megawatt nuclear plant now produces a cubic yard of nuclear waste each year which must be kept into perpetuity. But, the federation added, a comparable fossil fuel plant produces 10 million pounds of particulates, 46 million pounds of nitrogen oxides, 100 to 190 million pounds of sulfur dioxides and 300 to 380 million pounds of ash each year.

Fission reactors such as those now in use and the breeder reactor also pose dangers from low-level radioactive emissions and from the possibility—even if remote—of a catastrophic accident. I believe that research into development of the breeder reactor should continue. But because of the safety problems of the fission reactors, I also believe we should place great emphasis on research into nuclear fusion. We do not know for sure if we will be able to develop the technology for a fusion reactor, but its tremendous advantages make it well worth a major spending effort.

Unlike fission powerplants, there is no danger of an explosion or runaway chain reaction in a fusion plant. One fuel for the process, deuterium, is available from the oceans in almost unlimited quantities—at least a 20 billion year supply at current rates of energy consumption. Because the fuel is available from the seas, it would not be necessary to strip

mine vast acres of land as would be the case to obtain the uranium for the breeder reactor.

In addition to fusion, other long-term energy research funding should be aimed at developing solar and geothermal energy, two sources which have the potential for large amounts of clean energy.

3. PROTECT THE ENVIRONMENT

While the various research projects offer hope for clean energy in the long term, we cannot ignore environmental concerns in the short term. We cannot encourage strip mining or construct the Alaska pipeline or step up offshore oil leasing without assurances that we can prevent ecological disasters. Congress must take positive steps in the environmental area by enacting legislation on land use planning which, among other things, will regulate siting of powerplants, transmission lines, and refineries. Such legislation would not only protect the environment but would give the industry some planning guidelines to prevent delays in construction of needed energy facilities.

We must recognize that in some cases, environmental protection will mean more energy consumption, and thus higher consumers costs. The Environmental Protection Agency estimates, for instance, that the clean air standards for automobiles will mean an increase of more than 15 percent in gasoline consumption. We should be willing to pay the higher costs of environmental protection, but not the higher costs brought about by lack of competition in the energy industry, a point I will discuss later.

The important point is that those who consume the energy must pay the costs—the full costs—for it. That means the consumer who lights his Chicago home with electricity generated by burning coal strip mined in Montana or Wyoming must pay the cost of restoring the land. Otherwise, the rancher whose land is devastated subsidizes the true costs without receiving the benefits.

Any sound national energy policy must recognize the folly of subsidizing the energy companies, both through cost-free use of the Nation's air, water, and land as a garbage dump for industrial waste and through tax loopholes. Both shift the true costs of energy from the user to the general public.

4. ELIMINATE TAX LOOHOPLES

In his inaugural address, the President called for more self-reliance in the country. I think we should start by taking the oil companies off welfare. To paraphrase the President, let the oil companies ask not what their government can do for them, but what they can do for themselves. That means phasing out the various tax breaks which resulted in 1971 in the country's 18 largest oil companies paying only 6.7 percent of their net income in Federal income taxes.

One of the most amazing of those loopholes permits the oil companies to write off the royalties they pay to foreign governments dollar-for-dollar against their U.S. tax liability. Such royalties should be classified as normal deductible business expenses. That loophole not only robs the U.S. Treasury of millions of dollars, but it encourages foreign exploration for oil at the same time as the Gov-

ernment's import quota policy tries to discourage reliance on foreign oil.

5. END IMPORT QUOTAS

The whole oil import policy has been a sham. The limitation on imports is one of the major reasons for the shortages this winter. It is estimated that imports, which now account for one-fourth of the Nation's annual oil consumption, will account for one-half of all consumption by 1980. For the near-term, the Nation has little choice but to depend on imports to meet its growing needs.

The import system was established by Executive order in 1959 on the theory that quotas would protect the national security by insuring an adequate domestic supply. Quotas have been in effect for 14 years, but the fuel shortages of this winter are adequate testimony to the fact that the quota system has not worked.

Instead, the most significant effect has been to keep domestic oil prices artificially high by keeping out cheaper foreign oil. The 1970 Cabinet Task Force on Oil Import Control estimated that the quotas cost consumers more than \$5 billion a year in higher fuel prices.

The system really is not designed to solve the national security problems which supposedly justify the quotas. For one thing, import "tickets" have been allocated to refiners and, therefore, they have done nothing to encourage domestic exploration and production. Additionally, the quotas have even restricted imports from more secure Western Hemisphere sources, such as from Canada.

One cannot consider import policy without examining the implications of the formation of the Organization of Petroleum Exporting Countries—OPEC—a cartel of oil-producing nations which has succeeded in forcing up the price of its oil without regard to costs of production or to supply-demand considerations.

The failure by oil companies and importing nations such as the United States to head off this cartel has made the whole import question much more difficult. The lack of competition between oil-producing countries has closed the price gap between foreign and domestic oil. That makes it all the more important that we address ourselves to the entire problem of oil imports. We should consider the following actions:

Import policy should be established, not by Executive order, but by statute where it is subject to public and congressional review. A clear legislative policy also would remove much of the uncertainty which may discourage investment in some sectors of the oil industry.

Import quotas should be eliminated: First, because we need the oil and, second, because the competition of foreign oil will keep down domestic prices. If it can be documented that some form of protection would encourage domestic production, it should be through a tariff system rather than quotas. Under a tariff system, the difference between lower world prices and higher domestic prices would go to the U.S. Treasury rather than providing an incentive for OPEC to raise its taxes even further.

Oil should be stockpiled in sufficient quantities to discourage the threat of

at least a short-term shutoff of foreign supplies. Such stockpiling might be financed through money generated by a tariff on oil imports.

The U.S. Government should be involved in negotiating with foreign governments over oil prices, rather than leaving such negotiations to the oil companies. The failure of oil consuming countries and oil companies to band together in a consumers' cartel permitted OPEC to effectively "divide and conquer" in forming the producers' cartel.

It may even be necessary for consuming countries to take the drastic step of removing the international oil companies from their positions as marketers of foreign oil. M. A. Adelman, an economist and oil expert from Massachusetts Institute of Technology, has recently written an instructive article in foreign policy in which he points out that the producing nations cannot fix oil prices without using the multinational companies:

It is essential for the cartel that the oil companies continue as crude oil marketers, paying the excise tax before selling the crude or refining to sell it as products.

Were the producing nations the sellers of crude, paying the companies in cash or oil for their services, the cartel would crumble. The floor to price would then be not the tax-plus-cost, but only bare cost. The producing nations would need to set and obey production quotas. Otherwise, they would inevitably chisel and bring prices down by selling incremental amounts at discount prices. Each seller nation would be forced to chisel to retain markets because it could no longer be assured of the collaboration of all the other sellers.

U.S. tax policy should be restructured to encourage domestic rather than foreign construction of refineries. Foreign location makes the oil companies more vulnerable to an interruption in supply.

6. REGULATE GAS PRICES

With favorable tax treatment, import quotas and lax antitrust enforcement, oil companies seem to have the upper hand on consumers in all areas of government policy. All but one that is. And that one, Federal Power Commission control over the wellhead price of natural gas sold in the interstate market, is a main target in the oil industry's current public relations campaign on the "energy crisis."

The oil companies point out that the price of natural gas is lower than that of competing fuels. It is their contention that natural gas prices are too low and that deregulation would give them the "incentive" for further exploration. But it seems to me that the gap in prices between natural gas and other fuels is because the competing fuels are artificially high—because of lack of competition in the energy industry, among other things. In any case, it is not necessary to deregulate natural gas prices to increase them.

If a case can be made for higher prices, the companies presumably should be able to convince the FPC. Rates are set to insure companies a fair rate of return on their investment. Anyone familiar with regulatory agencies in this country knows that it is the industry, not the consumer which has the decided advantage in rate cases. The FPC now has before it a staff proposal to give companies an extremely lucrative 15 percent return on total in-

vestment. If wellhead prices are increased, the boosts should be passed on to the big industrial users who are now paying only a fraction of the per unit price paid by homeowners.

It also is imperative that the Federal Government obtain an accurate estimate of the Nation's natural gas reserves before any drastic step such as deregulation of prices. The industry tells us that the known supply of reserves is declining, but the specifics of industry estimates are a tightly held secret and one which has not been verified by an objective source. It does not take too much imagination to realize that the industry has a vested interest in creating the impression that reserves are lower than they really are.

7. PROMOTE ENERGY COMPETITION

Of the several recommendations I am proposing as part of a national energy policy, some, such as strict environmental protection and elimination of oil company tax loopholes, may have a tendency to push fuel prices higher; and others, such as continuing regulation of natural gas prices and elimination of the oil import system, will tend to keep prices down. This leads me to what I view as one of my key recommendations, one which will both insure an adequate fuel supply and keep prices down. That is to promote competition in the energy industry.

In the past decade, the energy industry has become concentrated in fewer and fewer hands, especially since oil companies started acquiring coal and uranium assets in their move toward becoming multifuel "energy companies."

Of the top 15 coal producers in 1970, four were oil companies, each of whom had purchased a major coal company in the past decade. Two others had assets in competing fuels, and a number were "captive" coal producers, owned by steel or nonferrous metals companies. Significantly, only three of the top 15 producers were independent coal companies which did not depend on competing fuels for an important share of their income.

Of the Nation's 25 largest oil companies, all 25 are involved in natural gas, 18 are in oil shale, 18 in uranium, 11 in coal and seven in tar sands, according to one study of the energy industry. Another study shows that the major oil companies account for 84 percent of U.S. refining capacity, 72 percent of natural gas production and reserve ownership, 30 percent of domestic coal reserves, 20 percent of domestic coal production, 50 percent of uranium reserves and 25 percent of uranium milling capacity.

Almost one-quarter of the coal reserve acreage being leased from the Federal Government is controlled by oil companies and, significantly, very few of those leases are producing. Oil companies—among them Humble Oil, Shell and Kerr McGee—also have been active in acquiring water, particularly in some of the coal rich western States where the water may be important in the development of that resource. Oil companies, including Union Oil, Standard Oil of California, Getty Oil, Phillips Petroleum, Gulf Oil, and Mobil Oil, are the major explorers for geothermal energy. The oil companies seem to have an insatiable

appetite for monopolizing the energy industry.

This trend toward economic concentration, as well as such other noncompetitive aspects of the oil industry as joint ventures, joint ownership of pipelines and vertical integration from wellhead to gas pump, are dangerous. Without competition in the energy industry, there is danger of collusion, price-fixing, and market sharing and there is little incentive for lower prices, greater efficiencies, and more research into better technology.

I am sponsoring legislation which would prohibit oil companies from acquiring coal and uranium assets and which would require oil companies which now have such assets to divest themselves within 3 years of passage of the bill. I am also planning to introduce legislation dealing with the anticompetitive aspects of oil company ownership of pipelines. I am hopeful that these pieces of legislation will provide a focal point for a major congressional investigation into competition in the energy industry.

8. COORDINATE ENERGY POLICY

Congress should consider centralizing the authority over energy policy, both in the executive and legislative branches. Congressional quarterly reports that energy policy is now scattered among 64 Federal departments and agencies. Most of those responsibilities should be combined into major agencies, one dealing with development of energy and the other with regulation. Energy is important enough to the future of the country to merit a separate congressional committee.

9. GIVE CONSUMERS ACCESS

Congress also should stop one of the most insidious practices which distorts energy policy. I am referring to the industry advisory councils, such as the National Petroleum Council which "advises" the Secretary of the Interior. These councils actually are built-in lobbies which give industry—but not the consumer—access to and input into Government policy. The National Petroleum Council has recently published several major studies aimed primarily at one thing: promoting the profits and welfare of the energy industry.

The makeup of the NPC's Committee on U.S. Energy Outlook is illuminating. It includes representatives from Continental Oil; Humble Oil and Refining; Kerr-McGee; El Paso Natural Gas; Gulf Oil; Big Chief Drilling Co.; Ashland Oil; Atlantic Richfield; Shell Oil; Marathon Oil; Sun Oil; Louisiana Land and Exploration Co.; Texaco; Union Oil; Phillips Petroleum; Standard Oil of California; Murphy Oil; Cities Service; Standard Oil, Ohio; Standard Oil, Indiana; and a handful of independent operators, Government officials, and trade association members. The advisory councils either should be eliminated or balanced with consumer and public power representatives.

In summary, my recommendations for a national energy policy fall into nine major categories: Conservation of energy, research into new sources, protection of the environment, elimination of oil industry tax loopholes, elimination of oil import quotas, continued regulation

of natural gas prices, promotion of competition in the energy industry, coordination of energy policy, and opening consumer access to Government energy policies.

In order to accomplish those objectives, the Congress will have to clear a number of hurdles, including the anticipated opposition from some of the Nation's more powerful interest groups, the oil, utility, and highway lobbies among others.

But the accomplishment of these policies would give proper emphasis to environmental protection and to consumer costs as well as the adequacy of fuel supplies.

ESTABLISHMENT OF AN ENERGY DEVELOPMENT AND SUPPLY TRUST FUND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 15 minutes.

Mr. VANIK. Mr. Speaker, this past winter, houses in Maine have gone without heat, schools in Denver, were closed for lack of fuel. Factories in my own State of Ohio have been warned against further industrial expansion by officials of the natural gas companies. In the Greater Cleveland area new industries requiring gas are limited to space heat supplies. Thousands of pages of Government studies have been produced on the energy crisis; but Government seems paralyzed. It is very clear that our shortage of energy is slowly—but certainly—weakening the Nation's capacity to survive.

We have energy reserves which could supply us for centuries. We have in this country 3 trillion tons of coal, 300 billion barrels of crude oil, and the equivalent of 2 trillion barrels of oil from shale—and yet, the petroleum and gas companies tell us they are running out of supplies. It is clear that we face a shortage crisis.

How can this be? How can the industry, which only 5 years ago filled our ears with the confident words of expansion and growth, now tell us, suddenly, that the health of the industry and the fate of the Nation's economy is at stake? Is it only coincidence that the crest of this wave broke at a time when Congress is considering tax reform—reform which could cost the oil companies billions of dollars in the elimination of inefficient and unnecessary tax subsidies?

How can we trust the integrity of industry efforts—industry which in the past decades manipulated the Nation into import quotas which kept cheap oil from coming to America so as to protect an intensive development and consumption of high-priced domestic supplies. The leaders of the domestic oil industry moved Government policy toward controlled markets, shortage, and higher prices. Today's energy crisis was substantially created by the leaders of the industry. Should we listen to them today?

