

of section 593 (a), title 10 of the United States Code, as amended:

LINE OF THE AIR FORCE

To be lieutenant colonel

- Maj. Vernon L. Beadles, xxx-xx-xxxx
- Maj. Clarence R. Boyles, xxx-xx-xxxx
- Maj. Joseph R. Briner, xxx-xx-xxxx
- Maj. Karol A. Burton, xxx-xx-xxxx
- Maj. Russell C. Davis, xxx-xx-xxxx
- Maj. John V. Dawson, xxx-xx-xxxx
- Maj. Harvey J. Dice, xxx-xx-xxxx
- Maj. Walter J. Dobrowski, xxx-xx-xxxx
- Maj. Donald L. Dudrow, xxx-xx-xxxx
- Maj. Arthur Farrell, xxx-xx-xxxx
- Maj. Lynwood N. Fuelling, xxx-xx-xxxx
- Maj. Charles Gilchrist, xxx-xx-xxxx
- Maj. Carl W. Goodwin, xxx-xx-xxxx
- Maj. Dale L. Hartman, xxx-xx-xxxx

- Maj. John M. Hartnett, xxx-xx-xxxx
- Maj. Raymond A. Heinz, xxx-xx-xxxx
- Maj. John H. Hewitt, xxx-xx-xxxx
- Maj. Duke D. Johnston, xxx-xx-xxxx
- Maj. Ivan J. Jones, xxx-xx-xxxx
- Maj. Karl K. Kramer, xxx-xx-xxxx
- Maj. James C. Lavery, xxx-xx-xxxx
- Maj. Gerald R. Leonard, xxx-xx-xxxx
- Maj. Ralph E. Libby, xxx-xx-xxxx
- Maj. James Majoros, xxx-xx-xxxx
- Maj. James D. Montgomery, xxx-xx-xxxx
- Maj. Dick O. Moorman, xxx-xx-xxxx
- Maj. Gene B. Morgan, xxx-xx-xxxx
- Maj. John A. Newland, Jr., xxx-xx-xxxx
- Maj. David E. Olinger, xxx-xx-xxxx
- Maj. Gabriel I. Penagaricano, xxx-xx-xxxx
- Maj. Leon G. Rabinowitz, xxx-xx-xxxx
- Maj. William G. Robertson, xxx-xx-xxxx

- Maj. William I. Smith, xxx-xx-xxxx
- Maj. William A. Stanley, xxx-xx-xxxx
- Maj. Joseph L. Vogel, xxx-xx-xxxx
- Maj. John G. Webb, xxx-xx-xxxx
- Maj. Robert B. Zuehlke, xxx-xx-xxxx

MEDICAL CORPS

- Maj. Joseph A. Greenlee, Jr., xxx-xx-xxxx

MEDICAL SERVICE CORPS

- Maj. Henry T. Capiz, xxx-xx-xxxx

IN THE MARINE CORPS

The following-named temporary disability retired officer for reappointment to the grade of lieutenant colonel in the Marine Corps, subject to the qualifications therefor as provided by law:

- Richard J. Randolph, Jr., xxx-xx-xxxx
USMC.

EXTENSIONS OF REMARKS

TEN-PERCENT QUOTA INCREASE PROPOSAL FOR FLUE-CURED TOBACCO

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. MIZELL. Mr. Speaker, the House Subcommittee on Tobacco, on which I have the honor of serving as ranking minority member, held hearings on Tuesday of this week to determine whether or not the U.S. Department of Agriculture's recent decision to increase quotas for flue-cured tobacco by 10 percent was justified.

At the outset of those hearings, I spoke on behalf of thousands of tobacco growers in taking strong exception to the Department's action.

We have some rather serious problems at the present time regarding the marketing of tobacco products, and all of my colleagues have a stake in the resolution of these problems.

And so for the benefit of my colleagues, I am inserting in the RECORD at this point the text of my remarks at the opening of our recent hearings.

I am also inserting a copy of a news release published by my office outlining certain assurances received from USDA officials regarding the tobacco program:

STATEMENT OF HON. WILMER D. MIZELL

Thank you, Mr. Chairman. I think it is important for our friends from the Department to know that it was at my urging that these hearings were called today, and they were initiated immediately after I received word of the Department's decision on the 10 percent increase in quotas and allotments.

As one who represents perhaps the most well-known tobacco district in the country—the fifth district of North Carolina encompassing the city of Winston-Salem and hundreds of tobacco farms—it was, of course, a natural reaction for me to seek clarification and justification of this decision as quickly as possible, since it threatens in quite an ominous and drastic way the economic stability of my district, my state, and my region of the country.

And as the ranking minority members of this subcommittee, it was my duty as well to see that the tobacco program, which has been so successful in the past, was not put in danger of going down the drain by an action taken in as arbitrary and willful a fashion as I have seen, and I have seen quite a few.

Back when I was playing baseball, with some pitchers there was always a danger of getting their signals crossed with their catchers. I didn't have that problem, since all I threw was a fastball anyway, and there was just one signal for a fastball, but some of the fellows like Whitey Ford and some others who had a lot of pitches in their repertoire had some trouble with their signals.

I think in this matter we're dealing with today, the possibility exists that not only did the department and the subcommittee get their signals crossed, but someone may have tried to put a fast one past someone else while the "someone else" was in recess.

Last fall, a special congressional investigating committee, comprised of many members of this subcommittee, held field hearings in Lumberton, North Carolina, and Florence, South Carolina, seeking to determine the extent of marketing problems in the tobacco industry.

The most important problems we identified during those hearings were overproduction and lack of space on auction floors for a sufficient number of tobacco growers and their products.

Following those hearings, we made a recommendation to the Secretary of Agriculture that he not increase allotments at this time, and let us work out the marketing problems we already had.

Instead, the Department proposed on December 26 to do away with the allocation and quota system altogether, which would have established a dominion of chaos in tobacco markets throughout the South.

Then, last week, the Secretary announced instead that quotas for flue-cured tobacco would be increased by ten percent. We are left to assume that this announcement was to have been welcomed with enthusiasm by tobacco growers who had feared for the worst for one month worrying that they might not have an allocation program at all.

In my State of North Carolina, at least, I detected no great sigh of relief at this announcement. Instead, I found—and heard from—a great many disgruntled and worried growers who are greatly and rightly concerned about their economic future and their families' welfare. I received more than 3,000 such letters.

Now I have gone over the figures for allotments and quotas and percentages and all the rest, and those figures just do not add up for me the way they apparently add up to the Department of Agriculture.

So the purpose of these hearings is really four-fold:

First, to determine how the Department arrived at its conclusion that a 10 percent increase in quotas is required;

Second, to impress upon the powers that be in the Department of Agriculture the strong and well-founded dissatisfaction with its announcement among tobacco growers;

Third, to find out why the Department not only ignored a recommendation by the special ad hoc investigating committee in raising the allotments, but did so while the Congress was in recess, and had no opportunity for consultation on this matter;

And fourth, to see if we can find some way to assure an adequate supply of tobacco for both export and domestic purposes, and at the same time assure the flue-cured tobacco grower that he's not going to go broke in the process.

Finally, I want to advise the Department of Agriculture in the strongest possible terms that it seems to me the Department was apparently playing games with the lives and the livelihood of a substantial segment of the population of North Carolina, at first holding forth the threat of total economic disaster when all the while the department knew it would propose a milder—but still unacceptable—action, raising the quotas by ten percent.

I want the department to know that nobody in our state thought their game was very amusing.

FLUE-CURED TOBACCO

WASHINGTON, D.C.—U.S. Representative Wilmer "Vinegar Bend" Mizell (R.-N.C.) said today the House tobacco subcommittee has received assurances from the U.S. Department of Agriculture that—

The department is committed to a continuation of the present tobacco program, including quotas and allotment programs;

Price supports on flue-cured tobacco will not be frozen, but will probably be increased by an estimated eight to ten percent;

The tobacco barter program involving the Commodity Credit Corporation may be reinstated if export conditions require it;

Tobacco is receiving top priority among agricultural commodities in trade talks now being held in Geneva, Switzerland;

Marketing problems experienced during the last marketing season, including lack of space on auction floors, will be resolved before the 1974 marketing season.

Mizell, ranking Republican member of the tobacco subcommittee, received these assurances from Kenneth Frick, Administrator of the Agricultural Stabilization and Conservation Service, during hearings today on USDA's recent decision to increase flue-cured tobacco quotas by ten percent.

Frick assured Mizell and other subcommittee members that, while it will stand by the ten percent increase, USDA will continue to support the quota and allotment programs. The Department published on December 26, 1973, a proposal to do away with the program entirely, but congressional and public reaction killed the proposal.

In his opening statement, Frick said "a meeting with leading (tobacco) manufacturers and dealers" was held December 14.

"Following a full discussion," Frick said, "we were assured that they will have available, by the time the markets open for the sale of the 1974 crop, the necessary facilities for processing 85 million pounds of flue-cured tobacco per week."

The other assurances were given during the course of an extensive question-and-answer session with the subcommittee.

In his opening remarks, Mizell said it was his decision to call the hearings in response to USDA's announcement of the ten percent increase in quotas.

"It was, of course, a natural reaction for me to seek clarification and justification of this decision as quickly as possible, since it threatens in quite an ominous and drastic way the economic stability of my district, my State and my region of the country," Mizell said. He called the decision "as arbitrary and willful as any I have seen," and said he had received 3,000 letters from tobacco growers opposing the decision.

THE BRIGHTSTONES

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. HELSTOSKI. Mr. Speaker, one of mankind's greatest virtues is the virtue—of compassion—that special quality which enables one human being to help another. And in an age of anxiety and tension, these qualities become even more special. Thus today, I would like to call our attention to the Brightstones—a group of New Jersey citizens dedicated to making life better for those who are less fortunate.

The Brightstones were founded in 1970 by Fairleigh Dickinson University Prof. John D. Lydon to help provide better living conditions for the patients at Greystone State Psychiatric Hospital, located in nearby Morris County. However, the past 4 years, the Brightstones have traveled to psychiatric hospitals throughout the State in an effort to make life a little more pleasant for a countless number of patients.

As the group has grown, so have its activities. The Brightstones, among other things, have been active in supporting mental health legislation. In addition, the group has established a transportation system which enables relatives of patients at Greystone to visit them more easily.

Mr. Speaker, today I would like to share an article with my colleagues which appeared in the Lodi Messenger January 10. The article provides us with additional information concerning the admirable achievements of this dedicated group:

BRIGHTSTONES OFF TO A BRIGHT START

The patients at Greystone State Hospital were treated last month to a Christmas party given by the Brightstone Volunteers. The Brightstones provided a Christmas cake and other refreshments along with gifts for the enjoyment of the patients. This party is only one of the ways that the Brightstones help to enliven the days of the patients.

The Brightstones were founded in 1970 by Professor John D. Lydon of Fairleigh Dickinson University. Their initial aim was to help provide better living conditions for the pa-

tients. The group, made up of high school and college students would travel to the hospital, and repaint any areas that needed work.

At first they restricted their work to Greystone, but in the last few years they have traveled to all of the State hospitals, spreading their cheer. The mission of the Brightstones is simple . . . to give the patients of the institution some contact with the outside world. But the Brightstones do not stop there. In December of 1971 they traveled to Trenton to support a bill which Senator Garrett W. Hagedorn had submitted on mental health.

The Brightstone Volunteers began as a contingent of 50 students and today they number well in the thousands. From their limited beginning, the group today follows a pattern of two basic activities. On the first Sunday of every month, the Brightstone Bus, named 'Hope', follows a route through Bergen County picking up relatives of the patients at Greystone so that they can visit. Incidentally, this route passes through Lodi. On the third Sunday of every month, the Brightstones travel to one of the many state hospitals for a paint-in to help rehabilitate the hospital.

Governor Cahill recognized the importance of the Brightstones by appointing two of their members to the Board of Trustees of Greystone State Psychiatric Hospital.

If anyone is interested in helping the group spread their cheer, they need only write to Brightstone Volunteers, Inc., Fairleigh Dickinson University, Rutherford, New Jersey.

A NEED FOR "PRINCIPAL JUDGMENT"

HON. LINDY BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mrs. BOGGS. Mr. Speaker, in the December 17, 1973, issue of the Chronicle of Higher Education there is an article authored by William J. Byron, S.J. Father Byron is the dean of the College of Arts and Science of Loyola University in New Orleans.

In view of the many items in the news in recent weeks about the moral shortcomings and wrongdoings on the part of "well-educated" people, I think Father Byron's thoughts about the meaning of higher education will make interesting and timely reading for my colleagues and for CONGRESSIONAL RECORD readers:

A NEED FOR "PRINCIPLED JUDGMENT"

(By William J. Byron)

Henry Steele Commager: "I think we should support, or if necessary create, a group of men and women whose business it is to think far ahead of their contemporaries, whose business is not to represent their own country, their own class, their own times, men and women who should be excused from many of the pressures and passions of their own day and permitted to imagine a different kind of world, to anticipate problems and propose solutions to them . . . Needless to say, we have at least in embryo, just such a class. I refer to the university."

Educational institutions tend to favor the hypothesis that one is better off thinking his way into new ways of acting than acting his way into new ways of thinking. "Think before you act" is, after all, solid and perennial advice. But I believe that one is much more likely to act his way into new (and

better) ways of thinking. Reflection on experience is the thought-before-action required of a prudent person. But experience, direct and personal, is, in this dynamic sense, father to the thought.

It is not enough to provide libraries and lecture halls where students can tap the experience of the past; where they can review, for instance, the presence or absence of principles in the judgments and decisions of others. The educational environment should encourage students to reflect on their own experience, to discover the presence or absence of principles in themselves. The need for such reflective discovery was with us long before Watergate. Hollow men and moral nomads have dominated public life in the past. I take it to be the responsibility of the universities to provide future publics with integral men of principled judgment, prepared and available for the service of leadership.

Playwright Robert Bolt has his imprisoned hero, Sir Thomas More, use a striking simile to explain to his daughter why he will not swear to the Act of Succession and thus gain his freedom at the price of violating his conscience:

"When a man takes an oath, Meg, he's holding his own self in his own hands. Like water. [He cups his hands.] And if he open his fingers then—he needn't hope to find himself again. Some aren't capable of this, but I'd be loath to think your father was one of them." (*A Man for All Seasons, Act II*)

In a preface to his play, Bolt explains his mood and his social perceptions as he wrote *A Man for All Seasons*. He was troubled by the thin fabric of contemporary human character, by modern man's tendency himself in the third person, to describe himself "in terms more appropriate to somebody seen through a window." Bolt then provides a penetrating insight amounting to a one-sentence summary of the cultural ills that prepared the way for Watergate: "Both socially and individually it is with us as it is with our cities—an accelerating flight to the periphery, leaving a center which is empty when the hours of business are over."

One full decade before Watergate, Robert Bolt asked: ". . . Why do I take as my hero a man who brings about his own death because he can't put his hand on an old black book and tell an ordinary lie? For this reason: A man takes an oath only when he wants to commit himself quite exceptionally to the statement, when he wants to make an identity between the truth of it and his own virtue; he offers himself as a guarantee. And it works. There is a special kind of shrug for a perjurer; we feel that the man has no self to commit, no guarantee to offer."

An educational enterprise, a learning community, a climate of inquiry called a university, should at the very least provide an environment designed to assist the student in acquiring a properly developed sense of selfhood. A clear sense of self can emerge only if the student locates himself in reference to the transcendental. I would specify: Someone transcendental. Others would settle for something transcendental. In either case, value enters the picture. This is no way conflicts with the university's commitment to the rational. In the wake of Watergate, there will be fewer voices, I suspect, protesting that an interest in transcendental values is unreasonable. In certain universities, my own among them, faith is a value to be consciously fostered. In any university, faith is a value to be respected.

Another minimal expectation in any university community is a common commitment to truth. Hence open inquiry in the university community is not a threat. In a faith-committed Roman Catholic university like my own, special care must be taken not to substitute authority for thought. We violate our trust if we fail to foster in our students a critical sense. To think critically, one must have a place to stand. One must be able to

locate himself, to have some fixed reference points. My university stands on its Catholic commitment, without apology; but it does so with care. Our care is to avoid absolutizing incidentals and accidentals. Our care, moreover, is to guarantee freedom of commitment to all our students, to all our faculty.

In matters of mortality, we take care to avoid a multiplication of absolutes. Catholics everywhere—in or outside universities—must take great care to avoid giving the false impression that their church wants to translate its moral precepts into the criminal code of the nation. Such is not and should not be the case, unenlightened efforts to the contrary notwithstanding. Catholic morality should not be public law. Law, however, should in every case be moral. Men who make, execute, and enforce law must in all cases be moral. And men who break the law may do so, we believe, only when the law itself is unjust (in which case the violator must accept the consequences of his act under the law), or a higher law intervenes (in which case one's moral integrity could cost his life).

In the language of our university's goal statement, graduates should "be capable of principled judgment in the face of complexity and ambiguity. . . ." What are the ingredients of a "principled judgment"? There can, and I suppose there should, be a value-free answer to that question. But the content of any concrete "principled judgment" cannot, it seems, be value-free. It is precisely the ignorance or abandonment of principles that permits the emergence in national affairs of statesmen and their political associates who appear to be moral nomads, unencumbered by conscience, by familiarity with any ethical tradition, and free of the wisdom that comes from making moral choices. Such freedom is really slavery to the whims of impulse, instinct, and opportunism.

When educators speak of assisting students to locate themselves, to establish a sense of selfhood, to become familiar with where they begin and where they leave off, there is always the danger of slipping into an excessive individualism, even a narcissistic withdrawal from societal awareness. This, of course, would be the result of bad education.

Any university is capable of giving bad education. To admit it is more wisdom than weakness. To admit it is to recognize that no one discipline, no one course, no one religious tradition, no one book or project or professor is the conduit of all wisdom. If such were the case, once a student was properly plugged into the unique source, principled judgments would be guaranteed. Such will never be the case. Students need creative combinations in appropriate amounts of all the resources a university can offer. From the past, from the present; from science, from the arts; from the faculty and from each other, the students will themselves draw many of the ingredients of principled judgments.

We all know that moral issues arise in any area covered by any intellectual discipline. To settle the issue definitively is not the job of a classroom professor. To ignore the issue is often inept or dishonest pedagogy. To discuss it may or may not be appropriate, depending on the nature and purpose of the course as well as the availability of another, possibly more suitable forum within the university where the moral issue might be explored. Somewhere in their university experience, students should disclose, at least to themselves, where they stand on these issues and what are the principles upon which a given stance is grounded.

To repeat, the university is an atmosphere of open inquiry and a free quest for truth. In such a setting, enlightened pedagogy may fairly insist that a student's moral judgments be, first, his own; and, second, part of an identifiable (though incomplete), coherent (though riddled with doubt), and consistent (though self-made and embryonic

instead of traditional and finished) system of moral choice. Eclecticism and hybrid systems have a proper place in the university and also in the individual. So do unresolved questions and tentative positions. But contradictory positions, lopsided social-over-personal or personal-over-social ethics, and thinly veiled "moral" positions which are obtusely oppositional if not mindlessly anarchic should be identified for what they are. Moral skepticism and moral dogmatism should be equally open to challenge.

Similarly, in politics and the military, in business and the professions, ethical sensitivities will be dull or absent if curricular or co-curricular attention is not given to ethical principles and their application in the university experience.

Not every ethical dilemma, obviously, can be experienced and reflected upon in the student years. Vicarious experience through case studies, role-playing, films, and literature, however, should not be overlooked by anyone responsible for providing a liberal and liberating education. Otherwise, hollow men and women, of thin and soft commitments, will continue to populate our alumni rolls.

Robert Bolt spoke of man offering himself as a guarantee when he takes an oath. And Bolt sees in the perjurer one who "has no self to commit, no guarantee to offer."

University educators, touched more perhaps than others by the present Watergate mood, may find that the curriculum they are offering is ethically hollow and thus ill-equipped to produce a man or woman capable of being his or her own guarantee. Somehow, though a creative, catalytic curriculum, the student should meet in his professors, his peers, his books, and his projects—but most especially in himself—the value which, in developed and personalized form, will eventually guarantee that his judgments will be principled. A university should want to produce such men and women for all circumstances, for all seasons. An education to this end is an education to be human. No need to apologize for that. It simply acknowledges that there should be a partnership between reason and spirit in any human being.

When will the universities get the message? When will they recognize that values provide the necessary bridge between reason and spirit?

A BILL TO AMEND THE DISTRICT OF COLUMBIA POLICE AND FIREMAN'S ACT OF 1958 TO INCREASE SALARIES AND FOR OTHER PURPOSES

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, I am introducing today a bill to increase salaries of District of Columbia police officers and firefighters—by 18 percent. This bill is a successor to previous legislation which I introduced on August 3, 1973, and is identical except that the salary increase is reflected as 18 per centum rather than 10 per centum.

I think it is only simple justice that District of Columbia police and fire service employees, who daily lay their lives on the line to protect the residents of the District and visitors, should not suffer the loss of purchasing power brought about by inflation. It has been made

public in the past few days that food prices in Washington have risen by 25 percent in the last year alone, and the end is not yet in sight. Heating oil went up 51 percent this year for Washington area residents. Gasoline rose 2 cents a gallon just from November to December, and this is on top of previous increases and was followed by even more increases.

Mr. Speaker, I have introduced this measure in the sincere conviction that the District's police and firefighters amply deserve a fair opportunity to provide a decent life for their families. This is a basic right for all Americans. Surely, we can do no less than to make sure that these men and women, whose devotion to a hazardous job is a major safeguard to our Nation's Capital enjoy this right. Their last pay increase was effective in May 1972.

I strongly urge my colleagues in the House to give this measure their closest attention and strongest support and urge enactment of this bill at the earliest possible date.

U.S. DEFENSE SPENDING NOT ENOUGH TO KEEP PACE WITH THE SOVIET UNION

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. KEMP. Mr. Speaker, the costs of maintaining the Nation's defense have never been subject to more question than they seem to be today. The intended relaxation of tensions between the United States and the Soviet Union—the much-heralded détente—should mean, many argue, that we have less need for maintaining or increasing defense expenditures. Nothing could be further from the stark nakedness of the realities unfolding, for only a strong defense—not a spirit of détente—can insure the survivability of a genuine relaxation of tensions.

Several articles have appeared during recent weeks showing the fallacies of relying too much on the mere letter of détente, for the very success of détente rests upon the United States moving simultaneously toward the maintenance of a strong national defense with which to protect our commitment to freedom, while we pursue the substantive objectives of détente to protect our commitment to peace.

In an insightful editorial, the Wall Street Journal has detailed the nature of the proposed increases in defense spending. It is apparent that these increases are not going for those particular defense items—research and development, training, hardware, deployment—essential for reinforcing our defenses. Rather, these proposed increases will be going to meet the rising costs of inflation, military pay raises, and aid to Israel—which no matter how worthy is only one aspect of our total foreign policy and defense commitment. Recent increases in the budget have occurred principally because of inflated dollars,

not because of a recognition—as there should have been—of heightened national defense needs. Meanwhile, Soviet expenditures are going directly for advanced research and demonstration, development, deployment—all in an attempt to wholly overcome the United States in arms, thereby rendering it susceptible to nuclear blackmail.

I think the content of this article merits careful attention by the Members of this body.

The article follows:

DEFENSE SPENDING

With the approaching release of a new federal budget, the annual debate on defense spending is already gathering. The Pentagon is said to believe it will have an easier time this year, because of the passing of the Vietnam irritant and spreading realism about the nature of the Soviet regime.

If so, it will be about time. For the sad truth is that military power is by no means irrelevant to world affairs, and that the United States' military position has been sharply eroded on nearly all fronts over the last five years. Yet these realities have been obscured by a whole series of myths.

We are told, for example, of a greedy "military-industrial complex" and an "arms-race spiral." Yet the fact is that since 1968 defense spending has been essentially static, which means that in terms of constant dollars it fell. Meanwhile, as the accompanying St. Louis Fed chart shows, civilian spending ballooned. In any such comparison, the defense sector is not bloated but starved.

The Pentagon proposals for fiscal 1975 will break out of the 1968 plateau. It proposes to spend \$85.8 billion, and will also ask for a \$6.2 billion supplemental appropriation for the current fiscal year. But even at that, the defense part of the budget will expand less rapidly than civilian outlays.

Meanwhile the Soviet Union has been expanding its defense establishment. Problems of secrecy and exchange rates make it hard to evaluate Soviet defense spending, but after running through various calculations, the Institute for Strategic Studies in London concludes, "The equivalent dollar costs of Soviet resources devoted to defense may well be comparable to American spending and perhaps well above it."

This is confirmed by the appearance of several new Soviet strategic weapons, by the reequipping of its tank forces in Europe, by a startling naval expansion and by its lavish support of Arab clients in their war with Israel. In area after area, the United States is falling dangerously behind.

In strategic nuclear forces, American negotiators were forced to accept inferiority in numbers and crucial throw-weight in the interim agreements on offensive weapons. The Soviet building programs were so large that without the agreements they might have increased the disparity even further. Unless the U.S. gets moving with its strategic programs, its SALT-II negotiators will face the same dismal choice.

Naval forces are particularly important to a power like the United States, which must rely on sea-lanes in nearly any military confrontation. Yet even here it has been overtaken by the Soviets, who have been historically and geographically a land power. The Institute now reports that the United States has 221 surface combat ships and 84 tactical submarines, while the Soviets have 212 surface ships and 285 submarines. By and large, also, the Soviet navy is more modern than the American one.

The resources for this Soviet buildup have come off the backs and out of the dinner plates of the Soviet people. The ability to at least match and probably outspend the United States despite a far smaller gross na-

tional product and a vastly lower standard of living tells a great deal about the Soviet regime. Alexander Solzhenitsyn tells us the same thing far more dramatically. If there is to be detente with such a regime, its absolute prerequisite is an American military posture sufficient to offset the Soviet one.

Detente probably does give us a bit of leverage with the Soviet Union; apparently the U.S. was able to exploit their need of good relations to moderate their behavior after the recent Middle Eastern war. But their adventurism in the early stages of the war shows again their tendency to be tempted by opportunity. The weakness America's European allies showed during that episode also partly reflects the decline

the American military power they once relied on for protection. As the Soviet power grows, it will be tempted more often, our allies will make further adjustments, and in times of crisis the U.S. may well have to back down in the face of Soviet expansion.

If the U.S. fails to keep a healthy military, in other words, a Soviet imperium will gradually spread over much of the globe. The survival of the United States may not be directly threatened, but the world would become a far nastier place in which to live. To avoid such an outcome the defense budget will at some point have to start upward, and this year is less likely to prove too soon than too late.

EULOGY OF DAVID BEN-GURION

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. EILBERG. Mr. Speaker, on this occasion, I would like to add my voice to those of democratic peoples everywhere in praise of the departed David Ben-Gurion, first Prime Minister of Israel—champion of freedom.

An ardent Zionist, he devoted his life to creation of the Jewish State, and with remarkable results. When he arrived in Palestine there were only 60,000 Jews in residence. He was to remain there through two generations and six wars and to see his homeland altered from the condition of an oriental satrapy to that of an outstanding modern nation with a population of some 3 million souls.

Born in Russia, some 87 years ago, he emigrated first to Poland, with his father's family, then to Palestine where he arrived as a stowaway at the age of 20. He was already a Zionist, determined on working for the return of Palestine to the custody of its former owners, the Jewish people.

At the time of his arrival, Palestine was under the authority of the Ottoman Empire, which did not take kindly to his Zionist sentiments, and drove him from the land as an exile. Following a visit to the United States, where he was married, and the defeat of the Central Powers in World War I, Ben-Gurion returned to Palestine to plague the British, who were now the landlords of the place he regarded as the Jewish homeland, by right, tradition, and everything but law.

By 1920 he was helping to found the Jewish Labor Federation, which would become in time the all-encompassing labor union of the Jewish State. He was elected chairman of the Jewish Agency

Executive, the political arm of the world Zionist organization. Although he had once been a believer in cooperation between Arabs and Jews, Arab violence against Jewish citizens in the 1930's had changed his opinion on that vital subject. When at last the British began thinking in terms of returning Palestine to Jewish authority, Ben-Gurion began thinking in terms of a military force to defend the State against Arab incursions.

It was Ben-Gurion who created Haganah, the underground Jewish army, in the years immediately following World War II, and he was largely responsible for financing, through encouragement of worldwide contributions, the emigration of European Jews to Palestine. The emigration swelled, in outright defiance of British efforts to prevent it. Meanwhile, Jewish terrorists carried out a continuous assault on British personnel and bases. The desperate strategy succeeded and a "Jewish State in the land of Israel" was proclaimed by Ben-Gurion at Tel Aviv, in May of 1948.

When the assault of five Arab nations immediately began in protest, Ben-Gurion rallied the people, in the capacity of Prime Minister and Defense Minister combined.

He had told his Zionist compatriots:

Without a Jewish army, there would never be a Jewish state.

And events would prove him right. Under his indomitable leadership, the Israel armies conquered all, and the Arabs fell back in astonished disarray.

After the truce, renewed sharp fighting secured for Israel the Negev and central Galilee. Armistice agreements with Egypt, Lebanon, Syria, and Jordan in 1949 ended the hot war for the time being. But, indeed, the fighting really never ended. In fact, it went on, and on, and on. And as Russia entered the picture, to side with the Arabs, Israel drew closer and closer to the United States. In this manner, David Ben-Gurion became identified with American interests in a very real sense, not merely as a man of democratic principle and spirit, but as a leader of a people opposed to Communist purposes in the Near East.

The long identification of this remarkable man with the democratic cause has ennobled both the cause and the man himself. Of keen mind and indomitable will, he secured the land of Israel to the cause of 20th century progress and Western civilization, to the wonderment of the world at large.

HAROLD D. COOLEY

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. BAUMAN. Mr. Speaker, it was with sadness that I learned of the passing of the late Honorable Harold Dunbar Cooley, of North Carolina, who served in this House for so many years with such great distinction. Although Congressman

Cooley's reputation was certainly highlighted by his service as chairman of the House Committee on Agriculture, many also knew him to be a very warm and understanding person whose personal generosity to me I greatly appreciated.

In 1955, it was through the late Congressman Cooley's personal intercession with Speaker Sam Rayburn that I was able to continue my employment on the congressional staff, which in turn allowed me to attend night classes at the Georgetown School of Foreign Service. After the elections of 1954 when the Republican Party lost control of the House, he was willing, because of our personal acquaintance, to help a young man in need.

I have always appreciated this act, and I know it was only one of many such acts by a man whom we shall all miss. His family has my deepest sympathy.

HON. RAY D. PRUETER

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. GOLDWATER. Mr. Speaker, in March of this year, the mayoralty election will once again be held in Port Hueneme, Calif., which is part of the district I am honored to represent in the Congress.

The name of Ray D. Prueter, the mayor since 1962, will be missing from the ballot for the first time. Mayor Prueter has announced his retirement, after 12 years of inspiring and dedicated service to the city he and his family know and regard with such deep affection.

He has indicated he desires to spend more time with his family, and to devote more attention to his business than he has been able to do in the last 12 years. His family and friends, I know, will welcome having more time with Ray, but the city of Oxnard will deeply feel his absence in an active capacity.

Ray's accomplishments, which go even further back than his first election as mayor, read like a virtual "Who's Who" in every area of civic concern and responsibility.

Ray took up residence in Port Hueneme in 1950. In 1951, he married the former Laura O'Donnell, and they have two children, Denise Lynn, and Diane Rae. Ray immediately became active in the Port Hueneme Chamber of Commerce, and since 1953 has been a charter member of the organizational board of the Port Hueneme Harbor Days. Since 1954, he has been a member of the Port Hueneme Rotary, and served as its president from 1955-56. From those years until now, he has managed to find the time and energy to serve as the Hueneme Elementary School PTA president; the Civil Defense Director; be a member of the Navy League, the Elks Lodge, the Salvation Army Advisory Board; to serve as an Elder in the Westminister Presbyterian Church, and as a member of the Ventura County Grand Jury for a year in 1961.

Now if that is not enough, he went on to become a Port Hueneme City Councilman, and was reelected twice, and was then elected mayor, and reelected four times.

He has since served as president of the Channel Division League of California Cities; director of the League of California Cities representing the Channel Division; Oxnard Community Hospital director; a member of the Hueneme High School PTA; president of the Ventura County Mayors and Managers Association; a member of the Local Agency Formation Commission, first vice president of the Southern California Association of Governments, and at various times, president, first vice president, and second vice president of the League of California Cities.

To top it all off, Ray was elected co-chairman of the \$150,000 fund-raising drive for Hueneme High School's football stadium and lights, in 1970.

I realize that some people go around collecting titles, and put little effort into the job, but Ray Prueter certainly is not one of them. This man has done an exemplary job with every assignment he ever undertook, and put all of his energies into completing each one. The result has been a better government, and a better city for the people of Port Hueneme.

It is no wonder, then, that Ray was named Port Hueneme Citizen of the Year in 1959; was given Hueneme PTA life membership in 1960; was named honorary member of the Harbor Days Board, and honorary chamber of commerce adviser. He is also a life member of the Oxnard Community Hospital Board, and an honorary Navy Seabee and U.S. Marine—Ray served in the U.S. Army from 1943-47 as a first sergeant. Last, but certainly not least, Ray is an honorary life member of the Hueneme High School Booster Club, and an honorary member of Hueneme Bay Kiwanis Club.

I know that everyone who knows Ray wishes him well in the days ahead, and hopes he and his family will have some well-earned relaxation. But knowing Ray as we all do, I have a feeling he will not be far away should anyone need his help. I am confident I speak for everyone who knows him when I say, "What this country needs is a million more Ray Prueters."

FREEDOM—THE ELUSIVE
UKRAINIAN DREAM

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. SARASIN. Mr. Speaker, the 56th anniversary of the Ukraine's independence was observed recently, but not with the excitement and color of the fireworks, parades and picnics we associate with our annual Fourth of July celebration. Instead, those living in the Ukraine, and those of Ukrainian descent living in this country, noted the event as another milestone in the seemingly endless span

of years in which bondage is commensurate with the term Ukraine. As we all know only too well, the Soviet Union forced the Ukraine into the Soviet Union under the guise of voluntary cooperation with that imperial state.

By making note of the anniversary of the all too brief freedom which was announced on January 23, 1918, we also announce publicly that we do not see eye to eye with the Soviet Union in regard to the current status of the Ukraine. In fact, we see no reasonable, humanitarian, or ethical grounds for the encompassing tactics used against the country. Efforts toward the Russification of the Ukraine have been underway now since 1920, but they have not been fully successful, and will not be, as long as the strong will of the Ukrainians, with the support of their families here in America, as well as those of us in Congress, continue to keep the hope of freedom alive.

ASSOCIATE JUSTICE HAROLD A. STEVENS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. RANGEL. Mr. Speaker, Judge Harold A. Stevens has just been appointed the first black associate justice of the New York State Court of Appeals in the court's history. Justice Stevens, a Harlemite with whom I have been privileged to work on a number of community projects, is a former member of the State assembly. With over 20 years of judicial experience behind him, Justice Stevens has proven that the law can be used to protect the rights of the poor and the powerless and that it must be used to guarantee equal justice and equal opportunity to all Americans. He has consistently evidenced the type of sensitivity which is too often missing in our courts.

Mr. Speaker, at this point in the CONGRESSIONAL RECORD I include a profile of Harold Stevens which appeared in the New York Post:

DAILY CLOSEUP: OPENING ANOTHER DOOR
(By Steven Marcus)

When Harold A. Stevens learned that Gov. Wilson wanted to appoint him as an Associate Judge on the Court of Appeals, the state's highest tribunal, Stevens had mixed emotions.

Accepting would mean giving up a job he loved—Presiding Justice of the Appellate Division of the Supreme Court, First Department. And it would mean leaving his wife, Ella, alone in the city while he commuted to Albany, where the Court of Appeals sits.

"But my wife and I talked it over," Judge Stevens recalled the other day, "and we decided I had an obligation to accept the position because, frankly, it would open another door."

What Stevens was alluding to was that by becoming an Associate Judge he would be the first black to serve on the court and, by doing so, would further the cause of integration.

A slender man with a neatly barbered mustache, a fringe of white hair and a low,

husky voice that still contains a trace of his native South, the 66-year-old Stevens has been opening doors for his race throughout much of his life.

He was the first black to graduate from the Boston College Law School; the first to win a political race [for the State Assembly] in a predominantly white district; the first to be elected judge of the city's former Court of General Sessions (now part of the Supreme Court); the first to become a State Supreme Court Justice; the first to be named to the Appellate Division; and the first to become Presiding Justice.

Helping to further integration by such means was especially important years ago, he said, and it is still important today. "Race relations have improved, certainly since I was a young man, but they haven't reached the point in this country where a man's race can be disregarded."

Sitting behind his desk in his mahogany paneled, book-lined chambers at 25th St. and Madison Av. and puffing on a cigaret, Stevens recalled that it was a violent racial incident—a lynching—that made him choose the law as a profession.

In 1926, when he was an 18-year-old college student, a Negro woman and her two brothers who had been accused of murdering a sheriff were dragged by a lynch mob from the jail at Alken, S. C., towed through the town behind an automobile and shot. Afterward, their bodies were mutilated.

"It's been a long time but I can still remember it," Stevens said. "After it occurred it seemed to me that there just had to be lawyers in the South who would insure the protection and the rights of Negroes. I also felt that Negroes had to get into politics, too."

Harold Adolphus Stevens was born on Oct. 19, 1907 on John's Island, S. C., where his father, William F. Stevens, and his grandfather, Quash Stevens, owned a 1000-acre farm called Seven Oaks.

By the time Stevens was three, both his father and grandfather had died and the farm, which was heavily mortgaged, had to be sold. His mother, the late Lilla Johnson Stevens, took Stevens and his three older brothers to Columbia, S. C., to live with her parents.

Stevens keeps photographs of his mother and his maternal grandfather, James H. Johnson, on his desk and says they were the two greatest influences on his life. "They were remarkable people," he said. "They gave me a sense of what was right and wrong, a sense of responsibility and a sense of other people's rights."

His mother and grandfather also insisted that he continue his education, and he complied. He attended Claflin College in Orangeburg, S. C., and was graduated from Benedict College in Columbia, S. C., in 1930. Two years later, he enrolled in night classes at law school. To support himself he worked during the day as a bellman in a hotel.

"I'd work from about 7 in the morning to 5 in the afternoon," he recalled. "Then I'd go to classes. When I came home, I'd study until 1 or 2 in the morning. It didn't leave much time for sleeping but you don't need so much sleep when you're young."

After graduating in the top ten of his class, he went to work as a law clerk for William T. Andrews, a prominent Harlem lawyer. He later became Andrews' partner and an expert in labor law, representing such black unions as the Brotherhood of Sleeping Car Porters and the Brotherhood of Colored Locomotive Firemen, which were fighting to end discriminatory practices by the railroads.

On Christmas Day in 1938 he married his childhood sweetheart, the former Ella C. Myers. They have no children and live in Harlem.

After serving in the Army from 1943 to 1945, Stevens got interested in politics and in 1946 was designated by the Democratic

organization to run for the Assembly in a predominantly white Washington Heights district. He won over three rivals. After serving three years he resigned to begin his judicial career as a General Sessions Court judge.

A Catholic, much of his spare time has been given to lay activities in the church. He also likes to watch pro football games and to fish. "I haven't had time to go fishing in three years, but I still have the rod in my closet."

NORTH VIETNAM AND PEACE AGREEMENT

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. BROOMFIELD. Mr. Speaker, Sunday, January 27, 1974, marked the first anniversary of the Vietnam peace agreement. Included in that historic document was a commitment by the North Vietnamese and the Pathet Lao to fully account for all those parties missing in action.

Both the North Vietnamese and the Pathet Lao agreed under article 8, section B, of the January agreement "to help get information about those military personnel and foreign civilians of the parties missing in action." The North Vietnamese reiterated this agreement on June 13, 1973, by subscribing to a joint communique signed that day in Paris.

Unfortunately, 1 full year after signing the accord, the Communists continue to flagrantly disregard it. Cooperation essential to the investigation of the military search teams has been systematically denied and virtually no information has been made available concerning those still missing. In fact, rather than helping in this matter, the Communists have resisted all efforts by the military search teams to account for these men.

This refusal to cooperate raises serious doubt about the fate of the nearly 1,300 men who remained unaccounted for as of January 27, 1973. The time has come for those doubts to be resolved once and for all. Renewed efforts must be made by the Government of the United States to coerce, through diplomatic channels, the Provisional Revolutionary Government, the Lao Patriotic Front, and the Hanoi Government to honor those commitments made in the peace agreement concerning captured personnel, the missing in action, and the dead.

Therefore, I am introducing today a concurrent resolution toward this end. The resolution has been introduced by Mr. PERCY in the Senate, and reads as follows:

H. CON. RES. —

Concurrent resolution relating to unaccounted for personnel captured, killed, or missing during the Indochina conflict

Whereas the Agreement on Ending the War and Restoring Peace in Vietnam, signed in Paris on January 27, 1973, and the joint communique of the parties signatory to such agreement, signed in Paris on June 13, 1973, provide that such parties shall—

(1) repatriate all captured military and civilian personnel,

(2) assist each other in obtaining information regarding missing personnel and the

location of the burial sites of deceased personnel,

(3) facilitate the exhumation and repatriation of the remains of deceased personnel.

(4) take such other steps as may be necessary to determine the fate of personnel still considered to be missing in action; and

Whereas the Government of the Democratic Republic of Vietnam and the Provisional Revolutionary Government of Vietnam have failed to comply with the obligations and objectives of the agreement and joint communique; and

Whereas the Lao Patriotic Front has failed to supply information regarding captured and missing personnel or the burial sites of personnel killed in action, as provided in the Laos agreement of February 21, 1973, and the protocol of September 14, 1973; and

Whereas it has not been possible to obtain information from the various Cambodian authorities opposed to the Government of the Khmer Republic concerning Americans and international journalists missing in that country: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that new efforts should be made by the Government of the United States through appropriate diplomatic and international channels to persuade the Government of the Democratic Republic of Vietnam, the Provisional Revolutionary Government of Vietnam, and the Lao Patriotic Front to comply with their obligations with respect to personnel captured or killed during the Vietnam conflict and with respect to personnel still in a missing status; that every effort should be made to obtain the cooperation of the various Cambodian authorities in providing information with respect to personnel missing in Cambodia; and that further efforts should be made to obtain necessary cooperation for search teams to inspect crash sites and other locations where personnel may have been lost.

Sec. 2. Upon agreement to this resolution by both Houses of the Congress, the Secretary of the Senate shall transmit a copy of such resolution to the President of the United States.

SOUTH TEXAN HERDS CATTLE WITH A WHIRLYBIRD

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. DE LA GARZA. Mr. Speaker, there is a new kind of cowhand not far from the Rio Grande.

South Texan W. J. Tiller herds cattle with a helicopter. He has found that on the average, without horses or cowboys, he can round up cattle from about a thousand acres in an hour. And besides, he says, he can do a lot of sightseeing.

As an example of south Texas ingenuity, I include here a story from the Alice Echo-News about W. J. Tiller and his whirlybird operation.