Contrary to the barrage of the industry media campaign, the energy crisis is not, fundamentally, a crisis of supply. What is really at stake in this crisis is the profit margins of the petroleum in-

dustry. What is the bounty the American people must pay to insure their lights remain on and their house warm?

Our present energy problems could represent a windfall of billions of dollars in profits to the large oil companies—all at the expense of the American consumer and taxpayer. If a more forceful congressional role is not forthcoming, the industry will simply exploit our present shortages to reap billions of dollars in consumer and Treasury funds as profits.

The energy policies of the past were inspired by fear and governed by selfishness. For 60 years we have followed the recommendations of the industry. For too long the Federal Government has been merely a sounding box for industry demands. We protected them with the import quota and the system of State prorationing—both of which restricted supply and inflated prices. We did this all in the interest of national security. But this winter we saw how dramatically these policies have failed.

Now we are asked to rely on the industry to formulate a national energy policy to solve the energy crisis. How can we trust these self-serving experts to chart America's future when they have failed so badly in the past? How can we place the public welfare in the hands of short-sighted men propelled by economic greed?

It is the height of folly to hold that the oil industry really has the interests of the American people in mind when it suggests an increase in the depletion allowance or the decontrol of natural gas prices. The conclusion is inescapable: the policies of the past have been proven inadequate; new policies are required immediately.

RELIANCE ON PRIVATE DATA

A good deal of our present confusion was created by the splintered Federal effort in energy matters. With so many pressure points, industry influence on policy can be exerted in many covert and subtle ways. The dependence of our energy policy on industry and private information was revealed, tragically, when General Lincoln, former Director of the Office of Economic Preparedness, testified before the Senate that last fall he had been misled by industry sources with regard to the Nation's supply of fuel oil—and thus the economy of much of the Nation suffered enormous damage due to fuel shortages this winter.

On the most fundamental level, that of information collection, the Federal Government is entirely dependent on the private sector. The Department of Interior today quotes the industry oracle, the Petroleum Council, on reserves. Reliable sources indicate, however, these industry estimates of reserves are understated by perhaps 50 percent. The potential for abuse in this situation is tremendous: the petroleum industry controls the marketplace—holding the country ransom to their price and tax demands. The situation is rapidly getting worse: the petroleum industry is buying into the taking over the coal and uranium industries. Already the oil industry owns over 50 percent of the Nation's coal capacity and 45 percent of the uranium production. Government failure to en-

force antitrust policies is creating the frankenstein of a national energy monopoly.

A lack of impartial information represents one of the major obstacles to the formulation of an energy policy which truly reflects the public interests.

THE NEED FOR ENERGY CONSERVATION

The influence of industry on Government policy can be seen in other ways as well. It is interesting that the bulk of the present controversy is 'supply related'—that is, concerned with ways in which our domestic production can be improved, thus maintaining and increasing sales for the energy industry. Over the past two decades, we have developed incredibly extravagant patterns of energy consumption to the benefit of the petroleum industry. A truly balanced National energy policy, one concerned with the environment, would place a much greater emphasis on ways to lessen energy needs by improving the efficiency of energy transmission and utilization.

We waste fully one-third to one-half of all the energy we consume. A recent staff study from the Office of Emergency Preparedness estimates that by 1980 the Nation could conserve the equivalent of 7.3 million barrels of oil a day through implementation of a coherent program of energy conservation. The importance of this saving can be seen by the fact that crude oil production in 1970 was about 11 million barrels per day.

Yet despite the promising prospects of this course of action, it has received little debate on the National level. Instead, we are presently concerned with extending subsidies to the oil industry through an inequitable and wasteful system of tax preferences—preferences which permit the cost of an average oil well to be recovered 16 times over.

It is clear that hard decisions lie ahead if we are to meet our genuine energy needs in the future. In terms of curbing the demand for energy, feasible technologies now exist to accomplish significant conservation in industrial and residential energy use. Measures such as increased insulation in homes and more efficient industrial processes can and should be implemented immediately. Significant areas of research and development remain to be charted. The present internal combustion automobile engine is so inefficient that three-fourths of the gas it burns is wasted and the average miles per gallon delivered has decreased since World War II from 13.5 miles per gallon to 12.2 mpg; surely we are capable of improving the efficiency of our automobiles. I am sure that through a concerted effort we can cut our consumption of energy substantially without jeopardizing our economic and social well-being.

THE NEED FOR NEW RESEARCH FOR CLEAN ENERGY

At the same time a realistic assessment of future alternative energy sources must be undertaken. Present sources for energy research are misallocated and inadequate and are concentrated on energy sources which threaten the world's environment. Too much emphasis has been placed on the development of atomic energy at the expense of other, more reasonable, alternatives. A just-completed study conducted by the Rand Cor-

poration for the State of California on its electricity needs warns State officials against an over-confidence in the promise of atomic power:

The long awaited promise of abundant and inexpensive power from the atom has failed to materialize as rapidly as projected. Further plans for nuclear power plant construction are now beset with public controversy concerning nuclear safety and radioactive waste disposal.

We have placed an unwarranted faith in the atom to solve our energy needs. Meanwhile, research in other more realistic and less hazardous alternatives, such as solar energy and the gasification of coal, continues in relative obscurity. Ideally, funds for research would be generated internally from industry. But the large oil companies have found it more profitable to gear their capital expenditures to sales and promotion rather than research and development. The Washington Post revealed that the oil industry has spent over \$3 million informing the public of the crisis in our energy sources. At the same time, Senator METCALF has compiled statistics which reveal that the electric utilities expend 3.3 times as much capital on promotion as they do on research and development.

One major oil company has just spent millions telling the American people how they changed two "s"’s to "x"’s. The stripes of the energy industry have not changed: they are more interested in profits and sales today than in meeting the problems of the future. The American people cannot rely on the energy industry for the hard research required. A trust fund is needed; a trust fund is the only way to provide for the high level of steady effort that is required.

A TIME FOR A NEW POLICY

It is clear that the solution of our energy problems will not be found which sustains and aggravates past mistakes. We must coordinate the different agencies now involved with energy planning. We must work to insure that our energy policy does not fall within the orbit of any one economic or regional interest, but becomes a national energy policy working for all of our citizens. We must provide for a comprehensive program of research and development to enable us to utilize our precious, depleting resources more wisely than we have in the past. We must also explore alternative energy sources which will not only free us from the limitations of fossil fuels but also improve our commitment to a clean environment. All these requirements demand an imaginative response on the part of the Congress.

In an effort to develop this new policy, Mr. Speaker, I will introduce tomorrow legislation which takes a creative approach to our energy dilemma. My proposal will establish an energy development and supply trust fund. I will leave to another time a more complete discussion of the specific details of this legislation. However, I would like to emphasize that if we are to solve our energy problems, we must step away from old policies and old mistakes and toward new and imaginative solutions, supported with adequate funding and directed to the public interest.

THE NORTHEAST RAIL CRISIS: DOT REPORT IS NOT THE ANSWER

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

Mr. ADAMS. Mr. Speaker, the railroads are a vital part of the economic and social life of the Nation. Every day I receive letters and telegrams about the box car shortage—this year intensified by the heavy demands of the Russian grain shipment. I know what rail transportation means to my own region, the Northwest, and the Port of Seattle which I represent. This transportation system is national—touch it in any part and the effect is felt throughout. The railroads of the Northwest and the shippers they serve cannot well survive without a viable rail system in the East and the huge urban market it serves.

The administration proposal for the solution of the Northeast railroad crisis as outlined in Secretary Brinegar's report to the Congress is a sort of magical mystery tour. The concept is that a new corporation would be created with no money. Since it has no money, it would issue stock and use this stock to acquire certain assets of the bankrupt railroads. These assets would be those designated by the Secretary of Transportation as being necessary for a core rail service. In deciding what this core rail service would be the Secretary would be given arbitrary and dictatorial powers—his decisions would not be reviewable by the courts, the Interstate Commerce Commission or the Congress. The report gives lipservice to the rights of shippers, affected communities and rail labor, but little more.

Despite the fact that the trustees of the Penn Central have stated that it will require \$600 million to restore the ravaged Penn Central system, the report assumes that the core rail service can be preserved and continued with no Federal money. This is a "do it with mirrors" proposal and is simply presented to Congress with the pious hope that the problem can be solved within the framework of the private sector—by cooperative and public spirited action by all the parties involved.

I agree with the Secretary of Transportation that nationalization would be neither the efficient nor the proper way out of the Northeast railroad mess. But I had hoped with the expert knowledge at his disposal he would have prepared for the Congress a report that had some basis in reality. In effect, the administration is proposing to do nothing about the rail crisis in the Northeast except to throw this vital transportation network into the arena and see what survives in a free-for-all of economic greed. The philosophy of the "public be damned" has been given Presidential sanction.

There is no question that railroads in the Northeast are overbuilt—there is too much track and there are too many competing lines to survive as they are now. There are the basic problems of short hauls and high terminal costs. I very much doubt if any now prosperous railroad would buy up a substantial portion

of the rail lines in the Northeast—even if they had the money, which they do not. As operating railroad men they would see the perils too well of taking it all; and if they only take part, the abandoned remainder, which may be uneconomic to a railroad balance sheet, can be economic life or death for the manufacturer, the shipper, or the worker or mean a complete abandonment of all railroad passengers.

A sound transportation system is vital to the social and economic life of any region. It has the quality of a public utility. From the foundation of this Nation, the Government has been directly involved in transportation—from the building of canals and waterways to the granting of land to railroads to the trust fund for highways. In America, public transportation in all the modes has always been a joint task of private enterprise and the Government. The public interest in the railroads in the Northeast was most recently demonstrated by the rapid and overwhelming vote on February 8 to postpone a strike on its largest railroad, the Penn Central. This action was taken not because of concern solely for labor or for management, for creditors or for stockholders, but because the Congress saw that this gigantic transportation system could not be shut down without creating chaos.

The public interest in the Northeastern railroads involves management and worker alike, it involves the shipper and the manufacturer; it involves the hundreds of communities who depend on rail service for both passenger and freight. The future of this service cannot be left to the arbitrary and capricious decision of the bankruptcy auction.

I believe that the Congress must determine a procedure whereby essential rail service can be continued and this procedure must consider the interest of all. I favor rationalization of the rail system in the Northeast; by this I do not mean nationalization but I do mean using a rational method to determine what a basic system should be. I think from the many proposals that Congress has before it, a good and rational plan can be created. This plan must include a means of deciding what rail service is essential which will give an opportunity for all interests to be considered; and it must recognize that some Federal investment in preserving this system is not only necessary, but proper and with ample precedent in our Nation's history.

REPORT FROM WASHINGTON

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

Mr. KOCH. Mr. Speaker, I am mailing to constituents my first newsletter of this Congress. For the interest of my colleagues, I would like to set forth the complete text of the newsletter. It follows:

Congressman EDWARD I. KOCH REPORTS FROM WASHINGTON

Dear Constituent and Fellow New Yorker:

These are dreary days in Washington, and I am not talking about the weather. It's the Administration's attitude toward the

problems of our country that is distressing. When referring to the conditions of our urban centers recently, President Nixon said—

"The hour of crisis has passed. The ship of state is back on an even keel, and we can put behind us the fear of capsizing."

I suppose if one commutes between 1600 Pennsylvania Avenue and Key Biscayne, it is hard to see the problems, but if one lives in New York City one is in the eye of the storm and one sees that conditions have deteriorated in recent years.

The fundamental crisis facing the Congress is the President's refusal to spend money already appropriated for many domestic programs. The President's goals are two-fold. He wants the Congress to replace existing programs with "special revenue sharing" in various areas, such as housing and education; and he wants to reduce the budget. The President doesn't seem concerned about how long funding is suspended and people go without help while waiting for the enactment of revenue sharing—for the longer it takes, the greater the reductions in the budget.

We in Congress are concerned about the net amounts that will go to the states under revenue sharing compared to amounts appropriated under existing programs. The President has asserted that present funding levels will be maintained, but when the education revenue sharing proposal was recently announced, New York and other states readily saw they would lose millions of dollars.

The overture of the President's efforts to force Congressional approval of his revenue sharing proposals was the announcement of an 18 month housing moratorium. At first the moratorium was touted as a time to review existing programs, but now future funding is clearly tied to the enactment of the President's Community Development Revenue Sharing proposal.

In addition, the Nixon Administration has moved quickly to dismantle the Office of Economic Opportunity and has done its best to undermine the Legal Services program. President Nixon has even threatened to veto the Older Americans Act that provides such programs as nutritional services for the elderly.

The cutbacks have extended into the Labor Department while the unemployment problem continues and returning Vietnam Veterans are unable to get jobs. Approximately 4,500 veterans in New York City now draw welfare checks. They want to work, but cannot find employment. How can an Administration so quickly turn its back on the young men it sent to Vietnam?

The Nixon Administration has managed to combine both unemployment and inflation. Predictably, Phase III's "voluntary controls" have not worked. The Consumer Price Index for February showed the largest one month increase in 22 years with an unprecedented jump in food prices. I am co-sponsoring legislation to remove all restrictions on meat imports and to roll back and freeze food prices.

While cutting back our domestic programs, President Nixon is proposing that we aid Indochina's reconstruction. I am concerned about the devastation we have wrought in North and South Vietnam, but I would have a hard time justifying aid for our former enemy, as well as South Vietnam, while our own people suffer the consequences of domestic budget cuts. This is an issue that will be argued in Congress; and I would be interested in having your thoughts on it.

THE CIA AND THE FBI

In February, I brought under congressional scrutiny the CIA's involvement in local police enforcement matters. The CIA has provided training for police officers from a dozen police departments in the country de-

spite the stipulation in the National Security Act of 1947, establishing the CIA, that it "shall have no police, law enforcement powers or internal security functions."

I appreciate the need for upgrading local law enforcement departments. But, I believe this assistance should be provided through the Justice Department's programs, and not the CIA.

The CIA is an intelligence agency removed from public and regular Congressional scrutiny. Any intelligence agency that operates secretly has potential dangers to a free society. We must be alert to abuses of its authority so that we don't wake up some morning to find that an agency we established to protect ourselves from outside subversion has become a Trojan Horse in our midst invading the private lives of our own people.

On March 5, after preliminary investigations were conducted by the House and Senate Government Operations Committees, Chairman Chet Holifield (of the House Committee) announced that CIA Director James Schlesinger had terminated the disputed training program. However, in his memorandum to Chairman Holifield, Mr. Schlesinger went on to say that such activities would be "undertaken in the future only in the most compelling circumstances and with his approval, I believe the Director does not have this discretion and I have asked the General Accounting Office for a ruling on whether the 1947 law is still binding and prohibits such activities.

The matter of privacy has also been raised by the nomination of L. Patrick Gray as Director of the FBI. On November 1, Reps. Ben Rosenthal, Jonathan Bingham and I wrote to Mr. Gray requesting that we be allowed to examine the files maintained by the FBI on the three of us as part of its collection of dossiers on Members of Congress. In response, while indicating that the dossiers contained only "biographical" material obtained from public information sources, Mr. Gray turned down our request stating that access to the files was "only on a need-to-know basis." This policy runs contrary to the bill I have introduced (my Federal Privacy Act) to require federal agencies to inform persons of files maintained on them and allow individuals to examine their files except in cases of national security.

In testimony before the Senate Judiciary Committee on March 9, I urged that Mr. Gray's confirmation be denied because of, among other reasons, his apparent insensitivity to improper government surveillance in our country. While the FBI must collect information on individuals engaged in criminal activities, it should not be amassing political dossiers on private citizens or public officials.

HEALTH CARE

We are all concerned about the problems in our health care system, particularly its high cost and failure at times to reach those who need it. In an effort to secure quality health care for everyone, I have made several proposals in this field, as well as co-sponsored Senator Kennedy's National Health Security Act.

I have re-introduced my bill to extend federal assistance for the Children & Youth and Maternal & Infant Care projects funded under Title V of the Social Security Act. Last year these projects were extended for one additional year, although I had proposed a five year extension. I am working for another extension with Ways and Means Committee Chairman Wilbur Mills.

The Title V programs deliver excellent comprehensive, personalized health care to over one million mothers and children of low-income families. In the six years of their existence, they have increased the number of "well-registrants" by 50% and reduced infant mortality in some areas by as much as 50%. There are 23 such Title V projects in New York City.

As a result of the success of these projects and the alternative abuses the medicaid program has suffered in New York City, I have proposed that this type of program be developed for medicaid patients. I have introduced legislation to give cities like New York, whose medicaid programs are being undermined by abuses, the option of providing health services to medicaid patients through such neighborhood health centers, staffed by salaried physicians, rather than through private physicians on a fee-per visit or fee-per service basis. An exception would be made for persons with severe chronic disabilities.

In my research on this matter, I found that in New York City medicaid costs have doubled in the last two years to \$1.3 billion; only 4% of the City's doctors are collecting 85% of the medicaid payments; and the program is rife with abuses by some physicians overcharging, charging for services not rendered, and even putting patients through unnecessary tests and treatment. In short, under today's system, health care for New York City's medicaid patients is deteriorating while costs are soaring. This is particularly tragic when the Title V projects have demonstrated a successful alternative.

In another area, I have found that too many Americans are being subjected to unnecessary X-radiation exposure. Furthermore while 95% of the radiation we are exposed to comes from medical X-rays, there are few controls over X-ray equipment and persons operating it.

I have introduced H.R. 672 to apply federal performance standards recently promulgated for new X-ray machines used for diagnosis and treatment to all X-ray machines in use. The bill also mandates an annual inspection of the machines and the use of protective lead shielding on patients whenever X-rays are taken.

On March 9, the Senate Commerce Committee held hearings on radiation control. I testified on H.R. 672 and a companion measure, H.R. 673, that requires minimum federal standards for the training and licensing of radiologic technologists.

In some states we license car and TV mechanics. I feel it makes sense to license X-ray technologists who handle the most sophisticated of equipment—equipment that can provide extended life if properly used or shorten life if improperly operated.

CRIME

The problems of drug related crime continue to plague our country and particularly New York City.

Recently, Auguste Joseph Ricard, who was responsible for bringing at least a ton of heroin into this country every year since 1966, received the maximum federal penalty for unlawful distribution of narcotics: 20 years imprisonment and a \$20,000 fine. He will be eligible for parole in less than seven years. I have introduced legislation, H.R. 4235, to increase the federal penalty for drug pushing by an adult non-addict to life imprisonment with parole available only after at least 20 years of the sentence has been served. The bill would affect pushers of hard narcotics.

When the 93rd Congress convened, I re-introduced my bill, passed by the House and Senate last year, but stalled in conference, to require states receiving LEAA assistance for their correctional facilities to provide drug therapy for imprisoned addicts. I also re-introduced my "Light on Crime" bill, H.R. 5055, providing \$60 million annually through LEAA for five years to pay for two-thirds of the cost of installing high intensity street lighting. These lights, which turn night into day, are very effective in reducing crime, and are being installed on some New York City streets.

The Auxiliary Police Force, created in 1951, as a civil defense unit, has proved to be a valuable supplement to the City's regular po-

lice force. I have urged that the City's Auxiliary Police Force be quintupled over the next 4 years bringing its enrollment to 25,000. I also have recommended that the City provide Auxiliary Police with free uniforms and limited powers to issue summonses for parking and sanitation violations. The Defense Department has requested \$83.5 million for the nation's Civil Defense program. I have urged the House and Senate Appropriations Committee to earmark some of these funds as "dual purpose" funds to be used by localities as Auxiliary Police subsidies.

I continue to work for passage of my bill to give the federal Executive Protection Service the responsibility for guarding foreign missions and consulates in cities throughout the United States. If enacted, this bill will free City policemen from consulate guard duty so they can return to the streets and protect the public.

MASS TRANSIT

Two proposals of importance to transit riders are now being debated in Congress. One would open the Highway Trust Fund to mass transit expenditures; the other would provide localities with federal aid for the maintenance and operation of mass transit systems.

If these proposals are approved by Congress, New York City will receive millions more in mass transit aid from the federal government than it does today. As a Member of Congress and as a subway rider, I am pressing the "straphanger's" case on both proposals.

On February 6, I appeared before the Senate Housing Subcommittee in support of H.R. 2734, a bill I am sponsoring with other Members of my Committee, to provide \$400 million annually in mass transit operating subsidies and \$3 billion in construction assistance. The distribution formula in H.R. 2734, which has become known as the "Koch formula," allocates operating assistance on a per revenue passenger basis; this means that each locality's share of the \$400 million would depend on its proportionate share of the nation's total transit passengers. On this basis New York City would receive a large portion of the aid since its transit systems carry approximately 30% of the nation's transit passengers.

On March 15th the Senate approved the Federal Aid Highway bill making available \$850 million annually for either mass transit or highway projects in urban areas. \$850 million is a small portion of the total \$6 billion highway budget but it represents an historic modification of the Highway Trust Fund and a first step toward the goal of a single National Transportation Trust Fund.

The Senate bill also includes a transit package expanding the existing mass transit program: \$400 million annually in operating assistance and \$3 billion in new capital authority. And, the bill opens the Highway Trust Fund to bicycle lane and shelter construction, a provision I first proposed in 1971.

Having suffered a setback in the Senate, the highway lobby will try to roll back the mass transit uses of Highway Trust Fund revenues in the House. I am working through the DSG Transportation Task Force, of which I am chairman, to build a coalition of support for the transit amendments. And, I have testified before the House Public Works Committee in support of the Senate's transit provisions.

Last month the cause of mass transit was aided by the formation of a new Mass Transit Subcommittee in the House Banking and Currency Committee. I am now a Member of this Subcommittee.

If New York City is to meet the air quality standards mandated by the 1970 Clean Air Act, greater use will have to be made of mass transit in the metropolitan area. The pollution crisis underscores the City's need

for mass transit operating subsidies and more than \$1 billion in federal assistance requested by the MTA for capital improvement and construction projects.

NEW COMMITTEE AND SUBCOMMITTEE ASSIGNMENTS

In the first weeks of this Congress, I was appointed to the House Administration Committee. I continue to be a Member of the Banking and Currency Committee with assignments on its Mass Transit, Consumer Affairs, Small Business and International Trade Subcommittees.

Parenthetically, I should note that I have been made Secretary of the New York Democratic Delegation which now meets two times a month. In the 91st Congress, I helped organize these meetings to increase our effectiveness as a delegation in the House and in our relations with the federal agencies.

Your comments on this newsletter and any proposals you might have on any subject are of interest to me. Please write to me c/o House of Representatives, Washington, D.C. 20515.

If you need assistance, call my New York City office at 264-1066 between 9:00 a.m. and 5:00 p.m. weekdays.

FEDERAL CRIME INSURANCE PROGRAM

If you are unable to get private insurance against burglary in your home, apartment, or place of business, you may wish to consider coverage under the Federal Crime Insurance Program. This insurance, at affordable rates, won't be cancelled because of losses. All of New York is covered under this program.

For information on rates and coverage, call any licensed insurance agent or broker in the state.

The newsletter also included three pictures. The captions for these pictures are as follows:

Recently, a thousand women with their children came to the federal office building in Manhattan to protest proposed day care regulations restricting eligibility in many federally assisted day care programs. The effect of the new regulations will be that an estimated 15,000 working women in the City, many of whom are paying taxes, will be forced to leave their jobs, stay home with their children, and go on welfare. I am co-sponsoring legislation to nullify the proposed regulations, and on March 21 the Democratic Caucus voted unanimously to fight the Administration's cutbacks in the day care program and other social services. (For pictures #1 and 2)

On February 28, I was the keynote speaker at the 1973 Bicycle Symposium sponsored by the National Park Service concerning my legislation to use Highway Trust Fund monies for the development of bicycle lanes and shelters. The Congressional Ad Hoc Committee on Bicycle Transportation, of which I am co-chairman, in coordination with the Department of Transportation and the NPS is sponsoring a National Bike Day tentatively scheduled for July 15.

IS OMB RUNNING THE VETERANS' ADMINISTRATION?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Saylor), is recognized for 30 minutes.

Mr. SAYLOR. Mr. Speaker, on February 27 of this year, I addressed this body concerning the oversight responsibilities of the standing committees of the House with respect to the department or agencies coming within their jurisdiction. I also spoke of the recent address of the Administration of Veterans' Affairs, Mr. Donald E. Johnson, in which

he completely subordinates himself and the Veterans' Administration to the dictates of the Office of Management and Budget. Since my previous speech, additional evidence of such subordination has surfaced at recent hearings before the Subcommittee on HUD, Space, Science, Veterans and certain agencies of the House Appropriations Committee.

At these hearings Mr. Johnson introduced a letter addressed to him by the then Director of the Office of Management and Budget, Mr. Caspar Weinberger, dated January 26, 1973. The full text of the letter follows:

In reviewing the budget submission of all executive branch agencies, the President has been guided by his overriding commitment to avoid the need for a general increase in tax rates. As a result, the spending proposals set forth in the 1974 Budget for each Federal activity represent the maximum amounts that will permit the Administration to accomplish the following overall objectives:

For FY 1973, to hold total Federal outlays to \$250 billion.

For FY 1974 and 1975, to reach and preserve a modest surplus in the full employment budget without the necessity for proposing an increase in tax rates.

The President has approved budget allowances for your agency as shown in Enclosure A for 1973 and Enclosure B for 1974 and 1975. He expects you to develop detailed plans and operations for your agency in such a way that your 1973, 1974, and 1975 budgets will be held within the totals shown. These amounts and all other information in this letter are confidential and should be guarded with care until the President's budget is transmitted to the Congress.

The 1975 allowances represent an innovation made this year in recognition of the impact that one year's commitments exercise on subsequent years' financial resources. These resources have become so increasingly preempted by prior actions that advance budget guidance and responsible forward planning have become essential to prudent financial management and sound fiscal policy.

Although the 1975 allowances are intended to provide firm guidance, the degree of uncertainty surrounding such forward estimates is obviously much greater than in the case of shorter term estimates. Adjustments (down as well as up) will, of course, be made in next year's budget process as required to take account of certain developments now unforeseen: for example, the outcome of this year's legislative action, later and more accurate statistics, more informed appraisals of workload, and other changes in the external environment.

Nevertheless, it is expected that any 1975 budget requirements which may result from legislation proposed or favored by your agency will be within the totals provided.

SUPPLEMENTS

Proposals for 1973 supplements under existing legislation are being transmitted to the Congress with the 1974 Budget. For your agency, they include only the item and amount listed in Enclosure A. Other current year supplements will be transmitted later only if they meet the policy tests of OMB Circular No. A-41 and the resulting outlays can be offset within the annual totals provided herein for your agency. In such cases, required materials will be submitted in accordance with Circular No. A-41.

CIVILIAN EMPLOYMENT CEILINGS AND JANUARY 1973 PAY RAISE

Enclosure C sets forth the ceilings on civilian employment established by the President for your agency. The revised 1973 employment ceilings do not take account of the hiring freeze currently in effect. You may lift the hiring and promotion freeze as

soon as you can be certain that your agency can absorb—within the present 1973 outlay and appropriation estimates—the full amount of the January 1973 pay increase. For this purpose, transfers between appropriations may be contemplated, consistent with the language proposed in Title II of Part III of the 1974 Budget Appendix.

SIGNIFICANT POLICY DETERMINATIONS

The allowance for Medical Care is intended to ensure high quality medical care to greater numbers of veterans to be achieved by continuing emphasis on nursing home and outpatient care as alternatives to hospitalization and by further reducing the length of patient stay as indicated in the budget document. You are encouraged to seek ways of increasing managerial efficiency such as coordination of patients admissions with the schedule of testing and elimination of duplication of services within medical regions.

The study of the projected bed needs for the VA hospital system now underway with OMB participation, carries high priority and should aim for interim results in time for the Spring Budget Preview. We request that the study specifically address itself to the extended care program as well as the hospital program and indicate the future directions for nursing care and domiciliary beds.

An intensive reorganization of VA field offices will be undertaken, to conform to the standard Federal regions, with a tight redistribution of staffs to improve services, attain economies, and enhance the role of local organizations and governments.

A revised Compensation Rating Schedule will be issued effective in FY 1974, based upon the approved guidelines.

The budget allowances assume housing loan asset sales of \$600 million in FY 1973 and \$416 million in FY 1974.

The approved legislative program has been outlined in the OMB guidance recently conveyed to you and anticipates intensive VA-OMB staff work on reforms of pension, compensation, and burial benefits.