SOUTH TEXAN HERDS CATTLE WITH A WHIRLYBIRD

(By Sarah Shults)

Efficiency. Beauty. Ranching. Helicopters. These are the four words that most compactly describe W. J. Tiller's "new" occupation.

Tiller is a rancher but of a different sort than the usual. He's gone modern by replacing horses and a number of cowboys with a helicopter.

A year ago Tiller was a junior high principal and rancher of the "usual" sort. Within

the last six months he has stepped out of these ground shoes and into a pair of air-born boots. They're still cowboy cut but they ride in a helicopter now instead of stirrups.

At the end of June of 1973 Tiller invested in a helicopter which he planned to use for working cattle. At that time he had never even been in a rotorcraft although he did have a fixed wing aircraft (airplane) license which he earned in 1948. An instructor was hired from Corpus Christi to teach him the operation of his new "horse" and by September Tiller was in business.

Complete with a rotorcraft pilot's license and an air taxi certificate for commercial operation of a rotorcraft from the Department of Transportation, Tiller started hiring out to work cattle. His "crew" consisted of one of the smallest made helicopters equipped with a siren, a public address system and a .22 pistol loaded with rat shot.

Efficiency—that's the big word that "hov-ers" over Tiller's new "cowhand". The noise produced by the aircraft is what moves the cattle. Its ability to sweep from side to side in a matter of seconds eliminates the need for extra mounted workers on the ground for herding purposes.

On the average Tiller is able to round up cattle from about a thousand acres in an hour (very rough estimate). This figure varies of course but the "whirlybird's" speed and maneuverability does enable it to cover an extensive acreage in a fraction of the time it would take a dozen or more mounted cowhands.

The ability to fly a helicopter is not the only requirement for Tiller's newfound profession. Getting the craft off the ground is one task but using it to work cattle is another subject all together. However, Tiller has been working cattle all his life and thus has a sort of sixth sense about cattle (not an uncommon "instinct" in this part of the country).

Tiller explained that it doesn't take the cattle long to catch on to what is expected of them when a helicopter is flying anywhere from 3 to 50 feet above them. The rotorcraft's presence merely offers gentle persuasion that can get cattle heading for a pen in a line and direct them completely through the gate without assistance.

Quite often Tiller will work several thousand head of livestock with only the owner or foreman riding with him for directions and to work the gates. An advantage the owner has in riding with Tiller is that he's sure, after the round up has been completed, that he has all his cattle in.

When working the cattle on a large tract of acreage it is very hard for a cowhand to be sure that a couple of strays haven't been left in a thicket somewhere. With a helicopter any such strays could be easily spotted.

Large acreage ranches aren't the only ones that profit by the efficiency of Tiller's 'copter service'. Spoiled cattle, for instance, are as difficult to work with on a small ranch as on a larger one. Tiller once worked a small herd on a 100 acre buffel grass tract because the cattle were too wild and spoiled to work with horses. Stubborn young bulls who have been allowed to literally run wild all their lives are ideal candidates for the "modern cowhand".

Beauty—that's another key word that characterizes helicopter work. When W. J. Tiller lifts off in his 2000 pound rotorcraft he does so armed with something more than a pistol full of ratshot. He also totes a loaded camera with him.

The beauty Tiller says he witnesses everyday in his work can only be partially recorded on film and even that makes a picture worth looking at twice. This reporter, after having experienced a few of these sights first hand, can well verify that.

According to Tiller the abundance of wildlife that can be easily spotted from the air is amazing. Deer, quail, coyotes, bobcats, wild hogs and turkeys are just a few of the wild

game that Tiller encounters almost regularly in his work.

Tiller's loaded camera is more than just a pleasure possession. It is also used for a type of photography service he offers. Large ranch headquarters are often quite impressive from the air and lend themselves to aerial pictures.

Since Tiller opened for business in September he has added another helicopter to his service. Both are operated solely by him. This way, as Tiller explained, he always knows just what condition the engine is in and if something starts to go wrong he usually knows why.

The two rotorcrafts are stored in an A-frame hanger behind the Tiller home on Farm Road 1554 west of Alice. Men from Corpus Christi are brought out a couple of times a week to make sure the engines are kept in top working order.

Within the not too distant future Tiller plans to have some more pilots in the family. Three of his four sons have already expressed a strong "Hankering" to learn.

With all the efficiency and short working time aspects of Tiller's new profession he finds that even though they more than speak for themselves, the beauty aspect cannot have enough said for it. The various types of countryside and game in the different seasons provides a continual invitation for sight-seeing that goes hand in hand with working the new "cowhand".

ENERGY: FUTURE ALTERNATIVES AND RISKS

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. McCORMACK. Mr. Speaker, I would like to remind the Members of this Assembly that on January 29-30 the National Academy of Sciences is convening a public forum on "Energy: Future Alternatives and Risks"—CONGRESSIONAL RECORD, November 28, 1973, 38500—Although I fully realize the workload which awaits us following a recess, I want to urge each of you and particularly your staff to make an effort to attend this Academy forum.

This is much more than another symposium or colloquium on energy. This Academy forum brings together in one location the collected expertise of representatives of the scientific and academic communities, Government, industry, and the private sector to consider aspects of reserves and resources, conservation and demand, environmental health and safety, public and private roles, regulation, and the choices before us for the future. It also should be emphasized that a Panel for Inquiry, consisting of members of the National Academy of Sciences, will be present throughout the 2 days to interrogate, refine, and clarify areas of consensus and disagreement for the audience.

The concept underlying the forum—that of treating the energy problem as a whole notwithstanding its overwhelming ramifications, implications, and complexities—is noteworthy and deserves our close attention. Despite the furor, growing hysteria, and debate about the energy shortage, both as a nation and as a government we seem to be unable to move forward in an informed, rational, systematized way to pull together what we already know toward developing effective policies and action. This inability to con-

sider holistically a problem of barely realized scope is alarming, and I applaud this effort of the National Academy of Sciences to do so.

I also applaud the focus of this Academy forum on "Future Alternatives and Risks." On January 2, in a letter to William Simon of the Federal Energy Office, I stated the following:

I appreciate that you are beset by thousands of urgent, short-range problems bearing directly upon petroleum shortages, and the hardships they create today. I must insist, however, that the long-range aspects of the energy crisis are more demanding than the short-range ones. This nation got itself into this mess because we have no integrated energy policy. We will inevitably require at least twenty years of dedicated leadership and national commitment before we can again enjoy the abundance of energy that we will need to improve the standard of living for all elements of our society.

Over the next few weeks we can—indeed we must—create the administrative policy and agency we need. Our time has run out. We must move forward. However, effective action must be based on a sound systems analysis of the entire energy problem and in which there is a firm and clear integration of science.

There are two critical areas of long-range energy policy and programs with which I am particularly concerned. First is the assessment, planning, and management of all fuels. Second is the development of policies for the management of all energy research and development as well as supporting activities, particularly including materials assessment, research, and development. In addition, we must consider the totality of our conservation potential, the environmental impact, and the economic feasibility of any proposed program for energy conversion, transmission, or consumption.

The energy problem is solvable. In spite of the problems of price increases, imports, quotas, rationing, and shortages, the real challenge we face today is the development of policy that ultimately will make this Nation self-sufficient in energy. Moreover, we have the knowledge and the resources to develop technologies for the use of alternative energy sources which we can export to the rest of the world.

If these goals are to be met we must concentrate on the totality of the energy problem and keep our focus firmly fixed on the future while dealing with the immediate considerations of the present. The Academy forum scheduled for January 29-30 can be of great service to all of us in attaining and implementing that vision.

1974—TRIBUTE TO THE 56TH ANNIVERSARY OF THE UKRAINE'S PROCLAMATION OF INDEPENDENCE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. KEMP. Mr. Speaker, January 22, 1974, marked the 56th anniversary of the

proclamation of Ukraine's Independence, and the 55th Anniversary of the Ukraine Act of Union. By these acts, a Ukrainian independent state was officially established in all the ethnographical Ukrainian territories.

I would like, at this time, to pay tribute to the Ukrainian people for their undaunted and valiant struggle for human rights, independence, and freedom, in the face of the constant injustices perpetrated upon them by the Soviet Union.

After almost 4 years of continuous fighting and invasions, the Ukraine was forced to succumb to the numerically superior military forces of Communist Russia, who disregarded the Ukraine's Independence Proclamation which they had officially recognized in 1918, and incorporated the Ukraine, in 1922, into the Union of Soviet Socialist Republics.

The whole history of Soviet Russian dominated Ukraine is a ghastly record in inhumanity, outright persecution, genocide, and violation of human rights. Under Stalin, Ukraine was marked for physical extinction; under Khrushchev, and now, under Brezhnev-Kosygin, outright terror has been replaced by the subtle process of destroying the Ukrainian national consciousness and identity through Russification, mass arrests, and illegal trials. In fact, despite the fullpledged membership of the Ukraine in the United Nations, it is today, more than ever, a colony of Communist Russia. There is not, nor has there ever been a détente in the relentless persecution of the Ukrainian people by the Soviet Union.

It is only the Ukrainians and their descendants outside the Ukraine—organizations like the Buffalo Chapter of the Ukrainian Congress Committee of America, Inc.—who can speak of the freedom and independence of Ukraine.

HAROLD DUNBAR COOLEY

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 1974

Mr. POAGE. Mr. Speaker, probably no one individual from other than my home State has had a greater influence on my service in Congress than Harold Cooley. Harold Dunbar Cooley served as chairman of the House Committee on Agriculture for 16 years. This is longer than any other man ever occupied that position. During 14 of those years, I was the vice chairman. Harold delighted to tell audiences where I might have introduced him that he was pleased that his vice chairman had introduced him; then he would say:

Bob is one of the finest, one of the greatest, one of the most outstanding Vice Chairmen our committee ever had—it never had but two.

Harold was my friend, as well as my chairman. He was a demanding friend but he was always willing to go as far as he asked his friends to go. As chairman of the committee, he always astonished

me with his ability to quickly understand any subject that was brought before us. He would walk into the committee room in the middle of a discussion and within a very few minutes he would have grasped the important facets of the subject under discussion and would be able to join in the questioning on an intelligent and helpful basis.

He practiced law in his home town during his 32 years in Congress, but he never practiced influence in Washington. His practice was that of a country lawyer, drawing deeds, getting divorces, examining abstracts, defending criminals et cetera. In this way, he was always in touch with the problem and the development of his people.

Harold was a great traveler. When Monroe Redding announced his retirement from Congress, he is reputed to have gone down to the White House and told President Truman that he was making a trip around the world and that he wanted to carry out any mission the President might assign him. The story goes that Mr. Truman handed him an American flag and said that "if you come to any land where Harold Cooley has not been, I want you to plant this flag, claim the country for the United States, as it is clearly undiscovered territory."

Harold was a member of the Interparliamentary Union and served as Chairman of the American delegation. He knew world leaders in every country and he had the knowledge and the grace to represent our country creditably. He knew much about American agriculture, particularly about the tobacco business and, in my judgment, he saved that industry almost alone during the low-price era.

He was a charming host. His home in Nashville was always open to his colleagues and his friends. Although I have not had the close association with him in recent years that I once enjoyed, I have continued to recognize him as one of the outstanding Members of Congress and one of the leaders of American agriculture.

I am happy that I was privileged to talk with him by telephone the day before his death. At that time, he talked of going home in the near future and visiting us here in Washington later this spring. The next day I was shocked to learn of his passing. I knew Harold's family and Frances and I want to extend to them our heartfelt best wishes.

READER TAKES ISSUE

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. DUNCAN. Mr. Speaker, the American public has been saturated by the news media and others with unfair accusations and innuendoes about President Nixon for too many months. As a result, many of my constituents are speaking out strongly in support of their duly elected President. I want to present to my colleagues just one example of how the aver-

age citizen is demanding to be heard; the following is a letter to the editor of the Knoxville News-Sentinel:

READER TAKES ISSUE WITH "PERSECUTORS" OF NIXON ADMINISTRATION

Editor, the News-Sentinel:

It's really bad enough to have to look at one Basset cartoon in an edition of your paper. To have thrown in our faces the supposed "best" for a year is indeed a nauseous experience.

The poor taste of the news media, our Senate and house members and just plain people about our duly elected President. Nov. 1960 Cook County, Texas and Missouri queer counting is unpatriotic. I had contemptuous feelings about Wilson, Roosevelt (I voted for him in 1932 and still ask God's forgiveness), Truman, Kennedy and Johnson. But even with my disenchantment, questioning and too often complete dismay, I would never have put in words publicly what is glibly mouthed and printed in this avalanche of unproven things about Nixon.

The one about income tax is stupid. Nixon's records have been gone over with a fine tooth comb, but even so his persecuting critics will not be silenced. I repeat, as I have written you before—given (if records were kept) all the information about Lyndon B. Johnson's \$20,000,000 fortune and Lady Bird Johnson's TV monopoly, recently sold, according to The News-Sentinel for \$9,000,000. If records were not kept, tax payments not available, etc., that is evidence. From Texas county school teacher to leaving the office of President of the United States of America with a \$20,000,000 fortune should be explained, and a \$10,000 inheritance built up to a \$9,000,000 TV holding is magic, but needs clarification.

E. A. CRAIG.

BAN THE HANDGUN—XIV

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. BINGHAM. Mr. Speaker, Attorney General William Saxbe's pronouncement that gun control is an "idealistic dream" is insulting to the 68 percent of the general public desiring strict regulation of gun purchases—according to the Gallup poll. I believe it is time for the chief U.S. law enforcement official to consider the views of the general public and reject his pro gun lobby position.

The attached article appearing in the January 18 edition of the Christian Science Monitor evidences the growing trend of opinion for national gun control legislation:

GUN CONTROL AN "IDEALISTIC DREAM," SAYS SAXBE, BUT GROWING TREND FAVORS IT

(By Richard L. Strout)

WASHINGTON.—Attorney General William B. Saxbe dismisses the hope of gun control as an "idealistic dream." He thereby follows the attitude of his predecessor, John N. Mitchell, and of the Nixon Administration.

The Saxbe statement precipitates a new confrontation between a rising city sentiment for gun control, and an American tradition of gun ownership articulated by a powerful lobby centering on the National Rifle Association—backed up by gun manufacturers and dealers. The association has 11,500 affiliated clubs, and 21 million Americans who participate in hunting. An estimated 60 million households have guns.

Contrasted to this, a strong generalized sentiment for gun regulation continues, and

the Gallup organization reports that in eight polls between 1959 and 1972 those who favor police permits to buy guns has never dropped below 68 percent.

"I have little confidence in trying to rid the country of guns," Mr. Saxbe said here. He remarked that if it "would end killing" he would favor it, but he had little confidence in the idea.

"It is another of our idealistic dreams that fails in practice," he said. "Any plumber can make a gun in half a day that is just as effective as the real thing."

The Nixon administration generally has identified itself with the American pioneer tradition that motivates grass-roots opposition to gun control and support for its powerful lobby.

Former White House aide G. Gordon Liddy, in April, 1971, represented the administration in a panel at the annual meeting of the National Rifle Association. He was identified as an "attorney, conservationist, and pistol shooter," and told his audience that he had established an "open, clear dialogue" between the White House and the firearms field. He reported this created "mutually helpful conferences" with representatives of "firearms organizations, manufacturers, and gun publications."

Mr. Saxbe follows former Attorney General Mitchell's position on the subject.

In an exchange at a White House conference, June 3, 1971, Mr. Mitchell first said federal gun control was a matter for the Treasury. When pressed he said that the present laws should be tried out fully.

"You don't see a need for different legislation?"

Mr. Mitchell: "Not at this particular time."

A survey by the New York Times finds that people overwhelmingly place crime as the first problem of New York City. This is increasingly so in other urban areas.

James V. Bennett, former director of the Federal Bureau of Prisons and now chairman of the National Council for a Responsible Firearms Policy, Inc., declares that in 10 years since the assassination of President Kennedy (1963) gun casualties include nearly 100,000 murders, 100,000 suicides, 700,000 wounded, and 800,000 victims of gun robbery.

Although gun registration has wide popular support, this lobby is its only activist group. Its executive secretary is David J. Steinberg.

There are some signs that women's groups are taking stands for gun registration. One of these is the WYCA.

Says the NRA magazine, American Rifleman:

"The Sportsmen's Alliance of Michigan, a highly active and vocal organization of gun owners, already has expressed the view that its members should refrain from contributing to community drives whose proceeds go to supporting the YWCA. Others may follow suit."

Rep. Michael J. Harrington (D) of Massachusetts declares that the gun lobby is strongly supported by the country's gun manufacturers and dealers, which do an estimated business of \$1.5 billion. He reports that in 1972 \$345,000 in campaign contributions was recorded "from dominant shareholders of a single gun-manufacturing interest," the Olin Mathieson Corporation, whose Winchester-Western division is one of the country's two largest gunmakers. This money went to the Committee to Re-elect the President.

THE DISCONTENT OF MILT VASSIS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. STARK. Mr. Speaker, while writing "King Richard," Shakespeare could easily have been projecting his dialog into January 1974 when he described the "winter of our discontent." His words today hold a special significance.

During the past few months, I have received a great deal of mail pouring out feelings of anger, helplessness, and disillusionment. No single piece of correspondence is more representative of this heightened sense of despair than that of Mr. Milt Vassis of Pleasanton.

Typed on these pages are not disjointed fragments of vocabulary. Rather, Mr. Vassis' words form a pattern of frustration that reaches far beyond the southern Alameda community he inhabits. Mr. Vassis articulated a discontent now found deep within this country's conscience.

The citizenry of this Nation has been wracked by Watergate's abuses, conflicts about energy crisis realities and a host of other uncertainties ranging from GERALD FORD's credibility to income tax inequities. Their disbelief is compounded by feelings of betrayal. Like Mr. Vassis, they are weary of being "ripped off." I cannot blame them.

As we begin the second session, our energies should be turned toward restoring the shattered faith and cleansing the atmosphere so tainted by the present administration. Reacting to Mr. Vassis' letter, we must renew the creation of positive legislation designed to heal and correct. I commend Mr. Vassis' letter to my colleagues' attention.

PLEASANTON, CALIF., January 7, 1974.

Congressman FORTNEY STARK,
U.S. Congress,
Washington, D.C.

CONGRESSMAN STARK: I have never been so completely frustrated in my twenty-nine years as I am now as a result of some of the absolutely absurd things that are being thrown at me and the rest of the people of this the "greatest country" in the world. My frustration is so complete that I have decided to try to convey to all of my elected representatives just what my position happens to be in the faint hope that one or two of them just might see fit to attempt to understand my feelings and begin to actually represent me.

I just heard Paul Harvey report that most of Congress was back in Washington after the Christmas break with the "down-home-folks". He went on to say that these Congressmen had just discovered that their constituents were fed up with Watergate and more concerned now with the price and availability of gasoline than anything else. Now I am fully aware that Mr. Harvey is just one journalist among many and that his opinions are only as significant as is his influence. However, just to make sure that you and the rest of my representatives in Congress hear me as well as Paul Harvey, I am writing to dispel any of these false impressions.

There are so many things to be said that I don't quite know where to begin. Never before has there been so many unresolved, and threatening issues facing the people of

this country as there are facing us now.

For starters, a Harris poll was just released which revealed that 59% of the American Public would like to see a special election take place during 1974 to oust and replace President Nixon. I don't want to falsely put all the blame for this myriad of crises facing us on just one man, but now more than ever before in my lifetime, we need strong, steadfast leadership to unify this country and demonstrate an honest desire to work in behalf of the people that this government is all about. Nixon has failed miserably to do this.

Let us examine just a few of the things that have effectively destroyed any confidence that most of us once had desperately need in our government. Most of these things are in the form of unanswered questions and situations that seem to simply and steadily get worse and worse . . . almost to the point of unbelieveability!

How can any of you Congressmen seriously think that we are just fed-up with Watergate? Although I realize that Nixon and a lot of others would like to believe that if we would just forget about it, that it will just go away. But Watergate and all of the other related items are just too serious and monumental to just forget. We must get to the bottom of this whole mess and find out just what the truth of the matter happens to be! Also, it would be well to note that there is literally nothing that Nixon has touched that is not clouded by some kind of well-founded charge of controversy! While I don't believe for a moment that he is 100% untrustworthy, the actual percentage must be very high. Otherwise, how could there be so many questions about everything that he has done!

I would like to see Congress impeach Nixon and fully investigate all of these charges. Then, if it is proven that he is innocent we should return him to office and learn something from this entire experience. If, however, we find that he has done wrong, we should not hesitate to replace him and his entire administration with honest men. But again, to re-emphasize, we must get to the TRUTH one way or another! And somehow I don't think that this task is bigger than the men like yourself that are empowered to govern this land.

Now let us get on to some of those other questions that face all of us and are so unbelievable. As for the energy crisis . . . I can honestly say that I am not convinced that there is a crisis. And if there is one, I'm not sure why. I will say that most of the evidence points to sinister forces (to use a phrase made popular by none other than General Haig himself!) as being the factor behind this false crisis.

It was reported today that there is more aviation fuel stockpiled to date in the past year than there was in the period one year previous. If this is so, . . . 1. Why are airlines using less fuel now than they did one year ago? 2. Why have they cut back the number of flights? 3. Why are so many airline employees being put out of work because of the ensuing lay-offs? 4. Why has the price of aviation fuel more than doubled in just a few weeks?

The very same situation was also reported about heating fuel today. If this too is so . . . 1. Why is it being allocated and in effect rationed by the government? 2. Why has it increased in cost so tremendously?

What ever happened to the basic laws of supply and demand? Why has almost every industry that has been involved with any kind of a "shortage" reported exorbitant windfall profits? . . . industries such as the oil industry? . . . the agricultural industries? . . . the meat industry? . . . and on and on. This is absolutely beyond my comprehension! Tell me, Mr. Stark, does it make sense to you?

How is it that President Nixon, Governor Reagan, and Mayor Alioto combined, paid less income tax than I did last year? How is it that I saw with my own eyes, a copy of an income tax return for a Richard Nixon, address: The White House . . . where his accountant mistakenly listed his business deductions on the wrong line amounting to a savings of \$13,000.00 in taxes? . . . ? . . . ? That is incredible! Do you mean to tell me that Nixon's own high-powered, and high-salaried personal accountant is less competent than me? Boy, if I ever made a "mistake" like that I would expect to be down at the Internal Revenue Office in a matter of hours answering questions.

Of course I am just a peon . . . a taxpayer . . . just one of those small guys who pays for the tremendous cost of this government. I helped pay for the burglary of the Watergate, for the "Plumbers", for an illegal presidential campaign, for the wheat deal with Russia, for an illegal "war" in Southeast Asia, for bombing Cambodia (while "my" Pentagon repeatedly reported that there was no such bombing going on . . .), for Simple Simon who has found it necessary to meet with officials of the auto racing industry and boating industry, but has not met with the officials of the National Education Association to discuss the allocation of heating fuel for the schools, but has talked to these other people about fuel for them to continue their races. . . . and on, and on, and on, and on!

I am asked to believe. Believe what? Believe who? How can I believe anyone??

Do you realize that the F.A.A.'s budget for 1974 amounts to, over \$15,000.00 per plane under its jurisdiction!!! How can such costs be justified? And this is only one of thousands of such inequities that are evident all over the place. Look at the Golden Gate Bridge Authority. Look at BART. Look around and you will see some of the reasons for my complete frustration.

This is no more a government of, for, and by the people, than the dollar is still worth a dollar! What can I do to possibly change some of these things? This isn't a government of the people, it is a government that does TO the people. This isn't a government FOR the people, it is a government for the government, and for the corporations and for everyone but the people! This isn't a government BY the people, it is a government by the lobbyists, and for the people that we have been foolhardy enough to elect!

How can we have developments such as these that were outlined above continue? How can we? Is the government going to put me out of work too? I am a salesman and I depend on my auto to get me to my accounts so that I can earn my living. Is my gas going to be cut off and am I going to lose my job? If so, who will pay the cost of supporting my family? It is certain that Nixon, Reagan, and Alioto won't!

I never thought that the day would come that would see the President of the largest, richest Nation in the World stand up on National Television and say "I am not a crook . . ."? Isn't it almost beyond belief that such a thing could occur?

Or look at the nomination and subsequent installation of Gerald Ford as Vice-President. Here is a man who spent 25 years in the House; he was thoroughly investigated and found to be reasonably clean and free of any wrongdoing and millions of people dropped their jaws in awe saying "Boy! Look how clean this guy is. He's like a Saint! What a perfect record!" What pray tell do we expect? Have we diminished to the point that when we find someone we can't hang something on that we should be surprised and awestruck? Or am I just too naive to expect that government officials should be honest?

Traditionally, Congressmen have always wanted media exposure so that they can get before their constituents. During this past Christmas break I was overwhelmed by the lack of these interviews on television and in

the newspapers. The fact is, the people's representatives are trying to stay low and put forth a low profile because of all of the controversy. Now is the time to listen to us and to work together to try to overcome some of these problems that are facing us. They are all our problems and I feel sure that they can be licked if we can get together and face these situations headon! Thank God I still have this small flicker of hope. Without it, I would be ready to get off the planet!

Every morning I wake up to hear of a new shortage, a new crisis, a new allegation against some member of government. It is to such a point now, that I could accept anything. Is there no one that is above reproach? Taxes are going up. Prices are going up. Solutions seem almost non-existent. What can we do?

What do we have to do to make our representatives listen to us? When will they realize that a letter or a telegram from a voter is more important than what a lobbyist from Standard Oil has to offer to this country. The people built this country and now we are being "ripped off."

I am interested. I am concerned. I am willing to work for my country. I want to save something for my four and seven-year old children. At this rate, what hope is there for them?

Please hear what I say. I don't have all of the answers, but I do have a lot of questions. Help me to find the answers to them. Let's turn this thing around somehow. I think that the best place to start is to try to define all of the problems and then to place priorities on them and then tackle them one at a time. With God's help, and with everything else going for us we may be able to come out of this trying time on top. Let's do it together.

Thank you very much for your time and consideration.

Respectfully,

MILT VASSIS.

NEGOTIATING EQUALITY FOR POSTAL EMPLOYEES

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. CHARLES H. WILSON of California. Mr. Speaker, I would like to submit for the RECORD an excellent analysis of the question of postal employee right to strike which appears in the current—January 30, 1974—issue of the Federal Times, and was written by the very able, fair, and knowledgeable legislative director of the American Postal Workers Union, Patrick J. Nilan.

In his article Pat Nilan makes the essential point that the very existence of equality at the bargaining table almost certainly will reduce the current number of work stoppages, such as the wildcat strike last week at the USPS bulk mail facility in Secaucus, N.J.

I agree with this argument, and therefore firmly believe that my bill, H.R. 11002, which would grant postal workers a highly qualified right to strike, is very much in the interest of not only USPS employees, but also the general public. The article which follows, to my mind, adds detailed evidence to that contention:

UNIONIST MAKES CASE FOR STRIKE RIGHT
(By Patrick J. Nilan)

At the risk of rearranging the prejudice of some legislators and other citizens, I state as a certainty that the best insurance against

future work stoppages by postal employees is to give them the legal right to strike.

Conversely, as history continues to demonstrate, the prohibition against strikes by public employees will prove about as restrictive as a tin jail on the Big Rock Candy Mountain.

Moreover, the organized postal employees of the United States will never relax their pressure on Congress until they do achieve the legal right to strike which has been their paramount legislative goal for a decade.

Indeed, this right is more urgent than ever in view of the postal reorganization act reshaping the U.S. Postal Service in the image of big business. A decree that says it is good for management to function like a profit-minded corporation but evil for labor to have any ultimate rights at the bargaining table is an invitation to trouble—a throwback to the sweatshop philosophy of an earlier and more dismal time.

The marvel is that postal employees have been as patient as they have. This is a tribute both to them and to the current leadership of the Postal Service which twice testified in favor of our right to strike until forced to swallow its better judgment in another of the untold backstage sagas of the Nixon White House.

Before examining the moral and legal issues involved, however, let me explain my opening paragraph asserting that the right to strike is the country's best assurance that it will not be used.

As a former career postal clerk myself, I know that the very concept of interrupting the flow of the mails is abhorrent to postal workers who, as a group, not only derive great satisfaction from their unique role in our society but also historically have demonstrated pride in their accomplishments and dedication to their mission.

This, as anyone truly familiar with the postal service knows, is not mere rhetoric. A body of men and women who move more mail in one year than the rest of the world combined is motivated by something more than money, especially when their income falls into a category perilously close to the poverty line.

Given the right to strike, it is our considered judgment that postal employees would use that weapon only in the face of the most intransigent, the most reactionary, the most appalling kind of management effort to turn back the economic clock—a combination of circumstances which is currently unlikely.

Moreover, the very existence of equality at the bargaining table is the surest incentive to mutual agreement in any fair and free negotiation.

Labor history demonstrates that most strikes are precipitated when one side or the other holds an unfair advantage and brutally exploits it—as happened in the postal strike of 1970 when, in the words of our president, Francis S. Filbey, "The normal channels of social change and justice remained deliberately unresponsive in the face of intolerable working conditions and miserable wages."

Such a combination of circumstances is rare today, especially in the private sector, and the dwindling number and dimensions of strikes reflects the fact despite widespread misconceptions to the contrary.

The Bureau of Labor Statistics reports from the Labor Department covering the first six months of last year reveal, for example, that work time lost due to strikes sank to the lowest rate in nine years. Secretary of Labor Peter Brennan said of these, figures: "We're losing more time from coffee breaks than we are from strikes."

The exact figure on man days of idleness due to strikes in this period was 1.1 days per thousand worked compared to 1.4 in the first half of 1972 and in fact for all that year.

Statistics over a long period are equally revealing. In the mid-60s out of 150,000 collective bargaining agreements, only 2 percent were affected by strikes and only two-tenths

of 1 percent of the total U.S. work time was lost by strikes. About 40 times that much was lost from unemployment and at least eight times as much was lost from accidents and illness.

Meanwhile, what is happening in the work sector of public service where all federal employees and most state and local employees are prohibited from striking?

This is a big group: The 2,640,000 federal employees plus another 10,366,000 state and local employees constitute 18 percent of the nation's total work force. Among this total, only the legislatures of Hawaii and Pennsylvania have been sufficiently enlightened to grant at least limited strike rights to their employees.

Despite the overwhelming pressure of repressive antistrike laws for this large body of workers public sector strikes have been increasing dramatically.

In 1958, only 15 were recorded; by 1965 the total had jumped to 45; in 1968 the figure was 254. Last year saw 140,000 state civil service employees on strike in New York state not to mention policemen, firemen and garbage collectors.

Even in the federal government the postal people have not been the only strikers. Air controllers of the Federal Aviation Administration reached the striking point and there have been slowdowns in the Government Printing Office.

The comparison between the private and public sectors is inescapable. It is no mere paradox to say that having the right to strike is the best insurance against its use. Lacking that right is no insurance at all.

The argument is frequently used that government employees are essential to the public interest. But private employees working on government contracts, many of which are engaged in supplying absolutely essential goods and services to the government, nevertheless possess the right to strike.

The right to strike is, of course, an integral part of labor management relations in the private sector. Unfortunately, it has been arbitrarily prohibited in the public sector.

It is interesting to note that most of our closest allied countries expressly permit strikes in the public sector either by constitution or statute. For instance, the Italian, German and French constitutions expressly guarantee the right of public employees to strike while Sweden, Norway and Denmark authorize such by statute. It is even more interesting to note that in Latin America, generally considered an underdeveloped area of the world, the right to strike by government employees is recognized by most countries. This is particularly true in Mexico, our closest neighbor, where the right exists by constitutional amendment.

One result of the 1970 strike in the Postal Service was the enactment of the Postal Reorganization Act. That act sought to make the Postal Service an independent establishment and to create conditions for the postal employees on a parity with employees in the private sector of the economy. However, it also extended the force and effect of previous repressive measures which deny the workers their most fundamental right—the right to strike.

The 700,000 employees of the Postal Service were told by Congress that they were going to be denied most of the protections of the civil service laws received by the other employees in the federal government and were going to be allowed to bargain collectively like private employees. On the other hand, they were denied the major tool—the absolutely essential weapon—possessed by private employees to attain their rightfully benefits through collective bargaining.

Those members of Congress who have recognized this fundamental inequity and have sponsored legislation to correct it constitute a courageous minority.

One such is Rep. Charles H. Wilson, D-Calif., whose Post Office and Civil Service Subcommittee on Postal Facilities, Mail and Labor Management last October broke historic ground by voting (along party lines) 5 to 3 to approve a compromise right-to-strike bill—the first such action ever taken by a congressional subcommittee.

Even this breakthrough required a watered-down version, however. His bill, HR 11002, still pending in the full committee, establishes cooling off periods adding up to 110 days to avert a final work stoppage, if possible. The bill further mandates the delivery of priority mail by postal employees during any strike.

It is significant to note that this modified version does not have the total support of all union members.

The leaders of several medium to large locals have expressed dissatisfaction with it. One calls it worse than no bill at all on the grounds that the right to strike is no right at all so long as it is hedged with "safeguards" requiring weeks or months of advance notice that dilute the right to strike effectively.

Yet in realistic terms it must be said that even such a modified bill is more desirable by far than the existing machinery of binding arbitration in the event of an ultimate bargaining deadlock which is the only option now offered in the Postal Reorganization Act.

As an alternative to the strike, binding arbitration is repugnant to both labor and management. Former Secretary of Labor W. Willard Wirth has spelled out the basis of its inadequacy in his book *Labor and The Public Interest*:

"The difficulty is that in virtually every dispute one bargainer or the other feels that his chances are better, or that he can evade responsibility for a hard decision, if he lets the issue go to arbitration. No effective way has yet been devised or suggested of limiting the availability of such procedures to cases in which collective bargaining processes . . . have been exhausted. The record is that if arbitration is assured, the collective bargaining processes are never really used at all."

Our own experience in the Postal Service bears out this wise view. In 1971, literally thousands of union proposals nationally and locally were left unresolved just because the costly and time-consuming option of binding arbitration was available at the end of the road. The traffic jam and the resulting frustration, anger and disenchantment that it generated only proved anew that postal workers' rights are totally inadequate without true equity at the bargaining table.

There is one final point: In the near 200 years of our national life, the Supreme Court has so far managed to avoid testing the right to strike for either public or private employees—at least as far as the protection of the First Amendment is concerned. The question was first raised in 1805 and most recently two years ago by the American Postal Workers Union.

But Judge Skelly Wright, dissenting from his brethren on a three-man court here in Washington, recognized the problem with these words:

"It is by no means clear to me that the right to strike is not fundamental . . . [it] seems ultimately related to the right to form labor organizations. . . . A union that never strikes, or which can make no credible threat to strike, may wither in effectiveness. That fact is not irrelevant to the constitutional calculation."

Meanwhile, the union pursues its goal on Capitol Hill with the fervent hope that the inspiration to legislate total equality for all workers, both public and private, will be found sooner in the houses of Congress rather than later in the streets of our cities and towns.

ABYSMAL PRISON CONDITIONS IN MARYLAND

HON. PAREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. MITCHELL of Maryland. Mr. Speaker, during the recent recess, I, like many of my colleagues, had the opportunity to speak with a great many constituents and to discuss the major problems confronting them. A subject which was placed high among the worries which were voiced to me was the fear of crime which dominates the life of every city dweller.

The problem of high crime rates can not be discussed without at the same time discussing the problem of recidivism. The rate at which ex-offenders return to prison is staggering. Studies which have been done indicate that the reasons for the return to crime and then to prison show a marked pattern, one which points directly at our penal and correctional institutions and processes.

Chief Justice Warren Burger in a 1972 speech before the National Conference of Christians and Jews, spoke of the irrationality of a society which would:

In an immature way, seem to want to remove the problem from public consciousness.

Noting the outbreaks of violence in prisons since 1969, Justice Burger stressed:

The obligation of a civilized society to find the causes and correct the situation.

Unfortunately, too few people have heeded Justice Burger's advice. It is 2 years later and the abysmal state of our prisons has received little attention and less aid.

We are merely fooling ourselves if we believe that those of us "on the outside" have no "stake" in improving those conditions. We have merely to consider that the person to whom we deny human existence for a period of time will, at the end of that time, be returned to live among us, completely unprepared to cope with a human existence to which he has become alien.

I am ashamed to say that some such conditions exist in Maryland's penal institutions. However my conscience obliges me to acknowledge the problem and to expose it to the public, in the hope that this will serve as a first step in the amelioration of the problem.

Therefore, I submit the following article, written by Michael D. Davis of the Baltimore Sun newspaper.

[From the Baltimore Evening Sun,
Jan. 19, 1974]

BARE ROOM "PROTECTS" PEN'S MENTAL PATENTS

(By Michael D. Davis)

Prisoners at the Maryland State Penitentiary who are believed to have severe mental disorders sleep naked in empty cells without beds or mattresses.

They use an open hole in the floor as a toilet. They must make special requests for toilet paper.

Some are injected with tranquilizers, sometimes by force and against their wills. Some

have been chained to a metal stretcher for as long as 24 hours.

The men, who are called "mental patients" by institution officials, often lie in their own feces. Roaches crawl over their food.

NO EXERCISE PERIOD

They are denied commissary privileges, even to purchase toothpaste. They never get an exercise period or have reading matter; nor are they allowed to participate in any religious activity.

Prison officials call the 10 dungeon-like cells "mental observation."

Inmates call the facility which once housed death-row prisoners, "the blue room."

The guards on the tiers give hospital officials the first notice that an inmate might need mental observation, according to staff psychologist Daniel Porecki.

The psychologists determine if the man has suffered a "psychotic episode."

"WE MIGHT ADMIT HIM"

"If we get a call in the middle of the night and we are familiar with the man's case history, we might admit him by phone and see him first thing in the morning," he said.

Warden Gerald H. McClellan believes the conditions in the mental observation ward are "less than ideal." He would like to see inmates with severe mental disorders transferred from the penitentiary on East Eager street to the Clifton C. Perkins Hospital Center in Jessup, Md.

But Dr. Robert R. Sauer, administrator of Perkins, the state's 219-bed hospital for the criminally insane, said his institution is overcrowded and working at more than its normal capacity.

Dr. Addison W. Pope, a Baltimore psychiatrist who was formerly a consultant at the penitentiary reception center, said yesterday that the "blue room" was sometimes used for punishment and that prisoners sent there did not receive the "sort of close medical attention" they should have.

The penitentiary's chief psychologist, Loyal B. Calkins, said the cells are used to confine inmates who have "lost control."

"ACUTELY PSYCHOTIC"

Staff psychologist J. David Barcik is more specific: "Most of them I have admitted to M.O. (mental observation), he said, "have been acutely psychotic."

Mr. Calkins said it is difficult to get patients into the state prison mental hospital. "It involves a lot of red tape. The admission procedure is inefficient," he said.

"We often keep a man here because we feel he can get the same treatment here he can get at Perkins. He may snap out of his episode in two or three months," he said.

The patient in cell 1 has not snapped out of it.

He was stripped of his clothing in November and placed in the cell. Officials claim he was removed from the prison's regular population after suffering a psychotic episode.

The guards call the patient in cell 1 "Shakey" and say he is taken from his cell twice a week and allowed to shower.

Neither he nor the other inmates are given an exercise period because, according to assistant warden McLindsey Hawkins, "We just don't have the manpower to do it."

The institutional records of the man in cell 1 indicate he has been in Perkins several times. Officials claim he returns in apparently better condition each time, but soon suffers "relapses" and must be placed in the observation area again.

When a reporter visited the mental facility, the patient in cell 1 was given a cup of medicine by a guard.

The patient called out "... this is not my medicine." The guard returned and discovered he had given the man the medication marked for the patient in cell 2.

"I don't feel I should be stripped naked and penned up in here," the patient in cell 1 said.

"This is the worst situation a human being could find himself in."

Recently a patient in cell 3 was sleeping on the red tile floor of his cell. His legs were smeared with fecal matters; and his cell, like the rest of the area, was dank with the smell of stale urine.

The only toilet facility is a small hole in the floor of each cell. A common flush operated by the guards washes the drains in 11 10 cells.

A week later, the man was sleeping in the same corner of the cell. He appeared cleaner, but several roaches crawled across a cardboard plate of stewed tomatoes that had been placed in his cell.

Mr. Calkins said the institution attempted to give the patients paper nightshirts but they used them to stop up the plumbing system.

He said this is also the reason they are denied mattresses, bedding, a mat to sleep on or any other items in the cells.

ONE SUICIDE ATTEMPT

He said many of the men admitted to the facility have demonstrated suicidal tendencies, and this is an additional reason for keeping the cells empty.

The records in Warden McClellan's office indicate, however, that only one "serious suicide attempt" was made in the institution last year.

A patient in cell 6 said he makes repeated requests to attend religious services held in the institution by the Black Muslims. His requests have been denied. Officials said this man asked to be admitted to the cell because he "felt himself going off the deep end."

Near the ward's only shower, a large stretcher is fitted in a make-shift manner with handcuffs and leg irons.

Major Jerry Mills was reluctant to discuss the stretcher, but admitted "Its used to control patients."

Asked how long the device is used, he answered, "Usually a day will do it."

NO BOOKS, NEWSPAPERS

Mr. Calkins said the prisoners are denied books, newspapers and magazines because these, like other items, can be used to stop up the plumbing.

Most of the patients are given heavy doses of tranquilizers designed to keep an individual submissive.

Warden McClellan admitted that on occasion, when a patient refuses to take prescribed medication, he is held to the floor by guards and given injections.

Except in extreme "life-saving cases," state law forbids the application of medication without consent. And treatment must be done in a licensed and accredited institution.

The hospital at the penitentiary is licensed but not accredited.

FORCED INJECTIONS "UNUSUAL"

Dr. John M. Hamilton, a noted psychiatrist and the former administrator of Perkins, said a patient, under court order, can be given forced medication in Maryland.

"But this is unusual," he contends. "If a person was in need of a medical operation," he said, "and there wasn't time to go through the standard court procedure, the operation could be given if it was considered life-saving."

Prison officials contend there are seldom more than three patients in the facility at a time.

On a reporter's first unannounced visit to the ward, there were nine men in the facility. A week later, on a pre-arranged visit, five men were in the ward—one of them a young patient with his arms wrapped in gauze. Officials said he had attempted to kill himself.

DAYS OR WEEKS

Hospital officials said the average stay of a patient in the ward is 3 or 4 days. Most of the patients interviewed said they have been there 3 or 4 weeks. The patient in cell 1 has been there since November.

One patient was confined to a "mental observation" cell for more than a year before he was admitted, on court order, to Clifton T. Perkins Hospital.

In addition to Mr. Calkins and Dr. Barcik, the psychologists, the facility has the services of two part-time psychiatrists. They must also attend to the psychiatric needs of about 800 other inmates.

The institution has retained an exterminating company to handle the problem of roaches in the cells, but the problem of pest infestation is not limited to the prison hospital. A program of rat and roach extermination is conducted in all of the other prison areas as well.

An official of the Empire Exterminating Company, the firm servicing the institution, said it is difficult to adequately treat the M. O. cells because patients might gain access to the deadly insecticides.

Warden McClellan is among the first to admit that the penitentiary "should not be running a psychiatric ward."

Because of lack of funds, an antiquated institution constructed in the early 1800's and the lack of available options in normal mental facilities, Warden McClellan is stuck with what Mr. Calkins calls "the bug-a-boo of our institution."

"Sure, there should be another place for these men," the warden said, "but everyone has to be somewhere, and these men are here."

DIFFICULT TO SERVICE

"Much of this burden," Mr. Calkins said, "was taken from us by Perkins years ago. Perkins was a panacea for us. When it became overcrowded and was swamped with pretrial sanity investigations for State courts, it became more difficult to get patients admitted."

Dr. Barcik said the "concept of M.O. is needed. We need a place where a man can be put to stop him from hurting himself until he can be moved to a more adequate facility."

"We don't need M.O. as it physically exists but we need a place to stop men from hurting themselves or violent men from being hurt by the guards," he said.

Mr. Calkins concedes that "some of our patients would probably recover quicker at Perkins than in that place," he said, gesturing toward the main door of the mental observation area. Dr. Barcik says "they should tear the damned place down."

Dr. Sauer characterized the M.O. treatment at the penitentiary as "inhuman."

"We use a great deal of chemical therapy here at Perkins, but we don't have anything here like the penitentiary's M.O. ward," he said.

THE TAXES ON OIL

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. HOWARD. Mr. Speaker, over the weekend President Nixon gave a radio address to the American people on the energy problem.

As chairman of the Subcommittee on Energy of the House Committee on Public Works, I was particularly encouraged when the President told the American people that he was going to crack down on the oil companies.

Maybe, I thought, the President will finally begin cooperating with those of us in the Congress who have been working on the energy problem for some time. Maybe, I hoped, the President would forget that he had received millions of dollars in campaign contributions from oil interests in his bid for reelection.

But as the President began to outline his specifics it became apparent it was just another case of "window dressing" for a concerned America.

He did little more than outline what he plans to do about his "windfall profits tax" a fine-sounding phrase which does little, if anything for the American people.

The January 21 New York Times carries an editorial which reflects my thinking on this matter. I commend it to my colleagues. It is obvious to those of us concerned about the energy problem that we will continue to get no help from the President, particularly as it relates to the oil industry.

The editorial follows:

THE TAXES ON OIL

In his radio address on the oil shortage, President Nixon pledged to do "everything in my power to prevent the big oil companies and other major energy producers from making an unconscionable profit out of this crisis." But the steps he is proposing are more in the nature of window dressing than the long-overdue reform of the taxation of the oil industry's domestic and foreign earnings.

Mr. Nixon said that, when Congress reconvenes today, he would ask it to "act immediately" on what he persists in calling the "windfall profits tax" that he requested last month. This is not a tax on profits but a sliding-scale excise tax on crude oil, with the tax revenues rebatable to oil companies willing to invest the tax rebates in oil wells or other energy-producing facilities.

Quite apart from the Administration's determination to label this a windfall-profits tax for public relations reasons, it is a mere slap on the wrist to the oil industry. The price of a barrel of crude oil in this country has already climbed about \$2 in the past year and is now at \$5.25. If the Government-regulated price should reach \$7 in the next year (which appears to be the Administration's approximate target), the excise tax would then amount to 90 cents a barrel. But the oil companies would almost certainly figure out ways of recapturing the bulk of those "windfalls" tax payments by increasing their drilling operations and capital expenditures, the cost of which would thus fall on other taxpayers, while the oil companies increased both their earnings and their net worth.

This is not to say that the correct solution would be to impose a World War II-type excess profits tax on the oil companies. Experience strongly indicates that such a tax would simply cause the oil producers to boost all sorts of their capital and operating expenditures in order to minimize reported profits.

Rather than wasting efforts trying to design a fool-proof excess profits tax on the oil industry, Congress would be far better advised to eliminate the special oil depletion allowance and deduction of intangible oil drilling expenses. Oil and other extractive industries pay far lower taxes than manufacturing companies; it has been estimated that, if oil producers were taxed on the same basis as manufacturers, their taxes would go up by \$3 billion. The depletion allowance and other tax breaks are clearly no longer justified, if they ever were; with oil selling at such high prices, there is ample incentive for oil exploration and development. The time has come for Congress to eliminate all the tax breaks that have accorded such favorable treatment to oil producers.

It is also imperative that Congress conduct an intensive review of the tax treatment of foreign oil earnings, to eliminate any tax inducement to American companies to expand their foreign production at the expense of domestic development of oil resources and refining capacity. From 1961 to 1972, while United States refining capacity increased by

only 2.8 million barrels a day, that of other non-Communist countries went up by 23.4 million barrels a day. The tax laws that encouraged American multinational corporations to invest so heavily abroad were not the only cause of that lag in domestic as opposed to foreign production, but they were a significant factor.

President Nixon has himself directed "an immediate review" of the international tax structure to ensure that American companies developing energy resources abroad "are not permitted to avail themselves of special tax advantages abroad." Here, too, the oil depletion allowance, which American companies collect on foreign oil production just as on domestic operations, ought to be eliminated. And a larger proportion of the payments to sheikhs or other foreign potentates ought to be treated as royalties and expenses, rather than as taxes on which the oil companies can claim a tax credit against their United States tax bills. In effect, the present treatment makes the American oil companies tax collectors for the sheikhs and shahs, with the American public footing the ultimate bill.

"Project Independence"—to make this country independent of unreliable foreign sources for its essential energy needs—should begin with an overhaul of the tax laws that have resulted in Condition Overdependence.

ESTHER BRAY: HOOSIER IN PROFILE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. HAMILTON. Mr. Speaker, the Indianapolis Star, in the Sunday magazine section of its January 20, 1974 edition, featured an excellent article describing Esther Bray's active life as the wife of Congressman BILL BRAY, my respected colleague in the Indiana congressional delegation.

I am confident that fellow Hoosiers will find the following article both interesting and enjoyable:

ESTHER BRAY—HOOSIER IN PROFILE

(By Susan Lennis)

The Bray family had just sat down for Thanksgiving dinner when the phone rang.

The voice on the other end, although broken by a bad connection, was quite familiar to Esther Bray. It was her husband, United States Representative William G. Bray (R-Ind.) calling from Cairo, Egypt.

"I was surprised and pleased to hear from him," says the dark-haired Mrs. Bray, who by now has adjusted to spending some holidays and many weekdays apart from her politician husband. "He had called from Tel Aviv earlier and I didn't think he would be able to get a call through from Egypt."

Although disappointed that her husband couldn't be with the family for the holiday Mrs. Bray was really vexed that she was not with her husband in the Middle East.

A seasoned traveler, she has learned to pack and be ready to go any place in the world on short notice. The trip to the Middle East had been something she and her husband had planned in advance to take together.

"Bill was anxious to see what was going on over there. And when he checked in with the Armed Services Committee, of which he is a member, his enthusiasm for the trip spread. Soon a lot of people wanted to go and it became a business tour. As a result I had to stay home."

"This time I thought I would be ready and even went out and bought a new dress," she

says with a good-natured smile, and a shrug of acceptance.

Mrs. Bray, a retired teacher, hasn't been left behind on too many trips, however. She and her husband have visited more than 90 countries and were the first Americans in many areas of Russia and Central Asia. They spent 12 days there while on an around-the-world trip.

"I think the Far East and Thailand are my favorite places—the Thais are so friendly and such fun-loving people," she says.

During one visit in Thailand she and her husband were having lunch together and he showed her a gift given to him as a visiting dignitary. It was a lighter. (Neither Bray smokes.) When she turned it over she noticed it had been inscribed: "Stolen from the Thailand Air Force."

"We wouldn't have dared give someone from another country a present like that," she says with a laugh. "They thought it was great fun and so did we."

The Brays are expected to attend some social functions in other countries and although Mrs. Bray loves trying new foods she confesses to having a "traveler's tummy."

"In Russia I love the borsch and kabobs. I've learned to look for things that have been thoroughly cooked and haven't been on a plate. Like a kabob, they come to you from the fire on a skewer.

"I think my husband could eat almost anything, but I have to take something (medication) with me when I travel," she says.

Occasionally the couple's pleasure trips have turned into tense situations. During one visit to Israel they found themselves in the path of an angry street mob.

"We had to duck into a nearby shop to get away from them. But I understand they were angry at the French not the Americans. I hoped I didn't look French," she says.

Another time when they landed at an airport in Istanbul during a trip to Turkey they were greeted by the American ambassador. "We couldn't figure why he was there. But it seems the night before the Greek shops had been raided and the city was under curfew.

"As we traveled in the car the lights would pick out tanks and soldiers along the road. A small American flag was fastened to the fender of the car with a spotlight shining on it. As we came to each checkpoint they would see the flag and let us go on through. I've never appreciated the American flag quite so much. It was scary," she recalls.

When the Brays return from their travels they head for the comfort of their two-story white brick home not far from downtown Martinsville.

The house, more than 90 years old, is filled with mementoes of their numerous trips—a coffee table from India, lamps from Iran, chandeliers from Vienna (they were the Brays' 25th wedding anniversary presents to each other), an ashtray from Italy, a lamp base from Pakistan.

"I sometimes think our house looks like a museum. But it's filled with things that are very meaningful to us," she points out.

The house itself has an unusual living pattern. The kitchen and dining room are on the first floor, a half underground area, which overlooks a large wooded area Mrs. Bray refers to as "the south 40." She spends many summer days tending the gardens there. In winter her green thumb is largely devoted to African violets which flourish under her guidance.

In the kitchen Mrs. Bray concocts unusual dishes (sometimes foreign) for her husband, her son, Richard, and his wife and three children. They try to eat each Sunday dinner together.

"I think my son wishes I didn't read so many menus so we could have the same things over. I always fix something that I've never tried before," she explains.

In the dining room the Brays have ar-

anged a lighted cabinet that contains more foreign souvenirs, medals, fans, tiny carved figures, cups.

"If people come over for a tour I show them this area. There's a story that goes along with each of these," she says indicating the objects.

The second floor of the house has a lived-in formality—oriental rugs partly cover handsome hardwood floors, Mrs. Bray's carefully nurtured plants add warmth to the tall-ceiling rooms.

"We've lived in this house since 1940. Even though it is big it doesn't require a lot of care," she points out.

Until recently Mrs. Bray's time was largely occupied by her job as associate professor of business at Indiana University. She retired last spring to accept a position on the Indiana Commission of Higher Education.

"I had a real problem when I was a little girl deciding whether I wanted to teach or become a nurse," she reminisces. "As a little girl I was always playing nurse and so mother made me an apron and hat. I'd grab our cat and wrap him up like a patient. He would lay patiently until he got so hot he couldn't take it. Then mother would make me let him go until he cooled off.

"It seemed to work out better for me to go into teaching although I also worked as a buyer at Ayres while I was going to school.

"When I graduated I got such a good offer to teach I accepted and started in high school. I taught at Ball State (University) before going to I.U.," she says.

She confesses she misses the relationship she had with the young people but enjoys not having to be at work by 8:30 on cold, winter mornings.

She still has an opportunity to work with young women, however, in connection with Hoosier Girls' State, for which she is an advisor, and with Girls' Nation as education government director.

"Both programs have always emphasized getting women involved in politics in one way or another. Although we try to offer something new to the girls each year," she says.

For four years the Girls' Nation program has received the Freedoms Foundation Award for an outstanding youth program. If it receives the award next year it will be theirs permanently, Mrs. Bray points out hopefully.

Her days are filled with various meetings, occasional speaking engagements, and a variety of other activities. As a member of the finance committee of the higher education commission she helps review all new programs and expenditures and is involved in long range planning for higher education.

"Bill usually comes in from Washington on Thursday evenings and so I try to have all my activities wrapped up so I can be free to do whatever he wants," she points out.

Mrs. Bray seldom goes to Washington unless there is a special activity planned. The Brays have an apartment there.

"It doesn't seem like the type of place you could call home," she says of Washington, admitting that she spent more time there this fall than usual.

The Brays work closest together, however, during campaign time (they've been through 11 together).

"I was interested in politics before I met Bill, although my father was never particularly involved. He was a farmer in Huntington County and an ardent supporter of the Republican party. My mother had been raised a Democrat but changed her politics after she married," she says.

Mrs. Bray picks up the "odds and ends of a campaign," and when her husband cannot make a scheduled appearance, she aptly fills in.

"We have worked together so closely that I think we supplement each other in our thinking and our actions. He may come to me and say I have to speak at such and such

a place, what should I say. Maybe I have been reading something or have an idea along a line that will stimulate his thinking," she explains.

Usually she drives her husband to his campaign speech sites so he can spend that time organizing his notes.

"Occasionally he'll want to take a nap. He can sleep for five minutes and be fresh as can be," she says.

Sometimes some one else will drive while she rides with a portable typewriter on her lap and takes dictation from her husband. Or makes carbon copies of his speech ready for the press on arrival.

"During the 23 years we've campaigned together it's always nice to see how wonderful people can be.

"People seem to be more alert to politics than they were a number of years ago and more informed," she adds. "Although it's difficult to tell if they are more accurately informed. With all the information you get you tend to have a lot of propaganda, too."

She says she has noticed politics itself has changed—particularly the financial aspect of campaigning.

"Each year I notice there are more ways in which campaigning is controlled," she says.

The Brays so seldom find themselves at home with an unoccupied evening that Mrs. Bray admits they probably wouldn't know what to do.

"We may have as many as two or three commitments a day. Even on Sundays Bill is often called to speak at different churches.

"Recently a Presbyterian Church wanted him to speak on the ethics of politics and had scheduled him to appear with Gordon St. Angelo (Democratic state chairman). He couldn't make it and asked me to go. I must say Gordon and I held forth very well," she says with a laugh.

THE UNCONQUERABLE VOICE OF THE HUMAN CONSCIENCE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. KEMP. Mr. Speaker, I had the honor on Saturday evening of introducing the distinguished and learned Senator from New York, JAMES L. BUCKLEY, at the concluding session of the Conservative Political Action Conference here in the Nation's Capital.

The Senator delivered eloquently one of the most profound address I have ever heard or read—an address on the imperative of moral conscience as the cardinal guide for human action, particularly in the exercise of the public trust.

The Senator has contrasted this moral imperative against the realities of human conduct, and he has found the realities to be severely wanton: The misconduct of public officials, the self-indulgences of public service, the suppression of moral and ethical value systems, the repression of the human spirit. But, his entone-ments are not the observations of a pessimist. They are the reflections of a student of history who has ascertained that we stand today on the threshold of a renewal of man's commitment to freedom and dignity on Earth and to the exercise of his moral conscience for things of higher purpose. In his remarks, the Senator gives insight into the direction in

which our people and their leaders must move:

Our people have had their fill of condescension on the part of big brother government. They have seen the failure of all those shiny promises that each one of our problems could be solved if only the federal government adopted the necessary programs and spent the necessary billions. Americans are ready now for a new approach that will offer common sense solutions to very real problems, that will seek to return real responsibilities to state and local governments, that will prefer freedom to regulation, that will once again treat the ordinary American as a person capable of making his own decisions without the guidance or dictation of a benevolent state.

Finally, at a time when America seems to have lost its moral moorings, Americans are hungry for a sense of commitment to an ideal higher than the satisfaction of their appetites. We are there to fill the void with our passionate concern for individual freedom. We bring to the political front a concept of man and of society with which the most idealistic can identify.

On a wider scale, embracing not only America, but the world, the recent publication of Alexander Solzhenitsyn's *Gulag Archipelago* is such an event for today. Here, in the last quarter of this cruel and bloody century, from the heartland of a despotism, which in Churchill's words about a similar despotism, is all the more sinister for being availed of the uses of a perverted science—here, from where we would least expect it, we have heard the ringing, defiant, unconquerable voice of the human conscience. That voice is now heard, incredibly, about the grinding, hideous sound of the machinery of the totalitarian state. It has pierced the soothing reassurances of a policy of detente. It is heard when all that we have ever known about power has taught of the impossibility for such a voice ever to be heard. But Solzhenitsyn in a transcendent act of courage has sounded the voice of conscience and that sound will grow in volume until even the most spiritually deafened leaders of the West must hear its message.

That voice is really what this conference is all about; for it speaks of man's unquenchable thirst for freedom. That voice is threatened at every instant by the brute totalitarian force which Solzhenitsyn has described in such horrifying detail. The language in this case is Russian but the message is universal. Listen to what Solzhenitsyn had to say in the Nobel Prize address he was never allowed to deliver:

"In order to mount this platform from which the Nobel Prize lecture is read, a platform offered to far from every writer and only once in a lifetime, I have climbed not three or four makeshift steps, but hundreds and even thousands of them, unyielding, precipitous, frozen steps, leading out of the darkness and cold where it was my fate to survive, while others—perhaps with a greater gift and stronger than I—have perished . . ."

My friends, let us resolve that the climb made by Alexander Solzhenitsyn and others up those unyielding, precipitous, frozen steps shall not have been in vain. Let us resolve that we will never take our freedoms so lightly that we will make less than a total commitment to their preservation. For if we sustain the high sense of purpose that brings us here tonight, if we will work together intelligently and effectively in the years ahead, we will shape the future and safeguard on these shores the sacred flame of liberty that remains a beacon of hope for all mankind.

Mr. Speaker, the address, in its entirety, follows:

SPEECH BY SENATOR JAMES L. BUCKLEY

Fourteen years ago, in January of 1960, the Victory Publishing House of Shepherdsville, Kentucky published a slim 123-page volume with the then-intriguing title *The Conscience of a Conservative*. In those days it was a kind of heresy to suggest conservatives had minds let alone consciences. But Barry Goldwater changed all that. With his legendary—and in our own day belatedly recognized—gift for being right in more ways than one, he chose a perfect title for his enormously influential book.

The reception given Senator Goldwater's book was, to put it mildly, mixed. On the one hand, the public eventually purchased over one million copies of the book in all editions. On the other hand, like some best-selling authors, Senator Goldwater suffered the fate of a bad review from the *New York Times*.

The *Times* reviewer—who by the sheerest coincidence happened also to be a member of the *Times* editorial board—began his review by warning Senator Goldwater that he would not receive the Vice Presidential nomination of the Republican Party in 1960 unless he "suppressed" this book. It seems even then the *Times*' immediate reaction upon discovering a Conservative idea was to call for its suppression. In its great tradition of being generous with praise to deserving Conservatives, the *Times* described Goldwater as "pleasant," and as being as true a Conservative as a "stage coach" or a "buffalo." But the *Times*' man wasn't sure if Goldwater's conservatism would be approved either by "Alexander Hamilton or the Almighty."

The supercilious tone of the reviewer, his barely disguised irritation at the presumption of this Republican Senator—of all people—from Arizona—of all places—to dare to speak out on matters of political philosophy, this condescending scorn at the lower-philosophical classes, was typical of the Liberal smugness of 1960.

But, as we know, the decade of the Sixties was to see the conscience of Conservatism become the conscience of America—and it remains so today. For despite the proliferation of "give-away" programs of infinite form and variety, involving billions; despite distorted television documentaries like CBS' notorious *Thunder On The Right*; despite the nearly universal portrayal of Conservatives as mean-spirited and narrow by the Liberal establishment in the media and academe, despite all of this, a clear majority of the American people have rejected Liberalism and opted for Conservatism.

A recent publication of the Senate Subcommittee on Intergovernmental Relations entitled "Confidence and Concern: Citizens View American Government," contains some important insights on this point.

In the words of the report:

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

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

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

"Public support (61%) for reinforcing the structure and authority of local government almost precisely matches the percentage (59%) by which it advocates strengthening state government. In contrast, only 32% of the public feel the Federal Government needs added power, while 42% recommend diminishing its clout . . ."

Then there is the recent poll taken for the *New York Times*. This poll disclosed what for some time many of us in New York have known—and the *Times* has editorially wept over. Thirty-three percent of the people living in New York City, the spiritual headquarters of liberalism, call themselves conservatives, and only twenty-seven identify themselves as liberals. What is interesting

about this figure is that in 1970 when a similar poll was taken the figures were exactly reversed. Conservatism is now listed as the choice of thirty-six percent of all the Democrats in a city where the words "Democrat" and "Liberal" have long been thought to be synonymous. In what came as a major surprise to the *Times*, thirty-one percent of all black New Yorkers polled identified themselves as conservative, giving lie to the myths of the Liberals who tell us the black community is politically monolithic. Let me pause to say that as the junior Senator from New York who ran in 1970 as a Conservative, I want to assure all of you that while I am gratified by such figures, I am not prepared to declare the millennium until the *Times*' poll shows that 51% of New Yorker voters are conservatives.

Finally, in the 1970 election when the issues were sharply defined, and when the principle ones broke sharply along the lines of Liberal versus Conservative alternatives, the public voted decisively for the latter.

Now as a Conservative I share with you the belief that truth is not determined exclusively by polls and the polling booth. But the facts and statistics I have just quoted do, I believe, point to one of the most amazing phenomena in recent American political history. Between Barry Goldwater's shot across the bow of American Liberalism in 1960 and today, there has been nothing short of an intellectual and political counter-revolution in the United States. Conservative ideas have suddenly become accepted politically and intellectually in circles that only a few years ago would have chosen slow death rather than burn incense to the gods of the free market or admit that there are problems that cannot be solved by sprinkling federal billions on them.

We have, in short, achieved respectability. But respectability alone will not move events. While in the 1960's we were able to demonstrate that Conservatives do in fact have a conscience, our challenge in the 1970's is to demonstrate that Conservatism has relevance. This is our challenge and our opportunity because each day it becomes clear that only the insights offered by Conservatism are truly relevant to the major problems of our times; only our approaches to them offer workable solutions within the context of a free society. The Conservatives' task for the 1970's is to convince the public that Conservative political action, rooted in Conservative principles, can transform America.

A while ago, I referred to the obvious fact that within this room and, indeed within what is usually called the Conservative movement, there are substantial differences. It would be unhealthy to have it any other way. But I think it is necessary to remind ourselves of the fact that all of us here tonight, no matter what form of Conservatism we may embrace, are moved by the same insights into the nature of man and society that illumine our understanding of what is essential to our survival as a free, ordered and productive nation.

It was the late, beloved and unforgettable Frank Meyer who best summed up why we have to present a common front against the great heresies that still dominate our times. I want to quote Frank Meyer at some length because he so clearly understood the absolute necessity for Conservative unity. He wrote:

"In opposition to this image of man as neither free nor inspired by a transcendent destiny, the differences between libertarian and traditionalist are thrown into their true perspective: Differences of emphasis, not of underlying opposition. In the light of it, libertarian and traditionalist, as they deepen their understanding in a commonly based dialogue, can maintain a common front and a common struggle. The desecration of the image of man, the attack alike upon his freedom and his transcendent dignity, provide common cause in the immediate strug-

gle. As with our ancestors who laid the foundations of the Republic, the challenge to our common faith inspires us, without surrendering our differences of stress, to create a fundamental unity of doctrine within which libertarian and traditionalist, respecting each other, can mutually vindicate the true nature of man, free and responsible, against the arid, mechanistic, collectivist denial of man's nature which transitorily prevails . . ."

Frank Meyer eloquently reminded us of what we share together. And I am convinced that the majority of the American people, even many of those who do not think of themselves as Conservatives, share the same principles with us.

In this last regard, let us not be deceived by all of the recent theorizing about Watergate. We are told that the public's undeniable disillusionment with big government is solely due to the fall-out from Watergate. But the fact is that if the Watergate idiocies had never occurred, the American people would still be exasperated to the point of outrage with the ever-growing intrusion of government into their lives: with the Legal Services horrors and the wage-price fiasco and the Affirmative Action quotas and all of the big brother programs ranging from ignition-interlock auto seat-belts—and I cite a proposed rule devised by H.E.W.—a proposal to ban bicycles as a hazardous substance!

The Liberal intellectuals and bureaucrats have caused more fundamental damage to this nation in a lazy afternoon of policy making than the entire Watergate crew did in a year of bungling and burglary.

Speaking of Watergate, I am told by many who have attended your panels during the course of this conference that there has been a great deal of discussion about the President, his relation with Conservatives and the effect his problems will have on Republicans and Conservatives in 1974 and 1976.

It is certainly too early to say what the future might hold for Richard Nixon, but one thing can be certain: his future and ours cannot reasonably be seen as inextricably intertwined. The principles and ideals that moved Barry Goldwater to write *The Conscience of a Conservative* more than a decade ago and that generated a political movement capable of bringing us together here this evening do not depend on the political fortunes of one man—and especially one who has never fully embraced them as his own.

Our principles and ideals have a life and validity all their own. Far from being in the eclipse, I believe their special relevance to our times provides us with a significant opportunity to reshape the future of this country because only we can provide the answers that will work answers in which the American people with their great common sense and profound belief in the essential soundness of the American system, can place their confidence. But for us to formulate the answers and demonstrate their relevance will require unity of purpose among Conservatives together with an understanding of the necessity to pursue our common goals through a variety of roots.

As I stated earlier, Conservatism is once again respectable. It is now our task to make it fruitful. The time has come for Conservatives to assert what is rightfully theirs, the intellectual leadership of this country, in the schools, in the media, wherever ideas are promulgated and discussed. For to a large degree, the success of Conservative political action depends on the quality of the political thought and analysis that we are able to generate. This is an area in which we can take great satisfaction. We have a growing base of scholarship and an enviable stable of writers. But we can use more. I therefore urge young Conservatives who have an academic bent or writing talent to seek intellectual careers and to keep writing, to break

into print and to break the Liberal lock hold on education in this country.

A strong intellectual base is, I believe, essential to a politically effective Conservatism. But to translate Conservative analysis into public policy depends not on the theoreticians but on those of us who have chosen to work in the political arena: And it is here, if we are to preserve the unity essential to success, that we must have a proper understanding of the limits imposed by the political process. We Conservatives pride ourselves on our sense of reality, and on the fact that the principles which guide us are based on the realities of human nature. Yet we too often lose sight of the fact that among the realities within which we must operate are the political realities. This is particularly true of the legislative process. Time and again we in the Congress will be called upon to make judgments as to which of the less than ideal alternatives is achievable, which will advance us towards our goal, however circuitously. At any given time, we must choose from among the available options, and these are largely limited by the range of alternatives that the public will accept at any given time.

Now while none of us here can change the realities of human nature, we can work to influence the political realities. We can and must reach out to the public in a great educational effort that will result in a better understanding of what are often highly complex issues. This is an effort in which Conservative journalists and office holders can supplement one another. I for one believe that an important part of my job is to present to the public as cogently as possible my own views on matters of fundamental policy. In this way I can contribute to the national dialogues on important issues that in turn will help define what is legislatively possible.

Of one thing I am certain, based on my experience of the past three years. I am convinced that the missionary field has never been so ready to hear the Conservative gospel. Moreover, the missionary field comprises every sector of American life. If we will translate our principles into specific approaches to concrete problems, we will find ourselves on most issues in harmony with the concerns and aspirations of a solid majority of Americans of every background, who at base want nothing more than to be allowed to work out their own lives, set their own priorities, and achieve for themselves such happiness and contentment as is given man to enjoy in this life.

I believe, too, that the public is ready to understand that it is the Conservative who truly believes in and trusts the common man. We reject the elitism that is at the heart of so much of Liberal policy. No where has this fundamental truth about Conservatives been more succinctly stated as when that distinguished columnist, author and yachtsman, my brother Bill, said some years ago that he would rather be governed by the first thousand names in the Boston telephone book than by the Harvard faculty. We are a scandal to the liberals because we really believe that Americans are intelligent enough to lead their own lives, and that they are competent of responsible self-government at levels less Olympian than the federal. We do not speak of the "masses" or "minorities" or of any other quantitative misrepresentations so popular in liberal rhetoric. Instead, we focus our attention on the individual. We dare to hold the heretical idea that Americans irrespective of station or origin should be treated as citizens and not as ciphers.

Our people have had their fill of condescension on the part of big brother government. They have seen the failure of all those shiny promises that each one of our problems could be solved if only the federal government adopted the necessary programs and spent the necessary billions. Americans are ready now for a new approach that will offer common sense solutions to very real prob-

lems, that will seek to return real responsibilities to state and local governments, that will prefer freedom to regulation, that will once again treat the ordinary American as a person capable of making his own decisions without the guidance or dictation of a benevolent state.

Finally, at a time when America seems to have lost its moral moorings, Americans are hungry for a sense of commitment to an ideal higher than the satisfaction of their appetites. We are there to fill the void with our passionate concern for individual freedom. We bring to the political front a concept of man and of society with which the most idealistic can identify.

Yes, the opportunity is there, the challenge is there. We can build a Conservatism relevant to the Seventies that can be translated into political consequence; and I believe profoundly that any political party that forthrightly builds its platform on the bedrock of Conservative principle and insight will be the majority party of the 1980s. I believe with equal strength that if no party so bases itself, if each of the major parties attempts to prevaricate, to straddle, then we will see a continuing erosion of our freedoms and vitality that in time will spell the end of the American nation as we have known and loved it.

We cannot allow ourselves to falter in our work. And above all, we must never lose sight of the fact that central to all our political action must be the Conservative conscience.

Whatever success Conservatives may achieve in this decade—and I am convinced it is going to be enormous—no success is worth the having if we abandon the conscience that has sustained us through these difficult years.

Conscience. That strange, atavistic word, the word that sends shivers up the spine of the materialists and those who can think only in collective terms. It has the ancient, honorable connotations of spiritual virtue and intellectual integrity about it. And from time to time in history a single event reminds us all precisely what conscience means and what it can achieve. Fourteen years ago the publication of Barry Goldwater's book was such an event for America.

On a wider scale, embracing not only America, but the world, the recent publication of Alexander Solzhenitsyn's *Gulag Archipelago* is such an event for today. Here, in the last quarter of this cruel and bloody century, from the heartland of a despotism, which in Churchill's words about a similar despotism, is all the more sinister for being availed of the uses of a perverted science—here, from where we would least expect it, we have heard the ringing, defiant, unquenchable voice of the human conscience. That voice is now heard, incredibly, above the grinding, hideous sound of the machinery of the totalitarian state. It has pierced the soothing reassurances of a policy of detente. It is heard when all that we have ever known about power has taught of the impossibility for such a voice ever to hear. But Solzhenitsyn in a transcendent act of courage has sounded the voice of conscience and that sound will grow in volume until even the most spiritually deafened leaders of the West must hear its message.

That voice is really what this conference is all about; for it speaks of man's unquenchable thirst for freedom. That voice is threatened at every instant by the brute totalitarian force which Solzhenitsyn has described in such horrifying detail. The language in this case is Russian but the message is universal. Listen to what Solzhenitsyn had to say in the Nobel Prize address he was never allowed to deliver:

"In order to mount this platform from which the Nobel Prize lecture is read, a platform offered to far from every writer and once in a lifetime, I have climbed not three or four makeshift steps, but hundreds and

even thousands of them, unyielding, precipitous, frozen steps, leading out of the darkness and cold where it was my fate to survive, while others—perhaps with a greater gift and stronger than I have perished . . ."

My friends, let us resolve that the climb made by Alexander Solzhenitsyn and others up those unyielding, precipitous, frozen steps shall not have been in vain. Let us resolve that we will never take our freedoms so lightly that we will make less than a total commitment to their preservation. For if we sustain the high sense of purpose that brings us here tonight, if we will work together intelligently and effectively in the years ahead, we will shape the future and safeguard on these shores the sacred flame of liberty that remains a beacon of hope for all mankind.

To those to whom the word "conscience" is a guidepost for conduct, I can add nothing. To those who have not yet found the intellectual achievement which arises naturally from its exercise, I commend the reading and rereading of this vital address.

OPPRESSION OF SOVIET JEWS WORSEN IN RUSSIA

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. GOLDWATER. Mr. Speaker, a year ago and more, I pointed out to my colleagues the situation with regard to Soviet Jews had reached the point where it was an affront to every concerned citizen of this planet.

I regret to say the situation is not better today; in fact, it is worse. The years of oppression of Soviet Jews continue to increase. Hundreds of thousands of Soviet citizens, who have worked diligently and loyally for Russia have been the continual subjects of career repression, religious persecution, and personal harassment.

Many Soviet Jews love their country so much they decide to stay and literally, but quietly fight it out. Others, however, wish to rejoin the free community, much as they love their homeland, and desire to emigrate to Israel, or to a friendly nation elsewhere. But the Soviet Union is very reluctant about letting anyone go. The Boris Rubenstein family of Leningrad is one of the families that, while loving Russia, desires to emigrate to Israel and freedom.

Recently, I was invited to participate in a telephone call to Mr. Rubenstein which was arranged by Phyllis Channing, the social action chairperson of the Sisterhood of the Temple Valley Beth Shalom. Inasmuch as I could not make the arrangements to be there, Mrs. Goldwater represented me and spoke with Mr. Rubenstein.

The eloquence of this conversation—and the plight of Soviet Jews in Russia—speaks for itself, and I commend this conversation to my colleagues attention:

TELEPHONE CONVERSATION

Hello, this is Phyllis Channing. I am the social action chairperson of the Sisterhood of the Temple Valley Beth Shalom. Today, Thursday, November 29, 1973, we are going to place a call to our adopted family in

Leningrad, the Boris Rubenstein. Mr. Rubenstein is at the home of a friend, Mr. Joseph Bligh.

Mrs. C. Hello. Is Boris Rubenstein there?

BORIS. Yes, this is he.
Mrs. C. Hello. This is Phyllis Channing from Valley Beth Shalom Synagogue in Los Angeles, California.

BORIS. I understand you.
Mrs. C. We have been trying to call you. How are you?

BORIS. Thank you, fine. How are you?
Mrs. C. Oh, fine. We received your book and we want to thank you.

BORIS. Oh, did you like the book?
Mrs. C. Oh, it's beautiful. Thank you very much.

BORIS. I am very glad to hear it.
Mrs. C. We do think of you.

BORIS. Did you get my letter?
Mrs. C. Yes, and we received your letter and it was beautiful. We think of you and we would like you to know that we are trying everything we can to help you. Right now I would like you to know that here represented in this room are two Congressmen's representatives, United States Congressmen, and they are going to try to help you. There is a newspaper here that is represented that reaches a lot of people. How are your wife and children? Are they all right?

BORIS. All right, thank you.
Mrs. C. I wanted to tell you that Mr. Gittelman was here in Los Angeles, Dr. Moshe Gittelman. He is a friend of yours? He was here in Los Angeles.

BORIS. Yes.
Mrs. C. Is there anything we can send you? Do you need anything—clothing or anything like that?

BORIS. Send my best regards to him.
Mrs. C. You send your best regards to him? O.K. Thank you. Tell us, how are you doing?

BORIS. Oh, I don't know what to tell you. My situation. . .
Mrs. C. Is it good or not?

BORIS. My situation is quite bad and uncertain. I don't know anything, what I can do, and so I must wait. Do you understand? I am waiting, for one year and a half I am waiting, I want to tell you that my situation is bad and uncertain and difficult.

Mrs. C. Well, I know we are miles apart but in spirit we are very close together and we are going to try to do all we can. Would you like to talk to one of the representatives of one of our Congressmen? Would you like to talk with the wife of Barry Goldwater?

BORIS. Yes, if it is convenient.
Mrs. C. I will put her on. She will speak slowly to you. Just one moment.

Mrs. G. Mr. Rubenstein, this is Susan Goldwater. I am married to Congressman Barry Goldwater. I want you to know he is doing everything possible to help you and to help people freely emigrate from the Soviet Union.

BORIS. I understand and I want to tell you that you are our one and only hope.
Mrs. G. Thank you. Do not give up hope. We will continue to try and help you. And Mr. Rubenstein, our prayers are with you.

BORIS. I see, thank you very much.
Mrs. G. Thank you.
Mrs. C. Hello, Boris?

BORIS. Yes.
Mrs. C. This is Phyllis, again. There is another Congressman represented here and I would like her to talk to you, too. One moment.

Mrs. S. Hello, Boris. This is Irene Slater and I am the field deputy for Congressman James Corman and I want you to know that I was in Leningrad in May. I am sorry I didn't know about you at that time. I would have loved to have met you when I was there. But I do want you to know that Congressman Corman, too, has introduced legislation to help the Soviet Jews and we are working to help all of you back there.

BORIS. Send my best regards and my gratefulness.

Mrs. S. I certainly will.
Mrs. C. Boris? I want you to talk to the President of our sisterhood here at Valley Beth Shalom. Just a moment.

Mrs. B. Hello, Boris. My name is Sylvia Bernstein and I was very sorry to hear you received none of our cards and letters. We are going to continue writing to you and we have asked the other people in the congregation to write to you.

BORIS. I am awaiting your letters.
Mrs. B. I know. We have written and I am very sorry you have received nothing from us but we will continue writing to you and continue doing everything we can to see that you will be able to emigrate to Israel.

BORIS. I understand. I want to tell you that your letters and support are quite important to me.
Mrs. B. Yes, I understand and we will continue helping you in every way we can. We want to meet you in Israel one day.

BORIS. I hope.
Mrs. B. I hope so, too. I'll put Mrs. Channing back on the phone and it is a great pleasure and honor for us to talk to you.

Mrs. C. Hello, Boris? This is Phyllis again. Is there anything else you would like to say to me?
BORIS. I want to tell you that I am grateful very much to you for your help and for your kindness and your attention to my case. I want to ask you to continue your efforts in behalf of my family. It is gratifying for me to have your support.

Mrs. C. Yes, we understand perfectly. Our Rabbi is here and he would like to talk to you very much.
BORIS. I am sure that you know the best way to help. I hope that you know some way for help for me and my family so we can get exit visas. It seems to me that it is important to write letters to Soviet authorities and ask them to give the exit visas. Do you understand?

Mrs. C. Yes, we are doing that. We are writing to Soviet authorities and to United States Senators and Congressmen. We are doing all that we can. And to the United Nations.

BORIS. Oh, it is important.
Mrs. C. Yes, I would like the Rabbi to talk to you now.

BORIS. Please, don't forget me.
Mrs. C. Oh, I won't forget you. Would you like to talk to the Rabbi of our synagogue? One moment.

RABBI. Shalom —
BORIS. —
RABBI. —
BORIS. No, only English.

RABBI. All right, English. How are you?
BORIS. Thank you, fine.
RABBI. Good. I want you to know that you have a wonderful community here at Valley Beth Shalom which is a conservative congregation in California in Los Angeles which wants very much to be of help to our people in the Soviet Union.

BORIS. It is important. And I hope your help will be useful for us.
RABBI. I know that if you can give us whatever guidance you can, whatever information you can within the limits of your freedom in the Soviet Union they'll be taken very seriously here.

BORIS. I understand.
RABBI. Is it possible for you to communicate with us by letter?

BORIS. By letter, of course.
RABBI. We have some communication already?

BORIS. Do I have something yet? Of course.
RABBI. Wonderful.

BORIS. I have a lot of letters from a Norma Edelman. Do you know her? She lives in Eden —
RABBI. Oh, from elsewhere but not from us, not from our community in Los Angeles.

BORIS. Is it possible to have a letter from you? Do you know my address?

RABBI. Yes, we have your address, I'm quite sure.

BORIS. Please write me.
RABBI. And can you also write us?
BORIS. Yes, of course.

RABBI. Very good.
BORIS. But I'm not sure I know your address correctly.

RABBI. I'll tell you what. I'm going to have Mrs. Channing talk to you and give you all that information.

BORIS. I am not sure I can understand. Please write me a letter.

RABBI. Yes, absolutely, it shall be done without question. I want to wish you Shalom—and on the eve of Hanukkah I wish you and our people happiness and joy and I hope that very soon we are able to rejoice together as a free people and as a part of a world Jewish people.

BORIS. Thank you very much. Shalom—to you.
RABBI. —. One second, please.

Mrs. C. Hello, Boris, this is Phyllis, again. I want to give you our address.
BORIS. Oh, I am not sure. Please, write me the address by letter.

Mrs. C. Oh, I should write it by letter?
BORIS. Yes, your address.
Mrs. C. But you don't get my letters. I have written to you and you didn't get them. I will write again, though.

BORIS. It seems to me that it is useful if you can to send me a telegram with your address. It will be better.
Mrs. C. O.K. Can I give the address to you now so you can write to us, too?

BORIS. I'm not sure I can understand address by telephone.
Mrs. C. O.K. I have someone here that speaks Russian and I would like her to talk to you in Russian and she can give you our address.

BORIS. Yes.
Mrs. C. O.K., Boris, one moment.
BORIS. Yes.

(Russian dialogue)
Mrs. C. Boris, we will write to you. We think of you. Is there anything we can send you?

BORIS. You say about letter?
Mrs. C. We will send you letters.
BORIS. Please. I hope I have got it.

Mrs. C. O.K., and you take care now and give our love to your wife and children.
BORIS. I will.
Mrs. C. O.K.
BORIS. O.K.
Mrs. C. Good bye.

BORIS. —
Mrs. C. —
BORIS. —

IRS INFORMATION ON CONSTITUENT SERVICE FUNDS

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. SARASIN. Mr. Speaker, the question of the status and treatment of contributions received by Members of Congress from their constituents to defray or help defray the cost of direct mailings, questionnaires, newsletters, and various other office expenses which are not covered by our Government allowance has been the source of concern on the part of many Members.

I presented a proposed format that I intend to use in my congressional district to the Internal Revenue Service for an official opinion. As many Members

have shared information regarding their own similar voluntary district organizations, I submit the complete response I received from the IRS for the benefit of my colleagues.

INTERNAL REVENUE SERVICE,
Washington, D.C., December 28, 1973.
HON. RONALD A. SARASIN,
House of Representatives,
Washington, D.C.

DEAR MR. SARASIN: This is in reply to your letter of November 29, 1973, in which you inquire as to the Federal income tax consequences that result from the creation of a fund to provide money for certain expenses, under the circumstances described below.

You state that you are in the process of formulating a "Fifth District Club" (Club) which would consist of constituents from your District who are interested in helping you defray the costs of direct mailings, questionnaires, newsletters and various office expenses not covered by your Government allowance. You indicate that you intend to put these funds into a separate bank account, which will be handled by an individual outside your staff. This individual will have the responsibility of keeping a record of all deposits and withdrawals to and from the account.

You further state that all direct mailings, questionnaires and newsletters will be sent to all constituents whether or not they have contributed to the Club. Any excess in the fund at the end of a particular year will be carried over to a subsequent year to be used for similar purposes. In addition, you envision that the annual costs which the fund will offset will be less than your annual salary.

Specifically, you ask what is the proper way for you to report the funds you receive. Also, you inquire whether the use of the funds to defray the costs of the following items will be viewed as being ordinary and necessary for the operation of your Congressional office, so as to meet the deductibility requirements of section 162 of the Internal Revenue Code of 1954.

(1) Mobile Office: Used once a week by you or a member of your staff to visit different sections of your district, to record constituent inquiries.

(2) Newsletters, questionnaires, and direct mailing pertaining to the affairs of the Federal Government.

(3) Transportation: Expenses, exceeding the amount allotted under your Government allowance, incurred by you and members of your staff for travel to and from your district.

(4) Entertainment: Including meals and special meetings for the purpose of discussing matters pertaining to the affairs of the Federal Government.