CIVIL RIGHTS ACTIVITIES

Within the employment and financing allowances established in this letter, you are to provide full staffing for activities attributable to contract compliance, enforcement of Title VI of the Civil Rights Act of 1964, and equal employment opportunity within the Federal service. Specifically, it is expected that you will support civil rights activities in 1974 at a level of at least \$340,000 in obligations and fifty full-time permanent positions for Contract Compliance and Title VI, and \$2,844,000 in obligations and 194 man-years for EEO activities. These amounts are included in the ceilings specified in this letter.

AUTOMATIC DATA PROCESSING SYSTEM

Within your agency's allowance, total obligations for acquisition and operation of ADP systems, excluding Salaries and Expenses, will not exceed \$16,905,000 in 1973 and \$11,295,000 in 1974. These obligations are based on your budget submission as specified under Section 27.2 (See Exhibit 27B) of OMB Circular No. A-11, Revised. You will shortly receive a request from this Office for submission of your revised plans for acquisition and operation of ADP systems, consistent with the selective moratorium on computer purchases and new leases, and field office reorganization plans.

The President expects each and every official in the Veterans Administration actively to support the budget set forth in this letter and its enclosures. This support should be given in testimony before congressional committees, in informal contacts with Members of Congress and their staffs, and in speeches and meetings with outside groups.

Sincerely,

CASPAR WEINBERGER,
Director.

1973 CEILING AND SUPPLEMENTS PROPOSED VETERAN'S ADMINISTRATION

Within your ceilings as given below, separate allowances are approved as shown for supplements now being requested.

[In millions of dollars]

	1973	
	Budget allowances	Outlays
Total allowance (ceiling).....	-12,566	-11,758
Supplements being requested in budget (-):		
Readjustment benefits.....	-318	-248
Allowance minus supplements and items proposed for separate transmittal above.....	-12,248	-11,510

Note.—Each of the above amounts constitute a limit that will not be exceeded without prior approval of the Office of Management and Budget. The supplemental estimate for the readjustment benefits appropriation will continue to be the subject of close analysis by our staffs in the next few months due to the many uncertainties caused by the enactment of the recent GI bill amendments. In addition, it is expected that VA will completely review and overhaul the estimating and projecting techniques for this program and will install them in time to be useful in developing the final supplemental estimates.

Items included above which require new legislation or supplemental appropriations will be included in the 1973 ceilings only to the extent approved by the Congress if and when the needed legislation and appropriations are enacted. Reductions below the amounts identified above for such items and any decreases in estimated outlays for other programs should produce savings in the totals. These savings will not be applied elsewhere in your agency without approval of the Office of Management and Budget. Such savings may be needed to offset unforeseen and mandatory requirements elsewhere in the Government.

BUDGET ALLOWANCES FOR 1974 AND 1975¹

[In millions of dollars]

	Budget allowances	Outlays
1974:		
Agency total.....	12,209	11,703
Amount included above for proposed legislation.....	(-357)	(-357)
1975:		
Agency total.....	12,161	11,875
Amount included above for proposed 1974-75 legislation.....	(-361)	(-361)

¹ The above amounts constitute a limit that will not be exceeded without prior approval of the Office of Management and Budget.

Amounts included above which require new legislation or supplemental appropriations will be included in the agency ceiling only to the extent approved by the Congress if and when the legislation and/or appropriation are enacted. Reductions below the amounts shown for such items and any decreases in outlays for the other programs should produce savings in the totals. These savings are not to be applied elsewhere in your agency without approval of the Office of Management and Budget. Such savings may be needed to offset unforeseen and mandatory requirements elsewhere in the Government.

EMPLOYMENT CEILINGS, VETERANS' ADMINISTRATION

June 1973 June 1974

Total employment, excluding disadvantaged youth and public service careers trainees.....	193,876	191,896
Full-time employment in permanent positions, excluding public service careers trainees.....	171,611	170,022

¹ These ceilings represent the upper limits for June 1973 and June 1974 employment for your agency. They cover all employment in your agency except for disadvantaged youth and worker-trainees under the public service careers program.

At the same hearings Mr. Johnson was asked to present the budget figures the hospitals and clinics of the VA had originally requested for fiscal year 1974, and the amount he, as Administrator, had requested of OMB as opposed to the budget request OMB approved for sub-

mission to the Congress. It is interesting to note that if one only examines the fiscal year 1973 and fiscal year 1974 columns in the fiscal year 1974 congressional budget request, then the fiscal year 1974 figures do not look at all bad. However, if one goes back and examines the fiscal year 1973 appropriation and compares this with the fiscal year 1973 and fiscal year 1974 columns in this latter budget request then it is immediately apparent that not only is this a bad budget but it also clearly violates the intent of the Congress.

It is most significant that both Mr. Weinberger's letter and the enclosures thereto, talk of the fiscal year 1975 budget allowances. A close examination of the fiscal year 1975 allowance, as shown on the enclosure to the letter [B], will show it to be below the fiscal year 1974 figure for the entire VA by some \$48 million. Obviously OMB intends to decrease veterans benefits, including medical care, even further than the fiscal year 1974 budget would indicate. I believe the Congress needs to know more about this now rather than waiting on another crisis to be dumped into our laps as was the reduction in compensation payments to the severely disabled when the fiscal year 1974 budget was initially presented to the Congress.

In fiscal year 1973 the President's budget for the medical care appropriation encompassed levels of \$2,551,153,000, a full-time-equivalent-employment of 154,441 and a hospital census of 83,000. The Congress added \$54,580,000 and 3,725 full-time-equivalent-employment to raise the hospital census to 85,500.

The appropriation was signed by the President on August 14, 1972, and the Office of Management and Budget issued an apportionment of funds on September 15, 1972. However, the employment related to the \$54,580,000—3,725 FTEE—was not provided by the OMB.

Subsequent to these actions the OMB imposed employment ceilings which reduced the total employment by 5,799 positions and the full-time-equivalent-employment by 4,620; reduced the hospital census to 82,000; and, reduced the funding level by \$64,080,000 to \$2,542,000,000. The \$64,080,000 was composed of the congressional add-on of \$54,580,000 plus on OMB reduction of \$9,500,000 related to the census reduction of 1,000 and the employment freeze initiated by the President on December 11, 1972. In addition, it was directed that the full cost of the January 1973 pay raise would be absorbed. The cost of the pay raise was \$35,000,000 which made for a total program reduction of \$99,080,000 in fiscal year 1973 in the medical care appropriation.

The medical and prosthetic research appropriation has also been affected by actions subsequent to the Appropriation Act of August 14, 1972. The congressional appropriation provided for \$76,818,000 and a full-time-equivalent-employment of 4,005. The Office of Management and Budget has reduced these levels to \$72,000,000 and 3,800 by directive to maintain an unobligated balance of \$4,818,000 as at June 30, 1973. Fiscal year 1973 program levels have been adjusted in accordance with these directives.

In fiscal year 1974 the medical care appropriation is proposed at a level of \$2,656,000,000, with a full-time equivalent employment of 153,546 and a hospital census of 80,000. This is an increase of \$49,920,000, a decrease in census of 2,000 and maintaining employment at the fiscal year 1973 level.

The \$49,920,000 increase would be insufficient to maintain the system at the fiscal year 1973 employment and workload levels. A 2,000 reduction in hospital census was made despite an increase of 698 census in new or replacement hospitals. To achieve this existing hospitals will need to be reduced by 2,698 average census. Since no new employment has been provided the employment necessary to care for the workload increases of 339 in VA nursing homes, 1,620,280 outpatient visits and specialized medical services started during fiscal year 1973, as well as the 698 census addition in new hospital activations will have, of necessity, to come from reductions in existing programs. These workload increases alone require better than 3,700 FTEs.

Just as important as the requirements for new workloads are to a responsive treatment system are those programs which cannot be provided for. For instance, in fiscal year 1974, a most essential program, that of education and training of health care personnel, will not receive the continuing impetus it must have in order to provide not only the VA needs but the whole Nation's increasing need for competent professional, paramedical, and administrative personnel.

This resource is invaluable if we are to continue to meet the health needs of the Nation's veterans. In the closing days of the 92d Congress we passed what became Public Law 92-541, Veterans Administration Medical School Assistance and Health Manpower Training Act of 1972. This law authorized the Veterans' Administration to assist eight new State medical schools in getting underway providing they were located adjacent to and become affiliated with VA hospitals.

It further authorized assistance to existing medical schools affiliated with VA hospitals, as well as other schools of allied health, affiliated with the VA to increase the production of professional and other health personnel. This bill authorized an appropriation of \$75 million a year for a period of 7 years to alleviate the acute shortage of health manpower. The bill was signed into law by the President on October 25, 1972.

No other institution or system in the free world can contribute as can the VA to train such personnel. Now I learn to my utter amazement that OMB has not allowed the VA to ask for any funds either in a fiscal year supplemental or the fiscal year 1974 congressional request. It is my hope that the House Appropriations Committee and then this entire body will vote to add the entire \$75 million to the fiscal year 1973 supplemental appropriation bill and the fiscal year 1974 appropriation. This is a matter that affects the health of not only veterans but the entire Nation.

Over the past 7 to 8 years the VA has made excellent progress in the activa-

tion of essential treatment modalities, which for budgetary purposes, have been labeled specialized medical services, such as alcohol and drug treatment units; blind centers; intensive/coronary care units; et cetera. These modalities totaling nearly 30 are essential components of any modern, responsive health system and to operate a system without them is to operate a second-class system. Due to budget restrictions no additional new medical services will be activated in fiscal year 1974.

The VA has continually tried to meet the challenges of an ever-changing program in the delivery of health care. Currently, programs related to hypertension screening, treatment of the aging, and sickle cell anemia are underway. However, the fiscal year 1974 budget will hold these efforts at no better than those started in fiscal year 1973 which at best are modest in scope and effect. In addition to the aforementioned programs are ones in dentistry, mental health and emergency care which should be pursued but cannot without budgetary assistance. None is available in fiscal year 1974.

The VA has over 5,000 buildings with a replacement value in excess of \$4.5 billion. The medical care appropriation is responsible for the care of these facilities through its maintenance and repair program. Since the majority of these structures are over 20 years old the cost of this maintenance program is ever increasing. In addition to the regular maintenance and repair costs are costs related to minor improvement projects which are essential in making the facilities more responsible to the furnishing of health care. In a period of constantly rising prices, continuing deterioration of aging facilities and the need to adapt current facilities to new treatment concepts the fiscal year 1974 budget provides for only the same level of operation as it did in fiscal year 1973.

In a similar vein any system as large and complex as the VA hospital system needs to constantly update its equipment, both by new purchases and by replacing old or outdated equipment. Due to budgetary restrictions in fiscal year 1974 over \$5,200,000 less will be spent for equipment. This will not only allow for less new equipment procurement but will cause the equipment replacement backlog to rise to undesirable levels.

The thing that continues to bother me, and it certainly should bother every Member of this body regardless of his party affiliation, is the strong arm tactics of OMB. I again refer you to the last paragraph of Mr. Weinberger's letter to Mr. Johnson. It read as follows:

The President expects each and every official in the Veterans Administration actively to support the budget set forth in this letter and its enclosures. This support should be given in testimony before congressional committees, in informal contacts with Members of Congress and their staffs, and in speeches and meetings with outside groups.

When responsible officials are testifying before committees of Congress it is my belief they are there because of their particular expertise to impart important information and opinions to the Con-

gress. If they are there merely to express to the Congress the position of OMB then we are wasting our time in such an exercise in futility. When Mr. Johnson saw fit to request of the OMB \$2,829,408,000 with a full-time equivalent employment of 166,395 he must have had justification for it. Now he appears before the Subcommittee on HUD, Space, Science, Veterans and certain other agencies, House Appropriations Committee and knocks himself out to justify the amount of \$2,656,000,000 and full-time equivalent employment ceiling of 153,546, the figure given him by the OMB.

I believe I speak for the entire membership of the House Committee on Veterans' Affairs when I say that we will insist that the Department of Medicine and Surgery be appropriated sufficient funds and authorized sufficient staff to provide quality medical care for veterans. This has never been more important than at this time when VA hospitals are receiving more and more of the seriously disabled from the Vietnam war.

CITIES "NEED TO KNOW" ON REVENUE SHARING

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

Mr. DANIELSON. Mr. Speaker, recently I received a letter from Mayor Gershon Lewis of Monterey Park, Calif., a city which is in my congressional district. Mayor Lewis has done an excellent job of delineating the questions and problems that face our smaller cities with respect to the various special revenue sharing programs which have been proposed by the administration—or, in the case of the manpower programs, created with the stroke of a pen.

One thing clearly pointed out by Mayor Lewis' letter is the fact that these drastic changes cannot be imposed with such suddenness, ignoring the need to provide the cities with adequate lead time to plan for changes. The cities must be given appropriate information for planning ahead. Cities such as Monterey Park must know what the administration's plans mean to them before they can even evaluate what the effect will be on their existing programs.

It is incumbent upon the administration and Congress to take early action that would provide the cities with this necessary information on which to base their future plans. I urge my colleagues to give the factors in the following letter every consideration as legislation for fiscal 1974 is developed. The letter from Mayor Lewis follows:

CITY OF MONTEREY PARK, CALIF.,
February 16, 1973.
The Honorable GEORGE E. DANIELSON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DANIELSON: After the submission of the President's Fiscal Year 1974 Budget to the Ninety-Third Congress last week, it is clear that the second Nixon Administration is moving toward a new orientation in domestic spending policies that could have serious effects upon the cities. Monterey Park must be included in this number. To assist you in your delibera-

tions during the upcoming budget sessions, I have endeavored to compile information that presents Monterey Park's position with regard to intergovernmental assistance.

The enclosed is a summary of our City's grant-in-aid activity during the last two calendar years. Two conclusions can be readily drawn from this summary. First, it is obvious that our City has not been able to pursue a great number of grants. Secondly, where we have been successful in obtaining grants, the major monies have come from the manpower programs.

With respect to the first conclusion, our City cannot draw upon sufficient staff resources to become skilled in the art of grantsmanship as some cities have done. We often encounter problems meeting detail requirements of several grant-in-aid programs. Whenever a program requires matching funds, our City is usually excluded due to a tight financial situation. Therefore, we support the concept of special revenue sharing to suit our needs. However, under those limited types of special revenue sharing being proposed by the Administration, it is still questionable that our City could qualify for aid. The \$6.9 billion proposed for four types of special revenue sharing is a small amount when compared to the needs of the cities. This is especially true when it is clear that these funds may come from a consolidation of present categorical grant programs.