(5) Additional clerical assistance above the Government allowance of 16 staff members.

Section 61(a) of the Internal Revenue Code of 1954 defines gross income as all income from whatever source derived, except as otherwise excluded by law. Section 102(a) of the Code is one of those exclusions and provides that gross income does not include the value of property acquired by gift, bequest, devise, or inheritance. The Supreme Court of the United States has held that the term "gift" is not used in section 102(a) of the Code in a common law sense, but in a more colloquial sense. Therefore, the transfer of funds, without consideration, though a common law gift, is not necessarily a "gift" for purposes of section 102(a) of the Code. *Commissioner v. Duberstein*, 363 U.S. 278 (1960), 1960-2 C.B. 428.

In *Duberstein*, the Supreme Court reviewed the legal principles to be applied in determining whether a specific payment to a taxpayer was in fact a gift within the meaning of section 102 of the Code. The Court concluded that a gift proceeds from a "de-

tached and disinterested generosity," "out of affection, respect, admiration, charity or like impulses," and that the most critical consideration is the donor's intention in making the payment. The Supreme Court stated that the proper criterion to be applied in determining whether a particular payment is a gift "is one that inquires what is the basic reason that explains his action in making the transfer."

The Supreme Court also concluded that if a payment proceeds primarily from "the constraining force of any moral or legal duty," or from "the incentive of anticipated benefit" of an economic nature, such a payment is not a gift within the meaning of section 102 of the Code. Following the principles set forth by the Supreme Court in *Duberstein*, the United States Tax Court has ruled that if in making a payment a donor "anticipated, whether rightly or wrongly, that some benefit (whether specifically contemplated or of some undefined nature) might result," such a payment is not a gift. *Max Kralstein*, 38 T.C. 810, 818 (1962), *acq.*, 1963-2 C.B. 4.

Based on the information submitted to this office, it appears that your constituents' contributions to the Club are made with the intention of obtaining a more efficient public servant. Such contributions are therefore made with an "incentive of anticipated benefit." Thus, we are of the opinion that contributions to the Club will not qualify as gifts within the meaning of section 102(a) of the Code, unless you are able to establish with respect to any particular payment that the donor intended to make a "gift" to you under the principles set forth by the Supreme Court in *Duberstein*. Whether a particular payment to the Club falls within the definition of a "gift" is a factual matter, and can best be determined by an appropriate office of the District Director of Internal Revenue after consideration of all the facts and circumstances surrounding a particular payment.

In addition, Revenue Ruling 73-356, 1973-36 I.R.B. 5 (copy enclosed), holds, in pertinent part, that any amount received by a Congressman for the purpose of defraying part of the cost of reporting to constituents or of seeking opinions from his constituents is a substantial benefit to him in that it offsets a portion of the cost to him of performing the duties of his office. Therefore, such amounts must be included in a Congressman's gross income under section 61 of the Code, in the year received.

Accordingly, based on the information presented, we conclude that the amounts contributed to the Club will be includible in your gross income for the year in which such amounts are received by the Club.

With respect to the deductibility of amounts expended for the purposes specified in your letter, section 162(a) of the Code provides for the deduction of all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business. Section 162(a)(2) of the Code specifically provides that ordinary and necessary (business) expenses include traveling expenses (including amounts expended for meals and lodging other than amounts that are lavish or extravagant under the circumstances) while away from home in the pursuit of a trade or business.

Section 162(a) of the Code further provides, in part, that the place of residence of a Member of Congress within the State, congressional district, Territory, or possession which he represents in Congress shall be considered his home for purposes of section 162(a)(2) of the Code. Thus, you are not away from home within the meaning of section 162(a)(2) of the Code when you are at your residence in your congressional district. However, travel and transportation expenses incurred for business purposes within your congressional district are deductible under section 162(a) of the Code.

Further, Revenue Ruling 73-356 also holds that the expenses of publishing and distributing newsletters, reports, and questionnaires sent to constituents are deductible by a Congressman under the provisions of section 162 of the Code as business expenses incurred as an employee.

Therefore, if amounts contributed to the Club are spent by you in the performance of your duties as a public official, including the expenses of your staff in furtherance of such duties, you will be entitled to claim a deduction for such expenditures under section 162(a) of the Code.

We would also point out that travel expenses incurred by you in the performance of your Congressional duties are expenses incurred by you in connection with the performance of services as an employee of the United States. Section 62 of the Code, which defines adjusted gross income, specifies the particular items that may be deducted from gross income in arriving at adjusted gross income. Section 62(2)(B) and (C) allow an adjustment to gross income for expenses for travel away from home and transportation expenses incurred by a taxpayer in connection with the performance by him of services as an employee. Since certain of your expenses which will be paid by the Club include travel and transportation expenses, those expenses paid by the Club, which meet the qualifications of section 62, are deductible regardless of whether you itemize your deductions.

Expenses incurred by a member of Congress for entertainment purposes are deductible under section 162 of the Code provided the allowance of the deduction is not considered a personal expense under section 262 of the Code and does not run counter to section 1.162-20(c) of the Income Tax Regulations, which prohibits the deduction of expenditures for such purposes as lobbying, the promotion or defeat of legislation, and political campaigns.

Further, in addition to meeting the "ordinary and necessary" business test of section 162(a), an expenditure for entertainment must also comply with the substantiation requirements of section 274 of the Code.

Section 274 of the Code provides, in part, that no deduction shall be allowed for any item with respect to an activity which is of a type generally considered to constitute entertainment, amusement, or recreation unless the taxpayer establishes that the item was directly related to, or, in the case of an item directly preceding or following a substantial and bona fide business discussion, that such item was associated with, the active conduct of the taxpayer's trade or business.

Section 274 of the Code further provides that an expenditure for entertainment must be substantiated by records or other evidence sufficient to establish the authenticity of the claim as to: (a) the cost of the entertainment, (b) the time and place of the entertainment, (c) the business purposes of the entertainment, and (d) the business relationship to the taxpayer of the person entertained.

Regarding the expenses incurred in connection with your mobile office, such expenses are deductible under section 162 of the Code provided they relate solely to the performance of your public duties as a Representative. These deductible expenses would include the costs incurred for driving and maintaining the bus.

With respect to amounts paid by the Club for additional clerical assistance, such amounts are deductible as ordinary and necessary business expenses when such assistance is rendered in connection with the performance of your official duties.

As you may be aware, under the provisions of sections 41 and 218 of the Code, an individual taxpayer is allowed a limited credit or deduction for a political campaign contribution of money made after December 31, 1971,

to: (1) a national, state, or local committee of a national political party; (2) a campaign committee for its use in furthering the candidacy of an individual; and (3) an individual who is a candidate for nomination or election for his use in furthering such candidacy. Sections 41 and 218 of the Code do not, however, allow a credit or a deduction for an individual's contributions that are to be used by a political officeholder to defray the expenses of performing the duties of his office. Thus, contributions to the Club are not eligible for the Federal income tax credit under section 41 or the deduction under section 218.

You may wish to advise constituents who contribute to the Club that their contributions are not eligible for a Federal income tax credit or deduction. This advice may avoid any misunderstanding on their part since they may be of the opinion that any contribution by an individual to a political officeholder is eligible for a credit or deduction.

You should attach a copy of this ruling to your tax return for each taxable year in which the transactions covered by this ruling occur. The enclosed copy, or a machine copy, may be used for that purpose.

We sincerely regret the delay in replying to your letter and apologize for any inconvenience we may have caused you. If we can be of assistance to you in the future, please do not hesitate to call on us.

Sincerely yours,

LESTER W. UTTER,
Chief, Individual Income Tax Branch.

AN ADEQUATE NATIONAL DEFENSE—MYTH OR REALITY?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. WYMAN. Mr. Speaker, at the time of House debate on the Defense appropriations bill in the last session of this Congress, I said:

I feel it to be my obligation to say, in the course of this general debate, that in the opinion of this Member of the Defense Committee, this Nation is under-armed, under-planned, undershipped, and underresearched, and that the present national defense posture and capability of the Nation is exceedingly vulnerable. Unless we get on with spending a great deal more attention to defense needs in this Congress, and increasing some of the more meaningful capabilities of our technology in this direction, we are literally endangering the safety and lives of the future generations for which in the process of government we are responsible at this hour in the offices we occupy.

Today's Wall Street Journal editorially confirms this conclusion and I am including it in the RECORD at this point because of the enormous seriousness of the situation.

The United States must remain strong militarily, oddly enough not solely for military reasons. There are demonstrable economic advantages that follow from international recognition of continued U.S. military strength. Right now, the Russian Navy is showing its flag all over the world, to the detriment of U.S. trade agreements and concessions.

When we show our flag it is usually in inferior and older ships. Most recently, reports are that American crews are less

than trim and natty or well-disciplined. All of this is deplorable but also avoidable.

The editorial follows:

DEFENSE SPENDING

With the approaching release of a new federal budget, the annual debate on defense spending is already gathering. The Pentagon is said to believe it will have an easier time this year, because of the passing of the Vietnam irritant and spreading realism about the nature of the Soviet regime.

If so, it will be about time. For the sad truth is that military power is by no means irrelevant to world affairs, and that the United States' military position has been sharply eroded on nearly all fronts over the last five years. Yet these realities have been obscured by a whole series of myths.

We are told, for example, of a greedy "military-industrial complex" and an "arms-race spiral." Yet the fact is that since 1968 defense spending has been essentially static, which means that in terms of constant dollars it fell. Meanwhile, as the accompanying St. Louis Fed chart shows, civilian spending ballooned. In any such comparison, the defense sector is not bloated but starved.

The Pentagon proposals for fiscal 1975 will break out of the 1968 plateau. It proposes to spend \$85.3 billion, and will also ask for a \$6.2 billion supplemental appropriation for the current fiscal year. But even at that, the defense part of the budget will expand less rapidly than civilian outlays.

Meanwhile the Soviet Union has been expanding its defense establishment. Problems of secrecy and exchange rates make it hard to evaluate Soviet defense spending, but after running through various calculations, the Institute for Strategic Studies in London concludes, "the equivalent dollar costs of Soviet resources devoted to defense may well be comparable to American spending and perhaps well above it."

This is confirmed by the appearance of several new Soviet strategic weapons, by the reequipping of its tank forces in Europe, by a startling naval expansion and by its lavish support of Arab clients in their war with Israel. In area after area, the United States is falling dangerously behind.

In strategic nuclear forces, American negotiators were forced to accept inferiority in numbers and crucial throw-weight in the interim agreements on offensive weapons. The Soviet building programs were so large that without the agreements they might have increased the disparity even further. Unless the U.S. gets moving with its strategic programs, its SALT-II negotiators will face the same dismal choice.

Naval forces are particularly important to a power like the United States, which must rely on sea-lanes in nearly any military confrontation. Yet even here it has been overtaken by the Soviets, who have been historically and geographically a land power. The Institute now reports that the United States has 221 surface combat ships and 84 tactical submarines, while the Soviets have 212 surface ships and 285 submarines. By and large, also, the Soviet navy is more modern than the American one.

The resources for this Soviet buildup have come off the backs and out of the dinner plates of the Soviet people. The ability to at least match and probably outspend the United States despite a far smaller gross national product and a vastly lower standard of living tells a great deal about the Soviet regime. Alexander Solzhenitsyn tells us the same thing far more dramatically. If there is to be detente with such a regime, its absolute prerequisite is an American military posture sufficient to offset the Soviet one.

Detente probably does give us a bit of leverage with the Soviet Union; apparently the U.S. was able to exploit their need of good relations to moderate their behavior after

the recent Middle Eastern war. But their adventurism in the early stages of the war shows again their tendency to be tempted by opportunity. The weakness America's European allies showed during that episode also partly reflects the decline in the American military power they once relied on for protection. As the Soviet power grows, it will be tempted more often, our allies will make further adjustments, and in times of crisis the U.S. may well have to back down in the face of Soviet expansion.

If the U.S. fails to keep a healthy military, in other words, a Soviet Imperium will gradually spread over much of the globe. The survival of the United States may not be directly threatened, but the world would become a far nastier place in which to live. To avoid such an outcome the defense budget will at some point have to start upward, and this year is less likely to prove too soon than too late.

A CONSTITUENT'S VIEWS OF THE AFTERMATH OF THE YOM KIPPUR WAR

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. LENT. Mr. Speaker, as we all know from various newspaper and broadcast media accounts, the recent war in the Middle East was a tragic affair which touched intimately the lives of millions of people. One of my constituents, Mr. Michael Sabin of Oceanside, N.Y., was in Israel during the war and shortly thereafter. He recently wrote to me to relate his views of the war, and I believe that he catches the personal side of this tragic event better than any media account that I have yet seen. I include a portion of his letter in the RECORD at this point:

NOVEMBER 21, 1973.

DEAR CONGRESSMAN LENT: "... My experience in Israel was an overwhelmingly emotional and sad story. I worked for three weeks on a cousin's moshava, the only member of my family in Europe that survived the ghettos and concentration camps. She has two sons, one in the Golan, the other on the Lebanese border. My work consisted of farm chores with cows, turkeys, in alfalfa and corn fields, irrigation, driving a tractor, etc. Planes flew overhead constantly, heading toward the front. Katyusha rockets fired from Syria fell on the settlements surrounding us, leaving casualties and destroyed buildings. I recall running for the air raid shelter four times when sirens pierced the air with the shrill call to run for cover. There are many casualties, more than the Israelis have disclosed, and certainly upwards of 2,000 dead. The emotional atmosphere is tense and nerve-wrecking; fathers and mothers, wives, children—all have lost and are suffering. The POW situation with Syria is intolerable. Several personal friends, whose parents are survivors of Auschwitz and other concentration camps, were killed—all young men in their early twenties. A friend, aged 18, lost his leg at Suez. The stories are typical for all of Israel and there is much sadness and mourning. The universities, which normally would have commenced 4 November are not beginning until January, and so an entire semester was lost. Israelis hope for peace, an end to the killing. Stability is longed for, as is freedom from fear.

I would like to be more cheerful; however, as you well know, the United States is Israel's sole friend and with the exception of brave

Holland and few others we all face a hostile world re the Mideast.

I do not believe in treaties alone. I truly believe that only direct negotiations with firm, defensible, guaranteed borders for Israel are the only solution. We must guarantee further that Israel will not be 'stabbed in the back;' forgive me, but I have heard of bumper stickers that read 'America needs oil, not Jews,' and immediately think of the Weimar Republic.

Your help is observed and appreciated—not only by your large Jewish constituency, but by all men and women who believe in freedom and the independent sovereignty of small peoples and nations.

We must continue military and economic aid to Israel and the release, exchange and treatment of the POWs in Syria. With loyal friends like yourself, the spark of optimism is kindled. . . .

Sincerely,

MICHAEL A. SABIN.

POSTING PRESCRIPTION PRICES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ROSENTHAL. Mr. Speaker, with the support of 27 colleagues, I have today written to the Cost of Living Council requesting that it require the Nation's retail pharmacies to post the prices of the 100 most commonly prescribed drugs.

Prescription drugs are the one consumer product on the market today for which there is no retail price competition.

The Council has drafted a price posting regulation but it has run into delays, including intense pressure from the pharmaceutical industry and retail druggists.

The 28 signers of the letter are also sponsors of the Prescription Drug Price Information Act, which would order prescription price posting as well as end all prohibitions on retail prescription drug price advertising. That legislation is currently pending before the Subcommittee on Public Health and Environment of the Interstate and Foreign Commerce Committee.

The lack of adequate price information often forces consumers to spend more than necessary for prescription drugs. This is a particular hardship for the poor, the elderly, and others on low and fixed incomes.

Joining me in sending the letter to Dr. John Dunlop, Director of the Cost of Living Council, are Representatives ABZUG, BADILLO, BINGHAM, BROWN of California, BURKE of California, BURTON, CHISHOLM, CONYERS, CORMAN, DIGGS, EDWARDS of California, FRASER, HARRINGTON, HAWKINS, HECHLER of West Virginia, KOCH, METCALFE, MOAKLEY, PODELL, PRICE, REES, RIEGLE, ROYBAL, SEIBERLING, STARK, STOKES, and WON PAT.

I am inserting the text of our letter in the RECORD at this point:

WASHINGTON, D.C., January 26, 1974.

Hon. JOHN T. DUNLOP,
Director, Cost of Living Council,
Washington, D.C.

DEAR MR. DUNLOP: American consumers are spending some \$7 billion annually on pre-

scription drugs—about \$33 for each man, woman and child—and the evidence is strong that they are being over-charged, on the average, by at least 25%. One reason for this is that while there is a huge disparity in the prices for identical prescriptions at different pharmacies in the same community, it is almost impossible to compare prices.

Surveys throughout the country have shown that pricing is grossly inconsistent, even among stores of the same chain for the same prescription. The secretive and arbitrary nature of retail prescription prices has resulted not only in a wide disparity of charges for identical drugs from store to store but even, in some instances, from customer to customer at the same store.

It is with that in mind that we are sponsoring the Prescription Drug Price Information Act (H.R. 5736 et al.). This bill would end all prohibitions on retail prescription drug price advertising and it would also order the posting of prices in all pharmacies for the 100 most commonly prescribed drugs.

We understand the Cost of Living Council has drafted regulations to require retail pharmacies to post prices of the top hundred drugs in quantities to be established by the Council. We applaud this and urge you to end any delay and go forward with promulgation of the regulations as soon as possible. We also urge that no retail outlet be exempted. To limit such regulations only to pharmacies with only 60 or more employees, as is one possibility considered, would be to exclude six out of every seven drug stores in the country.

The lack of adequate price information often forces consumers to spend more than necessary for prescription drugs. This is a particular hardship for the poor, the elderly and others on low and fixed incomes. It will become even worse with the anticipated rise in pharmaceutical prices expected in the near future as a result of the shortage of petrochemicals.

A study conducted for the American Pharmaceutical Association by the Institute for Motivational Research recommended that the association endorse prescription price posting in pharmacies because consumers want it. More than half of the 501 persons interviewed in 40 cities for the study said they would welcome price posting. In selecting a pharmacy, they said "lower price" was second only to "professional service" and by only a slim margin of 17.6% to 18.4%.

In the interest of all American Consumers, we request prompt action in this matter.

Sincerely,

HON. BURR P. HARRISON

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 1974

Mr. DAN DANIEL. Mr. Speaker, while I did not have the privilege of serving with Burr Harrison, he and I worked together on several programs of mutual interest. I was proud to call him my friend, and I shall miss him.

Burr was a man of many talents and unusual abilities. He felt keenly his responsibility to his country, and his obligation to the people he so ably represented in the House.

His family has my heartfelt sympathy in the great loss which they have suffered, and my very best wishes.

CANARIES

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. GROSS. Mr. Speaker, the Justice Department in recent years has developed an inordinate fondness for "canaries"—criminals of one stripe or another who are willing to "sing" in return for leniency.

The outrageous extent to which the coddling of these convicts has now gone is vividly illustrated by the case of swindler Philip M. Wilson. It was reported in an excellent news story in the Wall Street Journal of January 9, 1974, and I include it for insertion in the RECORD at this point:

AND NOW WE TURN UP A PRISON INDUSTRY OF A DIFFERENT SORT

(By Jonathan Kwitny)

When we last left Philip M. Wilson, he had just had a bit of a problem with his bank.

His bank, you might recall, was the Bank of Sark, which wasn't exactly Chase Manhattan but which had a certain charm about it. His problem, if that's the right word, was not that he became overdrawn on his checking account, but rather that he:

Ordered worthless Bank of Sark securities run off at a St. Louis printing shop. Along with a few associates, bribed an accountant into certifying a \$72.5 million list of bank assets that really didn't exist. Sent an old high school buddy to England to answer inquiries, because that's where the bank was supposed to be located. And fleeced millions of dollars from bankers and businessmen by peddling the worthless Sarkian securities through a network of professional con artists.

Well, Wilson has surfaced again. This time, he has come up with a scheme showing a little imagination. And he has capped it with a twist so nifty that it makes Clifford Irving look like a shrinking violet.

It isn't too surprising that Mr. Wilson now is involved with other ex-cons in taking over an Arkansas insurance agency. And it isn't too surprising that one aspect of the deal involves an effort to sell policies issued by a little-known Caribbean-based "insurance company" run by another ex-con, an old acquaintance of Wilson's. (After all, Wilson himself once ran more than 30 "insurance companies" from a single post-office box in a St. Louis suburb, sold scores of commercial fire and casualty policies around the world and paid claims with uncashable checks drawn on, yes, the Bank of Sark.)

THE TWIST

Nor is it too surprising that Wilson's current deal involves a purported \$2.8 million asset consisting of a deed to some backwoods acres in Yancey County, N.C., last appraised for the local tax office at \$12,000. And it's perfectly natural that Wilson is operating through a corporation—Maltese Holdings Ltd.—that sounds more substantial than it probably is.

What is surprising is that Maltese Holdings Ltd. does business from Room 515, 111 North Calvert St., Baltimore.

111 North Calvert St., Baltimore, happens to be the United States Courthouse. And Room 515 happens to be the U.S. Marshal's Office, which is supposed to be keeping Wilson in "protective custody" in some secret place while he serves what is supposed to be a three-year prison sentence for running the Bank of Sark and related companies, an

operation that the Justice Department called the largest mail-fraud crime in history.

The discovery by an Arkansas insurance official that Wilson has been operating a suspicious business from the U.S. Marshal's Office has been rather embarrassing to the federal government. Neither the Journal nor the Arkansas insurance official, Ernest Fennell, has been able to get much comment out of the department. "These guys are so damned embarrassed that Wilson's stealing from their penitentiary that they don't know what to do," says the Arkansas official.

Wilson and some others involved in the case are under "protective custody" rather than in jail because they struck a deal with the government to sing like canaries in return for kind treatment. There is some question about the value of any songs they have sung, but it's clear that Wilson, at least, leads a life unlike that of your average jailbird.

TO ARKANSAS AND FLORIDA

For instance, a notary public in Springdale, Ark., signed a sworn statement in connection with the insurance deal that Wilson "on this 20th day of November 1973 came before the undersigned . . . within (Washington County, Ark.) . . ." Although the marshal's office insists that Wilson hasn't been out of its custody, Larry D. Douglas, the Springdale, Ark., lawyer who employs the notary, says Wilson was indeed in Springdale signing papers.

When not in Springdale signing papers, Wilson could until recently be found in a suburban Baltimore apartment rented by his wife, Carole, also a convicted fraud artist. Although a deputy marshal in Baltimore scoffs that it's impossible that Wilson could ever have been at the apartment, the switchboard operator at the apartment says Wilson often stayed there with his wife. "I understand he commuted—he worked in Washington, I think," says the operator, who describes Wilson to a T.

Just before Christmas, however, the Wilsons vacated the apartment and left a forwarding address in Fort Lauderdale, where they own a posh condominium. The marshal's office in Washington confirms that Wilson was granted a "furlough" for the holidays.

With Wilson gallivanting around so much, it might be hard to get hold of him, in case you have some insurance needs. But his mail has been reaching him at his place of business. Just address it:

P. WILSON,
Maltese Holdings Ltd.
Baltimore, Md.
Mark it "personal," just in case.

TAX AND TAX—SPEND AND SPEND

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ROUSSELOT. Mr. Speaker, more and more of the 86 million working Americans are realizing that approximately 44 cents out of every dollar they earn goes for local, State and Federal taxes. Resistance is beginning to build at all levels toward the irresponsibility of those—especially in this Congress—who "tax and tax—spend and spend." In the February 4 issue of U.S. News & World Report, the Warner & Swasey Co. of Cleveland, Ohio, has inserted a very constructive advertisement entitled, "Instead of meekly paying more taxes we'd better demand less spending." If ever there was an ad that the average worker will believe it is this, and the Congress of

the United States should take heed. I suggest, and urge, that my colleagues read and digest this message right now.

INSTEAD OF MEEKLY PAYING MORE TAXES We'd
BETTER DEMAND LESS SPENDING

How long are you going to put up with having your taxes double in ten years? That is what they have done—and will keep on doing, as long as you permit your Federal, State and local governments to spend 410 billion dollars a year (up 11% from the year before) up year after year after year.

Estimated taxes are \$5070 per American household.

The cure is simple and sure—cut spending, especially for those pet projects whose objective is votes. There are too many government employees. There are too many government bureaus. There are too many government programs. And why should Federal civilian employees be paid an average of \$11,749 a year in contrast to an all-industry wage (the people who do the producing) of \$8,440?

Bitter resistance against excessive taxes is long overdue. If you agree, let's say so. Loud and clear.

The Warner & Swasey Company.
Corporate Offices, 11000 Cedar Avenue,
Cleveland, Ohio 44106.

THE DEATH OF WAYNE MCMURRAY

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. THOMPSON of New Jersey. Mr. Speaker, it was with profound sorrow and regret that I learned of the death of a distinguished newspaper editor in my home State of New Jersey, Mr. Wayne D. McMurray.

My own family and professional background have given me a deep appreciation for those who devote their lives to the profession of journalism. I use that phrase advisedly for in its true sense the dedicated journalist is as essential to our system of representative democracy as the structure of government itself.

Wayne McMurray, in a lifetime devoted to the Asbury Park Press, epitomized all that we have come to expect in a superb journalist. He was untiring in his efforts to advance individual liberties, and he devoted his own private hours to an unceasing support for his home city, his county, and his State. There is not enough space here to recite all of his contributions to the common good, but I think perhaps the one act of service which he prized above all others was his contribution as a delegate to the convention which drafted New Jersey's State Constitution. That constitution stands as a monument to all of our States and bears the mark of Wayne D. McMurray.

I am pleased to place before the House an editorial which appeared in the newspaper he served so long and so well. It reads as follows:

[From the Asbury Park (N.J.) Evening Star, Jan. 23, 1974]

WAYNE D. MCMURRAY

Into the narrow vale allotted us Wayne D. McMurray crowded a life rich in service to others. As a community benefactor, a faith-

ful friend, and a devoted husband, he steadfastly subordinated his own interests to those of his fellows. From his post as editor of the Asbury Park Press, he strove for a community and a world governed by brotherhood and freed of the oppression, corruption, greed, and hostility that have, through the ages, afflicted mankind.

Mr. McMurray rejected the devious and frequently popular bypaths toward this objective. His independence and courage accepted criticism as preferable to hypocrisy and a compromise of principle. But while his views, freely spoken, may have provoked rebuttal, there was no question of the sincerity with which they were expressed. And invariably time sustained the validity of his judgment.

In supplementing his efforts as an editor, Mr. McMurray gave generously of his time, his talents, and his resources to countless civic causes. He worked tirelessly in several posts in state, county and municipal government, and always as a volunteer. Asbury Park, in which he spent most of his life, and the Shore area commanded his special interest and he accepted every opportunity to serve them. In Monmouth College and in the Asbury Park Free Public Library, he found a means of expressing his interest in education and he contributed freely to their development.

With more than half a century of association with the Asbury Park Press, Mr. McMurray gained national recognition as an editor and publisher. He succeeded the late J. Lyle Kinmonth in his direction of The Press and he steadfastly adhered to the precepts of independence, fairness, and an objective presentation of the news upon which Mr. Kinmonth founded the newspaper. On this policy The Press has led in scores of reforms and improvements in government and in the social order.

In sensing a profound loss in Mr. McMurray's passing, staff members of The Press extend to Mrs. McMurray their deepest sympathy. They share with her, too, the satisfaction of many years of rewarding association and of the legacy of high standards that Mr. McMurray bequeathed us.

His monument will be perpetuation of these standards.

COMPLIMENTS FOR POSTAL SERVICE

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. QUIE. Mr. Speaker, many complaints are lodged against the Postal Service, but the Rochester Post Bulletin believes compliments are in order. I am inserting in the CONGRESSIONAL RECORD an editorial appearing in the December 26, 1973, issue of the Post Bulletin listing accomplishments of the reorganized Postal Service.

I commend it to my colleagues:

A PAT ON BACK, NOT CONTINUAL GRIPING
DUE POSTAL SERVICE

While many people are continually giving the U.S. Postal Service hell, we'd like to give 'em a pat on the back. During the past year the Postal Service has reduced its losses from more than \$175 million (fiscal 1972) to less than \$13 million in fiscal 1973. That's a 92 per cent decrease!

While it still is operating in the red, it has made good progress to get into the black during its first two years of existence as a semi-private corporation.

Last March Postmaster General E. T.

Klassen told a Senate investigating committee that he, too, was "far from satisfied" with the record of the Postal Service since it converted over from the former U.S. Post Office Department. He candidly remarked that he was shocked by delivery delays and acknowledged that poor management was a significant factor in Postal Service failures. He promised to do something about it. At the same time the Postal Service is under Congressional mandate to be self-supporting by 1984. It currently gets federal subsidies to help it operate.

The annual report of the Postal Service released last week showed a reduction of more than 5,000 workers and an increase of 6.4 per cent in employe productivity because of increased mechanization and modernization of mail handling procedures.

Like everything else, inflation affects the Postal Service. The three-cent stamp survived for 26 years before giving way to the four-cent stamp in 1958. The five-cent stamp came in 1963, followed by the six-cent stamp in 1968 and by the present eight-cent stamp in 1971—which will soon be replaced by the 10-cent stamp. But the rate of increase is slower than in some other countries. In West Germany, for example, it now costs 15 cents to mail a letter. Five years ago that letter could have been mailed for six cents.

So, how fast does the mail go through? Klassen says that next-day delivery between cities within 600 miles of each other is now at about 80 per cent—the goal is 98 per cent. We think the mail service is a lot better than many critics would have you believe. The recent Christmas mailing bulge, for example, was very well handled.

Everybody can cite examples of when a letter or package arrived late. But actually it's pretty rare and considering the volume of mail handled each year (about 93 billion pieces) service is pretty darned good. The mail consumer can make it better by using ZIP codes. Klassen says ZIP-coded letters do get delivered faster than ones without the ZIP, yet 15 per cent of all the mail handled in the U.S. this year failed to bear a ZIP. And it's probably that same 15 percent of mailers who are doing the complaining.

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 64

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. HARRINGTON. Mr. Speaker, the tragic story of Mrs. Barbara Waldman's murder speaks forcefully for the need to implement strong gun control legislation. Yet Mrs. Waldman is only one of the 10,000 people in the United States likely to be killed in 1974 by a handgun.

A January 13 article from the New York Times, describing the brutal death of Barbara Waldman, is included below.

CLUES SOUGHT TO LONG ISLAND WOMAN'S SLAYER

OCEANSIDE, L.I., January 12.—A police van with a loudspeaker soliciting information patrolled the neighborhood in which Mrs. Barbara Waldman was found slain yesterday.

The bound body of the 31-year-old Mrs. Waldman was found with a pair of pantyhose tied tightly around her neck, but the police said today that an autopsy has determined that she had died of a gunshot wound rather than strangulation.

Inspector Andrew Mulrain of the Nassau County homicide division said there were no suspects and no known motives. He said a

police information trailer was being set up at the intersection of Mott Street and Oceanside Road in the affluent neighborhood in the hope that someone might come forward with information. According to Inspector Mulrain, the woman's husband, Dr. Gerald H. Waldman, a dentist, was questioned but was not considered a suspect.

"We know of no marital problems, no financial problems," the inspector said.

Mrs. Waldman, who was wearing a nightgown and bathrobe, was found lying next to her bed in the \$75,000 two-story colonial home at 3917 Sally Lane at 11:51 A.M. by her 5-year-old son, Eric, when he returned from nursery school. He ran to a neighbor's home and the police were called. The Waldmans' other children, Lawrence, 6, and Maria, 7, were at school at the time.

The house had not been ransacked.

The police said that in addition to the pantyhose around the victim's neck another pair of pantyhose had been used to tie her hands behind her back and a pillowcase had been wrapped around her head with part of it being used as a gag. She had been shot once at the base of the skull, and the bullet lodged behind her right ear.

According to a neighbor, the Waldmans had been residents here for four or five years and Mrs. Waldman was well-liked.

THE AUTOBIOGRAPHY OF MISS JANE PITTMAN

HON. JOHN BRADEMAs

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. BRADEMAs. Mr. Speaker, I have not before spoken in the House of a motion picture but I take this time to call to the attention of Members of the House of Representatives a film that will be shown on television this week that I believe justifies particular commendation.

I refer to "The Autobiography of Miss Jane Pittman," which will be shown on Thursday, January 31, 1974, from 9 to 11 p.m., e.d.t., on stations on the CBS network.

"The Autobiography of Miss Jane Pittman," stars the distinguished actress Cicely Tyson, in the title role.

The film is based on the novel by Ernest J. Gaines and is a drama about a former slave who lives to participate in the birth of the civil rights movement.

Although the film is a fictional account of a woman who lives to the age of 110 years, the life of Jane Pittman covers a century of change in the United States that is of significance to every citizen.

Mr. Speaker, I insert at this point in the RECORD an excerpt from a review of "The Autobiography of Miss Jane Pittman" by the distinguished film critic, Miss Pauline Kael, in the January 28, 1974, issue of the New Yorker magazine.

The review follows:

THE CURRENT CINEMA—CICELY TYSON GOES TO THE FOUNTAIN

The ironic miracle of "Sounder" was that whites could respond to its black family far more intensely than they could conceivably now respond to a white family. The blacks of "Sounder" live in hardship circumstances in which their sheer endurance is a victory—their endurance and their ability to sustain their feeling for each other.

In the past, American movies celebrated white-pioneer courage and endurance; now the black movies take us back to those satisfying hopeful qualities, but, for whites, with a difference. Implicit in "Sounder" and in the new "The Autobiography of Miss Jane Pittman" is a sense of moral complexity—of a redressing of the balance, of justice at work within the mythology of popular culture. What we can no longer accept about white heroes and heroines we surrender to when the characters are black. I think we absolutely need to; this has nothing to do with the formal aesthetics of a particular piece of popular culture but everything to do with how popular culture works in a society. And we have been lucky. The beautifully made "Sounder" spared us the embarrassments of maudlin emotions; and "The Autobiography of Miss Jane Pittman," which was produced for television by Tomorrow Entertainment and will be on C.B.S. on Thursday, January 31st, from 9 to 11 p.m. E.D.T. (and will run in theatres in other countries), stars Cicely Tyson and was made by John Korty, a self-effacing director who has what might be described as an aesthetics ruled by morality. His past work (such films as "The Crazy Quilt" and "Funnyman," and the TV film "Go Ask Alice") shows his principled unwillingness to push for dramatic effect; this makes him the ideal director for "The Autobiography of Miss Jane Pittman." One shove and we would say, "Oh, here it comes—more guilt piled high on us." But as "Jane Pittman" has been directed, her story, of how a black woman lived and what she went through, with major historical events seen through her eyes, has a far greater meaning than if white viewers were browbeaten into a defensive reaction. The full force of "The Autobiography of Miss Jane Pittman" is that no defense is possible, so none is called for.

BORN IN SLAVERY

Cicely Tyson plays a woman who was born in slavery and lived to take part in a civil-rights demonstration in 1962; the role spans Jane Pittman's life from the age of twenty to the age of a hundred and ten, and Cicely Tyson knows what she's doing every inch of the way. Her Jane Pittman does not have the Biblical strength or the emotional depth of her Rebecca in "Sounder." Jane isn't a deep woman; childless, uneducated, she's an enjoyer of life. It isn't until extreme old age gives her a privileged status that she loses her fear and becomes—briefly, just before her death—politically active. Old age brings her out in other ways, too; it's as if her life were a series of liberations, so that only at the end is she free enough to speak her mind and to crack a joke and to find herself. When she walks up to a whites-only drinking fountain in front of a Southern courthouse, and drinks from it, all of us in the audience can taste the good water.

Tyson is an extraordinarily controlled actress, and perhaps this control has some relationship to the history of black people in this country. I used to watch her sometimes in the old George C. Scott TV series "East Side, West Side," and I found her control and her tight reserve slightly antipathetic; she seemed to be holding back from us—not yielding her personality, not relaxing within the minuscule demands of the role. Now I think I can see why. It was a role in which a beautiful pinheaded actress might have been perfectly content, and her contentment might have made her seem delectable. Those secretary roles, black and white, are generally played for comedy or for sex; the black girls are plumped down in an office—to fill the quotas—but they're playing classy maids. What Tyson's strained manner in that series was saying to us was "I can't give myself to this role—I have more than this in me."

And, despite her magnetic glamour, she

wouldn't give us more than the cold efficiency of the secretary she played—which could only make a viewer slightly uncomfortable. In small, empty roles, this New York-born actress who had sold shopping bags on the streets when she was nine years old seemed aloof. She felt aloof from the roles, and she had too much in her to sell herself cheap. She still refuses to sell herself; in her performances as Rebecca and here as Jane, she never bathes us in the ravishing smile of her modeling years or her TV talk-show appearances. She has the haughtiness of the enormously gifted—of those determined to do everything the most difficult way, because they know they can. Her refusal to melt us with her smile is like Streisand's refusal to sing; there's some foolishness in these refusals, but also hard-won pride. In every breath, Cicely Tyson says to us, "I'm not going to make Jane a cute, feisty old darling for you to condescend to. I'm not going to warm the cockles of your heart. And don't treat me kindly as a great black actress; I'm an actress or nothing." She's an actress, all right, and as tough-minded and honorable in her methods as any we've got. You feel you're inside skinny old Jane's head; you get to understand her mixture of shallowness and superstition and pop culture and folk wisdom. And through knowing Jane Pittman you feel closer to a recognition of black experience in this country; at an ironic level Jane's story is the story of how it takes a hundred and ten years to make an activist out of an ordinary black woman. Tyson won't allow her beauty to carry her; she plays Jane with supreme integrity. Jane's charm seems all to belong to Jane; Tyson doesn't shove any of her own onto her. She doesn't yet have the fluidity of an actress who can turn the character into herself, and vice versa; she is still in conscious control. She hasn't made that leap to unconscious control which separates the "divine" legendary actresses from the superlative technicians. I'm comparing Tyson to the highest, because that's the comparison she invites and has earned. She isn't there, but she's on her way. She's great, but she will be even greater when she can relax and smile without feeling she's Uncle Tomming as Streisand will be a greater artist when she can accept all her gifts and use them together.

The subject of the Ernest J. Gaines novel on which "Jane Pittman" is based is so good that everyone connected with the movie seems to have respected it. There are inevitable losses. The incendiary preaching that, in the novel, leads to one character's murder has been softened, and events sometimes lose their repercussions—no doubt because a novel more sprawling in time than "Gone with the Wind" is being attempted on a TV shooting schedule and budget, to fit a two-hour slot. There are almost eighty speaking parts, and some of the casting and acting—though not blatantly bad—are nondescript. (A Cajun character certainly doesn't help; no Cajun on the screen ever does.) Yet none of this does serious damage. There's one unfortunate change. In the novel, Jane dreads a black stallion that she thinks will kill Joe Pittman (the one man she loves enough to carry his name). For photographic reasons (the sequence was being shot using day for night), an albino was used instead: the eerie white horse, with a ghastly pink look around the eyes, is mystically effective, but the color switch suggests a racial symbolism that doesn't quite fit the situation. The clumsiest addition is the device of using Michael Murphy as a journalist interviewing the ancient Miss Pittman to link the episodes; toward the end, we feel the shift to amateurishness each time he appears. But Cicely Tyson is, I think, all that a reader of the book could ask for, and her performance and the director's tact are more than enough to compensate for these flaws, and for the anachron-

isms and naiveté in parts of Tracy Keenan Wynn's adaptation.

JOHN KORTY

John Korty tells the story at a satisfyingly leisurely pace, befitting a woman who accumulates a hundred and ten years. Korty is a director who has never quite come into his own; his loose, unlabored style was probably at its best in the charming, neglected 1966 comedy "Funnyman," starring Peter Bonerz (the dentist of "The Bob Newhart Show") as a member of The Committee, the improvisational-revue troupe in San Francisco. This hero is wry and self-conscious, and automatically turns human relations into put-ons; he works up whatever situation he's in into routines—his "life situations" have the rhythm of revue acts, and vice versa.

Korty didn't make a big thing of his funnyman hero; the movie just skipped along, and in places dawdled along, without solemnity. Probably Korty's movies suffered commercially from his honesty and tentativeness and his refusal to heighten emotions, but those same qualities showed to great advantage in his direction of the TV film about teen-age drug addiction "Go Ask Alice." The contrast with the usual TV director's hysterically manipulative approach made Korty's work shine. Some of Korty's virtues are dimmed in "The Autobiography of Miss Jane Pittman," because he's not working as flexibly as he did on his own movies (which he also photographed himself)—the direction here is more stilted—but the movie is still so much cleaner and simpler than just about any other movie made for TV (or any TV series show, either) that the fictional Jane Pittman has the singularity and dignity of a person in a documentary. There never was a Jane Pittman; the character is synthesized from stories that Gaines heard while growing up on a plantation in Louisiana, but, watching the film (which was all shot in Louisiana), one literally forgets (as readers of the novel did) that it is fiction. It seems to be a slightly awkward reenactment of the life of an actual person.

Beauty is almost unknown in movies shot for TV, but Korty has brought his compositional sense and his own unassertive lyricism to this mixture of folk history and agitprop. Visually, the interiors and the closeups of people making polemical speeches are only serviceable, but the exteriors and the closeups of Jane show the sane affection of an artist with no fakery about him. John Korty has no show business in his soul, and sometimes we really need to get away from the show-business hype. "The Autobiography of Miss Jane Pittman" isn't a great movie, though with more directorial freedom and a better script it might have been. But it's quite possibly the finest movie ever made for American television. Would a story about the endurance of an ancient white woman be this effective? There's no way for it to be comparable. There is probably no imaginable way that at this point in American history we could be as deeply moved by a white woman's story—no matter how much truth there was in it—as we are by this black woman's story.

THE NEW ROLE OF DIPLOMACY

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ARCHER. Mr. Speaker, a discussion of a new approach to diplomacy was contained in a speech by Mr. Alan A. Reich, Deputy Assistant Secretary of

State for Educational and Cultural Affairs, to the Houston Rotary Club. Mr. Reich stressed the significance of people-to-people diplomacy as a key to international understanding. I would like to enter Mr. Reich's remarks in the RECORD, as follows:

THE NEW ROLE OF DIPLOMACY—PEOPLE-TO-PEOPLE CONTACT AS A BASIS FOR WORLD UNDERSTANDING

Diplomacy has gone public. Foreign relations is no longer the exclusive domain of the professional diplomat. In almost every country of the world, foreign affairs communities, in varying degrees, have opened their ranks to public participation. It is a privilege to meet with the Rotary Club of Houston, which, I understand, is the largest Rotary Club in the world, because you play an important role in Houston's international outreach and leadership.

Technological advances have made nuclear war a threat to mankind's existence. Fortunately, new initiatives and agreements in the disarmament field offer hope that the deadly cycle of weapons build-up may be broken. Prospects for increased government-to-government cooperation look better now than at any time since World War II. The great powers are focusing on areas of common concern and not only on their differences. The results appear promising.

But while technology has made nuclear annihilation possible, it also has sparked a revolution in communication and transportation which brings increasing numbers of people in all walks of life into direct, open, and immediate contact. International diplomacy, traditionally the task of men behind closed doors, has become a public matter. Many foreign offices no longer confine themselves to speaking with other foreign offices for peoples; they help and encourage peoples to speak for themselves across national boundaries. People-to-people communication has become a dominant force in international relations throughout the world. It also exemplifies the new Federalism in which the leadership and action are carried out at the local level.

I shall talk today about the importance of people-to-people diplomacy, the interest of the State Department in furthering it, and comment on the significant contribution of your Rotary work.

Many Americans ask why we should concern ourselves with international problems when we have so many serious domestic concerns demanding attention. There are several good reasons for our getting "involved with mankind": First of all there is common charity. Then there is a sense of common humanity. In addition, there is common sense. Modern transportation and communications, not to speak of modern weapons, have brought our neighbors' problems to our doorstep. We have no choice but to become involved, because if the problems next door are ignored, they soon become our problems.

Poverty, illiteracy, hunger and disease recognize no nation's borders and travel under no country's passport. It is not a matter of the world's poor getting poorer while the rich get richer. The poor are getting richer, too. But their lot is improving so slowly that the difference—the gap—between rich and poor is widening, not closing. Unless some way can be found to reverse this trend, those who are better off must one day suffer the horrible consequences. Neither we nor our children will have the luxury of working on our domestic problems if we do not succeed in bringing about a climate of peaceful cooperation throughout the world during the next few years. Whether we cooperate with our international neighbors because it is good, or right, or necessary, we must get on with it while we are improving the quality of life at home. We can also take some solace in

knowing that the job is not ours to do alone. Many other nations share with us the desire and the capacity to help close this gap between the have and have-not peoples of the world. The facts of international life today are that common sense and common survival dictate common action to solve common problems.

As societies and their problems have become more complex, more and more people are educated in international affairs and have become concerned citizens. Mass media reach and stimulate increasing numbers of people. The number of individuals and institutions that influence major decisions in every country is growing. This is true in international as well as in domestic matters.

The geometric increase in citizen involvement in world affairs has special significance for the diplomat. It is a fundamental, irreversible, and irresistible influence for peace. Nations are less likely to deal with their differences in absolute terms when their citizens communicate and cooperate with each other freely and frequently.

When people-to-people bonds and communications networks are more fully developed, there will be a great readiness to communicate, to seek accommodation, and to negotiate. The likelihood of international confrontation will diminish, and prospects for peaceful solutions will be enhanced. This rationale governs the interest of the State Department in the furtherance of meaningful people-to-people exchange.

In the past few years, social scientists have increasingly studied the relevance of informal nongovernmental communications activities to matters of war and peace. Research scholars such as Dr. Herbert Kelman at Harvard University are attempting to develop a more scientific base for these transnational cross-cultural communications activities. Their research suggests that the existence of informal communications tends to reduce the level of tension when conflicts of interest occur; they contribute to a climate of opinion in which conflicts may be negotiated more effectively. Second, their research indicates that informal relationships create a greater openness in individual attitudes toward other nations, peoples, and cultures; these predispositions also lead to greater readiness to communicate and to resolve differences peaceably. Third, social scientists tell us that international cooperation and exchange contribute to world-mindedness and to an internationalist or global perspective on what otherwise might be viewed either as purely national or essentially alien problems. Finally, international people-to-people relationships help develop enduring networks of communication which cut across boundaries and reduce the likelihood of polarization along political or nationalist lines.

DEPARTMENT-SPONSORED EXCHANGES

When you think of the State Department's conduct of our international affairs, the exchange-of-persons program does not come immediately to mind. It is, nonetheless, a significant and important activity of the Department. The Bureau of Educational and Cultural Affairs works constantly and quietly to improve the climate for diplomacy and international cooperation. The exciting, challenging job of the Bureau is to utilize its modest funds and manpower to reinforce the work of American individuals and organizations who want to help construct, a little at a time, the foundation of better relationships with the rest of the world. It also coordinates, as necessary, the activities of other government agencies with international exchange programs in substantive fields, such as health, education, social welfare, transportation, agriculture, military training, and urban planning.

Having come not too long ago from the business world, I have a great appreciation for what is being done for an investment of

some \$45 million annually. There are several major elements of the Department's exchange program:

The Fulbright-Hays exchange program over 25 years has engaged more than 100,000 people in academic exchanges. Annually, some 5,400 professors, lecturers, and scholars are exchanged to and from the United States.

The international visitor program brings to the United States about 2,000 foreign leaders and potential leaders annually for one- or two-months orientation programs. This includes nonacademic leaders and professionals, from Cabinet officers to journalists. One out of every 10 heads of state in the world today has been a State Department exchange visitor, as have some 250 Cabinet ministers of other nations.

The Department of State sends abroad annually several leading performing arts groups and athletic stars; for example, in the past year under this program the San Francisco Symphony Orchestra and the New York City Ballet toured the Soviet Union; one of America's leading popular singing groups, the Fifth Dimension, performed in Eastern Europe; Robert Lee Elder and the Morehouse College Glee Club visited Africa; and the United States basketball and swimming teams just returned from tours to the People's Republic of China.

Some 150 prominent U.S. lecturers went abroad for six-week lecture tours in 1972.

Nearly 500 United Nations specialists selected by their home countries and funded by the U.N., are programmed annually by the State Department through 30 other government agencies for six- to nine-month training programs in the United States.

The commitment to these programs is substantial. They are administered, in cooperation with thousands of volunteers and many private organizations, by Bureau personnel in Washington and at our reception centers in Honolulu, Miami, New Orleans, New York, and San Francisco. Abroad they are administered, in cooperation with the United States Information Agency, by the cultural affairs officers in our embassies. In 50 countries there are binational commissions which have responsibility for supervising the academic exchange program.

The State Department's small but catalytic exchange-of-persons program with 126 countries stimulates constructive communication among leaders and future leaders in many fields here and abroad. It creates durable reservoirs of information, understanding, and empathy. It develops rewarding and lasting contacts of key people of other countries with their counterparts here.

PRIVATE SECTOR PARTICIPATION

These programs depend heavily on the willing cooperation of countless private individuals and organizations throughout the United States. Their response has been outstanding. The Department contracts with a number of organizations to assist in carrying out these activities. For instance, COSERV—the National Council for Community Services to International Visitors—is a network of 80 voluntary organizations throughout the United States which enlists some 100,000 Americans to provide hospitality and orientation for international visitors. They serve voluntarily because they believe in the importance of their work to strengthen international understanding. This makes an indelible impression on the foreign visitors they serve.

You have one of the truly outstanding chapters of the COSERV organization right here in Houston—the Houston International Service Committee.

Another organization, the National Association for Foreign Student Affairs, counsels many of the 150,000 foreign students now studying in American colleges and universities. The Institute of International Education and several private programming agencies

help carry out the Fulbright and international visitor programs. I am delighted both these organizations are represented here today.

We in the Department of State are aware that our programs represent only a portion of the total private-public participation in exchanges aimed at furthering international mutual understanding. In addition to service organizations, professional associations of doctors, lawyers, journalists, municipal administrators, and others link their members with counterparts throughout the world. More than 30 American sports organizations carry on international programs involving their athletes in competition, demonstrations, and coaching clinics here and abroad; several youth organizations conduct international exchanges involving nearly 5,000 Americans and foreign teenagers annually. Numerous foundations, businesses, and institutions throughout America facilitate the private studies of many of the nearly 150,000 foreign students who come to study in the United States annually and approximately half that number of Americans who study abroad each year.

Private American performing arts groups tour other countries; reciprocal opportunities are offered to counterpart groups from abroad. The People-to-People Federation and its various committees actively promote and carry out meaningful exchanges; the sister city program of the Town Affiliation Association links 430 American cities with communities in 63 countries of the world. In the Partners of the Americas program, 41 U.S. states are linked in two-way exchange programs with Partner states in countries of Latin America.

I am sure many of you here today are also involved in Houston's sister city programs, which link this city with not just one but four communities in the Far East, Europe and Latin America. These sister cities include Taipei, the capital of the Republic of China; Chiba City in Japan, Huelva, Spain; and Veracruz, Mexico.

Before we undertook to encourage new exchange activities in the private sector recently, we asked the cultural affairs officers in our Embassies around the world whether they wanted an increase in exchanges by private groups. They were also asked whether these activities further our long-term purpose of increasing mutual understanding with their respective countries. Almost without exception the posts replied that they want increased exchanges. I have just returned from USSR and Poland; our ambassadors there are optimistic about prospects for new contacts with Eastern Europe.

They want them to occur both to and from the United States. They confirmed that these activities contribute to removing barriers to understanding and to forming durable cooperative relationships.

Last year the Bureau of Educational and Cultural Affairs set up a special office to respond to the needs of private organizations seeking to participate in international person-to-person programs. This Office of Private Cooperation, on request, helps private organizations to become active internationally.

THE CONTRIBUTION OF SERVICE ORGANIZATIONS

In government and in the private sector, there is much to be done. Service organizations, such as Rotary International, through its people-to-people programs, are doing an outstanding job. Rotary's international youth exchange, involving 700 youths throughout the world annually, is a model program with considerable impact.

The Rotary Club matching program, which links Rotary Clubs in 150 countries with counterpart clubs for direct Rotarian-to-Rotarian relationships and shared service projects, is equally impressive. Rotary's world community service program has helped

people throughout the world. Through Rotary International's small business clinic program, many individuals in less developed countries have been helped to self-sufficiency and community contribution.

Two other elements of the overall Rotary International outreach are especially meaningful. First, the mere existence of Rotary joining 750,000 leaders around the world is a potent force for mutual understanding. As your new Rotary International president, William C. Carter, stated at the Lausanne Congress last month, "No country or empire in the world ever had in its embassies and consulates, so many outlets as Rotary International has in its 15,659 clubs in 150 countries and geographical areas of the world." Rotary is made up of leaders from all segments of society; this fraternal relationship—professional to professional, businessman to businessman, and so on—generates good will among millions throughout the world.

Another service which Rotary Clubs perform is the furtherance of international person-to-person relationships by others in their communities. In visits throughout the United States, I have been impressed with the extent to which Rotary and other service clubs have initiated and developed sister city affiliations, people-to-people exchanges, international hospitality programs, and international activities of local performing arts and sports groups. These activities contribute to strengthened bonds between participating local groups and their counterparts in other nations.

An unusual opportunity to bring more people into these activities appears on the horizon as we approach our nation's Bicentennial Year in 1976.

In announcing the Bicentennial "Invitation to the World" recently, President Nixon stressed the importance of enhancing the quality of peace through people-to-people contacts aimed at reducing the fear and ignorance which have divided mankind down through the ages, and at fostering habits of trust and patterns of cooperation.

To serve these international goals the Bicentennial can provide widespread opportunities for cross-cultural communication; foster better understanding among the world's people of the nature and purposes of American people as evidenced both in the initial American Revolution and in the continuing revolution of today; foster similarly a better understanding among Americans of the ideals and objectives of other peoples; and, foster among all peoples greater recognition of the interdependence of nations.

I have been asked by leaders of private organizations what they might do to increase international understanding. Frankly, I cannot imagine a more significant organizational outreach, either in concept or in program, than that of Rotary International.

I would urge Rotary and other organizations to do more of the same—demonstrating so well the capacity for commitment of the American people in solving that most important of all human problems, the achievement of a sustained world peace, by sponsoring exchanges, providing community leadership in international programing, helping peoples of other nations to become less dependent, and strengthening international ties among key individuals and groups. Specifically, I urge you to undertake in whole or in part the following 12-point program:

1. Expand home hospitality and community orientation programs for foreign students and international visitors (including professional, business, diplomatic, military and government leaders).
2. Develop programs for the international alumni of Houston area universities and colleges.

3. Strengthen your sister city programs and affiliate with a new sister city.

4. Expand youth exchanges and community programs for international students.

5. Internationalize your community involvement by affiliating with an appropriate international organization in cooperation with the U.S. National Commission for UNESCO.

6. Participate directly in and support the international exchange programs of the People-to-People International and of the People-to-People Sports, Music, Handicapped and other exchange committees.

7. Internationalize your state and local American Revolution Bicentennial Commemoration programs as they are planned and implemented.

8. Invite foreign professional counterparts and students to conferences and seminars.

9. Help expand the international public service activities of Houston corporations operating internationally.

10. Form international institutional linkages affiliating universities, hospitals, rehabilitation centers, schools, libraries, and museums for exchange relationships.

11. Strengthen the Partners of the Americas Program linking Texas and Peru in a continuing cross-cultural exchange program.

12. Maximize the goodwill generated by ensuring public visibility for these activities both here and abroad.

In addition, I hope you will continue your community-wide cooperative efforts, now under way, to further Greater Houston's contribution to world understanding. Many other organizations represented here today will find their place in such a program. Under the leadership of your two fine committees, Houston could, as you have in so many other areas of human concern, provide a model for the nation in expanding meaningful people-to-people relationships. As you move ahead, please do keep us informed; come to Washington and share your ideas with us. It is very exciting. We might be able to help.

In these few minutes I hope I have helped increase your understanding of U.S. cultural relations with other nations of the world, why it is important, and what your government is doing about it. I also hope you find these suggestions useful.

On behalf of the official foreign affairs community of the United States, I extend my thanks to the Houston Rotary Club and all of you here today, not only for improving the climate for diplomacy, but for your individual and collective leadership in helping to build the human foundation of the structure of peace.

APPROPRIATION VOTES

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. OWENS. Mr. Speaker, I am enclosing for the RECORD a comparison between congressional changes in the President's 1974 budget and the changes which would have resulted if all of my votes on appropriations had prevailed:

CONGRESSIONAL CHANGES

These figures represent Congressional changes from budget requests (on budget authority) that were submitted by the President to Congress. My personal voting record on fiscal legislation is included. Note the Congress cut \$3.3 billion from Presidential requests and that I voted to cut an additional \$5.3 billion.

Bills	Congressional changes in 1974 budget authority [in thousands]	Wayne Owens, appropriations votes, cut or add
Appropriation bills:		
Labor-HEW	+\$1,376,843	+\$1,309,013,000
HUD-Space-Science		
Veterans	+439,047	+928,501,000
Supplemental, 1974	+168,941	-4,245,000
Agriculture	+108,116	-133,813,000
Interior	+72,770	-4,877,000
Public Works	-8,066	-81,074,000
District of Columbia	-15,281	-5,281,000
Par value of gold supplemental	-47,000	-47,000,000
State-Justice	-56,889	-82,134,000
Legislative	-71,961	-16,900,000
Transportation	-112,286	-126,801,000
Treasury-Postal Service	-140,156	-244,340,000
Military Construction	-286,039	-355,810,000
Foreign assistance	-1,212,483	-3,633,912,000
Defense	-3,535,793	-6,149,414,000
Subtotal, appropriation bills		
	-3,320,237	-8,619,597,000

MARINAS FIND FUEL AVAILABLE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. LEHMAN. Mr. Speaker, over the last months as we have struggled with the energy crisis some businesses have suffered more than others. The boating industry is one of these.

Not only has the lack of supplies of construction materials hurt, but inaccurate reports of marina gas shortages are scaring boatowners away from using their vessels. I hope this article from the Washington Post of January 27 will put the gasoline shortage question in its proper perspective:

MARINAS FIND FUEL AVAILABLE

(By Aubrey Graves)

Boatmen in Florida are having little or no trouble getting gasoline and fuel oil, according to a survey just completed by the Boating Information Council.

Most of the 30 marinas contacted reported they are meeting the needs of the majority of boats stopping at their fuel docks. While their "official" allocation levels are averaging 90 per cent of their 1972 volume, most of the dockmasters said they were in fact being supplied with nearly all the gasoline they need.

Diesel fuel appears to be in slightly shorter supply, with some marinas limiting transient customers to 30 or 50 gallons. Only two marinas reported they are restricting sales of gasoline.

The amount of fuel burned in boats drops sharply during winter months of course, and the availability of fuel in the Sunshine State at this time of year does not necessarily reflect conditions that will prevail nationwide this summer.

Meanwhile, the Federal Energy Office has published its contingency rationing plan that could be put into effect should the gap between supply and demand become too great to manage through voluntary conservation measures. It would make available 100 per cent of the current requirements for agricultural and energy production, and for emergency, sanitation, telecommunication and passenger transportation services.

After these essential services and business needs have been satisfied, the remaining fuel would be distributed through normal retail channels to private users "on an equitable basis." There would be no restrictions on boating or any other personal use.

Retailers would be entitled to receive the same amount of fuel they received in 1972, on a monthly basis. The FEO estimates that retailers would have about 20 per cent less than their first-quarter requirements in 1974 would have been if there had been no shortage.

Anticipating that the public will continue present voluntary conservation measures, the BIC estimates that marinas should have available in 1974 at least as much gasoline as in 1972.

The FEO is relying on historical patterns of gasoline consumption as a basis for allocating supplies to user classes. In 1972, 72 per cent of the total gasoline was sold for use in private vehicles; 25.7 per cent was consumed by business and commercial users, and the remaining 2.3 per cent was sold to governmental units.

THE GOLDEN YEARS—CAN WE NEGLECT THEM?

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ROUSH. Mr. Speaker, today I would like to make some comments on the implementation of the law to increase social security benefits. The 93d Congress is fast becoming a senior citizen Congress, in a comparable manner that the 89th Congress was considered an educational Congress because of major education legislation enacted and the 92d Congress was the environmental Congress, because of the major environmental impact legislation pursued. In this Congress, we have made major leeway for our senior citizens.

In April of 1973 we passed the older Americans comprehensive services amendments to provide for the continuation and strengthening of the programs authorized under the Older Americans Act of 1965. This is now Public Law 93-29. The last of June, we extended the Railroad Retirement Act, to liberalize eligibility requirements for railroad retirees and extend benefit increases. And, most importantly, we have been able to successfully continue to build on a base that was established in the 92d Congress surrounding the social security system.

Social security retirement and disability benefits have been increased 41 percent since the beginning of the 92d Congress in January 1971. Yet, so has the cost of living, and it continues to accelerate. When the House Ways and Means Committee issued its report on H.R. 11333, the bill that has become Public Law 93-233, they noted that between July and November 1973 the Consumer Price Index had "risen at a seasonally adjusted annual rate of 10.3 percent and the food components of the index has risen at a seasonally adjusted annual rate of 28.8 percent."

The increased benefits are vital for the elderly in our Nation, and I would like to reiterate the important groundwork laid since 1971 for the legislation that we have enacted this year.

In March of 1971, the 1st session of the 92d Congress, the Congress provided a 10-percent across-the-board increase in old-age, survivor, and disability benefits, retroactive to January 1, 1972. Then in June of 1972, we granted another across-the-board increase in benefits, this time established at 20 percent.

The major social security legislation enacted in October 1972, of the 92d Congress, H.R. 1, included an increase in the retirement test of social security recipients, another needed improvement in the social security law. Increased to \$2,100 from \$1,680 was the amount that a social security beneficiary under age 72 could earn and still receive full social security benefits. We were able to liberalize the retirement test even further in June 1973, by increasing the limit on other earnings before social security benefits are reduced to \$2,400 from \$2,100.

A major breakthrough in the passage of the legislation to increase social security benefits 20 percent—Public Law 92-336—was the provision in that legislation authorizing an automatic increase in social security benefits and taxable wage base whenever the cost of living rose more than 3 percent in any calendar year, beginning with calendar year 1975. But because the cost of living has risen so much this year, making it increasingly difficult for those dependent on social security benefits, particularly for those individuals whose sole source of income is the social security check they receive each month, the Congress felt that it was necessary to enact legislation that would, in effect, step up the effective date of the cost-of-living increment provided in Public Law 92-336. With the many, many letters I have received urging my support of this legislation, I did not feel that the Congress could abandon the needs of the elderly. One constituent writes:

I think the Social Security for the old should be increased. No more than they get they just about eat bread and beans.

This past June, we were able to pass legislation that did step up the effective date of the cost-of-living increase in benefits. Unfortunately, because of administration threats to veto the legislation as inflationary, we had to postpone the increase until July 1974. At that time, a 5.9 percent increase in benefits was to be advanced to social security recipients.

Later, however, the Senate went further by increasing social security benefits by 7 percent, as well as stepping up the effective date immediately upon enactment. Superseding this is the bill that has recently become public law in which we have been able to provide for an accumulative 11-percent increase for beneficiaries.

Unfortunately, again we had to delay the first part of the increase until March—reflected in the social security check beneficiaries received in early April. A 7-percent increase will be granted in March, with the additional 4 percent provided in June—the increase reflected in the check received early July—of that same year.

None of the advancements in the social security program has been easily accomplished in this Congress. In spite of inflation threats, the Congress felt that the elderly not only deserved special consideration but hardly contributed to the inflationary boom on the small social security benefits received. Rather, the huge foreign assistance and defense requests seem to contribute more to inflation than a relatively small increase in social security benefits for survival purposes. We cannot afford to neglect the needs of the elderly in this Nation. As another constituent aptly puts it when referring to social security:

I am in my "golden years," but feel they should be called the "trash pile years" because I am treated like a trash pile.

What a tragedy that any American should ever feel like that. We should resolve that we shall never permit that to happen.

STRONGER ENERGY DATA REPORTING AMENDMENT NEEDED TO FEDERAL ENERGY ADMINISTRATION ACT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. DINGELL. Mr. Speaker, I propose to offer an amendment to the bill, H.R. 11793, the legislation establishing the Federal Energy Administration, in order to make the reporting provisions of that bill conform exactly to the reporting provisions adopted on the floor of the House last month in connection with the Energy Emergency Act, provisions which were accepted by the House and Senate conferees.

The present reporting provisions in the bill, H.R. 11793, are an abomination, as noted by my colleagues on page 48 and 49 of House Report 93-748.

I will point out that hearings I held only a few days ago, in my Subcommittee on the Activities of Regulatory Agencies of the Select Small Business Committee, the Chairman of the Federal Power Commission endorsed by reporting amendment and Mr. Sawhill, Deputy Administrator of the Federal Energy Office, testified that he could find nothing substantively wrong with it. He certainly did not endorse the blanket confidentiality provisions contained within H.R. 11793, the effect of which is to deprive the Congress, the public, and most Federal agencies of needed energy data.

The confidentiality and reporting provision of H.R. 11793 can only be described as "the oil companies' dream."

Amendment to H.R. 11793 as reported on December 28, 1973:

1. (a) On page 34, line 22, strike "(c)" and insert therein "Sec. 16." (b) On page 35, strike all beginning on line 11 through the period on line 21.

2. Strike all beginning on line 7 of page 33 through the period on line 21 of page 34, and insert therein the following:

REPORTS ON NATIONAL ENERGY RESOURCES

"Sec. 15.(a) For the purpose of providing to the Administrator, Congress, the States, and the public, to the maximum extent possible, reliable data on reserves production, distribution, and use of petroleum products, natural gas, and coal, the Administrator shall promptly publish for public comment a regulation requiring that persons doing business in the United States who, on the effective date of this Act, are engaged in exploring, developing, processing, refining, or transporting by pipeline any petroleum product natural gas, or coal, shall provide detailed reports to the Administrator every sixty calendar days. Such reports shall show for the preceding sixty calendar days such person's (1) reserves of crude oil, natural gas, and coal; (2) production and destination of any petroleum product, natural gas, and coal; (3) refinery runs by product; and (4) other data required by the Administrator for such purpose. Such regulation shall also require that such persons provide to the Administrator such reports for the period from January 1, 1970, to the date of such person's first sixty-day report. Such regulation shall be promulgated thirty days after such publication. The Administrator shall publish quarterly in the Federal Register a meaningful summary analysis of the data provided by such reports.

"(b) The reporting requirements of this section shall not apply to the retail operations of persons required to file such reports. Where a person shows that all or part of the data required by this section is being reported by such person to another Federal agency, the Administrator may exempt such person from reporting all or part of such data directly to him, and upon such exemption, such agency shall, notwithstanding any other provision of law, provide such data to the Administrator. The district courts of the United States are authorized, upon application of the Administrator, to require enforcement of the reporting requirements of this section.

"(c) Upon a showing satisfactory to the Administrator by any person that any report or part thereof obtained under this section from such person or from a Federal agency would, if made public, divulge methods or processes entitled to protection as trade secrets or other proprietary information of such person, such report, or portion thereof, shall be confidential in accordance with the purposes of section 1905 of Title 18 of the United States Code, except that such report or part thereof shall not be deemed confidential for purposes of disclosure to (1) any delegate of the Federal Energy Administration for the purpose of carrying out this Act, (2) the Attorney General, the Secretary of the Interior, the Federal Power Commission, or the General Accounting Office when necessary to carry out those agencies' duties and responsibilities under this and other statutes, and (3) the Congress or any Committee of Congress upon request of the Chairman. The provisions of this section shall expire, as provided in section 19 of this Act."

IOWA FUTURES CONFERENCE

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. CULVER. Mr. Speaker, a very hopeful development which has occurred over the past year in my State of Iowa has been the launching of a citizens' effort on Iowa's future. I have long espoused such an approach, crystallizing around and looking toward a future con-

ference. Happily the Iowa Legislature saw merit in the idea and gave it authorization. Subsequently the Governor set it in motion by the appointment of a non-partisan task force headed by President Willard Boyd of the University of Iowa.

On January 13 the Governor's Conferences on Iowa in the Year 2000 were set in motion. Over a statewide network of TV stations an excellent hour-long special on Iowa's future, narrated by Harry Reasoner, was shown. In anticipation of this event, President Boyd on January 8 delivered an address before the joint service clubs in Iowa City.

Mr. Speaker, Dr. Boyd's remarks highlight the objectives of Iowa 2000 and convey the ways in which it is hoped to engage the energies and participation of Iowans as well as the broadest possible spectrum of private groups and organizations.

I consider this future program in Iowa one of the most heartening and promising initiatives which is pertinent also to other States and the Nation. I include President Boyd's address in the RECORD, as follows:

ADDRESS OF PRESIDENT WILLARD L. BOYD,
JANUARY 8, 1974

We leave the old year with a greater sense of failure than accomplishment, and we enter the new year more filled with apprehension than confidence. In a recent poll, a majority of Americans agreed that, "There is something deeply wrong in America." This attitude cuts across economic and regional lines. The major problems identified by those surveyed were economic problems and integrity in government. Forty-five percent of those responding also believed that the quality of life in the United States has deteriorated in the last ten years compared with thirty-five percent who feel it has improved. Nevertheless, the survey showed that citizens generally support the basic system of government in this country.

Unlike the past, we speak more today of failures than successes. It is not surprising, therefore, that MIT is now offering a course on failure as a dominating theme in society. That course attempts to explore the causes and effects of failure and considers ways to cope with failure. Like everything else, failure is complex and is often merely the prelude to success.

In 1974 we are all concerned about the future—the future of this community, this state, this country, and this planet. We must be concerned with both the short and long-term future. This point was recently stressed in a congressional hearing by John Culver when he said that the new mayor of New York City will have "little influence during the course of his entire term as to the shape and direction of life in that city because the major decisions have already been set in motion by actions taken by his predecessors."

It is not easy to take the long view of events which are immediate and close to us, especially those events which involve us personally and directly. One of the special difficulties faced nowadays is to reach the wisest possible long-range decisions within the pressure cooker of today's expediences. We sometimes overdramatize the present to the detriment of the future. Virtually all current problems are described as crises which must be resolved immediately. One cannot be as confident as one would like that contemporary solutions will stand the test of time.

In a period of cynicism in our society, two movements now exist for the rekindling of American values and goals. These are the observance of the national bicentennial in 1976 and the accelerating number of future conferences being held throughout the coun-

try. Next Sunday, January 13, 1974, in response to a request from the General Assembly, Governor Ray will launch the Governor's Conferences on Iowa in the Year 2000. On that evening the state's seventeen television channels and one in Omaha will carry a hour-long special program on Iowa's future, narrated by native son Harry Reasoner. You will be able to participate in that television program through a questionnaire which will appear in your Sunday newspaper. The television program is an invitation to you to consider your individual and our collective futures. Between now and July, there will be opportunities for organizational, community, regional and state discussions.

The subject matter of these discussions is often described as "futurism." Futurism is an attempt to look beyond the "here and now" to the "then and there" so that today's decisions will not limit tomorrow's opportunities. The objectives of these discussions are to create state-wide awareness of the factors and trends affecting the future of Iowa, to identify the major problems which Iowa will face in the near- and long-term future, and to suggest goals for Iowa and strategies for achieving goals. In pursuing these objectives, it is necessary to recognize that government is not the sole agency for change in Iowa. There must also be concern for the role of other institutions, organizations, and groups as well as for the role of individual citizens. The purpose of these discussions is to involve as many Iowans as possible in order to raise the "future" consciousness of more citizens. This is a less traditional approach than that of the "blue ribbon" committee. The outcome will be less specific, but more pervasive, since larger numbers of people will be involved.

And discussion of the future must of necessity be speculative. We are confronted with value issues as well as factual questions. Circumstances constantly change, and yet, as Thoreau said, "Go where we will, we will discover infinite changes in particulars only, not in generals."

In contemplating our future, we must be mindful of some generalities. First: No longer can we rely on "growth" as the means of solving all our problems and achieving all our objectives. This is certainly clear in education, and it is becoming equally clear in other areas. A stabilized situation is not necessarily bad, but it does require different approaches.

Second: Even though society and nature are never in perfect equilibrium, their interdependencies require that we look at them as a whole and not merely at their individual parts. We need to be generalists as well as specialists. Despite all our new knowledge and all the experts we have prepared, we have not yet solved the complex problems of society.

The sad truth of the knowledge explosion is that it has only taught us more about the individual parts of society and nature and has greatly obscured the total view.

Third: Since the end of the Second World War, the peoples of the world have been seeking to achieve the human rights enunciated by the leaders of the free world during that conflict. Our times have stressed individual rights in developed countries as well as developing countries. This concept of rights extends to civil, political, social, economic and cultural aspirations. This means that those who have not previously participated will participate in the future. There will be more points of view and aspirations to reckon with, and consensus will be more difficult to achieve.

Whatever view we may hold as individuals toward the issues of the time—war, environment, poverty, discrimination—all of us should recognize the great hope for the years ahead which lies in the very fact of spirited disagreement on these matters. For out of the disagreements will come new con-

sensuses. Consensus may come quickly on some issues; on other issues its arrival may be considerably delayed. But in the process of searching for new agreements, new patterns, new approaches to the solution of urgent problems of many kinds, the free society is strengthened and moved forward.

Although social strife can be discouraging, we should never forget that this same strife reflects the living spirit of our society. It is that spirit which is the basis for hope. We have it in abundance. Iowans, according to Meredith Willson's "Music Man" can "stand touching noses for a week at a time and never see eye to eye." How much better off we are than a society in which no one cares enough to differ—or a society in which no one dares to differ."

I have mentioned only a few of the generalities and none of the particularities facing us. Our present and our future are fraught with countless difficulties—but so was our past. Were conditions more settled and the future more predictable in 1776 than today? If it is possible for us to think backward as far as 1948, is it not also possible for us to think forward equally as far as 2000? The Bicentennial will celebrate the adoption of a revolutionary concept of government which was oriented toward the future and which has coped with all manner of problems in the past 200 years, emerging from each period of crisis to move on to more remarkable achievements.

I believe that the basic key to the solution of society's future problems lies in our broader acceptance of individual responsibility for what is to happen to our community, our state, our country, and our world. It is not enough that we simply express willingness to leave the decisions in the hands of those holding positions of special responsibility in the society. The individual, too, must be responsible, and must act in intelligent and persuasive ways as a part of every community to which he or she belongs.

We are human, and we have to learn to sharpen both our understanding of the human society and our determination to serve the causes which need to be served.

As individuals, each of us tends to employ a kind of double standard in judging our own behavior, by comparison with the behavior of other people. Usually the standard we apply to others is higher than the one by which we judge ourselves. "Do as I say, not as I do!" Somehow, we find it much easier to be objective about other people than to be similarly cool and detached in our self-appraisal of our own thoughts and actions.

To make the climate for community action even more difficult, a great many of us tend to approach our associates, and our institutions, from a viewpoint which is negative, rather than positive. Even though we may consider them good people and good institutions, we nevertheless shift the burden of proof of their goodness to them. We even take a kind of perverse satisfaction at any evidence of their flaws. (We ourselves, of course, do not have flaws!) Have you ever experienced a special kind of satisfaction in hearing or reading something derogatory about this or that person, or institution—the more important the person's responsibility, the more influential the institution, the better?

We might call this inclination "the scapegoat syndrome." In our unwillingness to blame ourselves for community shortcomings, we look to others as being really responsible—the mayor, the governor. We bear no part of the responsibility. It is the other person's fault—particularly if she or he holds a position of designated responsibility.

Inherently, who of us really wants to take responsibility? It is easier not to be involved. We really are not willing to live with the consequences of our acts. When others try to hold us separately accountable for the community's strength, how easy it is to try to shift the responsibility!

Of all the ages of history, this is a time to be affirmative. We will not advance society by being negative.

We cannot afford the negativism of doing nothing but criticize our leadership and pass the buck for our own personal inactivity.

Neither can we afford the negativism of disruption and violence. Our community boat may indeed be rocked by disillusionment and difficulties, but the answer is neither to abandon the boat nor to scuttle it!

Whatever the problems of today, or tomorrow, it is essential that we renew and strengthen the various institutions of American life which are vital to the steady advance of our society, especially the various institutions of local government and community concern. Each of us bears a clear-cut measure of responsibility for the new strength and renewed vitality of every such local institution.

Not only is it essential that this revitalization of our local institutions occur. How it occurs is also vital. In a democracy, the means are more important than the ends. Our goals change over time, but the process of realizing these goals remains the same. The purpose of the democratic process is to permit change so that direct action is not needed. Direct action is resorted to when the democratic process becomes clogged. Therefore, we must seek, not obstruct, solutions.

We must also maintain the delicate balance between individual and group. Modern technology has created group efficiency to threaten our quest for individual fulfillment. It is now possible for social planning to overwhelm the individual and the local group. To preserve individuality, we must have multiple approaches. Democracy is the most efficient form of government because it is designed to subject issues to constant and rigorous scrutiny, and it tolerates multiple approaches. Social and economic issues are infinitely more intricate than scientific issues. The former do not lend themselves easily to research. Social and economic solutions are infinite in number. Any given social or economic problem might be solved several ways. There is no single solution, no panacea. This is good, not bad. It eliminates the necessity for a monolithic system and allows us variety and diversity which encourages individual development. We need to accentuate pluralism.

You and the institutions you represent are essential ingredients of that pluralism and that democratic process. If we continue to centralize in the name of efficiency, we will dehumanize and stifle. However, if we decentralize imaginatively, we will humanize and stimulate.

I urge you to maintain and heighten your individual sense of the great things which can happen to your community and to your world. I urge you to repledge your personal share of commitment to the common cause of making them happen. I urge you to do so with confidence in the future, for as John Gardner has stated:

"Anyone who accomplishes anything of significance has more confidence than the facts would justify. It is something that outstanding executives have in common with gifted military commanders, brilliant political leaders, and great artists. It is true of societies as well as of individuals. Every great civilization has been characterized by confidence in itself."

WELDON LEROY MADDOX—MARYLAND VETERAN OF THE YEAR

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. BAUMAN. Mr. Speaker, those of us who have known him in public life

in Maryland are highly pleased to see the choice of Weldon Leroy Maddox as Maryland Veteran of the Year. Mr. Maddox, who has labored for the rights of veterans, deserves this recognition for his outstanding work in their behalf.

I include an article from the Stars and Stripes which details the distinguished career of this great American:

WELDON LEROY MADDOX NAMED "MARYLAND VETERAN OF THE YEAR"

Weldon Leroy Maddox has been named "Maryland Veteran of the Year" by the Joint Veterans Committee of Maryland which is composed of The American Legion, Catholic War Veterans, Disabled American Veterans, Jewish War Veterans, Marine Corps League, Veterans of World War I and Veterans of Foreign Wars of the United States, and with a combined membership of over 90,000 Maryland Veterans.

Mr. Maddox will receive the award at a banquet to be held on 21 February 1974 at the Blue Crest North, Pikesville. The award is presented yearly to the Maryland veteran who has contributed outstanding service to all veterans in Maryland during the past year. Mr. Maddox was born in Wimmers, Pennsylvania, and came to Maryland just prior to World War II. He has over 8 years active service in the United States Army, and has the unusual distinction of having been given three Army serial numbers, one for his enlisted service, one for his warrant service and one for his commissioned service. He served 2 years in the American Theater of Operations and 2 years in the China-Burma-India Theater of Operations during World War II. He served 17 months during the Korean conflict. He is presently a Lieutenant Colonel in the Judge Advocate General's Corps of the United States Army Reserve.

He is a member of Hamilton Post No. 20, The American Legion, Northfield-Loch Raven Memorial Post No. 9083, Veterans of Foreign Wars, China-Burma-India Veterans Association, Reserve Officers Associations, Y.M.C.A., and the Independent Order of Odd Fellows. He has served as Maryland State Commander, as National Council Member, and as National Judge Advocate General of the Veterans of Foreign Wars. He is the immediate Past Chairman of the Joint Veterans Committee of Maryland. He has been a member of the National Legislature Committee of the Veterans of Foreign Wars for the past few years and is presently serving as Legislative Director of the Joint Veterans Committee of Maryland and as Maryland Legislative Officer for the Veterans of Foreign Wars. The Maryland Veterans Cemetery Bill, the first such law adopted by any State, was passed by the General Assembly of Maryland during his term as Chairman of the Joint Veterans Committee of Maryland. He is a member of the following professional associations: American Bar Association, Maryland State Bar Association, Baltimore City Bar Association, Federal Bar Association, Association of Trial Lawyers of America, Maryland Trial Lawyer's Association, American Judicature Society, Maryland Criminal Defense Attorney's Association, Judge Advocate's Association, and Delta Theta Phi Law Fraternity. He has attended the following Universities: The University of Pennsylvania, Northwestern University, George Washington University, The Johns Hopkins University, University of Minnesota, Washington and Lee University and the University of Maryland. He holds the degree of Juris Doctor.

Mr. Maddox is a lawyer and practices in the firm of Maddox, Bartholomee and Farmer. He is authorized to practice before the Supreme Court of the U.S., the Court of Appeals of Maryland, the U.S. District Court for the District of Maryland, the Fourth U.S. Circuit Court of Appeals, and the Court of Military Appeals, as well as all Circuit and District Courts in Maryland. He has one

daughter and grandson who live in St. Petersburg, Florida. He resides in Sparks, with his wife and he is a member of Immanuel Episcopal Church in Glencoe.

After being named "Maryland Veteran of the Year," Mr. Maddox said:

"The veterans of this country are a special distinct and unique class of citizens. They all served their country in trying times and made great sacrifices, and some even made the supreme sacrifice, in order to preserve the American way of life. Maryland and the United States owe them all a great debt of gratitude. It is one of the primary functions of the Joint Veterans Committee of Maryland to insure that our State Legislature passes the necessary laws to aid and help our veterans, and particularly our disabled veterans and the widows and children of our deceased veterans, and to strengthen and preserve patriotism and love of country."

THE COMMONSENSE WAY TO MORE OIL

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. TEAGUE. Mr. Speaker, a lot has been said about the present energy crisis, some of it makes sense some does not. Two young men at Texas A. & M. University recently wrote an article for the Wall Street Journal that makes a lot of sense.

I recommend it to you, my fellow Members of Congress and the general public: [From the Wall Street Journal, Dec. 26, 1973]

THE COMMONSENSE WAY TO MORE OIL

(By W. Philip Gramm and Richard R. Davison)

In the great debate about how to stretch the nation's crucially short available supplies of petroleum products to meet current and expected demand, many people in influential positions are trying to straddle the issue. They are proposing rationing or high federal fuel taxes as a short-term policy and free markets as a long-term policy.

On the surface this blend of controls and freedom seems to make sense. The exact magnitude of today's petroleum shortage is unknown but the quantity of excess demand has been estimated in the range of 10% to 20%. Until the forces of the marketplace can once again achieve equilibrium, it is proposed that high fuel taxes would serve to trim some of the excessive demand and rationing would make sure that everyone gets his fair share of the available supplies of gasoline and fuel oil.

In fact, almost nothing could be quite as disastrous for everyone concerned. Rationing and taxing will cause output to fall and the shortage will get worse. The explanation is simple. If these programs are introduced as temporary measures, it's true they will serve to hold down the price of oil of domestic producers, but at the same time they will also serve to introduce the expectation of higher prices after controls end. The producer, therefore, will have an incentive to restrict current supply and to maintain his capacity to produce under more profitable conditions.

We need only look back to last summer when beef prices were frozen to see what will happen. Since oil can be held indefinitely, while cattle quickly pass their prime market period and eventually die of old age, we can

expect even more production holdovers in oil than we experienced in cattle.

Not only will rationing and taxing petroleum not eliminate the shortage, but under such programs the effective price of petroleum to the consumer will be higher than the price that would exist in a free market. There, as prices rise the quantity supplied would expand from both domestic production and increased importation; and the shortage would be partly eliminated by decreases in the quantity demanded and partly by increases in the quantity supplied. The taxing system, on the other hand, would produce no supply response and we would have to rely solely on decreases in the quantity demanded as the effective price rise—thus a higher price to the consumer than under a free market system.

Rationing, with a "white" market in coupons, though lowering the transaction costs that were incurred in the black market trading of World War II, will still produce a higher effective price to the consumer than the free market solution. The market price of ration tickets will be bid up to the point at which the ceiling price of gasoline, plus the price of the ration ticket are equal to the price at which the 10% to 20% of excess demand is choked off. But again there will be no stimulation of oil output, with the consequence that the effective price will rise above the level the free market would have produced.

THE ICEBERG IMAGE

What, then, could we expect of free market pricing by itself? Where would be additional supplies of oil come from if prices rise? Like an iceberg, 90% below the surface of the ocean, about 90% of the known oil in the U.S. is unrecoverable at present prices, existing in fields that are now considered largely depleted. But, as an iceberg floats higher when the sea becomes denser, so more oil reserves become available when the price rises.

To put this in perspective, in 1969, before the energy shortage developed and when there was little prospect of higher oil prices, cumulative production in the U.S. was 84 billion barrels, and recoverable reserves were about 31 billion barrels. (The Alaskan North Slope strike has increased this to about 39 billion barrels.) Yet there remained in these same reservoirs, in fairly well-defined locations and volumes, 285 billion barrels not recoverable at existing prices. The technology exists to recover much of this oil. Even now, over a fourth of the oil produced in this country comes from fields subject to artificial water floods, but even after successful water flood, about 50% of the original oil remains in place.

There are a large number of so-called "tertiary" recovery techniques that include steam and fire drives, dissolving the oil with miscible gases or liquids and methods employing detergents that literally wash the oil from the rock. The high temperature methods are particularly effective with highly viscous oils. There are estimates that up to 50 billion barrels of low gravity, viscous oil are recoverable by these methods. On the other hand, miscible fluid recovery techniques with higher gravity oils are capable of recovering as much as 90% of the oil in place.