The loss of funds from proposed cuts and eliminations of manpower programs will greatly impair our work force. The City currently has 42 authorized positions through the PEP Program including 15 permanent

positions that had to be deleted from the budget for austerity reasons just prior to the availability of EEA funds. Of the 56 persons hired by our City thus far through PEP, 37.5% have been Mexican-American (includes Spanish surnames), 5.4% Asian-American, and the remainder Caucasian. The unemployment rate, although lower than in previous months, continues to be high with a 4.8% rate and a 5.2% rate for Los Angeles County and the State of California, respectively, in January 1973. We are facing a dilemma with the eminent expiration of the program in June and final phase out by the end of the calendar year. In addition, our City utilizes the College Work Study and NYC Programs. The fate of the former is uncertain and the latter has been eliminated in the proposed budget. I do not have to tell you that NYC funds, in addition to providing manpower, provide jobs for young people in our area from disadvantaged families.

You have received under separate cover from me our position as regards the Administration freeze on housing programs. I will not dwell further here except to mention this for inclusion into the greater context of our situation.

We are hesitant to use our general revenue sharing funds to the extent of replacing these possible losses. It would not be possible for us to replace our entire PEP Program, as we received only \$253,338 from revenue sharing funds for 1972 as opposed to \$812,303 in federal EEA monies expended. At this time, the City Manager's recommendation to the Council is to use revenue sharing money to re-

place 15 positions from PEP that were originally deleted in the City's Fiscal Year 1972 budget. Moreover, the City is in dire need of many capital improvements, the cost of which far exceeds our revenue sharing allotment. General revenue sharing offers us only the chance to attempt to catch up with needs, not to provide new levels of service. Finally, the cities have always taken the position and had the understanding from the Administration and the Congress that general revenue sharing was not to substitute for present categorical grant-in-aid programs.

It seems that now more than ever the cities will have to depend on the members of the Congress to represent their views in Washington. We welcome attempts to bring about more decentralization of the Federal government that will allow the cities to determine their needs and how best to meet them. The Administration is calling for this, but at the same time it is also proposing an overall reduced role by the public sector in the solving of domestic problems. This philosophy would not appear workable.

Our City is aware, as are other cities, of Federal budget constraints. Part of this matter deals with the placing of priorities, but perhaps a more important element lies with much needed tax reform. Again, it will be up to Congress to make the steps in this area. The City Council and all of Monterey Park's citizens appreciate your interest and care for our problems and concerns. We support and encourage your efforts to that end.

Very truly yours,

GERSHON L. LEWIS, Mayor.

SUMMARY OF STATE AND FEDERAL GRANT-IN-AID ACTIVITY FROM JANUARY 1971 TO JANUARY 1973—CITY OF MONTEREY PARK

Program	Grant	Proposal name	Status
Intergovernmental Personnel Act, U.S. Civil Service Commission:			
Federal share.....	\$20,250	Employee career development, critical performance standards, and performance evaluation program.....	Applied: June 29, 1972.
Local in-kind.....	8,161		Denied: Nov. 1, 1972.
Total.....	<u>28,411</u>		
Intergovernmental Personnel Act, U.S. Civil Service Commission:			
Federal share.....	12,237	Management development program.....	Applied: Oct. 21, 1971.
Local in-kind.....	4,079		Denied: Feb. 14, 1972.
Total.....	<u>16,316</u>		
Intergovernmental Personnel Act, U.S. Civil Service Commission:			
Federal share.....	8,099	Employee performance evaluation.....	Applied: Oct. 21, 1971.
Local in-kind.....	2,700		Denied: Feb. 14, 1972.
Total.....	<u>10,799</u>		
Intergovernmental Personnel Act, U.S. Civil Service Commission:			
Federal share.....	19,009	Organization study.....	Applied: Oct. 21, 1972.
Local in-kind.....	6,337		Denied: Feb. 14, 1972.
Total.....	<u>25,346</u>		
Emergency Employment Act, Department of Labor:			
Section 5 (October 1971 to January 1973):			
Federal share.....	342,427	33 positions.....	
Local in-kind.....	36,692		Original application approved October 1971 with later additions and modifications, Program is scheduled to end June 30, 1973.
Total.....	<u>379,119</u>		
Section 6 (November 1971 to January 1973):			
Federal share.....	50,117	4 positions.....	
Local in-kind.....	5,569		
Total.....	<u>55,686</u>		
Section 9 (December 1972 to December 1973):			
Federal share.....	41,708	5 positions.....	
Local in-kind.....	4,634		
Total.....	<u>46,342</u>		
Older Americans Act, Title III, California Commission on Aging, HEW:			
Federal share.....	11,890	Servicing our seniors.....	Applied: July 1972.
Local in-kind.....	3,963		Approved: November 1972, (renewable after first year).
Total.....	<u>15,853</u>		
Legacy of Parks, HUD:			
Federal share.....	98,505	Acquisition—open space.....	Application never formally submitted for failure to provide local match.
Local match.....	98,504		
Total.....	<u>197,009</u>		

SUMMARY OF STATE AND FEDERAL GRANT-IN-AID ACTIVITY FROM JANUARY 1971 TO JANUARY 1973—CITY OF MONTEREY PARK—Continued

Program	Grant	Proposal name	Status
College Work Study:			
California State Legislative Assembly, July 1, 1971 to June 30, 1972:	\$5,143		
Federal share.....	857		
Local match.....			Agreements are renewed yearly as funds allow.
Total.....	6,000		
July 1, 1972 to Mar. 17, 1973:	3,030		
Federal share.....	1,492		
Local match.....			
Total.....	4,522		
ELAC, July 1, 1972 to June 30, 1972:	17,581		
Federal share.....	4,369		
Local match.....			
Total.....	21,950		
July 1, 1972 to June 30, 1973:	16,986		
Federal share.....	4,514		
Local match.....			
Total.....	21,500		
Neighborhood Youth Corps, Department of Labor:			
City receives no actual cash but is recipient of personnel provided through Mark Keppel High School and Casa Maravilla:			
1972—65 employees.....			
1971—30 employees.....			Agreements are renewed yearly as funds allow.
Omnibus Crime Control and Safe Streets Act, California Council on Criminal Justice, Department of Justice:	71,747	Measurement of an in-depth crime prevention program.	Applied: Nov. 22, 1971. Denied: February 1972.
Federal share.....	30,486		
Local in kind.....			
Total (3 years).....	102,233		
Water and Sewer, HUD:	147,308	18-inch waterline in Garvey Ave.....	Applied: May 4, 1970. Awarded: Apr. 12, 1971.
Federal share.....	186,577		
Local match.....			
Total.....	333,885		
Office of Traffic Safety, State of California:	44,955	Emergency medical aid development program.	Applied: July 1971. Denied: February 1972.
State share.....			
Total.....	44,955		
Topics 1970-71, State of California, Department of Transportation:	40,882	Traffic control on Atlantic Boulevard.....	Applied: Jan. 13, 1970. Awarded: Jan. 23, 1970, (yearly renewal).
Federal share.....	11,150		
Local match.....			
Total.....	52,032		
1971-72:	23,118		
Federal share.....	6,350		
Local match.....			
Total.....	29,468		
1972-73:	23,118		
Federal share.....	6,350		
Local match.....			
Total.....	29,468		
Traffic Safety Act, Office of Traffic Safety, State of California:	24,833	Traffic control devices.....	Applied: Nov. 19, 1971.
State share.....	9,600	Traffic records.....	
	13,900	Identification and surveillance of accident locations.	No projects were funded.
	65,000	Police traffic services.....	
	12,500	Emergency medical services.....	
	55,666	Traffic control devices.....	Applied: Oct. 3, 1972.
	43,000	Traffic accident records.....	
	15,000	Identification and surveillance of accident locations.	Pending.
	23,500	Pedestrian and bicycle safety.....	
	176,000	Police traffic services.....	
	41,500	Emergency medical services.....	
	15,000	Identification and surveillance of accident locations.	Pending.

CAPT. GEORGE DIALS—DISTINGUISHED WEST VIRGINIAN

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

Mr. HECHLER of West Virginia. Mr. Speaker, in the aftermath of the terrible tragedy of the collapse of the coal refuse pile on Buffalo Creek, W. Va., which killed 118 persons and left thousands homeless, the center of disaster operations was Man High School.

There are about 700 students at Man High School, and one of its outstanding graduates is George Edward Dials, son of a coal miner. I had the honor of nominating George Dials for appointment to the U.S. Military Academy in 1963. George was graduated from West Point in 1967 and went to Vietnam where he became a commander and earned a number of citations for honor and bravery under fire. George's distinguished military career and his love for West Virginia and for the people in the Buffalo Creek Area are underscored in the following

article which appeared in the March 8 Logan Banner:

MHS GRADUATE PRAISED AS SERVICEMAN AND WEST VIRGINIAN

(EDITOR'S NOTE.—Any list of outstanding graduates of Man High School would not be complete unless it included the name of George Edward Dials. He graduated in 1963 as valedictorian of his class and entered the U.S. Military academy at West Point later that year. While associated in an advanced educational program in the Nuclear Engineering Department of the Massachusetts Institute of Technology, he became acquainted with Thomas E. Eaton, who now

lives at 989 Memorial Drive, Cambridge, Mass. Eaton was from the "Lead Belt" lead and iron mining region of Southeast Missouri, so he and George had something in common.

(During the past Christmas season, Eaton came to Logan to visit two of his friends—Arwind (Ervin) Gore and his family and Nanu Ashar and his family. Gore and Ashar, both mechanical designers with Guyan Machinery Co., were graduate students with Eaton in the Mechanical Engineering Department of the Missouri School of Mines.

(Shortly after returning to his home, Eaton wrote the following article about George Dials and sent it to The Banner, hoping that it "will be of interest to your readers, not only because George is a distinguished American veteran, but also because he is a true West Virginian concerned with the problem of his people."

(The Banner thanks Eaton for the article and is happy to publish it in its entirety.)

(By Thomas E. Eaton)

Where have they all gone—all those young men from West Virginia who served their country in the Armed Forces in Vietnam?

Now that the war is over, these young men are likely to become the most quickly forgotten veterans in U.S. history. Certainly, Vietnam will continue to be in the news. Also the stories about those deserters or draft dodgers who failed to do their duty will increase in frequency. That is news, you see, for it is the exception to the rule.

But let us not forget those from this state who proudly served their country. As in the previous wars of this century, many West Virginians served in the Army and served with distinction. West Virginia, too, has its honor roll of those who gave their lives in Vietnam and those who returned badly wounded. All deserve our warm thoughts and admiration for performing their duties as proud Americans and West Virginians.

A young man from Greenville (Hunt), Logan County, is likely one of the most highly decorated West Virginians to emerge from the Vietnam War. During his tour of duty there, Captain George E. Dials was a company commander with the 199th Light Infantry Brigade. According to his commanding officer at that time, George's unit was one of the most aggressive and successful in the brigade.

"The morale and effectiveness of his company was due largely to Captain Dials' own bravery under fire. His men knew that he would take the same chances that they had to take, and they respected him for it," the officer said.

As a result of the many combat actions that he and his company were involved in, George was decorated many times for heroism. In all, he received two Air Medals, a Bronze Star for Valor and three Oak Leaf Clusters (three additional awards), and the nation's third highest award for valor in combat—the Silver Star.

When asked about the war, George never talks about his own heroics but dwells on the heroics and sacrifices of the men with whom he served.

"I have no regrets about fighting in Vietnam or about the job that I did there," he said. "I think that the U.S. had an obligation to combat the spread of communism in Southeast Asia. The U.S. stands for liberty and freedom in the world community. We, her citizens, must pay more than simple lip-service to these concepts; if need be, we must be willing to fight to uphold freedom and liberty when they are threatened. I feel that our involvement in Vietnam gave the South Vietnamese the time to develop the capabilities to defend themselves and to guard their own freedom. To me, that was a worthwhile cause."

George was born at Kistler, Logan County, West Virginia, on Feb. 22, 1945. His father,

Bill Edward Dials, and mother, Marion Perry Dials were both native West Virginians.

Tragically, George's father was killed in a coal-mining accident at Elk Creek when George was only four years old. Thus, he, his 18-month-old sister, Sarah, and his mother faced an uncertain and difficult future.

The family moved to Greenville in 1950 and remained there until George's mother and sister moved to Huntington in 1965.

But, it was in Greenville that George grew and developed into the man he is today. He attended the elementary school in South Man and the junior and senior high schools in Man. In 1963, George graduated as a valedictorian of his class.

Not only was he a good student, he was also a very able athlete. He had been captain of the football team and was an honorable mention guard and line backer on the All-State team.

Speaking of his childhood, George said:

"Well, we certainly were not well off financially, but I never thought of us as very poor. Sarah and I were always well-fed and had what we needed. My mother is a tremendous person. She held the family together.

"She was strong, tough and wise; anyway, that's how she appeared to me in those days. She was a good manager, too; she seemed to be able to stretch a nickle a mile. In fact, she can still do that. No, we never had a lot of money, but we had plenty of a much more important commodity—LOVE. Both Sarah and I owe a great deal to Mother."

Sarah now lives in Wayne, W. Va., with her husband, Charles Cornwell, and their one-year-old son, Donnie. Mrs. Marion Dials lives in Huntington where she works in the Dietary Department of the Cabell-Huntington Hospital.

In June, 1963, George entered the United States Military Academy through an appointment from Congressman Ken Hechler. At West Point he distinguished himself, also. In his senior year, George attained the permanent rank of Cadet Captain and commanded a cadet company.

In addition, he was chosen as a member of the All-East team of the 150-pound intercollegiate football league. On 7 June, 1967, George graduated from West Point and was commissioned as a second lieutenant in the Infantry, the beginning of a successful military career.

Presently, George lives near Boston, Mass., with his wife, Pamela, and two children—Bill, 4½, and Heather, 2. He is still in the Army and is attending the Massachusetts Institute of Technology under an Army-funded program. He will graduate in June, 1973, with master of science degrees in both nuclear engineering and political science.

What about the future?

"Pam and I both like the Army and, of course, I consider myself a professional soldier at this point," George said. "But, I am not sure that it will be a 30-year career for me."