While in time, more and more of this hidden part of the iceberg will become available as improved technology brings down the cost and risk, a few dollars per barrel of price increase would likely have the effect of tripling U.S. oil reserves. Just how fast this additional oil would become available as the price rises is impossible to answer with precision. However, between 1947 and 1972 the record indicates that every 1% increase in prices of refined petroleum products was on average associated with a 4% increase in the production of gasoline. This fact bears out

what the bureaucrats have been saying: Oil men are greedy. If you raise the rewards for production, they produce more to get it. If real prices fall, as they have under price ceilings, production falls off.

In a free market, all marginal or stripper wells that could produce profitably would soon be in operation. There are over 350,000 stripper wells in the U.S., producing 10 barrels per day or less and tens of thousands more shut down which could be made operational on short notice. Production from these wells could probably increase stripper production by 20% to 25%. Though some of these wells would require renovation, most could be on stream in six months to a year and could produce about 250,000 barrels per day. The even larger inputs from secondary and tertiary production and increased exploration would be felt more slowly. Within a 24-month time frame, new production approaching one million barrels per day might be expected and this source would gush forth in ever increasing quantities until stopped by declining prices.

The free market oil price in constant dollars would be below \$8 per barrel. At \$8, a vast amount of energy from other sources would cut deeply into the conventional oil market. Not only would coal and nuclear energy replace oil and gas for power generation, but gas from coal would supplement natural gas supplies; and methyl alcohol from coal could undersell gasoline. The U.S. has some of the best coal deposits in the world—at least 200 billion tons (equivalent to roughly 9000 billion barrels of oil and significantly in excess of world crude reserves). There are also huge reserves of shale and tar sands that could make a significant contribution at these prices, and even solar energy could make inroads into the space heating market in many localities.

Gaseous and liquid fuels from coal have a longer lag time than increased petroleum production, but the potential contribution is such that it places an absolute upper limit on ultimate fuel prices. For instance, methyl alcohol, produced from coal, can compete with gasoline at oil prices well below \$8 per barrel. Furthermore, methyl alcohol is over 100 octane, lead-free, much cleaner burning than gasoline, and, as a by-product, it could save billions in pollution abatement. With these many energy alternatives, given the opportunity, the free market system would provide adequate fuel for rapid economic expansion.

A RETURN TO NORMALCY

One of the loudest objections raised against a free market solution to the energy crisis is that the petroleum industry will make excessive profits if prices are allowed to rise. Since the crisis was, in large part, engendered by various government regulations that disrupted the workings of competitive markets and by price ceilings that caused the real price of petroleum and natural gas to fall and lowered the return on investment, rising profit margins represent not so much a windfall gain as a return to normalcy. These profits are necessary if we are to revitalize the exploration and production process in the energy industry.

U.S. production of crude oil and natural gas liquids this year has been running close to 11 million barrels a day, while the latest figure for imports is about 6 million barrels a day. Imports, not covered by price controls, are selling for about \$8 a barrel on average, although in extreme cases they have sold for twice that amount. Recently, new and stripper well production was freed from controls and is now selling for over \$6.75 a barrel. Last week in a commendable move the price ceiling on "old oil" from existing wells was raised \$1 a barrel, but this still leaves two

thirds of America's oil selling for \$5.25 or less and the other third ranging up to nearly \$8 a barrel. The stated objective of these pricing policies is to encourage the finding of new oil and the maintenance of production from marginal wells, but under such a system there is a clear incentive to cut the production of nonstrippers and wait for prices to rise when ceilings are removed. Such incentives explain why many wells have been capped under the present pricing system.

Without question, the government has held the price of oil and gas artificially low for many years. As a result, the return on invested capital in the petroleum industry has fallen from 9.4% in 1963 to 7.4% in 1972. Falling prices also have caused a drastic decline in drilling and hence curbed the growth of oil reserves. Twenty years ago, when crude production was only 60% of present production, there were about half again as many drilling rigs operating in the U.S. as there are now. But 20 years ago it cost less than half as much to find a dollar's worth of reserves as it did in 1972. Just from 1967 to 1972 the cost to drillers for oil field machinery, pipe and labor increased about 30% while the price of finished petroleum products rose less than 9%. This has caused a steady decline in the discovery ratio. At present, not including Alaska, we are depleting reserves about 20 times as fast as we are finding new oil.

In order to reverse this trend the oil companies must spend billions, but this they cannot do if their return on investment is less than the going interest rate. Under a free enterprise system the only way that the cash flow and incentives necessary for research and exploration can be provided is from profits. These profits cannot arise under the present system of controlled prices. The proposal that the government subsidize the oil industry for purposes of exploration and research will create a quasi-governmental cartel modeled on that paragon of efficiency—the U.S. Postal Service. It seems far better (and cheaper), therefore, to allow the oil companies to finance this exploration themselves through free competitive capital markets.

TREASURY CONTRADICTIONS

The new proposal to institute a progressive "windfall profits" tax on crude oil that sells for over \$4.25 a barrel will only lessen the profitability of marginal production, and short term output will increase by a smaller amount than it would be in the absence of such a tax. By extracting \$3 billion to \$5 billion a year from oil company revenues, such a tax will make it more difficult to plow back the \$200 billion necessary to maintain current production over the next 15 years or to get external financing for such a massive investment. Moreover, the Treasury's estimate that such a tax will not affect prices to consumers is based on the assumption that over the five year life span of the tax the quantity of oil supplied will be perfectly fixed, i.e. that no marginal production is possible. This flies in the face not only of every private estimate of the price responsiveness of crude oil supply but of previous estimates put out by the Treasury itself.

Somewhere along the line people have forgotten how the profit system works, that it is to each producer's self interest to expand output and thereby expand profits. As each producer does this, excess profits are competed away. Excess profits vanish when their work is done and output has increased.

It is plain common sense that if government regulation and price controls have helped to cause the energy crisis, they are not likely to solve it. When government intervention does not solve a problem, the bureaucrat never thinks to end controls. He cries for more controls. Those who have no knowledge of free enterprise stampede to give him more power. In such cases, our problem is not "energy crisis" but a "leadership crisis."

DR. BENJAMIN W. WATKINS: SUPPLEMENTARY SECURITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. RANGEL. Mr. Speaker, Dr. Ben Watkins, the major of Harlem, has written a two-part article on supplementary security, the new program which came into official existence on January 1. Dr. Watkins' article appeared in the *Amsterdam News* and are of interest to all citizens who may be affected by the new program. I am pleased to insert Dr. Watkins' articles in the *CONGRESSIONAL RECORD* at this time:

SUPPLEMENTARY SECURITY INCOMES EFFECTIVE JANUARY 1

(By Dr. Benjamin W. Watkins)

Do you, or any of your relatives fall into any of the following categories, (a) blind (b) disabled (c) elderly?

If you or they do, then brace yourself for utter chaos beginning January 1, 1974 for the new Supplemental Security Income system which will then take effect.

Hopefully this article will shed some light on how the new system will work, but since the legislators and others responsible for the program are themselves somewhat confused there is no real guarantee.

Nevertheless, the following is a presentation based on what we have been able to come up with.

For the first time in this country's history, the federal government, through this new system which we will refer to as "SSI," is attempting a federal takeover of our welfare problem. Whether it will do it successfully remains to be seen. We wish them luck in their endeavor.

MANY AFFECTED

For those who may not be aware of it, SSI is one of the biggest things to happen in a long time because nearly everyone knows someone who could be affected by it.

Before we get to the confusion and possible bad news about SSI, let's first touch on the following points:

Under SSI, requirements for payments will become substantially liberalized and most of the people already receiving relief will get more money. And many others, who never qualified for help before, will be eligible under the new regulations.

As an example, the new rules permit, say a couple in Bedford-Stuyvesant, to own an automobile, a house and some savings but remain eligible for a partial benefit and full medical coverage although their earnings from a job—not Social Security or pension—are as much as about \$8,000 per year. Less than half that much income is permitted if the source is Social Security, a pension or other retirement benefit.

MAJOR POINT

A major point of SSI is that the Social Security Administration will take over welfare in New York and New Jersey for recipients over age 65 and those listed as blind or disabled. Here are some other features of SSI:

Home Relief and aid to dependent children will not be affected since they are not in the same categories as the aged, blind or disabled. Generally, they would be affected only if a child is blind, retarded or otherwise disabled.

The elderly, blind and disabled in New York and New Jersey will receive only one check every month, and it will come from Social Security.

BIGGER CHECKS

Payments in New York and Connecticut, now made up of rent plus a subsistence allowance, will move toward the flat-grant system now in effect in New Jersey where all people in a welfare category get the same amount no matter the cost of their rent.

HOW SUPPLEMENTARY SECURITY AFFECTS YOU

The new system, SSI, is considered a blessing for some. For others, it's regarded as a rotten compromise from what was once called a super-liberal, super-great Family Assistance Plan. They cite these points as their major reservations:

Exclusion of many alcoholics and addicts from New York's disabled rolls.

Termination of the food stamp program. The impact in New York State of the new flat-grant system that will replace the state's flexible grants based on rent.

Failure by the Federal government to settle several key issues.

DEBATE GOING ON

At this writing, Congress is still debating the new program and additional, confusing changes could come any day making matters worse for those opposed to the new system and others affected by the many technicalities.

Whatever, it is reported that countless public and private agencies have launched a search for the millions of Americans who are eligible, but not registered for the new program. Throughout the country, about 3.3 million people—a sixth of the nation's poor—are welfare recipients, and of these 330,000 are in the tri-state area.

But, even with these enormous figures, millions more are probably eligible, but don't know it. Also, from what we understand, a significant number of those eligible are Black and Spanish-speaking, and few government agencies are attempting to inform our groups.

Our only comments are that the blind, aged or disabled groups should never have been a part of this scheme of things. The main point is that welfare recipients can return to a new life, whereas the aforementioned cannot.

NO WELFARE

Our other point is that we hope that there shall emerge a new militancy on the part of the community to buttress the many inequities of the new Supplemental Security System.

Finally, what SSI really means is that those who deserve assistance or extra cash will now get it. And it should not be construed by some as a form of welfare, but social security; something we all need.

THE MINIMUM: A NEW WAGE BILL

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ROUSH. Mr. Speaker, I wish to address myself to the importance of the early consideration and passage of the minimum wage bill. I hope to renew our active efforts on this legislation in the spirit of accommodation, fairness, and sound economic policy so that we can assure America's working poor of some hope of meeting the increased cost of living.

It is unrealistic to expect someone making the \$1.60 minimum passed in 1966 to be able to live on their income when we have experienced a 27-percent

increased cost of living since then. I had hoped to secure passage of the new minimum wage bill in the first session of the 93d Congress; however, the administration's opposition placed before us a vote to override the President's veto. We were unable to garner the votes to override and now the bill will be rewritten by the House Education and Labor Committee.

Passage of this bill is essential to move millions of workers out of poverty and off the welfare rolls. At present there are some 20 States where the cash payments for welfare are higher for a family of 4 than the yearly earnings of the family's breadwinner at the minimum wage level. By raising the minimum wage, therefore, we are able to make a direct assault on poverty and help to limit the welfare rolls. Is this not what we all want?

I do not agree with those who argued that an increase in the minimum wage would cause inflation or higher unemployment. We have had 35 years to find out if it does and there is no evidence to that effect. A number of prominent groups and individuals have concurred with this view including the U.S. Chamber of Commerce, former Secretary of Labor Hodgson in his 1971 report to the Congress on the effects of the successive increases in the minimum wage, and the President's own Cost of Living Council which determined that wages under \$2.20 an hour were not inflationary and therefore beyond their sphere of interest.

The charges that increases in the minimum wage rate create unemployment have been met by requirements made in 1955 causing the Secretary of Labor to make an annual appraisal of the economic effects of the legislation. Since that time, the Department has prepared reports on the effects of successive increases in the minimum wage. The recurring theme running through these reports prepared in all administrations, has been that the wages of workers at the lowest end of the wage scale have increased and there have been no adverse employment effects.

Moreover, the Congress retained the provision that was included last year which exempts from coverage those small businesses grossing under \$250,000 per year thus protecting their self-reliance and independence.

One of the critical provisions of the bill was the question of the youth subminimum wage which permits "part-time employment of students at wages below the regular minimum wage in any occupations other than those deemed particularly hazardous by the Secretary of Labor." Those supporting a broader subminimum wage for youth contended that it would help to solve the youth unemployment problem. I am equally concerned about the unemployment situation among our young. I believe that a better approach to the employment of youth would be to support youth-oriented programs such as the Neighborhood Youth Corps which is presently struggling to survive. An additional consideration is that if a youth subminimum were enacted it would open the door for children to be hired before their parents.

I believe that the above are compelling reasons to move ahead quickly and decisively on this legislation. I commend the committee on its past efforts and know that they will report a bill that will permit those Americans at the bottom of the economic ladder some chance to live with dignity.

CONGRESSWOMAN SULLIVAN ADDRESSES CONSUMER FEDERATION OF AMERICA ON CONSUMER CREDIT ISSUES

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mrs. SULLIVAN. Mr. Speaker, it was a pleasure and privilege for me to participate last Thursday at a forum devoted to consumer credit issues at the Eighth Annual Consumer Assembly of the Consumer Federation of America, held here in Washington at the Statler-Hilton Hotel. The Consumer Federation of America has been in the forefront of efforts to improve our consumer laws, and I have always appreciated the help given by this national organization representing State and local consumer groups.

I appeared on a panel which also included Senator WILLIAM PROXMIRE, of Wisconsin, and Mr. Neil Gendel, chairman of San Francisco Consumer Action. The chairman of the meeting was Mr. Peter D. Jacobson, of the Pittsburgh area's Alliance for Consumer Protection.

In my talk outlining the issues in consumer credit, I discussed the many areas which we have been covering in the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency in hearings on proposals to improve and expand the Truth in Lending Act and other titles of the Consumer Credit Protection Act of 1968, including creditor remedies, class action suits, billing practices, credit card fraud, coverage of agricultural credit, discrimination in extensions of credit involving sex or marital status, the Fair Credit Reporting Act, and related subjects, such as interest rates and the issue of regulation of settlement fees and closing costs on home purchases.

HOUSING SUBCOMMITTEE HEARINGS TOMORROW ON SETTLEMENT COSTS

The issue of closing costs disclosure and regulation is to be the subject of hearings tomorrow and Wednesday in the Subcommittee on Housing of the Committee on Banking and Currency on H.R. 12066, a bill which I introduced on December 20, 1973, revising and expanding proposals in this area which the Housing Subcommittee approved in the 1972 omnibus housing bill which did not become law in the 92d Congress. The Housing Subcommittee held 2 days of hearings on this subject last month, hearing mostly from groups in the real estate settlement industry; the hearings tomorrow and Wednesday will feature

consumer experts in this field. A fuller discussion of this broad subject than I could include in my consumer assembly speech of last Thursday was contained in the CONGRESSIONAL RECORD of Wednesday, December 26, 1973, beginning at page 43536.

TEXT OF SPEECH BEFORE CONSUMER ASSEMBLY

Mr. Speaker, the full text of my address to the Consumer Federation of America at the 1974 Consumer Assembly last Thursday is as follows:

THE ISSUES IN CONSUMER CREDIT

Address by Congresswoman LEONOR K. SULLIVAN (D. Mo.), Chairman, Subcommittee on Consumer Affairs, House Committee on Banking and Currency, at 8th Annual Consumer Assembly of Consumer Federation of America, Statler Hilton Hotel, Thursday morning, January 24, 1974

I am always pleased when I can participate in the annual Consumer Assembly of the Consumer Federation of America because I remember so well the circumstances surrounding the beginning of this organization, and the significant momentum it contributed from the very start to the achievement of some of the great consumer advances of the Johnson Administration under Esther Peterson and Betty Furness. That era was truly the high point so far of the consumer movement in the United States, built on the foundation of the John F. Kennedy Consumer Message to Congress of March 15, 1962, which was the Federal Government's Magna Charta of Consumerism.

If you go back and re-read the Kennedy Message of 1962, and the various Consumer Messages sent to Congress by President Lyndon Johnson, I think you would be surprised and gratified by the number of their recommendations which became law. They ranged from the remarkably simple solution to the terribly complex problem of utilizing the ultra high frequency range of television channels—by requiring that all television sets sold in this country contain the capability of receiving all UHF as well as VHF channels—to the enactment of Truth in Lending, Truth in Packaging, drug safety and drug effectiveness, wholesome meat and poultry, automobile safety, clean air and clean water and many, many other landmark consumer and industrial safety bills.

SIX BIG CONSUMER YEARS FOLLOWED BY SIX LEAN ONES

Six years of unprecedented and spectacular consumer legislative accomplishment between 1962 and 1968 have been followed by six years of dismal White House foot-dragging in the consumer field since 1968. But the momentum which was initiated in 1962 and heightened by the Consumer Assembly of 1966 and the organization of the Consumer Federation of America has not been allowed to die, despite the Nixon Administration's attitude.

One of the important pieces of unfinished consumer business of the Johnson years was the National Commission on Product Safety which completed its work midway through the first Nixon Administration and did such a good job that Congress was motivated into passing a far stronger Product Safety law than the Nixon Administration wanted. So it can be done, although the job is much more difficult when Administration leadership is lacking and Administration support is lukewarm or non-existent.

Senators Warren Magnuson and Frank Moss, and Congressman John Moss, backed up by Mike Pertshuk and Mike Lemov on the respective Senate and House Committee staffs who had worked on the National Commission on Product Safety—one as a member of the Commission and the other as chief counsel—

proved that effective consumer legislation could be enacted into law, even under the Nixon Administration.

ESTABLISHMENT OF NATIONAL COMMISSION ON CONSUMER FINANCE

There was another Commission authorized in the Johnson Administration years as a legacy of unfinished consumer business to be completed in the Nixon Administration, the National Commission on Consumer Finance. Unlike the Product Safety Commission, which was organized quickly and had continuity of membership from beginning to end, the Consumer Finance Commission was about 18 months late in getting started and had frequent changes in its membership during its three year existence.

This was one instance in which President Johnson let us down on a consumer matter. The law creating the Commission—the same law which contained the Truth in Lending Act—was enacted in May, 1968. Had Lyndon Johnson followed the urgings of those of us responsible for enacting the legislation, he would have appointed a consumer activist like former Senator Paul Douglas as its chairman and put the Commission to work promptly. Instead, due to a mix-up in the White House—which I guess they had in those days, too—the Commission could not be activated until well into the Nixon Administration. And under those circumstances, its make-up was not nearly as consumer-oriented as we had hoped to make it when we passed the law in the 90th Congress.

Nevertheless, the Commission established a basic outline for extensive revisions in the Federal and state laws dealing with consumer protection in the use of credit and while we disagreed among ourselves on specific details and—more fundamentally—on the philosophy running through the report that higher rates or no ceilings at all on consumer credit rates would be a good thing for consumers by allegedly enhancing competition in consumer lending, we did agree on the need to end a whole panoply of abuses which had grown up over the years in the methods used by creditors to compel replacement of credit without regard to consumer rights.

SPOTLIGHTING OF DISCRIMINATION IN EXTENSIONS OF CREDIT

This Commission also brought to national attention for the first time the flagrant discriminations against many credit-worthy women in seeking credit in their own names—particularly married, divorced and separated women. The attention given to this problem resulted in a complete about-face by many of the major creditors in this country, who were embarrassed by exposure of the stupid standards frequently followed by their credit managers in denying credit to qualified women for no other reason than the fact that they were women.

The Commission pointed to the fact that state laws dealing with husbands' rights in their wives' property and vice versa, along with other state laws, rightly or wrongly persuaded creditors to believe they assumed significant additional risks in lending money or extending credit to married women in their own names, and called for a prompt review and revision by all of the states of any laws on their books which had the effect of inhibiting the extension of credit to credit-worthy women.

Following the Commission's hearings on sex discrimination in 1972, nearly a score of states passed laws prohibiting discrimination in the extension of credit by reason of sex, or by reason of sex or marital status. But so far, many of those states have not taken the additional step of revising or repealing laws on husband-wife relationships which may restrict a creditor's ability to collect a debt contracted for by a married woman.

PROBLEMS OF DEALING WITH DISCRIMINATION

This is one of the major issues we are struggling to solve in the Subcommittee on Con-

sumer Affairs of the House Committee on Banking and Currency, so that any anti-discrimination legislation we may recommend is effective and enforceable—not merely a pious declaration of intent that creditors can generally ignore by citing the dilemma of legal liability for repayment. Some people suggest we solve the problem by pre-empting all state laws dealing with husband-wife relationships, including dower and curtesy, or the community property laws of Louisiana and several other states which give the husband complete control over the disposition of a wife's earnings. Others say just pass a law saying "don't discriminate" and then let it up to the courts to determine what that means. The Senate-passed bill dealing with this subject generally has that approach.

Whatever the answer might eventually be, it is my intention in handling this legislation to make sure that we know what we are doing when we do it, and make clear to both creditor and prospective debtor what their rights and obligations are. In the meantime, I am pleased—after having initiated the move in the National Commission on Consumer Finance in 1972 to study the question of discrimination—that many major creditors who were among the worst offenders in the field of sex discrimination have been revising the policies from top to bottom, and particularly at the level of consumer intervening, to provide credit-worthy women with full opportunity for whatever credit they wish to have and are in a position to repay.

This issue has captured most of the public attention on the consumer credit field in the past year or so, particularly among leaders of the women's rights movement, but it is one of many, many areas of consumer credit activity which need serious attention and legislative solutions. The Senate has combined its anti-discrimination bill with Senator Proxmire's proposed Fair Credit Billing Act, which would eliminate many of the consumer aggravations and frustrations growing out of computer error on monthly open-end credit bills, and also with a series of so-called technical amendments to the Truth in Lending Act vigorously being sought by the credit industry itself, particularly as regards liability for damages in class action suits and also as regards Federal responsibility for policing credit card thefts and fraud.

WEAKENING OF MAJOR ENFORCEMENT WEAPON

Thus, when some leaders of the women's movement call upon me to pass the Senate bill through my Subcommittee and the full Committee and get it through the House with little or no change because of what they hope it will do for women's access to credit, I am especially mindful of the warnings of the Federal Trade Commission, the Federal Reserve Board, and recognized consumer experts in the credit field that the Senate bill's class action provisions would destroy the most effective weapon we have in compelling compliance by major creditors with the Truth in Lending Act.

I am sure we can draft and put before the House a bill which will accomplish the goals of equal credit opportunity—not only for married and divorced and separated women who can establish credit worthiness but for all groups in the economy subject to credit discrimination by reason of race, color, religion, or ethnic derivation. The credit industry will not fight such legislation if it is carefully drawn, so we do not need to hand that industry a series of major giveaways under the Truth in Lending Act in order to win its agreement for anti-discrimination legislation. And the provisions of Senator Proxmire's proposed Fair Credit Billing Act have caused no despair among the credit-grantors affected.

OPPORTUNITY TO ROOT OUT MANY ABUSES

Hence, we have an opportunity here—one which comes at rare moments in the legislative process—to root out a whole pattern of

abuses which have been inherent in one-sided consumer credit contracts for generations, if we have the patience and skill to seize this opportunity and write the right kind of bill.

What I am talking about is one which meets the legitimate need of the industry for clarification of some of the language of the Truth in Lending Act after five years of operation—not a giveaway on class action liability nor an open invitation to devise methods of getting around Truth in Lending disclosure by getting a vague informal opinion from a government bureaucrat to justify retroactively some policy which the courts may hold illegal—but one which eliminates ambiguities in the law.

COVERAGE OF AGRICULTURAL CREDIT

Also, we should clarify the requirements of the agricultural credit provisions of the Act so that a rancher borrowing \$100,000 or more for the purchase of feeder cattle does not have to wait three days before he can obtain his money, merely because he has the right under the Truth in Lending Act now to back out of the deal within three days if his farm is made security to the debt.

The three-day waiting period was put into the law primarily to protect unwary consumers in fraudulent home-improvement deals, or phony door-to-door sales involving contracts in which the home owner unknowingly signs what amounts to a second mortgage. This kind of transaction has been virtually wiped out under Truth in Lending—one of its greatest achievements. But the problems the three-day rescission clause creates in agricultural lending situations have sometimes approach the ludicrous; as a result agricultural lenders and even some farmers are calling for repeal of any Truth in Lending coverage of agricultural credit transactions. On the other hand, spokesmen for the National Farmers Union, the National Farmers Organization, the National Rural Electric Cooperatives Association, and the Farmers Home Administration, have all indicated that they want continued coverage of agricultural credit under Truth in Lending and I think we can develop legislation which will meet this issue with fairness for both lender and borrower.

But if we are going to do a variety of things to make Truth in Lending compliance easier for the credit industry, we should, at the same time, take advantage of this great opportunity to strengthen consumer protections in the whole broad area of creditor remedies.

"HOLDER IN DUE COURSE" AND OTHER CREDITOR DEVICES

Hence, we should get rid of "holder-in-due-course"—the doctrine which holds that when you sign up for an installment contract, which is immediately farmed out to a finance company to whom you then owe the money, you must pay the finance company regardless of the original creditor's performance of his obligations under the contract.

In my state of Missouri, and in many other parts of the country where holder-in-due-course is protected by state law, dance studios and health clubs signed up thousands of consumers on long-term contracts before going bankrupt or out of business, and the debtors were required to pay even though the services for which they presumably were paying were not being provided. This is a vicious system which we didn't have the power to outlaw in 1968 when the Truth in Lending Act was being passed, although we did manage to include at that time a limited defense against holder-in-due-course in certain circumstances when one's home is made security to the debt.

If you go through Chapter 3 of the report of the National Commission on Consumer Finance, you will find a whole list of other abusive creditor remedies widely in effect in many or most states which victimize the consumer:

In the repossession and resale of automobiles;

In the use of confession of judgment notes which bind the consumer to waive his rights to defend against the debt regardless of the circumstances of the transaction;

In the unholty and abusive collection practices often used to harass not only the debtor but his employer and even his neighbors;

In the use of balloon payments on installment contracts promising deceptively easy monthly payments;

In the binding nature of many door-to-door sales contracts on which there should be a cancellation privilege within a reasonable time after restudy of the terms;

In the use of co-signer agreements in which the co-signer doesn't realize he is fully responsible for repayment even if the main debtor can himself repay but does not do so;

In the never-never land of the so-called Rule of 78 governing interest penalties for prepayment of installment contracts before they are due.

We should also get after such abuses as:

Forcing the consumer to defend his rights in a court far removed from his home;

Falling to serve him court papers advising him of a proposed default action—in New York they call it "sewer service".

Among other traditional practices the Commission deplored is:

Levying on household goods, clothing, tools and other property not involved in the original extension of credit;

Discharge from employment because of garnishments;

Garnishments which cause undue hardship even under the moderate limitations imposed by the Consumer Credit Protection Act of 1968;

Surviving aspects of the colonial practice of debtor's prison;

And the use of wage assignments as an attempt to get around the garnishment laws.

The Commission also recommended strict limitations on attorney's fees charged consumers in debt recovery proceedings, and of contracts which make the consumer liable for immediate payment of the entire amount of an installment debt if he is as little as one day late in making a monthly payment.

Another suggestion was to outlaw oral misrepresentation of the finance charge.

On the other hand, the Commission recommended numerous changes in the requirements of Truth in Lending ostensibly to simplify creditor compliance, or to make the advertising of credit terms less stringent, and there will be a fight in my Subcommittee, I am sure, to make sure the effectiveness of the law is not weakened as far as consumers are concerned.

DEBATE OVER INTEREST RATES

All of the worthwhile recommendations of the Commission insofar as consumer protections are concerned—and there were many such recommendations—should be incorporated into any bill we pass this year to amend the Consumer Credit Protection Act. In approving these recommendations, some Members of the Commission felt, I am sure, that these reforms should be accomplished under state law as part of a package, such as a revised Uniform Consumer Credit Code, which would also provide for lifting or removing the state ceilings on the rates of finance charges creditors can charge for consumer loans and credit sales. Others of us on the Commission disagreed completely on the rates proposals—in most states consumer credit rates are already very high and in some they are unconscionable. I do not believe we can solve this nation's usurious interest rate structure by raising consumer finance rates even higher.

This Administration has had more power to regulate interest rates than any President in our history. It has not used that power. It has allowed—and in fact encouraged—

interest rates to go to ridiculous levels, pricing most families out of the home buying market completely and making others pay exorbitant interest rates into the far future to obtain a home or condominium. That is where the real "credit crisis" is today—in the structure of interest rates.

THE CLOSING COSTS ISSUE

It is also in the area of settlement costs on homes, involving excessive charges for title searches and title insurance and surveys and hidden commissions and kickbacks and a whole ingrown system of making the home buyer pay through the nose for routine services surrounded by all kinds of real estate mysticism.

The Housing Subcommittee of the House Committee on Banking and Currency tried to solve this problem in late 1972 in the omnibus housing bill, but a massive lobbying effort by the real estate settlement industry to prevent any effective control over closing costs was successful in the full Committee. We are going to try again. Former Secretary of Housing George Romney was prepared to impose maximum ceilings on closing costs for all FHA and VA housing under a law we passed in 1970, but his successor opposes this approach and has failed to issue the regulations. The 1970 law, therefore, to use a White House euphemism, is "inoperative." The real estate settlement lobby is trying to kill that 1970 law as well as prevent passage of any similar law dealing with conventional mortgages.

NEED TO IMPROVE FAIR CREDIT REPORTING ACT

Another area I feel we must cover in any forthcoming revision of the Consumer Credit Protection Act is Title VI, known as the Fair Credit Reporting Act. This legislation was enacted in 1970 and many of us knew when we passed it that it was inadequate. As Senator Proxmire knows, a majority of the House Conferees was committed to a stronger bill, as he was, but unfortunately a majority of his colleagues among the Senate Conferees was not. Consequently, instead of being the "Good Name" Protection Act we tried to make it, it suffers from great gaps in enforceability.

The Federal Trade Commission has documented the serious problems it has encountered under the law in making sure that consumers can learn the details of the personal and often intimate data circulated about them by credit bureaus and similar data gatherers—information which is often erroneous, and even malicious, which can cause irreparable harm to the individual unfairly stigmatized. There must be a clear right extended to consumers to see their files—to see what is actually contained in them rather than be given only an oral summary which may or may not be complete.

There must be improved mechanisms for compelling correction of errors and reinvestigation and elimination of unprovable charges and accusations. There must be stronger powers of enforcement. The consumers should no longer be the target of character assassins hiding behind the anonymity of credit bureau files.

We made a start in solving this problem three years ago but it was only a start. If you are turned down for credit, insurance, or employment because of credit bureau information, you should be able to find out all of the information the credit bureau has supplied, and be able to take the necessary steps to clear your name. As we approach the so-called "checkless, cashless society" in which credit cards play an increasing role, the importance of safeguarding one's credit reputation becomes daily more urgent.

CONSUMERS MUST SPEAK UP ON ISSUES

So I urge you today not only to learn about these issues while you are here to act on them but when you return to your homes. You must speak up to your own Senators and

Representatives. The women interested in anti-discrimination legislation involving sex or marital status are doing a bang-up job of getting their views across to Members of Congress and I am sure we could pass any bill—good, bad, or indifferent—based on this issue alone because the public is being heard from. Many Members of the House have joined in sponsoring bills aimed at sex discrimination regardless of anything else in the bills—bills which in some instances are outright credit industry bills except for this one area. Some darn good consumer Congressmen are among co-sponsors of such measures. All they appear to have noticed in them is that they prohibit sex discrimination, and sex discrimination is something constituents are complaining about.

It is up to those of us who have responsibility for consumer legislation to make sure the Congress is not stampeded into passing two or three bad provisions for every good one we pass, but we need your help in getting the word back to our colleagues in the House that you don't want to have the effectiveness of Truth in Lending undermined. We have, as I said, a golden opportunity to expand the Consumer Credit Protection Act into a Federal code of good credit practice in all areas of credit. Let's not lose this opportunity.

WHEN THE CONSUMER'S VOICE WAS NOT HEARD

Nine months ago, in April of 1973, when the economy was already well on its way to the worst inflation since the end of World War II, we brought before the House a strong bill to roll back prices, interest rates and rents to the levels of January 11, 1973, when the disastrous Phase III was instituted. We took a horrible licking in that fight. A Republican substitute was adopted on the House floor which did nothing to stop or roll back prices and interest rates and rents, and did not even contain authority to allocate increasingly scarce petroleum supplies. But that defeat was predictable because all of the mail, or most of the mail and telegrams coming into Congressional offices, was from those who apparently believed they would benefit financially from ineffective price controls, not realizing that higher prices and interest rates would also lead to alarmingly higher costs of doing business. And while some consumers were organizing meat boycotts and rent protests and complaining to each other, most people weren't watching very carefully what their congressmen were doing on these issues in Washington, or the consumer disaster of April 16, 1973, never would have occurred on the House Floor.

So it's really up to the public generally to make their voices heard in the Congress. You would truly be surprised how carefully most Members of Congress read the mail which comes to them from their own constituents. They don't pay much attention to letters from outside their own districts, but they certainly notice when protests come in from the people they are going to ask to vote for them. And, as you may have heard, this is an election year for every seat in the House of Representatives.

METRICATION: WHEN?

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. McCLORY. Mr. Speaker, as time goes on, it appears that the United States may soon become the only country in the world not having converted to the metric system of weights and measures. Just

recently, the Chicago Tribune—January 16, 1974—reported that Malaysia is going metric and that it aims to achieve complete conversion by 1982. While the katis, chupaks, paus, and gantangs are slowly losing their importance as units of measure and exchange in Malaysia, I hope that inches and pounds do not become obsolete in the rest of the world as we become further isolated as a trading nation. I am hopeful that we can make the metric changeover before that time arrives.

Mr. Speaker, if this Nation wants to maintain a competitive trade posture in the world, we should move rapidly toward converting to metric measure. With our oil imports alone greatly increasing in price, there has never been a time in our history when it has been more imperative to increase our world trade volume. Metric conversion can help keep this Nation's trade balance in the black.

Mr. Speaker, legislation establishing a metric conversion program is pending before the House Rules Committee. In spite of other burdens placed upon our time and energy, we must bring this legislation to the floor of the House at this session. I call upon my colleagues to support this action.

Mr. Speaker, in the January issue of *Air Line Pilot*, the magazine of professional flight crews, there appeared an interesting article by Grover Heiman entitled "Metrication: When?" While this article views the metric conversion problem in the perspective of a particular segment of the airline industry, it is of a sufficiently general nature to be worthwhile and informative reading for a broad cross section of our citizens. Mr. Heiman shows that our country is slowly but steadily going metric. The question is simply whether we should encourage a planned and coordinated national changeover program—or not.

It is becoming obvious to many people in and out of government that the Congress is not providing the leadership and guidance of a change going on in our society. On the contrary, we are lagging behind—apparently hoping that change will take place spontaneously without the need for becoming involved. It would seem to be time to discard this kind of "wishful thinking." Let us get the metric conversion bill (H.R. 11035) out of the Rules Committee—and on the floor of the House.

Mr. Speaker, the following is the text of the article by Mr. Grover Heiman:

METRICATION: WHEN?

(By Grover Heiman)

What is this country's longest nonstop argument?

A leading candidate is the controversy over whether or not the U.S. should adopt the metric system of weights and measures to match its decimal money system. This argument has been going on ever since the republic was founded. It isn't settled, but may be this year if the Congress is willing to act on several bills it has been sitting on.

If the U.S. finally joins the rest of the world and converts to a simplified metric system called the International System of Units—SI for short—it will affect every aspect of American life, including aviation, in some way.

For the average person it will mean using

meters instead of yards, kilograms in place of pounds, liters will replace gallons and temperature will be measured on the Centigrade scale. With the exception of electrical measurement standards and the use of nautical miles in navigation, most of our customary ways of measuring would change over the years.

Football undoubtedly would still be played on a 100-yard field, horses would likely still be measured in hands and for generations people will, out of habit, say such things as "a miss is as good as a mile" and "an ounce of prevention."

Bills were introduced in both houses of Congress last year that would place an official stamp of government approval on a voluntary conversion program over a 10-year period. A voluntary program would sanction a "soft conversion," which means retaining present sizes and expressing them in metric units. A "hard conversion" would mean changing over at some fixed date to standard metric sizes.

Because of the astronomical costs involved—new machinery and maintaining separate inventories of parts—a hard conversion isn't about to happen.

To organize a soft conversion a 25-member National Metric Conversion Board is proposed. It would be required to develop a plan within a year of the enactment of a bill. Should Congress pass a bill, and the President sign it sometime this spring as proponents hope, we would be underway in 1975 and have the job done by 1985, assuming a 10-year program. It could be longer. Japan took 30 years.

The basic purpose of the metric bills in Congress is to launch a program and draft a blueprint. Americans will have a freedom of choice. Most likely much of the leadership and coordination will come from such private organizations as the newly formed American National Metric Council, which has offices on the fifth floor of ALPA's Washington Office.

Presently under the auspices of the American National Standards Institute, the new council is certain to make the ALPA Building a focal point of national and international attention, and quite possibly a symbol of frustration for some segments of the American scene, depending on involvement. In varying degrees, a changeover will produce some trauma.

For airline pilots it could mean changes in their professional as well as their personal life. Not generally recognized by the public is the fact that Americans in the business of flight operations, especially international, have been involved with the problems and controversy of metric vs. the English measuring system for 80 years.

Now the entire nation is about to because at this stage the United States is the only major nation in the world that hasn't adopted, is in the process, or is planning to convert to the metric system of measurement. Standing with us against the world in using the English system are such titans as Trinidad, Ghana, Muscat, Oman, Sierra Leone, Tonga, Gambia, Burma, Barbados, Jamaica, Liberia, Nauru and Southern Yemen.

In World War One the U.S. Army had to use metric units to fight alongside our Allies and this gave impetus to metrication in the 1920s, but business and industry vigorously opposed plans to adopt the metric system in the U.S. For one thing it was thought to be very expensive. Also, since the U.S. made the best widgets, if anyone else wanted a widget he could take it or leave it. It was a supply-and-demand situation where the suppliers played the tune, not unlike the Arabs and oil today.

Now, however, many nations make equally good widgets and more and more of them are getting into the market. If their widgets are price competitive, of equal quality, and the seller offers juicy credit arrangements, it's

only logical that a buyer who is on the metric system will prefer buying a widget made with metric dimensions, fasteners, etc.

In a half century, business—essentially manufacturing—has generally reversed its position. With few exceptions (iron and steel), American industry favors a voluntary conversion to the metric system for a variety of reasons. One is the dramatic change in availability of raw materials. We now import vast amounts with which to fuel our economy. To pay for those raw materials, we must export.

Small businessmen aren't enthusiastic, and understandably, since they produce primarily for the domestic market. They fear the cost of changeover to new machinery. Service industries see added costs too, but like automobile mechanics faced with 25% of autos on the road of foreign manufacture, they've had to accommodate to survive.

Labor? It depends on the industry. The general concern of the AFL-CIO has been regarding subsidies for workers who must provide their own tools, retraining of older workers and possible job less and attendant economic and social problems. Accordingly, the AFL-CIO Council has urged the matter receive further study.

Tom Hannigan, assistant to the international secretary, International Brotherhood of Electrical Workers, said last October at a Metric Conference held in New York:

"We feel conversion to the metric system would accelerate the undesirable trend towards greater economic concentration . . . labor is afraid that many jobs will be lost as a result of increased import due to conversion."

Union members who work in supporting industries, however, see the inevitability of metrification if they are going to keep their jobs. Aerospace is a typical example.

Karl G. Harr, president of the Aerospace Industries Association of America Inc., the business spokesman, has testified before congressional committees that his industry, which has made 80% of the world's commercial aircraft, "supports a voluntary, planned program for the customary units now in general use in order to make the metric system the predominate but not exclusive system of measurement in the United States."

Unquestionably, a changeover to metrics will cause unique problems for certain professions and the airline pilot is no exception. In fact, he's been in a unique position in this regard since 1944.

Historically, the English vs. metric units of measure controversy has been going on since the earliest days of aviation, starting with the Montgolfier balloons. Until intercontinental flights became commonplace, airmen lived with their own system quite satisfactorily, changing over temporarily as the situation demanded, such as setting new world records.

Then in November 1944, the first international Civil Aviation Conference was held in Chicago. This was the foundation of ICAO, which became an arm of the United Nations in 1946. At that first meeting it was generally agreed the policy would be to adopt a single uniform system of measurements for air operations.

On Dec. 11, 1951, however, ICAO adopted two tables of measurements. An all metric one was designated "ICAO" and a modified one, "Blue." The Blue table was to be "interim" and differed only on a few dimensional elements—it specified altitude, elevation, heights and vertical speed in feet and feet per second. In the ICAO table these elements were in meters and meters per second.

To ease the transition, the ICAO rules allowed, and still do, for nations to file exceptions, which permits them to use different units. The U.S., for example, modifies the Blue table, to report short distances in

feet instead of meters; visibility in statute miles; altimeter settings in inches of mercury, rather than millibars; ground temperature in degrees Fahrenheit; weight in pounds, instead of kilograms, and modifies the 24-hour clock so that time may be given in local time.

A notable place where the U.S. didn't object was in the use of nautical miles for distance and knots for horizontal speed. This led to the changing of airspeed meters to readouts in knots, which met stiff resistance from some pilots. It's not likely to change again: Those are SI units.

Through the years there has been a desire in ICAO circles to set a time limit of 10 years to eliminate the Blue table and for all nations to adopt the ICAO table.

Strong opposition has come from the users, who are vitally concerned with the technical and operational aspects that might affect the safety of air traffic.

The fact that the U.S. is the airline leader and aircraft supplier to the world became evident in the 1960s. By the end of that decade, 57 nations were using feet and feet per minute and 29 were using metric. Between 1960 and 1964, there were 13 nations that changed from the ICAO table to the Blue table.

In May 1970, there were 86 nations using the Blue table, 38 were following the ICAO and four were using a combination of the two.

FAA a few years ago saw a pronounced trend towards adoption of the Blue table, however, events in recent years could change this trend. With Great Britain now in the process of metrication and other commonwealths, such as Australia following, and Canada on the brink, the day can certainly come when the other ICAO member nations will insist that the dimensional elements in air transportation be metric.

This problem was touched upon by the FAA in its participation in the U.S. Metric Study authorized by Congress in 1968 and completed and forwarded to Capitol Hill in August 1971 by the secretary of commerce. FAA expressed the view that a 15-year conversion span was more desirable than the proposed 10 years.

The Air Line Pilots Association was invited to participate in the study and W. B. Cotton, a United pilot, ably represented ALPA. His paper addressed the problem from the pilots' viewpoint, however, it was presented to the Labor group rather than to the Transportation panel. Fortunately, the National Bureau of Standards officials who compiled the reports summarized Cotton's paper under Transportation.

Cotton wasn't the voice of doom, but he spelled out the factors involved in clear fashion. Airline pilots weren't concerned about buying new tools, but with human life. ALPA's representative obviously had given much more thought to the problem than government agencies.

In addition to the changes that would affect air-ground reporting of position, etc., Cotton discussed the impact on aircraft systems measurements, such as quantities of fuel, oil, hydraulic fluid and water; operating pressure of fuel, oil, oxygen and hydraulic systems, and aircraft weight and runway-length requirements.

"The limitations on these systems as well as performance calculations would have to be relearned," he said.

Highlighted also were changes to numerous aeronautical navigation charts, flight handbooks and manuals pertaining to the operation of the aircraft. The airman's hand tools—computers, plotters, etc.—wouldn't change.

He stressed repeatedly the retraining problem and the problems that would occur if an instantaneous change was forced on the flight deck.

And air safety: "It is possible and even

probable that the transition could be dangerous if not spread out over a sufficient period of time."

Thus far ICAO has proceeded slowly, notably the Air Navigation Commission, which regularly cautions its study groups on the importance of air safety and cost considerations when proposing changes in operational procedures.

Still, there is nationalism. In the past, for example, a French-African bloc, led by France, and a Latin-American group of 18 states led by Argentina have plumped for metric measurements and the U.S. bloc found itself consistently outvoted on many issues.

Now the situation in ICAO is static, but should the U.S. adopt a voluntary metric conversion program this might just have a domino effect on ICAO. With a metricized world on the ground there will be a strong push for international use of metric units for international flight operations.

The USSR and Brazil today are completely metric. So is Red China, but the ten 707s the Peoples Republic started taking delivery on last fall are fitted with English system instruments. And four of these aircraft will be equipped with a Litton inertial navigation system. That indicates they will probably follow the Blue table in international operations, but nothing, as usual, is sure.

What does appear sure is that the airline pilot will have a heavy stake in the outcome of metrication, both in the air and on the ground.

Aside from that, how will a changeover to the metric system affect his personal life and any outside business interests?

The fact of the matter is, things have been changing all along, even before most of us were born. For example, Tom Edison, seeing the world-wide potential for his movie camera, adopted a metric film width—35 mm.

Since then there have been others. The pharmaceutical industry is fully metricized. The Army and the Air Force use metric units to indicate bore. The Navy has stuck with inches for its large naval cannons, yet it also uses metric units.

Camera lens focal lengths are commonly given in metric units now. Spark plugs are metric and new automobile speedometers are including a kilometer scale. Cadillac this year describes its engine as "8.2 litre," obviously choosing the French spelling for snob appeal.

Items produced and packaged for domestic and foreign sale are increasingly showing a soft conversion scale, such as "pounds/kilograms." More can be expected in many facets of American life as the world settles down to a common system of measurement.

Clearly one of the problems with converting people from one measuring system to another is a very basic human trait—resistance to change.

In a hearing on metric bills conducted in March 1973 by a subcommittee of the House Committee on Science and Astronautics, Representative J. J. Pickle (D-Tex) noted that "probably the biggest problem we have is simply admitting that we ought to change or that we could change and not be just fearful of even discussing it."

"I couldn't help but recall," he said to a witness, "the story that was attributed to one of our earlier governors of the state, when there were so many Mexican children, they suggested textbooks ought to be printed in Spanish. He said no, he would be against that. He said if the English language was good enough for Jesus Christ it was good enough for him."

As a nation we've been thinking of going metric a long time, and resisting. Even today, as in the past, there are some who are against the metric system because it's "un-American."

The Constitution that was ratified by the original 13 states gave Congress the power "to coin money, regulate the value thereof,

and of foreign coins, and fix the standards of weights and measures." (Italics supplied.)

In his first message to Congress in 1790, President Washington reminded that it was time to establish a system of weights and measures. A man for all seasons—Secretary of State Thomas Jefferson—was given the task of coming up with a plan.

While in France during the American Revolution, Jefferson became interested in the decimal system and it was this influence that led to the adoption by the U.S. of the world's first decimal monetary system.

Jefferson subsequently proposed a new system of measurements based on the length of the swing of a pendulum, expressed in decimals. Congress agreed to study the proposed system and has been, off and on, studying it ever since.

At the same time—1790—the French Academy of Sciences was looking for a fundamental unit of measure. Out of this quest came the "meter"—one ten-millionth of the distance from the Equator to the Pole.

To determine this length, the French undertook to survey the distance between Dunkirk and Barcelona, Spain, both of which were on the same meridian. The job took seven years to complete, complicated by the Reign of Terror in Europe produced by the French Revolution. From this single length standard all other weights and measures were to be derived, expressed in the decimal system.

In 1799, a meter bar and kilogram weight were constructed of platinum and deposited in the Archives of the French Republic. Iron copies were reproduced for distribution. One set found its way to the United States in 1805, the personal property of Ferdinand R. Hassler, a Swiss immigrant highly trained in mathematics, who later became our first superintendent of weights and measures.

Discussions of conversion to the metric system popped up through the years and finally in 1866 the Congress, authorized permissive and legal use of the metric system. Then in 1869, France proposed to construct new metric standards and the U.S. sent a delegation. On May 20, 1875, the U.S. signed the Treaty of the Meter that established the International Bureau of Weights and Measures, which was to be located in a small palace at Sevres, France, near Paris. The world's master metric units were to be fabricated and stored in a palace vault and copies made for the 17 member nations.

In 1890, Meter No. 27 and Kilogram No. 20 arrived in the U.S. and the next year Meter No. 2 and Kilogram No. 4. By an order of the secretary of the treasury in 1893, Meter No. 27 and Kilogram No. 20 were formally recognized as the basis for deriving the "customary units of the yard and the pound" in the U.S.

So, to the surprise of many opponents of the current efforts for the nation to "go metric", we've been metric of sorts for over 80 years: Our yards, pounds, etc., have been derived from the metric units held by the National Bureau of Standards in Gaithersburg, Md., just a few miles north of Washington.

Still, when you say "metric," the average citizen is on the defensive.

Odds are the nation won't come unglued with metrication. The British will have completed the job next year and that doughty island hasn't slipped under the waves. Actually that nation really took a plunge because it decimalized its monetary system at the same time.

Can we expect the same thing to happen in this country as happened in England? The 10-year British operation was voluntary, as ours will be, and relies heavily on education. Lord Ritchie-Calder, former chairman of the British Metrication Board, was fond of saying: "I was not there to suppress the pint but to liberate the liter."

Metrication will certainly liberate some Americans. Tests have shown that the vast majority of Americans don't understand the

current English (customary) system now. So there won't be an unlearning process for most, but simply a process of learning a full system for the first time.

Sure there will be problems initially, such as for the housewife in the kitchen. But the truth is that most cooks can't readily ascertain a teaspoon amount from a tablespoon and would be lost without a measuring cup. Few have scales that weigh in ounces and pounds. They basically rely on instinct, experience and reading the labels. Even that is passe now with prepackaged baking goods. A temperature conversion scale tacked on the kitchen bulleting board will help the family chef set the knobs correctly on the oven dials.

How about buying clothing? It will be much simpler and more precise with regard to sizes. Here again a simple conversion chart will solve the problem.

The family auto? It doesn't really matter if that pump meters gasoline through by the gallon or liter. The fuel gauges have long since stopped indicating contents by gallons. There's no reason why they can't go on showing $\frac{1}{4}$, $\frac{1}{2}$ and $\frac{3}{4}$ increments.

Speed? Unfortunately in this energy crisis we're missing an opportunity by not converting immediately to kilometers. For decades we've been hung up on "60 miles per hour." In the early days you were pounding on the outer reaches of automotive technology when your vehicle could reach a-mile-a-minute speed. That number of miles per hour has since become a sort of a national cruising speed.

So when the President late in November announced the need for a 50 MPH speed limit and had we been converting to metrics, he could have decreed an 80 kilometer per hour limit. With signs reading "80" Americans would have thought they were going faster, but, in reality, slower. So our speed fetish would have been fed and the energy crisis eased at the same time.

In any event expect to see road signs appearing in both customary and metric unit. It's already happening in Ohio.

Time? Isn't it time the rest of the populace got on the 24-hour clock too? Airline pilots have been on it for years.

Education—for the adults—and for the young will be a vital part of the transition. At least one state, California, is already teaching the metric system to its students. But U.S. universities have been doing it as a matter of course in scientific fields for many years. So have schools teaching electronics—our electrical units have been metric since 1894. Pilots are accustomed to setting radio frequencies by kilo- and megaHertz metric units. Unconsciously so have other Americans when they tune in an AM or FM broadcasting station. We've learned to adjust to metric units in sports because of the Olympics and other international meets.

A number of U.S. manufacturers have gone metric, such as Caterpillar, International Harvester, IBM, Honeywell and John Deere, are committed. U.S. auto firms are converting on some models—many parts of the Pinto and Vega are already metric. Sears, Roebuck carries metric tools in stock.

How much will it cost? No one really knows. U.S. business estimates that converting to metric will increase our exports on the order of \$600-million annually. The estimates on the cost to consumers in this country are foggy, ranging from \$60 billion to \$100 billion, depending on the point of view. One estimate is that it would add \$15 to the cost of a new automobile.

Who will pay this cost, whatever it is? Possibly a government subsidy, but business opposes this, preferring to do as the British have done and "let the costs fall where they may." Except for a possible subsidy for tools that a worker has to purchase personally, that's most likely the way the cost of conversion will be handled.

One thing appears conclusive: Metrication is coming. To borrow from a TV commercial, the world seems to be chortling: "We gotcha!"

Dr. Richard W. Roberts, director of the National Bureau of Standards, says: "It is the steadily increasing use of the metric system by our manufacturing industry that makes necessary the enactment of legislation that will insure that the increasing metric use will be as easy as possible and also beneficial as possible for the whole country."

It's incorrect to say that we are at a crossroad. We aren't because that would indicate we have a choice in directions.

It's more like sweeping onto a freeway from an access road and the task is to mesh in quickly with the heavy traffic and go in the same direction.

FARMER STATE CHIEF CITES ENERGY VIEWS

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. MILFORD. Mr. Speaker, recently I had called to my attention an article which appeared in the December 30, 1973, edition of the Fort Lauderdale, Fla., News. The story is the result of an interview with Mr. Edward Weidenfeld.

Unfortunately, I was not a member of this body when Mr. Weidenfeld so capably headed the special staff when the Committee on Interior and Insular Affairs held the first congressional hearings ever on the overall national energy situation in 1971 and 1972. But I will tell you that the report which was issued after those hearings is an important reference book in our office.

In this interview, Mr. Weidenfeld makes a point which I believe is of interest to all of us here. I cannot endorse his opinion that the Arab oil embargo has pushed the United States toward an eventual reshuffling of energy sources and uses, because Congress does not have enough facts before it yet.

But I do believe, Mr. Weidenfeld's remarks on the subject are worth our attention. I include this article in the Record at this point:

OIL CUTOFF "BEST THING" FOR UNITED STATES
(By Barbara Greenberg)

Despite threats of gasoline rationing and other proposed or real changes in American life-styles, the man who organized the House hearings on energy says the Arab oil embargo is "the best thing to happen to this country."

The embargo, which precipitated the U.S. energy crisis, "couldn't have come at a better time," according to Edward Weidenfeld, now an energy lawyer in Washington, D.C.

"It woke us up. If it hadn't happened now, we would have gone along in the status quo and been hit a few years with a very sudden crisis and economic disaster."

"This way, at least, we have some lead time to conserve, plan and get used to living differently."

Living differently will mean fewer luxuries, higher prices, higher unemployment and fewer vacations, according to Weidenfeld.

It's the vacation part that could affect South Florida most. Weidenfeld, who was on vacation in Pompano Beach last week, praised Gov. Reubin Askew for his efforts to keep the tourist industry from faltering.

"Askew has been very visible in Washington," Weidenfeld said.

Other Broward officials are worried about the effect of the fuel shortage on tourism, too.

Last week, County Commission Chairman Jack Moss asked residents to cut back on gasoline use so there will be enough fuel for visitors. A reduction in tourists could put numerous Broward people out of work, Moss feared, and seriously hurt the county's economy. Nearly \$600 million of tourist money comes into Broward annually, according to Moss.

Weidenfeld said the energy crunch has been long in coming, and he criticized the Nixon administration for not doing something about it sooner.

Even when he put together dozens of witnesses for the House Interior Committee and even when divergent witnesses concurred that an energy crisis was inevitable unless renewal sources of energy were sought, the administration remained deaf, Weidenfeld said.

As general counsel to the House, Weidenfeld also studied the rates of petroleum production and consumption. Two years ago, he said the American economy was overly dependent on hydrocarbons (oil, coal and wood). He predicted that the demand for oil would soon outstrip supply, particularly where oil is used for the manufacture of plastics and other products.

"We've got to turn away from finite sources and seek renewable sources, like solar power, fusion and the power of waves," he said.

Weidenfeld also predicted the skyrocketing price of gasoline. Two years ago, he told the New York Times gas would be 50 cents a gallon by the spring of 1974. He's revised his prediction: 80 cents by spring.

Despite all the problems caused by the energy crisis, Weidenfeld is optimistic.

"The character of the American people will enable us to rise above this problem," he said.

Weidenfeld approves federal energy chief William Simon's proposed rationing plan but hopes it will never have to be used.

TIME TO SPEAK FOR THE CONSUMER

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ROSENTHAL. Mr. Speaker, the Long Island Press in an editorial on January 25, 1974, called for the prompt enactment of a strong and meaningful Consumer Protection Agency. This distinguished New York newspaper recognized that—

To be truly effective, the Consumer Protective Agency must have the muscle its opponents fear. It must be able to conduct research, release information to consumers and, if necessary, even disclose trade secrets to protect public health or safety.

The Long Island Press recognized that the legislation faces "a strong attack by the well-heeled special interests who fear consumers with a real voice" and urged the Congress to act quickly and vigorously to ward off the attack of those opposition interests and to promptly enact a meaningful Consumer Protection Agency bill.

Following is the editorial in full:

TIME TO SPEAK FOR THE CONSUMER

The energy situation and the possible impeachment of President Nixon are the over-

riding concerns of the 93rd Congress' second session. But there are other important matters begging for decisions, such as a broad tax reform bill, election campaign reform, national health insurance, welfare reform, and remedies for growing unemployment and other economic ills.

Included in this "must" list, certainly, is the need for more and better consumer protection against what Sen. Charles Percy, R-Ill., describes as "bureaucratic neglect" and "secret deals, that sell out the consumer." As things now stand, the consumer gets precious little protection against abuse with evidence mounting that regulatory bodies are more interested in protecting sellers of goods and services.

The fight for improved consumer protection has made little progress since 1962, when the 82nd Congress rejected even a weakened compromise measure to create a federal Consumer Protection Agency. Now, thanks to the efforts of such consumer advocates as Rep. Benjamin Rosenthal, Elmhurst Democrat, and Sens. Percy, Jacob Javits, and Abraham Ribicoff, a new attempt will be made.

Sen. Javits predicts approval of the legislation, which Ralph Nader calls "the single most important consumer bill ever to come before the Congress." He bases his optimism on the Nixon administration's decision to support, in principle, the creation of a strong, truly independent, Consumer Protection Agency. That support, we trust, will continue when the specifics are spelled out.

To be truly effective, the Consumer Protection Agency must have the muscle its opponents fear. It must be able to represent consumers before government agencies and the courts. It must be able to conduct research, release information to consumers and, if necessary, even disclose trade secrets to protect public health and safety. It should have at least limited subpoena power and whatever other authority is needed to allow it to help consumers fight unfavorable decisions by such regulatory bodies as the Federal Trade Commission, Food and Drug Administration and the Federal Aviation Agency.

Despite the hopes voiced by its proponents, the legislation faces a strong attack by the well-heeled special interests who fear consumers with a real voice, and by some in Congress who mistakenly fear a Consumer Protection Agency would be another agency with too much power.

The best defense against such an attack is public clamor. Now is the time to start.

POISONING PROGRAM

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD an article appearing in the Rocky Mountain News of November 25, 1973, regarding a poisoning program conducted by the State of Colorado in which poisoning of bears is a constituent part.

As long as this kind of excess persists, resolution of the problem faced by stockmen because of predators will be most difficult.

The article follows:

BURKE'S GRAIN CHASE—QUIXOTIC ACT OF DEFIANCE

(By Suzanne Weiss)

For five days in early November, Louis R. "Ray" Burke, an official in the Colorado Department of Agriculture, led a handful of

federal bigwigs on a merry chase that one of them said "should have landed him in Leavenworth."

But the series of events that had U.S. Department of the Interior officials angry enough to consider issuing a felony arrest charging Burke with theft of federal property was viewed by Burke as simply a quixotic stand against a bureaucracy that had pushed him too far.

After more than a year of wrangling with Interior Department agents over the ownership of 3½ tons of poison-laced grain used in the state's rodent control program, Burke decided he'd take matters into his own hands.

Burke got a key to the federal warehouse in southwest Denver where the grain was being stored, loaded more than 100 of the 50-pound grain sacks onto a State Agriculture Department pickup truck and drove off.

When federal officials discovered the grain was missing a few days later, they were angry enough. But when Burke refused to disclose where he was keeping the grain—and then took off on a two-week fishing vacation to Mexico—it touched off a Keystone Kops episode.

Beginning Nov. 1, when Interior Department officials first noticed the stuff was missing, Burke set in motion a bizarre plan to prevent the government from recovering the purloined grain.

And he finally gave up his contraband only after five days of head-knocking and intrigue between the Interior Department and an assortment of state officials.

The dispute started more than two years ago when Burke, who has headed the State Agriculture Department's animal industry division for 20 years, bought 6,600 pounds of poisoned grain—oats mixed with deadly 1060 toxin. The grain was to be used to exterminate rats and prairie dogs as part of Burke's state rodent control program.

Shortly after Burke bought the grain, new federal regulations were issued banning the use of such poisoned grain on public lands. But it was still legal to use the grain on private land, and Burke decided he'd simply sell off the material to Colorado farmers and ranchers who might want it.

It was the state's grain, Burke informed federal officials, and it was bought with state funds. He began a year-long correspondence with the Interior Department, insisting it release the grain to him.

Federal officials balked, however, claiming the state didn't own the grain since it was purchased under a cooperative state-federal predator and rodent control program which was financed at least partly with federal money.

The government made Burke an offer, which Interior Department official Jim Ruch said this week was in writing. The offer was to refund the state's share of money invested in the grain, but that couldn't be done until an audit was run.

"Unfortunately, the audit didn't proceed to the point where we actually refunded the state's money," Ruch admitted. "If it had, we wouldn't have had any of this trouble."

For several months Burke bided his time, still intent on getting the grain back. The opportunity came, he thought, when State Agriculture Department officials decided in October to pull out of the federally administered rodent control program.

"That was busting up the marriage, as far as I was concerned," Burke said. "I decided to get back the property that was ours."

So Burke retrieved the grain, and enlisted the aid of one of his assistants—whom he refused to identify—in "keeping the stuff on the move, so the feds couldn't get it."

COMMUNIQUES

For almost a week the assistant drove the truck around the city and parked it in a different location every day. Meanwhile, Gov. John Vanderhoof—who had received several

threatening communiques from the Interior Department—frantically ordered that the grain be returned.

Burke, who was in daily contact with the assistant from his Mexican vacation spot, finally got wind that his own job was on the line and told the assistant to surrender the grain. When federal officials repossessed the grain, it was loaded on the pickup truck which was parked a half-block from Burke's office near the Statehouse.

LOT AT STAKE

"I realized there was a lot at stake," Burke said, with no trace of regret in his voice. "You know, they've always got that carrot of federal money dangling in front of your nose. You can't sniff at some of those big grants the state gets."

Burke recounted the incident with some amusement, seeing it as a justifiable act of defiance against "a lot of high-priced federal bureaucrats."

He even suggested that his actions might inspire officials in other states to such heroics.

"Some of these other guys who are fed up with the way the government's been running this program are saying, 'If Burke gets away with this one, we're going that way, too,'" he said proudly.

TAKES DIM VIEW

But the Interior Department's Ruch has taken a dim view of Burke's prank. "I don't think he (Burke) has any idea how close he came to having a felony rap laid on him," Ruch said.

"There's never been any legal question whatsoever about the ownership of the grain—it was the government's, not the state's," he said.

Ruch said the Interior Department, which now has its grain back in the Denver warehouse, is "reckoning" how much it owes the state for its share of the purchase. But it's likely to be only about \$1,500, according to Burke—who insisted the government never offered to refund the state's money before the incident.

RESENTFUL

Vanderhoof, questioned about the episode, seemed resentful of the Interior Department's heavy-handedness in recovering the grain.

Asked if he knew ahead of time that Burke was planning such a maneuver, Vanderhoof said, "Well, no, I didn't. But if I'd been in a position to, I would have authorized it. It was the state's property."

Ruch was less appreciative of Burke's conduct—"In my career, I've never heard of anyone who acted the way he did.

"He could've been locked up—complete with manacles."

THE EFFECTS OF GOVERNMENT'S HEAVY HAND ON THE ECONOMY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. CRANE. Mr. Speaker, by this time, it should be well known to all Americans that wage and price controls do not stop inflation, for inflation is caused by an increase in the money supply which has proceeded during the past period as the Government has been spending far more money than it has received in revenue.

While controls do nothing to stop inflation, they do a great deal to cause serious dislocations in the entire economy. The policy of price controls on nat-

ural gas, for example, has increased the demand for petroleum products, just as keeping the price of electricity and other forms of power artificially low has also increased that demand. At the same time that Government kept the price of energy artificially low, it also limited the demand through artificial import quotas. These, not the Arab boycott, are the real components of our current crisis.

Now we are becoming aware of the fact that there is a serious paper shortage as well. This has come about in precisely the same way. Paper manufacturers, operating under restrictive price controls, are dropping less profitable lines and hope to export more of their products overseas. Low profits in the paper industry have discouraged capital investment, just as import quotas on petroleum discouraged the building of new refineries. The price for bleached raw pulp is \$265 a ton in Europe and only \$185 a ton in the United States. Thus, American companies are selling their products abroad, not at home. By eliminating wage and price controls, we would be eliminating the problem of shortages.

Discussing the impact of Government's heavy hand upon the economy, Alan Reynolds, an associate editor of National Review, notes:

Sellers will not increase supplies if such expansion would add more to costs than to revenues. This is . . . the main reason why petroleum refineries were not too anxious to expand capacity, or to buy increasingly costly imported crude oil, since even cost-justified price increases have been severely limited. The mere possibility of price controls is enough to delay long-range investments.

To those who argue that an increase in gasoline prices would be unfair to the poor, Mr. Reynolds writes:

Studies indicate that those with annual incomes below \$5,000 spend about 3.4 per cent of their income on gasoline, and from 35 to 40 per cent on various taxes. If Government officials were truly concerned about the poor, they would stop taxing them into poverty. Instead, they are suggesting huge increases in the gasoline excise tax—no less painful than an equivalent price increase but far less likely to result in more oil production.

The market operates under laws of its own, and we ignore these, as we have done, at our peril. Mr. Reynolds concludes:

We do not conduct opinion polls on the causes and cures for cancer, but economic ills are another matter. For the last few years, politicians have tinkered with prices, trade and production . . . We have only begun to experience the results.

I wish to share with my colleagues the article "Some Preliminary Effects of a Heavy Hand," by Alan Reynolds, which appeared in the New York Times of January 20, 1974, and insert it into the RECORD at this time:

SOME PRELIMINARY EFFECTS OF A HEAVY HAND

(By Alan Reynolds)

The shortage of petroleum and natural gas is only the most conspicuous of many shortages that have plagued the economy in the last year. Among others have been shortages of metals, foods, textiles, lumber, paper and oil-drilling equipment. Unless we are to turn to rationing goods by political influence as each new shortage appears, there are some elementary lessons to be learned:

1. The term "shortage" means people want to buy more at some specific price than sellers want to sell at that price. This is why the shortages of meat, lumber and fertilizer miraculously disappeared when price controls were lifted.

2. It is wholly arbitrary to classify some things as "essential needs" and others as wasteful squandering. People might prefer to wear coats indoors rather than give up Sunday drives to a ski resort. They might prefer to consume oil directly—as gasoline, heating oil or electricity—rather than in the form of energy-using products made of plastic or aluminum. In the absence of price controls, changes in relative prices would draw scarce goods to uses that consumers prefer, on a proportional basis.

3. An increase in one price does not imply an increase in the average level of all prices (inflation). If consumers pay more for gasoline, they will have less money left over to bid up the prices of other things. If price controls discourage production, however, that will increase the inflationary consequences of any given monetary policy: There will be too much money chasing too few goods.

4. Sellers will not increase supplies if such expansion would add more to costs than to revenues. This is presumably the main reason why petroleum refineries were not too anxious to expand capacity, or to buy increasingly costly imported crude oil, since even cost-justified price increases have been severely limited. The mere possibility of price controls is enough to delay long-range investments.

5. Above average ("excess") profits provide funds for expanding productive capacity and stimulate innovators and investors to seek ways of capturing a share of the market, ultimately driving prices and profits back down. This is why there has been insufficient investment in energy research, extraction, processing and marketing. After-tax profits of petroleum refineries fell every year between 1966 (11.2 per cent of sales) and 1972 (6.6 per cent). Oil stock prices are still depressed, despite relatively adequate profits in 1973, because potential investors do not believe that the government will allow the business to remain sufficiently profitable to warrant risky and expensive ventures in oil shale, tar sands, offshore drilling and coal conversion.

6. Price "gouging" is socially useful. The clever entrepreneur who can attain a temporary monopoly position—by somehow having supplies when others do not—has always been rewarded for his foresight and unique ability to serve customers. Without the incentive of monopoly pricing, service stations will simply not open very often, much less scramble for additional supplies in regions where arbitrary allocation is not working. Consumers are not really "forced," after all, to pay a premium for the convenience of having gasoline available at a certain time and place.

7. A sizable rise in gasoline prices will not have much impact on the poor. Studies indicate that those with annual incomes below \$5,000 spend about 3.4 per cent of their income on gasoline, and from 35 to 50 per cent on various taxes. If Government officials were truly concerned about the poor, they would stop taxing them into poverty. Instead, they are suggesting huge increases in the gasoline excise tax—no less painful than an equivalent price increase but far less likely to result in more oil production. Nearly any price increase, by definition, hurts the poor more than the rich. This may be an argument for cash aid or fuel stamps (like food stamps), but not for preventing people from exchanging whatever wealth they have on terms they agree to.

Paralyzing the price system, and the production it inspires, is an absurd way of "helping" the poor. Nor is it necessarily true that the rich alone "waste" fuel while the poor "need" all that they now use. As my own

family income rose out of the four-figure bracket in 1971, I switched from two vintage Buicks (the drip pans alone would lubricate most compacts) to one new Vega, and from a poorly insulated house to a tightly insulated one.

We do not conduct opinion polls on the causes and cures for cancer, but economic ills are another matter. For the last few years, politicians have tinkered with prices, trade and production in response to fickle fads and uninformed passions. We have only begun to experience the results.

MY RESPONSIBILITIES AS A CITIZEN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. DERWINSKI. Mr. Speaker, I am pleased to insert into the RECORD a copy of a speech printed in the January 17 Desplaines Valley News, written by Timothy Corbitt. Timothy was the second prize winner of the VFW Voice of Democracy Speech Contest.

Not only as a Member of Congress but also as a VFW member, I believe that the Voice of Democracy contest is a most wholesome and practical program. Timothy's contribution is a fine essay and noteworthy accomplishment by a young constituent.

The speech follows:

MY RESPONSIBILITIES AS A CITIZEN

(By Timothy Corbitt)

This speech contest comes at a time when living up to our responsibility as citizens is more important than ever. In such a time it is important, I believe, to re-examine just exactly what responsibility to a country really means.

I believe that responsibility begins with emotion for, or more simply LOVE of country. I don't mean simply that rush of pride when a flag passes by. I don't mean that feeling of awe for the beauty of a great mountain range. These are well and good, but what I refer to is love of country almost as one would love a person. I believe that if one can feel this way, the fulfillment of his responsibilities as a citizen will come naturally, for whatever hurts the country as a whole should also be a source of real personal sadness to a good citizen. This feeling will most always cause a person to think first of what is best for this country before any personal gain.

A very visible example of this type of thought was a famous speech of the late President Johnson in which he stated his intention not to seek re-election for the sake of the country. The emotion of that decision for the love of his country was evident in the television speech.

It is the kind of love that makes people drive at 50 miles per hour before it is a law, to save our precious energy resources. It is this that causes people never to lose faith in the majority of politicians because of the transgressions of a few. It is this that gives a feeling of personal pride when an American wins an Olympic event.

To be a good citizen is not only to serve jury duty when called upon, but to do it cheerfully and conscientiously, remembering that this is a land where everyone gets a fair trial.

It is very much a part of not only our responsibility but our heritage to write to our elected officials and tell them what we want from them. It is part of our right and duty to assemble in peaceful protest when we believe a problem could be remedied by it,

but it is also our responsibility to remember that this is the land where peaceful protest is allowed. That is really something to cheer about. It is our responsibility to fight aggression whenever called upon. For it is the duty as a whole of the greatest democracy in the world to defend those democracies which are not strong enough to defend themselves. For in the final analysis, the United States is not so much a country of itself as it is the dreams and hopes of every lover of freedom that ever lived. The dreams of freedom and liberty and democracy are the same in every land. Even the sad and oppressed people of the communist bloc countries still hold out hope that they may some day be liberated. The model for those hopes must continue to be the news and music which cut thru the propaganda over Radio Free Europe from the one great democracy, the United States of America.

In short, responsibility to the United States is and should ever be a responsibility to the dreams and hopes of the oppressed people of the world. We must never let them lapse into despair, we must put all our heart, our soul, and our mind and our strength into keeping the flame of democracy alive.

STUDY ON OIL RESERVES IN UNITED STATES

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ASPIN. Mr. Speaker, "Estimates of crude oil reserves in the United States have been consistently underestimated by the API," according to a 70-page report commissioned by the Library of Congress which I am publicly releasing today.

Mr. Speaker, this study, which is broadly critical of available energy information, is new and convincing evidence that the Government must independently develop energy information.

The study says that traditionally, the oil industry has been "very conservative" in estimating available resources of crude oil.

Mr. Speaker, the industry has been consciously and consistently manipulating its own statistics. How can the Government possibly make a decent energy policy with such unreliable information?

As many of my colleagues know the American Petroleum Institute and the American Gas Association have developed estimates of available crude oil and natural gas reserves based on so-called provable reserves.

The study prepared by Energy Research, Inc. a private consulting firm in Washington, D.C., faults the use of provable reserves because:

Industry figures are not validated by government;

There is a lack of standardization of economic and technical factors to be applied in the definition;

Its published proved reserve figures are consistently understated from the standpoint of accepted statistical techniques; and

Confidentiality of data makes verification impossible.

The study recommends that:

The government at a minimum should have the capability which would permit a responsible federal official to testify before a Committee of Congress that the figures have been reviewed and validated under his supervision and that they can be relied upon.

Mr. Speaker, with the industry controlling all the statistics, they can consciously manipulate the data to prove anything that will help promote their own interests.

With big oil benefiting so dramatically from the crisis it comes as no surprise that many Americans suspect that the current crisis may be a fraud and a hoax.

The API definition of provable reserves takes into account various economic factors including the amount of capital available for development and production. But, according to the study,

Reserve estimates may be subject to distortion, deception, and perhaps even fraud, from time to time, since reserves often have a direct relationship to the availability of capital.

The study also says that:

Discoveries repeatedly have exceeded estimates made a few years earlier. This occurrence is so common that it approaches a rule.

Mr. Speaker, the study cites several specific examples of underestimating of reserves by the industry. For example, in 1960, increases in the estimates of reserves in fields discovered through 1936 were almost twice as much as the estimates made in 1936. In addition, proved reserves in the Western Hemisphere in 1962 were 70 billion barrels. By 1972, despite 50 billion barrels of production in the intervening decade reserves had climbed to just under 90 billion barrels.

Although companies developing the North Slope of Alaska have estimated that provable reserves in 1973 were 19 billion, J. C. Reed of the Arctic Institute estimates that 42 billion barrels of crude oil will be discovered in Alaska by the year 2000.

The report also says that for the last 27 years the net revision of estimated reserves has always been upward. In 1972 the API revised its figure upward by 820 million barrels.

The report comments:

From a probability approach, the chance of getting upward revisions and no downward revisions from an unbiased estimating procedure is exceedingly small (less than 1 in 100 million).

In other words, the chances are infinitesimal that these reserve statistics are honest and accurate. Until the Government completely audits these figures, including reserve data, we will have no idea what the long-term energy picture in the United States actually is and what our policy should be.

The report also discloses that oil company executives themselves recognize that there is a credibility gap with the public on estimates of dimensions of the energy crisis.

The report highlights earlier recommendations in 1962 and 1965 to improve Government data gathering in the oil-gas field. All of these earlier warnings were ignored and now Congress must act

swiftly to approve energy information legislation.

For my colleagues' information, I am including at this point in the Record an abstract on the study entitled "Analysis of Salient Issues Regarding the Estimation of Proved Oil and Gas Reserve Figures." The abstract follows:

ABSTRACT

The first two chapters of the study are designed to acquaint the reader with basic fundamentals associated with the petroleum and natural gas industries. These fundamentals include terminology, geological factors, matters affecting the exploration process, and an introduction into diverse practices for measuring oil and gas reserves, including a brief chronology into the history of reserve estimates.

Chapter III investigates economic issues associated with measuring oil and gas reserve estimates. There is a specific discussion regarding the definition currently utilized by the American Petroleum Institute (API) and the American Gas Association (AGA). It is stated that utilization of the current definition is deficient in that the factors contained in the definition are not "weighted" nor are there quality control programs associated with obtaining reserve figures. Moreover, it is pointed out that the definition does not tell anything about the availability of inventories of oil and gas from reservoirs that are yet to be discovered but which are assumed to exist in nature.

What follows is a discussion of economic considerations which demonstrate that public and private policy making must rest on a broader and more complex base of information than "proved reserve" figures. The study also notes that current governmental incentives are geared to encouraging production and use, and not to the discovery and holding of reserves. This aspect of the study contains a discussion of the cost of capital, and the optimum ratio of reserves to production, demonstrating that the existence of strong incentives to raise production to high rates from successful drilling produces a low ratio of reserves to production. The economic section of the study concludes by pointing out that there is no standardization of economic factors in the API-AGA definition and that the appraisal of existing economic conditions often lies in the eyes of the beholder.

Chapter IV involves a detailed discussion of the nature and methodology of making reserve estimates. It is noted that these estimates are important from the standpoint of developing a sound national energy policy. The discussion points out a common fallacy made by those unfamiliar with the oil and gas industries of equating the term "proved reserves" with "petroleum resources." The study stresses the fact that it has been traditional to be "very conservative" in estimating undiscovered oil and gas resources and that actual discoveries repeatedly have far exceeded estimates made a few years earlier. Examples are provided.

In discussing the methodology of reserve estimates, it is noted that estimates are generally made by use of a mathematical method, geological method or a combination of both. The chapter concludes with a discussion of the procedures and methodology employed by API and AGA in estimating "proved reserves" pursuant to the definition previously discussed.

The basic purpose of Chapter V is to provide two case studies in which oil and gas estimates were recently considered and to critique those studies.

The first involves the "National Gas Study," initiated by the Federal Power Commission in order to establish an independent estimate of the total proven gas reserves in the United States as of December 31, 1970. The chapter

includes a description of the composition of the study team and their approach to the problem. In the critique of the FPC study it is noted that it was designed, controlled and executed in a highly acceptable manner and sound. The FPC study resulted in a lower gas estimate for the sample period than the estimate provided by AGA.

The second example involves an analysis of a study performed under the auspices of the National Petroleum Council, an industry advisory group sponsored by the Department of Interior. The study (U.S. Energy Outlook) was published in December, 1972. It included chapters on both foreign and domestic oil and gas availability (1971-1985). The stated objective was to examine the factors which affect future supplies with a view toward increasing domestic supplies. The study concluded that an estimated 385 billion barrels of oil and 1,178 trillion cubic feet of gas remained to be found as of the end of 1970.

The critique of the study notes that it was an industry study and subject to questions of "credibility." Moreover, the figures published by NPC are conservative when measured against other estimates. It is noted that the use of "probable, possible and speculative" categories provide a more rational basis for formulating national energy policy than the proved oil and gas formula alone.

The issue of credibility is treated as a separate subject in Chapter VI. The study team believes that this issue is of paramount importance in making estimates for the purpose of formulating national energy policy. This chapter also contains an outline of the criticisms of the "proved reserve" concept. They can be summarized as follows:

1. Industry figures without government validation.
2. Lack of standardization of economic and technological factors to be applied in the definition.
3. Published proved reserve figures are consistently understated from the standpoint of accepted statistical techniques.
4. The "proved reserve" definition is not an acceptable standard for determining potential oil and gas resources.
5. "Confidentiality" of data makes verification impossible.

The study team concludes that even if the API-AGA proved reserve figures are accurate, a problem still exists because the figures are suspect, being derived and compiled by industry without federal validation. The study recommends that what is needed at the minimum is a capability which would permit a responsible federal official to testify before a Committee of the Congress that the figures have been reviewed and validated under his supervision and that they can be relied upon.

The study concludes in Chapter VII with a list of alternatives to the present "proved reserve" system. First, overall objectives are identified; e.g., type of information needed. Second, an assessment of industry, government and the public's role is stated; e.g., the federal government must assume the responsibility for the preparation of needed data which are accurate and timely.

Alternative procedures are presented in the order of increasing governmental participation. They range from improving current procedures by instituting an independent governmental review of current reserve estimate procedures to total government involvement in developing a data base and performing its own analysis of the base. Costs associated with such programs are discussed. A wide range of overlapping alternatives is presented so that a single procedure or a mix of several procedures can be explored.

The narrative concludes with a brief description of proposed legislation bearing on the subject.

The study demonstrates that estimates of

oil and gas resources can be valuable tools in developing national energy policy. However, these estimates must be understandable and credible if decision makers are to utilize them in formulating such policy. The current reliance on API proved reserve figures is not acceptable because the federal government has not established a capability to verify or validate these figures. Some federal involvement in the estimating process is absolutely essential from the standpoint of credibility.

This study was designed to clarify some of the problems associated with the estimation process and suggest reasonable alternatives on how future estimates can be made.

WASHINGTON POST ARTICLE DESCRIBES H.R. 12066 ON REAL ESTATE SETTLEMENTS, ON WHICH HEARINGS BEGIN TOMORROW

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mrs. SULLIVAN. Mr. Speaker, I was tremendously pleased on Saturday to see in the Washington Post—on page 1 of the real estate section, which is read widely by families actively interested in buying homes in this area—an article describing my bill, H.R. 12066 dealing with the disclosure and regulation of the mysterious fees charged to home buyers when they go to the title company or settlement office to complete the closing transactions on the transfer of the property. Two days of hearings on H.R. 12066 begin tomorrow morning in the Subcommittee on Housing of the House Committee on Banking and Currency.

The real estate settlement industry was ably represented at hearings of the subcommittee last month in support of legislation on closing costs which is not nearly as comprehensive in protecting the consumer as H.R. 12066 and which, in fact, repeals existing law for the setting of maximum closing costs on FHA-insured and VA-guaranteed loans. H.R. 12066 not only retains this power on FHA and VA housing, but extends it to cover most conventional loans as well. The subcommittee hearings scheduled tomorrow and Wednesday will be devoted to witnesses who will stress the need for strong consumer protections in this field.

In addition to my statement in introducing H.R. 12066 which appeared in the RECORD of December 26, 1973, the following article from Saturday's Washington Post will be of interest, Mr. Speaker, to those Members who are concerned over the cost to consumers, and the confusion they experience, when it comes time to sign all of the papers and pay a lot of unexpected fees in order to take legal possession of their homes.

The article referred to is as follows:

[From the Washington Post, Jan. 26, 1974]
HOUSE LAUNCHES BILL TO AID HOME BUYERS

Hearings on a consumer-oriented bill to protect home buyers from exorbitant costs—ranging from inflated closing fees to artificially high sales prices—will begin Tuesday and Wednesday before the House Banking and Currency Subcommittee on Housing.

The measure—H.R. 12066—was introduced in the waning hours of last year's Congress by Rep. Leonor K. Sullivan (D-Mo.). She is not only a member of the subcommittee but also chairman of the Banking and Currency Subcommittee on Consumer Affairs and next week's hearings are expected to start off with witnesses from consumer-oriented groups like Consumers Union.

"In passing this legislation," Rep. Sullivan said in introducing her bill Dec. 20, "Congress would be making a determination that consumers throughout the nation—especially low- and moderate-income families consumers—must be protected from widespread abusive, inequitable and fraudulent real estate transaction practices which have bilked our citizens of billions of dollars and have caused enormous hardship and deprivation."

The most crucial provision of the bill, Mrs. Sullivan believes, calls for the establishment, by the Secretary of Housing and Urban Development, of maximum charges for each of the principal kinds of costs in any residential real estate settlement involving a federally related mortgage loan.

Other key provisions of the bill would call for:

Development of a single, standardized federal settlement form to be used in all transactions covered by the definitions of a federally related mortgage loan.

Preparation by HUD of special consumer information booklets outlining the nature and purpose of every charge incident to a real estate settlement, indicating the maximum allowable charges and explaining the pitfalls to be avoided in a settlement.

Advance disclosure, or a good faith estimate, of an itemized list of charges that will arise in connection with the settlement—disclosure to be made at the time the buyer is entering into a mortgage commitment.

Prohibition of kickbacks with a fine of up to \$1,000 and/or a year in prison for anyone accepting a payoff for referring business incident to a residential real estate sale.

Prohibition of attorney's commissions for title insurance on the property involved in such a real estate transaction. Also, any fees for title insurance to protect the lender's interests would have to be paid by the lender.

Disclosure to a buyer by the seller of the previous selling price of a home that had changed hands in the preceding two years, such disclosure to be made before the signing of the sales agreement.

This last provision is designed to attack what Mrs. Sullivan sees as a "serious abuse" in the transfer of real estate, in which the property previously has been sold to "straw parties" at inflated prices in order to try to establish an artificially high market value.

"Low-income families, particularly," Mrs. Sullivan said on the House floor, "have been victimized by such practices when buying a home from a real estate speculator who had previously kited the alleged market value of the property through one or more sales to straw parties."

On her bill's "most crucial" provision—that of giving HUD power to set maximum settlement charges—Mrs. Sullivan has pointed out that such authority already exists in settlements involving FHA-insured or VA-guaranteed mortgage loans, but that not even this limited power has been put into effect.

Mrs. Sullivan's bill would not only retain that authority but also widen its application to any federally-related mortgage loans—principally, those insured or subsidized by a federal instrumentality or issued by a lending institution regulated or insured by the federal government, and covering, in effect, virtually all first mortgages and most second mortgages.

"This is without a doubt," Mrs. Sullivan has noted, "the most controversial section of the bill."

THE HOUSE COMMITTEE ON
INTERNAL SECURITY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ASHBROOK. Mr. Speaker, the annual battle of the appropriations for all the House committees looms again before us. I address my remarks today to only one committee during this period of early skirmishing, a committee whose vocal antagonists in this House have badgered but never beaten us, have vilified but never been victorious over us, and have maligned but never moved us from our course to investigate Marxist-Leninist organizations.

I am, of course, referring to the House Committee on Internal Security—HCIS—the eyes and ears of Congress in the field of national security affairs, on which including its predecessor, I have been privileged to serve for over a decade.