When asked if he intends to return to West Virginia, George stated:

"If you mean permanently, I don't know yet. As I said before, I still like the Army and intend to stay in a few more years. I do visit West Virginia and Logan County quite often. In fact, I was in the Buffalo Creek area just after the tragedy in March last year. My grandparents, Lula and George Dials, lived in Kistler at the time. Shortly after the flood, my grandfather died of a heart attack. I was there to attend his funeral and back again in the summer to visit my grandmother, who now lives in Man."

He continued:

"I think about the region a great deal. I have great respect for the people and love the mountains that they call home. In all my travels, I have never known more hard-working, considerate and compassionate people. They—the people—represent the state's most valuable asset in my opinion."

"So, yes I've thought about leaving the service and going back, probably to get involved in state politics and government. That would provide the best mechanism for serving the people's interest and looking out for their welfare. But, I haven't made that decision yet."

This young man from West Virginia served his country in Vietnam and returned as a highly decorated combat leader. If he remains in the Army, he should go far, perhaps to become a general officer.

But, his ties to the state and the people are strong. It shows in his face when he speaks of his life and friends in the state. In addition, much of George's research has focused on developing quantitative measures of the social costs associated with surface and deep coal mining. This work was naturally prompted by his intense interest in his native West Virginia.

Perhaps, Captain George Dials and his family will return to his first home some day. Regardless, here certainly is a man worth remembering—not only for his services in Vietnam but also in anticipation of what he will accomplish in the future, in the Army or in West Virginia.

LYNDON BAINES JOHNSON— BY BOOTH MOONEY

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

Mr. DE LA GARZA. Mr. Speaker, memories of Lyndon Johnson will abound as long as there are those around who touched the perimeter in which this great man lived.

One who knew him well and served him diligently for years was Booth Mooney—well-known author, newspaperman, and President Johnson's executive assistant while he was Democratic floor leader in the Senate.

One of the Nation's finest newspapers, the Detroit News, mindful of the Mooney connection with then Senator Johnson, asked him to do the main piece on a special section the paper put out after the President's untimely death. This is such a tender, understanding article that all who ever knew President Johnson would want to read it—and I would want to share it.

Mr. Speaker, here is what Booth Mooney wrote about the man whose first biography, "The Lyndon Johnson Story," he wrote:

LYNDON BAINES JOHNSON: AUGUST 27, 1908—JANUARY 22, 1973

(By Booth Mooney)

Lyndon Baines Johnson was always a man in a hurry.

Before he assumed the presidency, he had served 12 years in the United States Senate and 12 in the House of Representatives. Earlier, as a young congressional assistant, he witnessed, and on the fringes participated in, the first 100 days of Franklin D. Roosevelt. He entered the House as one of FDR's favorites.

He experienced the trying and sometimes traumatic years of Harry S. Truman's regime, the quiet and confident years with Dwight D. Eisenhower, the too-few years of hope culminating in anguished tragedy with John F. Kennedy and finally, his own administration, which ended for him and the country with a deep sense of frustration.

Running all the way.

Lyndon Johnson came into the world on Aug. 27, 1908, on a farm in the rugged hill country of Texas, the first of five children

born to Samuel Ealy and Rebekah Baines Johnson. His father was a member of the Texas legislature, so Lyndon was exposed to talk of politics from an early age.

After graduating from high school and Southwest Texas State Teachers College, he taught school for a year before going to Washington in 1931 to become secretary to a newly elected congressman, a family friend, Rep. Richard M. Kleberg.

In the capital city, he benefited from the friendship of Rep. Sam Rayburn, who had served in the Texas legislature with his father. Rayburn was rising to a position of great power in Washington.

Arthur C. Perry, an old Washington hand who at that time was secretary to Senator Tom Connally of Texas, recalled that the newcomer made an immediate impact on the group of established congressional secretaries.

"I remember when Dick Kleberg brought Lyndon around to our office and told me he wished I would teach his new secretary everything I knew and show him how to find his way around Washington," Perry said. "Lyndon started asking questions as soon as he knew my name. He followed the same procedure with everyone else he met. He set out to learn all he could and learn it fast."

"You never had to tell him anything a second time," Perry said. "This skinny, 6-foot-3 boy was as green as anybody could be, but within a few months he knew how to operate in Washington better than some who had been here 20 years before him."

After Roosevelt was elected President in 1932, Rayburn brought his young fellow-Texan into contact with key men in the New Deal and eventually with President himself.

Elected a member of the House on April 10, 1937, he was reelected for five successive terms. In 1941 he was a candidate for the U.S. Senate in a special election, but did not win. It was the only election he ever lost.

On Dec. 8, 1941, as war was declared between the United States and Japan, Johnson, a member of the Naval Reserve, asked to be placed on active duty. He was the first member of the House to go into uniform. He served for eight months, with the rank of lieutenant commander, before FDR ordered all members of Congress in military service to return to their duties in Washington.

In 1948 Johnson entered the Texas Democratic primary as a candidate for the U.S. Senate. He won the nomination by a majority of only 87 votes out of more than a million cast, and there were cries of fraud. But his nomination prevailed, and in the general election he defeated his Republican opponent by a two-to-one majority. On Jan. 3, 1949, he became a member of the Senate.

Assigned to a major committee, the one on Armed Services, the freshman senator gave close attention to the state of the nation's military establishment. In 1950, as the Korean police action began, he introduced and the Senate passed a resolution establishing the Preparedness Investigating Subcommittee.

Johnson became its chairman and conducted a series of investigations of defense costs and efficiency.

These investigations brought him to national attention for the first time. They also earned the respect of senior members of the Senate, in particular such southern veterans as Richard B. Russell and Walter George of Georgia, and this was most important to a young senator. It meant he was being accepted in the Senate's "inner club."

A side effect of Dwight D. Eisenhower's sweeping 1952 victory was the defeat out in Arizona of Senate Democratic leader Ernest McFarland. When the Democratic senators no longer a majority, met in their first-of-the-session conference in Washington in January 1953, Johnson was unanimously elected floor leader. At age 44, he was the youngest

man ever to be named to that position by either major party.

The Democratic Party was disorganized, deeply in debt, and without effectual national leadership. A schism had long existed between the southern and northern wings. Recriminations over the manner in which the losing presidential campaign had been waged were still being hurled back and forth.

Johnson set out to quiet the quarreling and to bring unity among his Senate Democrats. He succeeded. His tactics embraced a potent mixture of full consideration of all points of view, tact, persuasion, a policy of giving freshmen senators choice committee assignments, thus assuring their support of his leadership—and personal hard work.

At times he conducted business on the run—literally.

One afternoon, a staff member recalled, he and the senator left the Senate Office Building to go over to the other side of the Capitol to record a radio broadcast. Johnson's car was parked no more than a dozen feet from the door of the building. But he literally sprinted the short distance. It was that way with everything he did.

"Lyndon," his wife complained, although not bitterly, "acts like there's never going to be a tomorrow."

Johnson was reelected to the Senate in 1954, after having piled up a three-to-one majority over his opponent in the Democratic primary. In that year Democrats regained control of both houses of Congress, and he advanced from minority to majority floor leader in the Senate.

Friend and foe alike agreed that he turned in a dazzling performance in this role.

The "Johnson treatment" became a joyous byword in the congressional cloakrooms and at Washington cocktail parties. The gossips revelled in telling each other stories about Johnson—the compulsive talker, the waver of arms in the air, the wheeler-dealer of politics, the operator who could turn on charm and voice implied threats with equal facility. All to get the job at hand done.

He drove himself and his Democratic colleagues—and at times his Republican colleagues as well—in a way not previously known in the august Senate. And he became the most powerful majority leader in the history of that institution.

Much of his strength grew out of the fact that he was, in the largest sense, nonpartisan. He cooperated fully with the Republican President Eisenhower.

One of his notable achievements was to bring about passage of the first civil rights bill to get through the Senate since Reconstruction. That feat came in 1957 at a time when racial unrest was rising throughout the nation.

Johnson and House Speaker Sam Rayburn consulted with Eisenhower to an extent unknown to few Democrats and perhaps to no Republicans. The two men from Congress often journeyed to the White House, a mile distant, to talk informally over drinks with the President. These easy sessions, nobody pressuring anybody else, paved the way for congressional approval of more than one important legislative measure.

Johnson poured greater physical energy into his job than any other man on Capitol Hill. Even after he suffered a massive heart attack in July 1955, he bounced back after a reasonable period of convalescence. He shed 45 of his 220 pounds and, six months after the attack, returned to work. And he worked as long and hard as ever.

His great success as Senate majority leader led to widespread mention of Johnson as a possible Democratic presidential candidate. He was Texas' favorite son at the party's national convention in 1956.

It was not until 1960, however, that he made a serious bid for the nomination. It failed. He received 409 votes for President on

the first and only ballot at the Los Angeles convention. John F. Kennedy was the choice of most.

On the following day, July 14, Johnson was nominated for vice president by acclamation, having been personally chosen by Kennedy as a running mate. The Kennedy-Johnson ticket was elected in November by the closest popular vote margin of any presidential election up to that time in the 20th century.

The years Johnson served as vice president were trying for the vigorous Texan. The glamorous Kennedys and their court were the rage in Washington. Johnson, out of style, did not have enough to do. He spent much time in unaccustomed and uncomfortable loneliness in his richly appointed office.

A compassionate newspaper correspondent recalled an hour-long visit there with the vice president. No one waited to see him in the anteroom, the newsman reported. He received precisely one telephone call during the hour the visitor was present. It was a painful letdown for a man who thrived on excitement, action and achievement.

The situation changed with stunning abruptness.

On a Friday afternoon, Nov. 22, 1963, John F. Kennedy became the fourth American President to die at the hands of an assassin. From the window of a warehouse in Dallas, a sniper fired two bullets into the President's head and body as the Chief Executive rode through the streets of the Texas city.

Ninety-nine minutes later, Johnson, his face heavy with grief, took the oath of office as President. The brief ceremony, with his wife and Mrs. Kennedy beside him, was held on Air Force One as it sat on the runway at Love Field in Dallas.

Flown immediately to Washington, Johnson spoke briefly at the airport in a message carried to the shocked nation by television.

This is what he said: "This is a sad time for all people. We have suffered a loss that cannot be weighed. For me it is a deep personal tragedy. I know the world shares in the sorrow that Mrs. Kennedy and her family bear.

"I will do my best. That is all I can do. I ask for your help and God's."

The new President moved swiftly to calm the fear that Kennedy's assassination had created. He was at once reassuring and commanding. He set the tone by entreating, "Let us continue," and the country responded.

"I have a feeling," Johnson wrote a friend, "that the tragedy of Nov. 22 marked a turning point in American history. The dissension in our land will, hopefully, give way to a new unity—a new reasonableness that will mark the beginning of an era of progress."

The year of 1964 was supremely Lyndon Johnson's.

Congress, responding to the leadership of a man regarded by its members as one of their own, set a legislative record that is not likely soon to be matched. Measures affecting civil rights, voting, taxes, medical care, immigration, schools, environmental pollution, and other legislation designed to alleviate the country's problems were whipped through the legislative body and signed into law by a triumphant President.

Ebullient was the word for the President in those happy and fruitful months. Everything seemed to be going his way as he plunged zestfully into the job for which he had been in training all his adult life.

In that year of glory, Johnson also became President in his own right. He campaigned as no man seeking the presidency had ever done before him. He loved every minute of it, tearing into his speeches as if they were so many juicy steaks, plunging into adoring crowds to "press the flesh" of every hand that could reach him, shouting over a bullhorn as he drove through city streets. "Y'all come to the speakin'."

On Nov. 3, 1964, he defeated Barry Gold-

water of Arizona by 42,121,085 popular votes to 27,145,161. He carried all but six states. It was the most one-sided result of a presidential election since 1936.

Johnson was inaugurated for a full term on Jan. 20, 1965. Shortly afterward, things began to fall apart.

At home and abroad, Americans found themselves confronting problems that loomed large and menacing. They soon began to blame the President.

Johnson had talked soothingly about any difficulties in foreign lands during his re-election campaign in particular downplaying the seriousness of the fighting in Vietnam. He had promised that American boys would not be sent "nine or ten thousand miles away from home to do what Asian boys ought to be doing for themselves."

But U.S. involvement in Vietnam escalated. Live telecasts from bloody battlefields brought the war into the homes of horrified Americans, and American casualties mounted. The Senate Foreign Relations Committee and its chairman, William Fulbright, were raising critical questions.

Closer to home, an uprising in Santo Domingo caused the President to dispatch U.S. forces into the Caribbean for the first time since 1927. The initial popular approval of his move soon turned to general dismay.

Right at home, the civil rights movement reached a turning point. In Selma, Ala., for the last time, blacks and whites were joining together in massive protest. Violence replaced marching and demonstrations. The Watts riots showed a clear and ominous change in the racial picture. Other riots scarred Detroit and other cities.

Dissent on college campuses mounted over the ever-increasing bloodshed in Vietnam. A cruel and unfair chant was born: "Hey, hey, LBJ, How many babies did you kill today?"

Along with everything else, the President was now having trouble with a recalcitrant Congress. He was trying to move too fast, his critics said. His reply was: "I have so little time." The sympathy and sentiment he had commanded after Kennedy's assassination were running out. He needed time—more time than was to be given him.

His boasted—and effective—consensus was gone by the latter part of 1966. Republicans scored substantial gains in the fall congressional elections.

In the White House, Lyndon Johnson suffered. The Great Society of which he had dreamed and preached was dissolving before his eyes. Press criticism was widespread.

One bright spot amidst this was the wedding, in the White House, of the younger Johnson daughter, Luci. Her father wore striped pants and a cutaway, something he had not even done for his inaugural.

The revolt against Administration policies developed into direct political action in the presidential election year of 1968. The President was challenged in the primaries, first by Eugene McCarthy, then by Senator Robert F. Kennedy. The Democratic party reeled under the internecine warfare.

The assassinations of another Kennedy and of Dr. Martin Luther King, the leading Negro advocate of nonviolence, threw the nation into more turmoil. Unbearable tension found an outlet in renewed rioting, burning of whole sections of cities, including the nation's capital, and other mass acts of violence.

Even before the deaths of Senator Kennedy and Dr. King, Johnson had arrived at a decision about his future course. On March 31, 1968, speaking over national television, the President announced that he was calling a halt to the bombing of North Vietnam and beginning a process that he hoped would lead to an end to U.S. engagement in the war.

Then he had more to say. He said in a single sentence. "I shall not seek and I will not accept the nomination of my party for another term." A large tear formed and rolled down his furrowed cheek.

Two days after this announcement, Johnson met with a small group of intimate friends to give them, as he said, "a fuller and personal explanation" of his action, which had stunned them as it had the nation.

"I'm just fed up to here," he said, placing his big hand at his neck, "with the way things have been going."

His tone was thoughtful, not self-pitying. "I think I've done more for the Negro people than any President since Lincoln," he continued. "And what happens? Negro militants precipitate riots and all the liberals says it's my fault.

"No administration has ever done more for education. But students boo the mention of my name and accuse me of killing babies.

"I was always taught to believe that love of country is a good thing. But patriotism isn't 'in' these days. I wake up in the morning and read in the papers that 50 or 63 American boys have been killed in Vietnam—And then I turn on TV and some senator or other is making a speech saying I'm to blame and we ought to just turn Asia over to the Communists.

"It looks like this country is badly divided and I've become a symbol of the division. I hope that by getting out of the race I can make moves during the next nine months without being accused of political motivations. I'm not going to come out for anybody for the Democratic nomination. I'm going to be working for the country the best way I can, and I hope you-all will help me."

During his last months in the White House, he continued his search for peace. His concern for the country had not lessened. Having had made his decision about his future, however, he was more relaxed, calmer, than he had been in years.

He was the old-time Lyndon when he gave a dinner party on the White House lawn one mid-summer evening for several hundred old friends, many of them Texans. In a long, rambling after-dinner speech, made without notes, he managed to mention by names, and with reference to some personal incident of the past, scores of his guests, bringing guffaws and shouts of approval from the uninhibited assemblage. It was a virtuoso performance, wholly in the LBJ tradition.

Peace did not come, and he left the White House on Jan. 20, 1969.

Four years later, one day after Johnson's death at his ranch on Jan. 22, 1973, a truce in Vietnam was announced by President Nixon.

This writer's last contact with President Johnson was on Sept. 9, 1969, when I paid a visit at the ranch. As we talked about the matter on which I had come, he drove over his acres in the well-publicized white Lincoln Continental.

He looked the part of a rancher, wearing a khaki shirt hanging outside khaki trousers, cowboy boots, and a blue, long-billed golfer's cap which he clearly treasured.

He drove—fast on paved roads, slowly over grass-covered furrows—with his left arm curved around the steering wheel, half-turned in his seat to face me. Occasionally he stopped to give instructions to ranch hands.

"I'm just trying to be suggestive," he told me, "and not give orders. But," he added, "Damn it, they're sure bollinx things up with the way they're spraying those cattle."

One would have thought he had never left the ranch as he rode over the land he loved. He was completely engrossed, as always with the immediate task at hand. That was Lyndon Johnson.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RANGEL, for Monday, March 26 and Tuesday, March 27, on account of congressional business.

Mr. FRELINGHUYSEN (at the request of Mr. GERALD R. FORD), for March 23 through 30, on account of official business.

Mr. HELSTOSKI (at the request of Mr. McFALL), for today and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

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

Mr. GRIFFITHS, for 30 minutes, tomorrow, March 27, 1973, and to revise and extend her remarks and include extraneous matter.

Mr. RANDALL, for 10 minutes, today.

Mr. KEMP, for 10 minutes, today, to revise and extend his remarks and include extraneous material.

Mr. SAYLOR, for 30 minutes today, to revise and extend his remarks and include extraneous material.

(The following Member (at the request of Mr. KEMP) to revise and extend his remarks and include extraneous material:)

Mr. EDWARDS of Alabama, for 15 minutes, today.

(The following Members (at the request of Mr. JAMES V. STANTON) to revise and extend their remarks and include extraneous material:)

Mr. McFALL, for 5 minutes, today.

Mr. MOSS, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes today.

Mr. KASTENMEIER, for 30 minutes, today.

Mr. VANIK, for 15 minutes, today.

Mr. ADAMS, for 5 minutes, today.

Mr. KOCH, for 5 minutes, today.

Mr. DANIELSON, for 10 minutes, today.

Mr. ALEXANDER, for 30 minutes, March 27.

EXTENSION OF REMARKS

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

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

Mr. SCHERLE in 10 instances.

Mr. TREEN in 10 instances.

Mr. RINALDO in three instances.

Mr. PETTIS in five instances.

Mrs. HECKLER of Massachusetts.

Mr. HOSMER in three instances.

Mr. ROBISON of New York.

Mr. ARENDTS.

Mr. ZWACH.

Mr. HEINZ.

Mr. ANDERSON of Illinois in two instances.

Mr. KEMP in two instances.

Mr. HOGAN in two instances.

Mr. QUIE.

Mr. THOMSON of Wisconsin.

Mr. HAMMERSCHMIDT.

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

Mr. CORMAN in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. WILLIAM D. FORD in two instances.

Mr. DRINAN in five instances.

Mr. ROSENTHAL in five instances.

Mr. DINGELL in two instances.

Mr. ROONEY of New York.

Mr. ROGERS in five instances.

Mr. TAYLOR of North Carolina.

Mr. REID.

Mr. WON PAT.

following title, which was thereupon signed by the Speaker:

H.R. 3298. An act to restore the rural water and sewer grant program under the Consolidated Farm and Rural Development Act.

pursuant to section 4(b) of Public Law 85-804:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., March 21, 1973.Hon. CARL ALBERT,
Speaker of the House,
Washington, D.C.

DEAR MR. SPEAKER: In compliance with Section 4(a) of Public Law 85-804, the calendar year 1972 report on Extraordinary Contractual Actions to Facilitate the National Defense is transmitted herewith.

Table I shows that 300 contractual actions were approved and that 89 actions were disapproved. Included in the number of actions approved are 176 actions for which a potential Government liability cannot be estimated.

Table II lists the actions which have an actual or potential cost to the Government of \$50,000 or more. Also included in this list are the 176 actions above for which a potential cost cannot be estimated.

Sincerely,

HUGH McCULLOUGH,
Acting Assistant Secretary of Defense
(Installations and Logistics).

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the

CONTRACTUAL ACTIONS, CALENDAR YEAR 1972, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submitted the following report for printing in the CONGRESSIONAL RECORD

TABLE I.—SUMMARY REPORT OF CONTRACTUAL ACTIONS TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE, JANUARY-DECEMBER 1972

[Dollar amounts in thousands]

Department and type of action	Actions approved			Actions denied	
	Number	Amount requested	Amount approved	Number	Amount
Department of Defense, total	300	\$4,498	\$2,840	89	\$7,354
Amendments without consideration	2	1,203	656	15	6,535
Correction of mistakes	49	1,094	819	40	830
Formalization of informal commitments	44	2,201	1,365	29	16
Contingent liabilities	176				
Disposition of property	1			1	
Other	28			4	
Army, total	68	2,991	1,903	47	2,579
Amendments without consideration				5	2,125
Correction of mistakes	17	839	586	13	438
Formalization of informal commitments	39	2,152	1,317	28	16
Contingent liabilities	10				
Disposition of property	1			1	
Other (secretarial authority and residual powers)	1				
Navy, total	172	1,249	701	6	2,808
Amendments without consideration	1	1,197	650	2	2,804
Correction of mistakes	6	13	12	2	4
Formalization of informal commitments	4	39	39		
Contingent liabilities	156				
Disposition of property	5			2	
Other (contract modification or termination)					
Air Force, total	31	190	168	25	1,681
Amendments without consideration	1	6	6	8	1,606
Correction of mistakes	14	174	153	14	75
Formalization of informal commitments	1	10	9	1	0
Contingent liabilities	10				
Other (contract modification or termination)	5			2	
Defense Supply Agency, total	29	68	68	11	286
Amendments without consideration					
Correction of mistakes	12	68	68	11	286
Formalization of informal commitments					
Other (contract modification or termination)	17				

1 Less than \$500.

Source: Department of Defense, OASD (Comptroller) Directorate for Information Operations Mar. 13, 1973.

TABLE II.—LIST OF CONTRACTUAL ACTIONS WITH ACTUAL OR POTENTIAL COST OF \$50,000 OR MORE TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE JANUARY-DECEMBER 1972

Name and location of contractor	Actual or estimated potential cost	Description of product or service	Justification
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FORMALIZATION OF INFORMAL COMMITMENT

Army: Alabama Forge & Machine, Inc., P.O. Box 131, \$235,000 155mm projectiles.....

The Army issued an REP for procurement of 155mm projectiles with the furnishing by the Government of production facilities. The facilities project request required approval at the DOD level which had not been obtained prior to issuance of the RFP. While the approval was being sought the contractor was requested orally, several times, to extend the expiration date of its proposal which added up to approximately 13 months. During this time the contractor obtained a plant and approximately 40 personnel which it maintained from Oct. 1, 1968, until the plant was finally closed in December 1969. The Government was at fault for repeatedly asking Alabama Forge to extend its proposal and should share in the expenses incurred by the company.

TABLE II.—LIST OF CONTRACTUAL ACTIONS WITH ACTUAL OR POTENTIAL COST OF \$50,000 OR MORE TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE—JANUARY-DECEMBER 1972

Name and location of contractor	Actual or estimated potential cost	Description of product or service	Justification
AMENDMENTS WITHOUT CONSIDERATION			
Navy: Gap Instrument Corp., 110 Marcus Blvd., Hauppauge, N.Y.	\$650,000	MK-53 attack consoles	In April 1971 Gap Instrument Corp. requested relief in the amount of \$1,196,522 when only 3 of the MK-53 units had been delivered. At that time \$1,091,329 was approved since the Government's interest would be best served by funding GAP so that it could continue producing the remaining MK-53 attack console units. As of August 1972, 13 units still remained to be delivered. These units could not be completed without additional funding. Based upon prevailing circumstances, it was deemed that the Government's interest would again be best served by allowing GAP to continue production and therefore the additional funding was allowed.
CORRECTION OF MISTAKES			
Army: General Electric Co., Missile & Armament Dept., Lakeside Ave., Burlington, Vt.	87,123	GAU-2B/B aircraft machine guns	On Sept. 30, 1965, a letter contract was entered into which provided that the Value Engineering Incentive provision of ASPR 1-1707.2(b) would be incorporated into the definitive contract. GE submitted 8 value engineering change proposals (VECP's) which were approved and applied under the contract prior to definitization. The total savings from the VECP's amounted to \$174,246 of which 50 percent was due GE as its share. The definitive contract provisions failed to increase the contract price to cover this cost.
Keystone Micro-Scan, Inc., 151 Hallet St., Boston, Mass.	121,140	M48A3 fuses	IBA DAAA09-72-B-0020 had a labor surplus set-aside quantity of 11,162,050 fuses of which Keystone received 6,000,000. When all other eligible bidders refused the additional quantity, the set-aside was dissolved and Keystone received another 3,000,000 units. The transportation factor used in determining contract price was based on 80 percent delivery to Milan Army Ammunition Plant and 20 percent to Lone Star Army Ammunition Plant whereas all shipments were made to Milan. In addition the Government Furnished Equipment factor should have been computed on 9,000,000 units instead of 6,000,000 in order to arrive at the award price.
Northrop Corp., 2301 West 120th St., Hawthorne, Calif.	197,963	AN/ASH-19 voice warning systems	The voice warning systems gives crewmen an audio alert of an aircraft malfunction and was urgently needed in support of Southeast Asia. A letter contract was awarded for 350 systems with the option to purchase additional units. The Government exercised its option and purchased these additional units but inadvertently omitted the cost for special testing and ancillary items for the option quantity.
CONTINGENT LIABILITIES			
Provisions to indemnify contractors against liabilities on account of claims for death or injury or property damage arising out of nuclear radiation, use of high energy propellants, or other risks not covered by the contractor's insurance program were included in 176 contracts (the potential cost of these liabilities cannot be estimated inasmuch as the liability to the Government, if any, will depend upon the occurrence of an incident as described in the indemnification clause). Items procured are generally those associated with nuclear-powered vessels, nuclear armed guided missiles, experimental work with nuclear energy, handling of explosives or performance in hazardous areas.			
EXECUTIVE COMMUNICATIONS, ETC.			
Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:			
646. A letter from the Secretary of the Army and the Secretary of Agriculture, transmitting notice of the intention of the Departments of the Army and Agriculture to interchange jurisdiction of civil works and National Forest lands at Wynoochee Lake project in the State of Washington, pursuant to 16 U.S.C. 505 a and b; to the Committee on Agriculture.			vide for the extension of the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.
647. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend titles 10 and 37, United States Code, to make permanent certain provisions of the Dependents Assistance Act of 1950, as amended, and for other purposes; to the Committee on Armed Services.			654. A letter from the Secretary of Transportation, transmitting a plan for the preservation of essential rail transportation services in the northeast section of the Nation, pursuant to section 2 of Public Law 93-5; to the Committee on Interstate and Foreign Commerce.
648. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act of August 10, 1956, as amended, to provide for more effective utilization of officers of the uniformed services; to the Committee on Armed Services.			655. A letter from the Vice President for Public and Government Affairs, National Railroad Passenger Corporation, transmitting a report covering the month of February 1973, on the average number of passengers per day on board each train operated, and the on-time performance at the final destination of each train operated, by route and by railroad, pursuant to section 308 (a) (2) of the Rail Passenger Service Act, as amended; to the Committee on Interstate and Foreign Commerce.
649. A letter from the Consultant to the Secretary of Labor, transmitting a report on compliance, enforcement, and reporting in 1972 under the Labor-Management Reporting and Disclosure Act; to the Committee on Education and Labor.			656. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a report covering calendar year 1972 on extraordinary contractual actions to facilitate the national defense, pursuant to section 4(a) of Public Law 85-804; to the Committee on the Judiciary.
650. A letter from the Chief Scout Executive, Boy Scouts of America, transmitting the organization's annual report for 1972, pursuant to the act of June 15, 1916 (H. Doc. No. 93-67); to the Committee on Education and Labor and ordered to be printed.			657. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to provide for the conversion of Servicemen's Group Life Insurance to Veterans' Group Life Insurance, and for other purposes; to the Committee on Veterans' Affairs.
651. A letter from the Assistant Secretary of the Interior, transmitting the annual report of the Colorado River Basin project for fiscal year 1972, pursuant to 82 Stat. 885; to the Committee on Interior and Insular Affairs.			
652. A letter from the Secretary of Commerce, transmitting his 60th annual report, covering fiscal year 1972, pursuant to 15 U.S.C. 1519; to the Committee on Interstate and Foreign Commerce.			
653. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to pro-			

Note—In addition to the above, indemnification clauses will be inserted into all air transportation contracts entered into by the Military Airlift Command for transportation services to be performed by air carriers which own or control aircraft which have been allocated by the Department of Transportation to the Civil Reserve Air Fleet.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. PATMAN: Joint Economic Committee. The 1973 Joint Economic Report; (Rept. No. 93-90). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. WIDNALL:

H.R. 6091. 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, and for other purposes; to the Committee on Banking and Currency.

H.R. 6092. A bill to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury; to the Committee on Banking and Currency.

By Mr. ASPIN (for himself, Mr. Moss, Mr. ADDABBO, Mr. BADILLO, Mr. BELL, Mr. BINGHAM, Mr. BRASCO, Mr. BUCHANAN, Mr. BURTON, Mr. CORMAN, Mr. ECKHARDT, Mr. FASCELL, Mr. FISH, Mr. FREY, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HERTON, Mr. KEMP, Mr. KYROS, Mr. MATSUNAGA, Mr. MOLLOHAN, Mr. O'HARA, Mr. PODELL, and Mr. ROE):

H.R. 6093. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize safety design standards for schoolbuses, to require certain safety standards be established for schoolbuses, to require the investigation of certain schoolbus accidents, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPIN (for himself, Mr. Moss, Mr. ROSENTHAL, Mr. SEIBERLING, Mr. VEYSEY, Mr. VIGORITO, Mr. WIDNALL, Mr. CHARLES H. WILSON of California, Mr. WRIGHT, and Mr. YATRON):

H.R. 6094. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize safety design standards for schoolbuses, to require certain safety standards be established for schoolbuses, to require the investigation of certain schoolbus accidents, and for other other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BIAGGI:

H.R. 6095. A bill to provide for a Federal loan guarantee and grant program to enable educational institutions and individuals to purchase electronic reading aids for the blind; to the Committee on Education and Labor.

By Mr. BOWEN:

H.R. 6096. A bill to amend title 38 of the United States Code to provide improved and expanded medical and nursing home care to veterans to provide hospital and medical care to certain dependents and survivors of veterans; to provide for improved structural safety of Veterans' Administration facilities; to improve recruitment and retention of career personnel in the Department of Medicine and Surgery; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROYHILL of North Carolina:

H.R. 6097. A bill to amend the Tariff Schedules of the United States in order to suspend temporarily the duties on certain fresh, chilled, or frozen meats; to the Committee on Ways and Means.

By Mr. DANIELSON:

H.R. 6098. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of Alabama:

H.R. 6099. A bill to improve and implement procedures for fiscal controls in the U.S. Government, and for other purposes; to the Committee on Rules.

By Mr. HARRINGTON (for himself, Mr. ALEXANDER, Mr. BROWN of California, Mr. BURKE of Massachusetts, Mr. CARNEY of Ohio, Mr. DAVIS of South Carolina, Mr. DENHOLM, Mr. DRINAN, Mr. FROELICH, Mrs. GRASSO, Mr. HARVEY, Mr. HELSTOSKI, Mr.

KOCH, Mr. MAZZOLI, Mr. MOAKLEY, Mr. OBEY, Mr. PODELL, Mr. RANGEL, Mr. ROSENTHAL, Mr. SEIBERLING, Mr. STARK, Mr. SYMINGTON, Mr. VANDER JAGT, Mr. WON PAT, and Mr. YATRON):

H.R. 6100. A bill to authorize the Secretary of Labor to provide financial and other assistance to certain workers and small business firms to assist compliance with State or Federal pollution abatement requirements; to the Committee on Banking and Currency.

By Mr. KOCH (for himself, Mr. BADILO, Mr. CONYERS, Mr. FAUNTRY, Mr. MITCHELL of Maryland, Mr. NIX, Mr. PODELL, Mr. RONCALLO of New York, Mr. ROSENTHAL, Mr. ROYBAL, and Mr. TIERNAN):

H.R. 6101. A bill to provide for family visitation furloughs for Federal prisoners; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 6102. A bill to amend title 5, United States Code, to allow credit for civil service retirement purposes for time spent by Japanese Americans in World War II internment camps; to the Committee on Post Office and Civil Service.

By Mr. MEEDS:

H.R. 6103. A bill to promote maximum Indian participation in the government of the Indian people; to provide for the full participation of Indian tribes in certain programs and services conducted by the Federal Government for Indians and to encourage the development of the human resources of the Indian people; and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6104. A bill to amend certain laws relating to Indians; to the Committee on Interior and Insular Affairs.

H.R. 6105. A bill to establish within the Department of the Interior the position of Assistant Secretary of the Interior for Indian Affairs, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6106. A bill to provide for the creation of the Indian Trust Counsel Authority, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN:

H.R. 6107. A bill to amend the Federal Food, Drug and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL (for himself, Mr. FASCELL, Mr. ST GERMAIN, Mr. CONYERS, Mr. PARRIS, and Mr. HINSHAW):

H.R. 6108. A bill to require the Secretary of the Treasury to gather and compile information with respect to the financial cost of assisting taxpayers to comply with tax laws of the United States, and for other purposes; to the Committee on Government Operations.

By Mr. REES:

H.R. 6109. A bill to amend the Interstate Commerce Act, with respect to recovery of reasonable attorney's fee and court costs in case of successful prosecution or defense of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

By Mr. RODINO:

H.R. 6110. 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, to authorize assistance for operating expenses, and for other purposes; to the Committee on Banking and Currency.

By Mr. RODINO (for himself and Mr. HOWARD):

H.R. 6111. A bill to establish Capitol Hill as a historic district; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL:

H.R. 6112. A bill to amend the Economic Stabilization Act of 1970, to stabilize food prices at their February 1, 1973, level, and for other purposes; to the Committee on Banking and Currency.

H.R. 6113. A bill to amend the Economic Stabilization Act of 1970, to stabilize rents at their January 10, 1973 level, and for other purposes; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 6114. A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may disapprove the President's action and require him to cease such impounding; to the Committee on Rules.

By Mr. WHITE:

H.R. 6115. A bill to authorize the construction of extensions of the American Canal at El Paso, Tex., operation and maintenance, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROOMFIELD:

H.J. Res. 461. Joint resolution proposing an amendment to the Constitution of the United States to provide for mandatory retirement of Members of Congress and the Federal judiciary; to the Committee on the Judiciary.

By Mr. COLLIER:

H.J. Res. 462. Joint resolution proposing an amendment to the Constitution of the United States to provide for direct popular election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H. Con. Res. 165. Concurrent resolution authorizing and directing the Joint Study Committee on Budget Control to report legislation to the Congress no later than June 1, 1973, providing procedures for improving congressional control of budgetary outlay and receipt totals, the operation of a limitation on expenditures and net lending commencing with the fiscal year beginning July 1, 1973, and for limiting the authority of the President to impound or otherwise withhold funds authorized and appropriated by the Congress; to the Committee on Rules.

By Mr. BIAGGI:

H. Con. Res. 166. Concurrent resolution requesting the President of the United States to rescind Executive Order 11246 as amended; to the Committee on Education and Labor.

By Mr. ZWACH:

H. Con. Res. 167. Concurrent resolution expressing the sense of the Congress with respect to the withdrawal of American troops from Europe; to the Committee on Foreign Affairs.

MEMORIALS

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

105. By the SPEAKER: Memorial of the House of Representatives of the State of Montana, relative to the multiple use concept on Federal lands; to the Committee on Interior and Insular Affairs.

106. Also, memorial of the Legislature of the State of South Dakota, relative to the Wagner unit of the Pick-Sloan Missouri River Basin project; to the Committee on Interior and Insular Affairs.

107. Also, memorial of the Legislature of the State of South Carolina, relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.

108. Also, memorial of the Legislature of the State of South Dakota, relative to railway abandonments in South Dakota; to the Committee on Interstate and Foreign Commerce.

109. Also, memorial of the Legislature of the State of South Dakota, requesting Con-

EXTENSIONS OF REMARKS

March 26, 1973

gress to propose an amendment to the Constitution of the United States concerning abortion; to the Committee on the Judiciary.

110. Also, memorial of the Legislature of the State of Oklahoma, relative to "National Hunting and Fishing Day"; to the Committee on the Judiciary.

111. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to expanding the medicare program to include drug costs; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BURTON:

H.R. 6116. A bill for the relief of Gloria Go; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 6117. A bill for the relief of Hernan Beteta; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 6118. A bill for the relief of Ramo Alvez; to the Committee on the Judiciary.

By Mr. MCFALL:

H.R. 6119. A bill for the relief of Arturo Robles; to the Committee on the Judiciary.

By Mr. YOUNG of Illinois:

H.R. 6120. A bill to permit the vessel *Manatra II* to be inspected, licensed, and operated as a passenger-carrying vessel, and for other purposes; to the Committee on Merchant Marine and Fisheries.

PETITIONS, ETC.

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

73. By the SPEAKER: Petition of the council, Maui County, Hawaii, relative to funds for certain social service programs; to the Committee on Appropriations.

74. Also, petition of the Fourth Mariana Islands District Legislature, Trust Territory of the Pacific Islands, relative to the Office of Economic Opportunity; to the Committee on Education and Labor.

75. Also, petition of the Assembly of Kenai Peninsula Borough, Alaska, relative to development of the oil industry in the Gulf of Alaska; to the Committee on Interior and Insular Affairs.

76. Also, petition of Arnold E. Tarr, Lincolnton, N.C., relative to protection for law enforcement officers sued for damages in Federal court resulting from the performance of their duties; to the Committee on the Judiciary.

77. Also, petitions of various lodges of the Fraternal Order of Police, relative to protection for law enforcement officers sued for damages in Federal court resulting from the performance of their duties; to the Committee on the Judiciary.

78. Also, petition of K. Waligora, Baltimore, Md., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

OBLIGATION TO OUR VETERANS

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1973

Mr. CULVER. Mr. Speaker, our satisfaction with the disengagement of our troops from Vietnam and our delight with the return of our prisoners of war must not overshadow our continuing obligation to all those who served this Nation during the war.

The administration's recent attempt to reduce benefits for disabled veterans, apparently defeated by a public outcry, is indicative of what may happen to returned veterans if we do not speak out and act in their behalf.

None of us would begrudge the former prisoners of war their offers of new cars, new wardrobes, and jobs. On the contrary, they earned everything they are receiving. But 2½ million other men served in the Vietnam war, and they too have earned a right to a fair deal from their country.

Within the Second Congressional District in Iowa, we have over 1,200 Vietnam era veterans registered as job ready with the Veteran's Employment Service but unable to find jobs. Additionally, there are 60 handicapped Vietnam era veterans listed as job ready; but they too are unable to find work.

Recently, the Des Moines Register published an editorial entitled "Don't Forget the Other Veterans" which states the case explicitly and which I would like to call to the attention of the House. I am including it as part of my remarks.

DON'T FORGET THE OTHER VETERANS

The first American prisoners of war to return from Vietnam were treated as heroes, their arrivals marked by red carpets, honor guards, brass bands and cheering onlookers. They were promised free vacations, a year's use of a new car and jobs with major industrial firms if they chose to leave the armed forces.

Operation Homecoming dramatized the end of a long and divisive war. The event was carried off with military precision as television cameras hovered over almost every stage of the return. It was not flawed by the

rancor that marked the prisoner exchange after the Korean War, but it lacked the spontaneous jubilation of the victory celebrations after World War II.

The POWs deserve a warm welcome back to their homeland. They endured much, both physically and mentally, during their imprisonment. But the public adulation given them must not be allowed to overshadow the less visible return of others who bore the battle in Indochina. The attention focused on the POWs could provoke jealousies among veterans who were not promised jobs, cars or free vacations.

Nearly 50,000 Americans were dead when they were brought home from Vietnam. About 300,000 were wounded, half of them seriously, and thousands of them have permanent, disabling reminders of their ordeal. Sixty thousand or more became addicted to drugs, but only about a third are getting adequate treatment.

Unemployment among Vietnam veterans is not as bad as it was several months ago, but about 8.5 per cent of the veterans aged 20 to 24 don't have steady jobs. That is about 50 per cent higher than the jobless rate for the whole population. Unemployment among black veterans is about 9.5 per cent.

President Nixon's proposed cuts in public payrolls and in federally funded vocational training programs could adversely affect the jobs and job prospects of as many as 100,000 Vietnam veterans.

Let's not forget the other veterans of Vietnam while we share the happiness of the POWs and their families.

NORTH GEORGIA COLLEGE CENTENNIAL

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, March 26, 1973

Mr. TALMADGE. Mr. President, in May of this year North Georgia College at Dahlonega, will celebrate the 100th anniversary of its founding. This is a very proud occasion for North Georgia College, the second oldest unit in the university system of Georgia and our first State-supported coeducational college.

I salute the college, its administration, faculty, students, and alumni and extend my sincere congratulations on this centennial.

Gov. Jimmy Carter, of Georgia, has proclaimed the week of May 6 to May 12, 1973, as North Georgia College Week, and I ask unanimous consent that his proclamation be printed in the Extensions of Remarks.

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

NORTH GEORGIA COLLEGE CENTENNIAL

BY THE GOVERNOR

Whereas: North Georgia College, The second oldest unit of the University System of Georgia, opened its doors for class in 1873, one hundred years ago; and

Whereas: North Georgia College, inviting "Whoever will, may come," was Georgia's first state-supported coeducational college, and is today the State's only coeducational, military, liberal arts college; and

Whereas: North Georgia College has contributed significantly to education in Georgia, and through her alumni to the integrity and dignity of the State, the armed forces, and the nation at large; and

Whereas: North Georgia College stands on the site of the Old United States Gold Mint at Dahlonega, in Lumpkin County, the heart of one of Georgia's most historically important and colorful areas, the center of America's First Gold Rush; and

Whereas: The Faculty, Staff, Students, and Alumni of North Georgia College and the people of Dahlonega and of Northeast Georgia, who have supported the college and whom the college serves in turn, will commemorate the centennial anniversary of the founding of the college during the week of May 6 through 12; Now,

Therefore: I, Jimmy Carter, Governor of the State of Georgia, do hereby proclaim the week of May 6 to May 12, 1973, as North Georgia College Week in Georgia, and urge all the citizens of our State to join in celebrating this historic occasion.

THE DEFENSE BUDGET

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 1973

Mr. TREEN. Mr. Speaker, the President's decision once again to direct America on a path of fiscal responsibility has been met by criticism from certain segments of our society. These crit-