HCIS, and its predecessor, the Committee on Un-American Activities, have rounded out 30 years of service to the House of Representatives. Ironically, at a time when it is most needed, an ad hoc committee of the House composed of fewer than a dozen Members, have, in effect, called for its abolition by the stratagem of transferring its authority to the Judiciary Committee, a grossly overworked committee.

Before we recessed last month the Select Committee on Committees issued a "Working Draft of Report"—an apt title indeed, because I can report that the draft needs working and needs it very badly. However, lest I be considered subjective concerning my own committee's future welfare and the select committee's report thereon, I briefly quote the remarks, in part, of another Member of the House, Congressman JOHN DINGELL. The gentleman from Michigan in a letter to the chairman of the Select Committee, Mr. BOLLING, wrote:

While I agree that the House must improve its internal procedures, I do not find anywhere in the documents furnished to the membership a justification for the total revision and perversion of the Committee system which appears to be its principal focus.

As a brief for your proposal, I find your draft report to be inconclusive, obscure, and wholly unpersuasive. I am, in fact, persuaded that the kindest thing that we can do is to vote it down quickly, and to resume consideration of the needs and mechanics of Congressional reform at another time, and by another Committee.

It should come as no great shock to all Members of the House who have faithfully supported HCIS' appropriations in recent years by an overwhelming majority of 3 to 1 that the Select Committee recommended our demise in their report.

I sincerely hope that HCIS may again be the beneficiary of their vote of confidence in 1974 as well as that of 300 other Members of the House whose commonsense in matters of national security reflects the popular support for our committee which has existed throughout its history.

I submit at this point highlights from areas covered by HCIS during the last several years:

HIGHLIGHTS—SUBJECT MATTER COVERED BY THE COMMITTEE ON INTERNAL SECURITY (91st-93d CONGRESSES)

Legislative hearings for the purpose of:

A. Safeguarding (1) industrial facilities essential to the U.S. defense program against acts of espionage, sabotage, and subversion (2) classified information released to contractors and (3) vessels and waterfront facilities.

B. Prohibiting (1) the solicitation, collection and delivery of monies and material to or for the use of any foreign power engaged in armed conflict with the U.S.A. (2) the obstruction of movement of men and material of the U.S. Armed Forces.

C. Considering bills to repeal Title II (the Emergency Detention Act) of the Internal Security Act of 1950.

D. Exercising legislative oversight functions on the Executive Branch's stewardship of (1) the Subversive Activities Control Act and (2) the Federal Civilian Employee Loyalty and Security Programs, the administration of which has become confused because of the "complex hodgepodge of underlying statutes and regulations" as well as the many adverse court decisions, both of which have "raised serious questions concerning congressional efforts to protect the Nation from internal subversion".

E. Restricting the travel of American nationals to the territory of a foreign power (e.g. Jane Fonda in Hanoi) engaged in armed conflict with the U.S.A. and the effect of such activity on the treatment and morale of American POWs.

Investigative hearings and/or reports compiled on:

A. Students for a Democratic Society (SDS) and Weatherman; an in-depth investigation on the origin, purpose, leadership, and activities from 1959-69, of the "national voice for campus leftists" which degenerated into an anarchistic, Marxist infiltrated, anti-US, youth group advocating the "violent overthrow of the present form of government in the United States and the goal of a classless world: world communism."

B. Black Panther Party; investigation of the origin, leadership and activities of this paramilitary, quasi-Marxist, racist organization whose propaganda called for a revolution in America to "liberate" the black population by "destroying" the "ruling class".

C. New Mobilization Committee to End the War in Vietnam; an in-depth investigation of the predecessors, the history and the subversive leadership of this Communist dominated, anti-war coalition whose chieftains were "militantly pro-Hanoi and anti-United States", and whose goal was the unilateral withdrawal of the U.S. Armed Forces from Vietnam. Founding conference organized by Prof. Sidney M. Peck, national co-chairman, and former member of Wisconsin State Committee of the Communist Party, USA.

D. Progressive Labor Party; investigation of the origin and organization of this Marxist-Leninist group, a spin-off of the Communist Party, which agitates for the destruction of the American capitalist system by violent revolution, and which supports the establishment of a dictatorship of the proletariat.

E. National Peace Action Coalition (NPAC); investigation of the origin and organization of this so-called peace group, one of two successors to the New Mobilization Committee, revealed that this coalition, which seeks the violent overthrow of the U.S. government was "tightly controlled by the Socialist Workers Party, a Trotskyist, communist organization."

F. Peoples Coalition for Peace and Justice (PCPJ); investigation of the origin and organization of this twin successor to the New

Mobilization Committee revealed that the Communist Party, USA, exercised a generally "predominant influence" in the activities of this so-called pacifist, "anti-war" group. PCPJ and NPAC sponsored major demonstrations in Washington, D.C. in the Spring of 1971, to "close down" the government and to raise the "social cost" of the war to "unacceptable levels".

G. Activities to Subvert the Armed Forces of the United States; investigation of the extent of subversive influence by Marxist-Leninist groups of the so-called G.I. Movement on the morale, discipline, and combat readiness of U.S. military personnel. Chairman Ichord stated that certain anti-war groups, who have attempted to disaffect the man in uniform, have sought a communist victory in Asia and have promoted an American defeat and the humiliation of its military forces.

H. Revolutionary Activities Directed Against American Penal Institutions; investigation of radical and revolutionary groups including Weatherman, Young Lords Party, Black Panther Party, and the Black Muslims, revealed that the small but vocal faction of radical inmates created substantial problems for prison administrative staffs. Disruptive tactics of 10% of the inmates in prison demanded 90% of the Staff's time in one institution. Objectives of these organizations were to incite riots and employ acts of violence against lawful authorities and institutions for the purpose of creating loss of trust in government and in its ultimate destruction. Under existing court decisions, outside sources of revolutionary propaganda directed at inmates were almost impossible to control.

Investigative hearings on the series, "Theory and Practice of Communism" (i.e. Propaganda versus Performance): examined the practices of foreign communist parties, fronts, and governments, and their relationship to American communist and revolutionary organizations, including the Communist Party, U.S.A., its youth arm, the Young Workers Liberation League, and the pro-Castro Venceremos Brigades. Testimony received from defectors, undercover operatives, academicians, and specialists on the above concerning the Soviet Union, Red China, Cuba, Czechoslovakia, East Germany, Latvia, Laos, Cambodia, and Chile under Allende.

Reports and studies:

A study on the tactics of kidnappings as a political weapon by Marxist guerrillas and extremists.

A survey into the financing received by revolutionary groups and personalities through speaking engagements on college campuses.

A report on the Trotskyist-communist Socialist Workers Party and its youth arm, the Young Socialist Alliance.

A report on the Maoist, Marxist-Leninist Revolutionary Union, and the Venceremos Organization.

EMERGENCY DAYLIGHT SAVING
TIME

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. LEHMAN. Mr. Speaker, when I voted for the Emergency Daylight Saving Time Energy Conservation Act of 1973, to put the Nation on DST on an experimental year-round basis until 1975, my concern was that the Nation must try all available means at its disposal to conserve energy.

Since January 6, when the Nation turned its clocks forward, five Florida children have lost their lives on their way to school. Several other children have been critically injured.

Furthermore, the savings of electrical energy are estimated to be a minuscule 1 percent.

I think it is time we admitted that we have made a miscalculation, and put the Nation back on standard time. I am introducing a bill today to repeal the Emergency Daylight Saving Time Act. We cannot wait for more accidents and deaths to take their toll.

I submit for my colleagues' attention the following telegrams I have received from Commissioner of Education Floyd Christian and Gov. Reubin Askew.

JANUARY 24, 1974.

Representative WILLIAM LEHMAN,
Cannon House Office Building,
Washington, D.C.:

Despite a change in opening school hours in most Florida, county moving to a later time in order to reduce the number of students who must travel to school in predawn darkness. Five Florida children have now lost their lives and several have been critically injured in early morning accidents on their way to school. This is deplorable and insensible. In light of this terrible toll and in light of evidence in this morning's newspapers that the change to daylight saving time has resulted in the small electrical savings of only 1 percent I want to urge you to seriously consider the introduction of legislation to return the Nation to regular time and to repeal the new DST legislation at this time. The law does not allow the Governor to make a change; only Congress and the legislature can remedy this situation. We are collecting county by county facts on the effect of DST on local schools and will have this information for you early in February. Floridians as all Americans are willing to do their share in this energy crisis but I cannot see how anyone can justify sacrificing the life of one schoolchild in this effort.

FLOYD T. CHRISTIAN,
Commissioner of Education.

TALLAHASSEE, FLA., January 24, 1974.

HON. WILLIAM LEHMAN,
Cannon House Building,
Washington, D.C.:

I join with Commissioner Christian in urging the Congress to promptly repeal the daylight saving time Energy Conservation Act. While energy savings may well result from this new law, it is far more important to protect the lives of our schoolchildren. The tragic deaths and injuries which have already occurred in Florida demonstrate the need for Federal action without delay. As you know, Florida and other states are limited in their ability to act on this serious problem. Governors were provided little latitude in which to act before the January 6 effective date of the law. We were effectively precluded from considering the problems of schoolchildren in the guidelines set forth by the U.S. Department of Transportation.

Legislatures have additional flexibility in states, such as Florida, which encompass two time zones. While we are seeking to determine what further action can be taken at the state level, it is my strong feeling that reconsideration of the Federal legislation would be both more effective and less disruptive, and I urge you and your colleagues in the Congress to consider such action.

REUBIN ASKEW,
Governor.

THE NEW U.S. AMBASSADOR TO
CHILE: DAVID POPPER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. RARICK. Mr. Speaker, the Department of State newsletter for December 1973 announced the appointment of David H. Popper, an Alger Hiss protégé, as Ambassador to Chile. Ambassador Popper was confirmed on December 19, 1973, along with Helmuth Sonnenfeld, a former principal assistant to Henry Kissinger, as counselor of the Department of State.

The appointment and confirmation of David Popper as Ambassador to Chile, where the people have just recently thrown off the totalitarian yoke of a Marxist regime should raise many questions by concerned Americans who know Mr. Popper's background as a notorious security leak and friend of Soviet agents.

In the CONGRESSIONAL RECORD of February 6, 1968, on page 2379, I had extended remarks to include a biographical sketch of David H. Popper and his Red associations. Notwithstanding, in May of 1969, Mr. Popper was appointed Ambassador to Cyprus, and in June 1973, he returned to Washington as Assistant Secretary of State for International Organization Affairs.

It comes as a shock to many observers that President Nixon, on the recommendation of Secretary of State Kissinger, nominated Mr. Popper, and that the Senate with its extensive documentation on his background confirmed him.

Is this the latest détente trade-off by the administration?

I include pertinent portions of my February 6, 1968, remarks:

"UNTOUCHABLES" UNLIMITED UNELECTED

Mr. RARICK. Mr. Speaker, emotional and impressive sounding titles—positions of sacred trust and confidence over the lives and destiny of our people, but the documented roster of untouchables seems unlimited.

Day by day, it becomes clearer that any solution in Vietnam, Korea, or elsewhere cannot be solved until the problem of the "untouchable" menace within our own Government is handled.

The untouchables are a seeming elite corps of subversives, not elected by the people—they appoint each other, are mutually interdependent upon each other. They have no terms of office; and they manage to survive political partisanship—except through public opinion and the demand voice of Congress.

No stone must be left unturned to initiate more hearings and investigations to ferret out the disloyalist and dual citizenship employees of the Government, especially the State Department. Our role must be to overcome the ancient Greek adage:

"If the gods want to destroy someone, first they strike him with blindness."

Was the *Pueblo* an accident? Until we replace the untouchables with pro-Americans—the mothers and dads of America can never be sure—nor can you and I.

Mr. Speaker, Mr. Frank Capell, through his *Herald of Freedom*, has released part

VI of the "The Untouchables" which I place in the RECORD at this point:

David Henry Popper is one of the persons on McLeod's list. He is still with the U.S. State Department, now being Deputy Assistant Secretary of State in the Bureau of International Organizations Affairs. He came into U.S. Government service through Alger Hiss in 1945 at which time he worked for and with Hiss. He was born in New York City on October 3, 1912, the son of Morris Popper and Lillian Greenbaum (Popper). He graduated from Harvard University in 1932 with an AB degree and received his MA in 1934. During part of the period from 1932 to 1933 he had a travelling fellowship in Europe and in 1941 had another one for travelling in Latin America. On March 8, 1936, Popper was married to Miss Florence Cecelia Maisel.

Soon after leaving Harvard in 1934 Popper was employed by the Foreign Policy Association where he worked for the next six years until 1940. He was a research assistant under the direct supervision of the notorious Mrs. Vera Micheles Dean. Vera Micheles arrived in the United States from the Soviet Union in 1919. She became a U.S. citizen in 1928 after having obtained a Ph. D. from Radcliffe College. She was employed as Research Director by the Foreign Policy Association in 1928 and held this post until 1947 when she became Editor of Publications. As of June 30, 1960, Mrs. Dean's record of affiliations with Communist fronts took four pages to list when the House Committee on Un-American Activities prepared a report on her for Congressman James C. Davis.

Mrs. Dean was a member of the board of directors of the American Russian Institute, cited as Communist by a U.S. Attorney General and Communist-controlled by the Senate Judiciary Committee. This organization was intimately linked with the Institute of Pacific Relations and specialized in pro-Soviet propaganda. Mrs. Dean wrote articles for *Far Eastern Survey* and *Pacific Affairs*, both organs of the IPR. Page 4861 of the Senate Hearings on the IPR shows that David H. Popper was affiliated with the IPR also.

Mrs. Dean lectured at the Marxist-oriented New School for Social Research in New York City, the course being entitled "Asia in Ferment." Among those who lectured with her in this course were Owen Lattimore, Lawrence C. Rosinger, Derk Bodde, W. W. Lockwood and Harold R. Isaacs.

The Foreign Policy Association for which Popper worked under Mrs. Dean was cited in a Grand Jury Presentment by the March-April 1960 Grand Jury of Fulton County (Atlanta), Georgia and the Grand Jury of Bibb County, Georgia. Both examined the subversive type material sponsored by the F.P.A. and both recommended further investigations. The American Legion, Post 140, of Atlanta prepared a lengthy expose on the Foreign Policy Association which documented its subversive connections. The American Legion publication, *Firing Line*, of June 15, 1960, quoted from an article which appeared in *Plain Talk* of November 1946 as follows: "Under the present leadership of Vera Micheles Dean of the FPA's Research Department, its most influential section has been turned into a factory for propaganda to appease the Soviet Union and to apologize for its expansion in all directions." The American Legion publication also pointed out that the FPA received financial support from the Carnegie Endowment for International Peace during Alger Hiss' presidency of that organization and stated that Hiss advocated "close collaboration between the Carnegie Endowment and the FPA." The FPA also received financial support from the Rockefeller Foundation while Dean Rusk was its president.

Through his employment in the FPA Research Department, David Popper came into close contact with key people in the IPR and also with identified Communists, Soviet espionage agents and Communist sympathizers. The IPR Hearings (P. 5193) show that David H. Popper was a member of the editorial board of the magazine *Amerasia* which was cited by the Senate Judiciary Committee as a "Communist controlled magazine which was so closely linked into the IPR system that the IPR family ordinarily treated it as simply another of its publications." Frederick Vanderbilt Field was owner of fifty per cent of the stock of *Amerasia* and was chairman of the editorial board for more than three years. "When it ceased publication after the arrest in what has been known as the *Amerasia* Case, in 1945, the subscription list was taken over by the Far Eastern Survey, official publication of the IPR." (Senate Report 2050, IPR, 7-2-52, pp 71-95-145-146)

On the editorial board of *Amerasia* with David H. Popper were Frederick V. Field, identified as a Communist and member of a Soviet espionage ring; Philip J. Jaffe (alias Y. W. Phillips), managing editor, Russian-born and identified as a Communist and convicted in connection with the theft of over 1500 secret Government documents found in *Amerasia* offices or the homes of persons connected with it; Lillian Peffer, assistant editor; T. A. Bisson, identified as a Communist; Ch'ao-Ting Chi, identified as a Communist and affiliated with IPR; Owen Lattimore who was identified as a Communist but denied it, and was cited by the Senate Judiciary Committee as "a conscious articulate instrument of the Soviet Conspiracy;" William W. Lockwood, closely associated with Communists and espionage agents, an executive of the IPR; Cyrus H. Peake; William T. Stone, connected with IPR; and Harriet Levine Chi, identified as a Communist. Those most closely associated with Popper were the identified Communists, Field, Jaffe and Bisson.

Another Communist enterprise with which Popper's name was connected was Commonwealth College set up at Mena, Arkansas. In 1935 a Special Committee of the Arkansas Legislature investigated the college and the testimony of Hon. J. L. Shaver, a member of that committee was presented in a Hearing before the Special Education Committee of the Arkansas Legislative Council, held December 16, 17, and 18, 1958. It reads as follows:

"In 1925, Commonwealth College settled west of Mena, Arkansas. This school had no particular academic requirements, tuition or qualifications for students or faculty. No attempt was made to belie the fact that it was communistic in nature, and to a large extent was supported by organizations with subversive backgrounds."

There was an official investigation made of the college as a result of its displaying of the Communist hammer and sickle. The records of the college were obtained and it was reported that the name of David H. Popper was found in the confidential files and on the regular mailing list of the college. The U.S. Attorney General cited Commonwealth College as Communist and the Special Committee on Un-American Activities cited the college as "A Communist enterprise cited as subversive by an investigating committee of the Arkansas Legislature. It received money from the Garland Fund." The Garland Fund was also known as the American Fund for Public Service and was cited by the same House Committee—"it was a major source for the financing of Communist Party enterprises." William Z. Foster, who was Chairman of the Communist Party USA, served on its Board of Directors.

David H. Popper was reported as a dues paying member of the United Office and Professional Workers of America. In the Hearings of the Senate Internal Security Sub-

committee entitled *Subversive Control of Distributive, Processing and Office Workers of America*, held in 1951-2, page 18, we find the testimony of W. A. Copeland, C.I.O. Regional Director:

"Mr. Arens. Do you have similar information with reference to the United Office and Professional Workers of America?"

"Mr. Copeland. They went through the similar process."

"Mr. Arens. And were they likewise expelled?"

"Mr. Copeland. They were expelled."

"Mr. Arens. And were they likewise expelled because the CIO found that the United Office and Professional Workers of America had followed the Communist Party program?"

"Mr. Copeland. That is the record of the CIO executive board. They were expelled for that reason."

Late in 1945, after Popper had served in the Army Chemical Warfare Service as a Captain, he came into the State Department as a specialist in International Organizations Affairs, where he worked with and under Alger Hiss. Other Hiss favorites were Harding Bancroft and Andrew Cordier, the latter two having been recommended by Harlan Cleveland for a special advisory Committee to select staffing of personnel at the United Nations as mentioned in the Otepka Brief.

By 1948 Popper became Assistant Chief of the State Department's Division of International Affairs. His experience in promoting the United Nations idea and World Government while in the Foreign Policy Association had brought him into contact with a large number of pro-Soviets who had similar objectives and many of them had found their way into the State Department. The year before the formation of the U.N. at San Francisco, Andrew Cordier and Alger Hiss had toured the country promoting the U.N. idea. By 1949 Popper was the officer in charge of United Nations General Assembly Affairs for the State Department. He then became Deputy Director and then Director of the Office of United Nations Political and Security Affairs of the Department of State.

During the years 1952-53, the Senate Internal Security Sub-committee conducted investigations and hearings on "Activities of U.S. Citizens Employed by the United Nations." These hearings disclosed that U.S. Communists had been employed at the United Nations and that the State Department was negligent in allowing this situation to develop. The Committee's report, page 16, states:

"For a period of approximately 3 years—between the time of the formation of the United Nations in 1946 and some time in 1949—there was no safeguard whatsoever, from the standpoint of the United States, against employment by the United Nations of United States citizens who were disloyal to their country, or were actively engaged in espionage on behalf of some foreign power." Alger Hiss, who brought Popper into the State Department, also recommended a list of 200 people for U.N. employment. In the group were found Communists and Soviet espionage agents.

During the period from 1946 to 1953 Popper acted as an adviser to the United States Delegation to the United Nations Assembly. He was the Deputy U.S. Representative to the Conference on the Discontinuance of Nuclear Weapons Tests which conference took place at Geneva 1959-61 and out of which came the Test Ban Treaty which favors the U.S.S.R. Popper was Senior Adviser on Disarmament Affairs for the U.S. Mission to the United Nations 1961-2 which resulted in a program of disarmament of our country which has been carried out ever since.

In 1962 Popper was Director of the Office of Atlantic Political and Military Affairs of the Department of State, and was a member of the U.S. Delegation at NATO Ministers

meetings. During 1962 in this capacity he worked with Harlan Cleveland, now U.S. Ambassador to NATO. Both Popper and Cleveland are long-time friends of Alger Hiss. It has recently been revealed that there is a large Soviet espionage ring operating in NATO.

As a result of the espionage cases of Harold Adrian Philby, Donald D. MacLean, Guy Burgess and George Blake, a team of forty British Secret Intelligence agents have been investigating some 120 Americans, according to the Government Employee's Exchange newspaper of Dec. 13, 1967. They are reportedly investigating employees of the State Department, the Foreign Service, the CIA, the Atomic Energy Commission, TVA, NASA, the Defense and Treasury Departments. Philby, the master spy, helped to set up the CIA and had contact with some of the same people with whom Popper was in contact. A confidential source reported Popper to a U.S. Intelligence service as having connections with members of the Soviet Intelligence apparatus. A former high ranking member of the Communist Party USA had advised a U.S. Intelligence agency that he had been informed "Popper is one of us and should be treated accordingly."

That David H. Popper had subversive affiliations was publicly known in 1944, the year before he went into the State Department. The Special Committee on Un-American Activities in their report, Appendix IX, page 1446, under the title (Communist) Party and Party Line Publications explained, "Throughout its existence in this country the Communist Party has made a specialty of propaganda through publications and periodicals." The first such publication listed was *AMERASIA*, "A review of America and the Far East published at 125 East 52nd St." Thereafter appear the names of the Editorial board with Frederick Vanderbilt Field as chairman, Philip Jaffe as managing editor and David H. Popper as Editorial board member.

Time and again information concerning the background and contacts of Popper came to the attention of the proper authorities but, as an "Untouchable," he was able to remain in the State Department, moving up higher and higher. As we have noted before, the Poppers stay, the Otepkas go. Among the files seized from Otepka's office by his superior, John F. Reilly, one of the conspirators in the "Get Otepka Project," were records of the investigation of the *Amerasia* Case which involved the theft or unlawful removal of hundreds of State Department documents in 1945. These files pertaining to U.S. relations with China implicated State Department employees. Also seized from Otepka's files were the identities and backgrounds of the 858 persons in the Scott McLeod list. It is understood that orders may have been given to have these files destroyed and this may already have taken place. Unfortunately for the record-destroyers, there are two more copies of this information in safekeeping, and perhaps even copies of the copies.

Just as Roy Rubottom and William Wieland were able to conceal the warnings that Castro was a Communist so there are other serious security risks in positions where they can orient our foreign policy along a pro-Communist line. David Popper was well trained in pro-Soviet propaganda by an expert, Vera Micheles Dean, and we may be sure that, working quietly behind the scenes, his name never appearing in the newspapers, he is still unchanged. To the contrary Popper developed a close association with important figures in the Communist Conspiracy and with pro-Soviets both in the State Department and the United Nations. The take-over of one country after another by the Communist Conspiracy has been possible only because of the pro-Soviet policies of "Untouchables" within the Government of the United States.

JUSTICE DEPARTMENT IN RACE
WITH OIL FIRMS TO DETERMINE
IF MERGER GOES THROUGH

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. GUNTER. Mr. Speaker, a massive behind-the-scenes battle is going on this week behind the closed doors of the Justice Department's Antitrust Division and the corporate board rooms of two large oil companies to determine whether a major independent U.S. supplier of crude oil to American refineries disappears from competition and is effectively absorbed, with the apparent help of the U.S. State Department, by an English-owned oil conglomerate whose interests are scarcely identical to the interests of American oil consumers, or of independent retail gasoline station operators throughout the country.

The decision will be made shortly—perhaps today. The Justice Department is now attempting, belatedly, and apparently after being subjected to outside pressures not to act, to reach a decision as to whether the Government should take immediate legal action to prevent the acquisition from taking place.

The oil companies involved are arrogantly refusing U.S. Justice Department requests for a postponement of the acquisition until the antitrust implications are fully weighed. Their intention appears to be to consummate the merger as fast as possible and before the Justice Department can act and the Congress can review the matter.

Both the Justice Department and officials of the two large oil firms are locked in an apparent struggle to see who can beat the legal clock. While the Justice Department frantically attempts to assemble evidence it should have had weeks ago, the oil firms show every intention of attempting to thwart Justice Department action by accomplishing the merger first—perhaps today.

This combination of arrogance and ineptitude poses an immediate threat to the interests of U.S. consumers. But few of the major national media outlets in the country appear to have been able to summon interest in the developments and pending consequences during the critical period leading up to the present imminent merger. The Los Angeles Times has sought to inform the public the past week, as the Washington Post has today.

Once the oil merger is consummated, it may take years to pry the two companies apart and unscramble their affairs, if competition in fact can ever be fully restored. The time to act is now, before the merger is completed. A matter of hours, not days, seems most likely involved, however.

In the midst of this behind-the-scenes struggle, the U.S. State Department appears to have thrown its weight against a full and rigorous enforcement of the Nation's antitrust laws and in behalf of the English-owned oil conglomerate, following approaches made to the State

Department by representatives of the British Government, itself a major partner in the conglomerate. Up to this moment, the Justice Department—following State Department approaches to it in turn—appears unable to make up its mind. But clearly, the pending disappearance of the largest independent U.S. holder of crude oil reserves hardly appears consistent with President Nixon's policy of making America "energy self-sufficient" by the 1980's. The President, who has taken an interest in the past in the antitrust policy of his administration, may wish to take fresh interest at this time in order to guarantee that his administration's antitrust policy is indeed consistent with his stated objective of making the United States self-sufficient in energy.

Representing the British-owned oil firm as its attorney is Cyrus R. Vance, former high-ranking official attached to the State and Defense Departments. It is unclear at this point who is representing the public—or the principle of antitrust law enforcement.

The independent conglomerate U.S. firm about to be acquired by the foreign oil conglomerate is Signal Oil and Gas Co., a wholly owned subsidiary of the Signal Companies, Inc., a Delaware corporation with its principal offices in Beverly Hills, Calif. The principal offices of the subsidiary are in Houston, Tex.

It is to be acquired by Burmah, Inc., a Delaware corporation with its principal place of business in New Orleans, La. Burmah is a subsidiary of Burmah Oil Co., Ltd., of England, which is among the largest, fully integrated oil companies in the world and counts approximately 250 subsidiaries.

Burmah of England also holds effective control of the British Petroleum Co. and its 650 subsidiaries in some 80 countries known collectively as the BP Group, one of the seven or eight major international petroleum groups in the world. The BP Group includes SOHIO, a U.S. major which itself is experiencing a crude oil shortage at present.

Signal Oil and Gas is presently the largest independent U.S. holder of crude oil reserves.

Rival consortiums which include BP on one hand and Signal Oil and Gas on the other, presently compete for lease acreage for oil and gas exploration and production in the Gulf of Mexico.

Competition might also be affected in the Thistle Field in the British North Sea, in the southern California market, between SOHIO and competing oil companies, and possibly elsewhere.

The merger would further increase reliance of independent refiners and gasoline operators on the so-called major oil suppliers.

It would decrease U.S. energy self-sufficiency.

The purchase price for Signal Oil and Gas is set at \$480 million, making it one of the largest acquisitions in dollar amount in the oil industry in the last 5 or 10 years if reserve holdings alone are counted and excluding other types of properties.

At the very least, the proposed merger on its face deserves a full review of anti-

trust implications—but the executives of the oil companies involved have arrogantly refused to grant the Justice Department request for a 60-day delay in consummating the acquisition.

As of this moment, the American public has been left oblivious of these developments as they have been occurring. It appears they will be confronted now with a fait accompli.

Senator FLOYD HASKELL has scheduled a special hearing of the Senate Subcommittee on Integrated Oil Operations for next Tuesday morning and has asked representatives of the oil companies involved and of the Justice Department to appear. It will be interesting to see if they in fact appear, and if there is indeed already a fait accompli by that time. I intend, in cooperation with Senator HASKELL, to continue to vigorously press for a full investigation of this matter.

In this connection, Mr. Speaker, I submit the text of letters I have addressed to Secretary of State Kissinger and to Senator FLOYD HASKELL, and a copy of a Gannett news service report of January 18, 1974 for the RECORD:

JANUARY 25, 1974.

HON. HENRY A. KISSINGER,
Secretary of State,
Department of State,
Washington, D.C.

DEAR DR. KISSINGER: Certain contacts have come to my attention as having occurred between representatives of your Department and those of the British Government and officials at the U.S. Justice Department over the past few days with respect to a contemplated merger of Signal Oil and Gas Co., the single largest supplier of crude oil to independent U.S. refiners, and the British-owned Burmah Oil Co. Ltd. That contemplated merger has been under scrutiny by the Antitrust Division of the U.S. Justice Department for the past 20 days and has been the subject of an Antitrust Division request to the parties involved that they postpone its consummation for a 60-day period until antitrust implications are weighed. The request has been refused. The consummating of the merger is imminent. The Antitrust Division has taken no action to date to legally prevent the merger from taking effect.

I desire full and detailed information with respect to the role of the State Department and extent and nature of its contacts with officials of the Justice Department and of the British Government on this matter. This request specifically includes copies of all relevant State Department documents, memorandums of conversations and phone calls, and any other existing information bearing on State Department activity on this matter, in order that the content of these contacts by your Department and the extent of their influence on the enforcement or non-enforcement of the antitrust laws of the United States in this instance may be weighed.

Your prompt and immediate response to this request would be appreciated.

Sincerely yours,

BILL GUNTER,
Member of Congress.

JANUARY 25, 1974.

HON. FLOYD K. HASKELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HASKELL: In connection with the work of your Senate subcommittee on integrated oil operations and the scheduled hearings for Tuesday, January 29th relating to the Signal Oil and Gas Company acquisition by Burmah, you may be interested in the attached copy of a letter I have directed

to the attention of Secretary of State Kissinger on this same matter.

With powerful foreign-based international oil conglomerates already appearing to wield undue influence on the amount, price and method of U.S. oil allocations, any indication that they may also now be influencing the enforcement or non-enforcement of the antitrust laws of the United States within our own borders would be additionally disturbing indeed.

As I am sure you are aware, this is not the first time the State Department appears to have played a role in matters bearing on antitrust questions, as indicated in some detail in a Jan. 18, 1974 news report, a copy of which is also attached for your possible interest. You will note the State Department in the incidents described refused to make available to the Congress information requested of it bearing directly on these antitrust matters "on the grounds it would be detrimental to the foreign relations interests of the United States."

I wish to commend your own vigorous concern and interest with respect to these matters of such basic public importance and impact. Please let me know if I may be helpful in any way with respect to your own pursuit of the facts in this case.

Sincerely yours,

BILL GUNTER,
Member of Congress.

NIXON APPROVED VAST U.S. OIL CARTEL
(By Kenneth C. Crowe)

WASHINGTON.—The Nixon administration acquiesced in 1971 to a decision by the major international oil companies to form a bargaining cartel to deal with the newly united oil-producing nations of the Mideast and, in effect, to shape the course of future U.S. foreign policy.

The Justice Department files detailing the unprecedented approval of the oil companies' bargaining cartel, which raised the issue of possible violation of antitrust laws, have been kept out of reach of the press and inquiring congressional committees at the insistence of the State Department "on the grounds that it would be detrimental to the foreign relations interests of the United States."

Washington sources recreated the following scenario of how the oil companies arranged to obtain the administration's approval of their decision to form a united front against the oil-producing nations:

In January 1971, New York City lawyer John J. McCloy, a former U.S. High Commissioner for Germany, former chairman of Chase Manhattan Bank, and honorary chairman of The Council on Foreign Relations, called the attorney general then, John Mitchell, to ask him to send someone to New York City to pick up a copy of an agreement reached by the government's approval.

Dudley Chapman, who at the time was chief of the Justice Department's Foreign Commerce Section, and James E. Akins, director of the State Department's Office of Fuels and Energy then, were dispatched to McCloy's New York office to pick up the documents. Chapman is now an associate counsel to President Nixon, and Akins is ambassador to Saudi Arabia.

While McCloy met with representatives of the major oil companies in one room, the two government officials waited in another for the final details of the agreement to be worked out. Chapman and Akins carried the papers back to their Washington offices.

One source said the Justice Department's antitrust division staff "had apoplexy" when they saw what the oil companies were asking: the right to negotiate jointly with the Organization of Petroleum Exporting Countries and to arrange reciprocal supply agreements among the companies to strengthen their bargaining position.

CXX—65—Part 1

An administration source said the companies were seeking what any business organization theoretically has the right to: a "Business Review Letter," stating the Justice Department does not intend to prosecute firms under the antitrust laws for a specific course of conduct. "When corporations start talking to each other, that prima facie raises a question" of antitrust policy, the source said. The business review letter was issued, granting what the oil companies sought.

Attempts by Sen. William Proxmire, D-Wis., early in 1971, and more recently by the staff of the Senate Subcommittee on Multinational Corporations, to see the files were unsuccessful. Richard Saylor, a special assistant in the antitrust division, said: "We have never revealed that information. . . . The State Department was firm in taking the position that it would be detrimental to the foreign relations interest of the United States."

Washington lawyer Martin Lobel, who was Proxmire's legislative assistant in charge of energy in 1971, said: "In effect, we appointed the oil industry to negotiate our foreign policy in the Middle East. Since when have we handed over foreign affairs and national security to private companies? It's like The British East Indian Co. all over again.

It allowed two cartels (oil companies and oil-products groups) to deal with each other, neither of which were concerned with the cost to the consumer or the economy of the oil-consuming countries."

Prior to 1970 the oil companies effectively dictated the prices they would pay the producing nations for their oil, but a tough attitude by Libya changed that. "Looking at it from the inside," a Mobil Oil Corp. executive said, "I think we did a pretty good job myself. It was a difficult struggle all the time. The fact we were shifting into a seller's market from a buyer's market, I think the industry did an exceptional job."

He said that until the latest Arab-Israeli war, the industry was able to keep prices "within limits." Since then, the matter has been politicized, he said, and the oil countries' "governments have pretty much established prices without reference to the companies."

The Senate multinational subcommittee will open hearings within two weeks on the foreign-policy implications of the oil industry's negotiations with the producers' organization.

Sen. Frank Church, D-Idaho, chairman of the subcommittee, who expresses a skeptical view of the loyalty of the multinational corporations to anything but profits, said in a recent speech: "In the aftermath of the October war between Israel and Egypt and Syria, we have witnessed one of the most important developments in the history of modern international relations: the Arab world's effective employment of oil as a political weapon against the industrial colossi of the United States, Western Europe and Japan. In the midst of this squeeze play, we find the traditional makers of international oil companies, acting as the foreign-policy instruments of the Arab world, in many cases to the injury of their home governments.

"American companies, Exxon, Mobil, Gulf, Texaco and Standard of California, which for so long we have considered 'our companies,' have in fact become the policing agents of the Arabs' boycott against the United States."

A spokesman for Standard Oil of California said: "Senator Church has been patently unfair in making an accusation of this type. . . . It would have served no purpose for us not to agree to avoid these shipments to embargoed nations."

AMENDMENTS TO H.R. 11793

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. ROSENTHAL. Mr. Speaker, I intend to offer three amendments to H.R. 11793, the Federal Energy Administration Act tomorrow. The three amendments I will be offering follow:

I. Amendment to Section 7(c):

"Whenever the Administration establishes or utilizes any advisory board, task force, committee, commission or similar group, not composed entirely of permanent federal employees, with respect to any matter affecting any industry or segment thereof, the Administrator shall insure that each such group is reasonably representative of all segments and levels of such industry and of the industrial and private consumers served by such industry or segment thereof. Provided that, the Administrator in appointing private consumers to each such group shall give special consideration to the recommendations of public interest entities and individuals specializing in consumer, environment and conservation matters; and that the consumer members of each advisory panel shall be selected on the basis of experience and participation in consumer affairs.

II. Amendment to Section 14:

"(2) any books, documents, papers, records or other recorded information of any public or private persons, organizations or other entities which are or would be available to any Federal agency pursuant to its functions and authorities relating to management and conservation of energy, including but not limited to energy costs, demand, supply, reserves, industry structure, environmental impacts, and research and development, which in the opinion of the Comptroller General may be related or pertinent to the operations of the Administration; and"

III. Amendment to Section 5:

Pursuant to subsection (a) of Section 2 and paragraph 5 of Section 5;

(b) (1) Immediately upon the date of enactment of this Act, the Administrator shall issue an order to establish a ceiling on prices of domestic crude oil and petroleum products at levels not greater than the highest levels pertaining to a substantial volume of actual transactions by each business enterprise or other person during the fourteen day period ending January 19, 1974, for like or similar commodities, or if no transactions occurred during such period, then the highest applicable level in the nearest preceding fourteen day period.

(2) The ceiling on prices required under paragraph (1) shall be applicable to all retail prices and to wholesale prices for unfinished, finished or processed goods.

(3) As soon as practicable, but not later than 30 days after the date of enactment of this Act, the Administrator shall by written order stating in full the considerations for his actions, roll back prices for domestic crude oil and petroleum products to levels no higher than those prevailing in the seven-day period ending November 1, 1973, in order to reduce inflation. Price increases announced after November 1, 1973, and made retroactive to dates prior to November 1, 1973, shall not be considered as having been in effect prior to such date for purposes of this section.

(4) The Administrator may, by written order stating in full the considerations for his actions, make exceptions and modifications to the orders required under this section as may be necessary to prevent gross inequities and hardships, and to encourage and preserve the competitive viability of

branded independent marketers, small refiners, nonbranded independent marketers, and independent refiners, as defined in the Emergency Petroleum Allocation Act of 1973 (Public Law 93-159). Such orders shall state procedures and adequate public notice of any price exceptions.

(5) The Administrator shall promulgate rules which shall insure that all persons engaged in the sale of crude oil at the refinery level, or petroleum products at the wholesale level, reflect, in sales to any purchaser, the average costs of its foreign and domestic crude oil and petroleum products. Such rules shall take effect not later than 60 days after the date of enactment of this Act.

(6) For the purposes of this subsection the provisions of Section 406 of Public Law 93-153 shall not apply.

(7) For the purposes of this subsection, "petroleum product" means gasoline, kerosene, distillates (including Number 2 fuel oil), LPG, refined lubricating oils, or diesel fuel."

ELECTRONIC SURVEILLANCE

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. GOLDWATER. Mr. Speaker, the following article, by John Lofton, United Features Syndicate columnist, provides us with information to enable us to maintain some perspective in the wave of charges regarding electronic snooping. By no means should this be construed to mean that I, or any of my colleagues, condone illegal electronic surveillance, but rather it should be received as a pertinent reminder that we must keep a perspective on this issue. I present the article for my colleagues' interest:

BOOK SHOWS BUGGING NEWS, BUT NOT NEW
(By John D. Lofton, Jr.)

WASHINGTON.—Did you know that in addition to the 1972 Watergate bugging of the Democrats, the Democrats were also bugged during the 1968 presidential campaign?

And did you know that the person charged with the illegal electronic surveillance was a news director of the National Broadcasting Company?

I knew this but had forgotten about it. My memory was refreshed when I was recently flipping through one of my favorite books, "The Mass Media and Politics," a hefty volume published by The New York Times and comprised of selected Times' stories over the years.

According to the Times story, on Sept. 7,

1968, NBC acknowledged that on August 26 "Overzealous and overeager employes, acting without authority" (sound familiar?), planted a microphone in a closed meeting of the Democratic Platform Committee in Chicago.

NBC SUED

Rep. Hale Boggs (D-La.), head of the Platform Committee, said the microphone was hidden under a cushion behind a curtain and was attached to a cable "leading directly to the recording facilities of NBC in the same hotel."

NBC, in a statement, pointed out that no material obtained by the bugging was used, the bugging was deeply regretted and the bugging was not condoned or encouraged by NBC news or NBC management.

What ultimately happened in the case was that on March 20, 1969, the NBC employe, Enid Roth of New York City, was indicted and charged with two counts of "willfully endeavoring to use an electronic device to intercept oral communications."

In February of 1970, Miss Roth pleaded nolo contendere (sound familiar again?) to one count of the indictment and was fined \$1,000 and costs.

OLD STORY

The Times' news story went on to say that such "escapades" were not new. As an example, the paper noted how in August of 1968, at the Republican Convention in Miami, a Florida delegate concealed a tape recorder at a closed meeting in which one Richard M. Nixon addressed Southern delegates.

The tape was turned over to the Miami Herald and the St. Petersburg Times, both of which ran stories quoting Mr. Nixon's secretly recorded remarks.

Other things in this fascinating book are startlingly remindful of much happening today and remindful of how much some in the media have changed their tune. In his New York Times column on April 28, 1961 James Reston wrote:

"For the preservation of our Democratic society in this time of 'clean and present danger' it is more essential than ever that the people be fully informed of the problems and of the perils confronting them. This is a responsibility as much of the press as of the President. But it is equally essential that the secrets of military technique and—as the President (Kennedy) said—of 'covert preparations to counter the enemy's covert preparations'—be kept inviolate."

RESTON'S LEAK

Mr. Reston's newspaper, of which he is a vice president, of course published the purloined Pentagon Papers and Reston reportedly argued strenuously for publication of this most massive leak of classified government documents in American history.

Another Times story in the book reports that President Eisenhower once defied a House resolution and refused to provide a

transcript of one of his press conferences for insertion into the Congressional Record.

Eisenhower declined on the grounds that he wanted to preserve "the free and open basis" on which his conferences were conducted. If he complied with the House request, he said, "It would bring to me a consciousness of restraint as well as a necessity for constant preparation of my remarks."

On Oct. 23, 1965, LBJ press aide Bill Moyers attacked some reporters as "too picayune from time to time, and too inaccurate about what they are picayune about."

As an illustration, he cited a report saying LBJ had installed a Muzak system in the White House. Moyers said the Muzak was in fact installed by another President years ago.

"Here, about something in which the public wasn't interested, the erroneous impression was given that the President had spent the taxpayers' money to install Muzak in the White House," he complained.

As I said, the book is a fascinating one. It really shows how much things have changed. Or have they?

LET PEACE BEGIN WITH ME

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 28, 1974

Mr. LANDGREBE. Mr. Speaker, in a day when the press criticizes politicians and politicians are critical of the press, it was refreshing for me to note the credo of the Colorado Springs Gazette Telegraph which appears at the head of the newspaper's editorial page.

Under leave to revise and extend my remarks, I include the Gazette Telegraph's statement of purpose and I commend it to the attention of my colleagues:

This newspaper is dedicated to furnishing information to our readers so that they can better promote and preserve their own freedom and encourage others to see its blessings. Only when man is free to control himself and all he produces, can he develop to his utmost capabilities.

We believe that freedom is a gift from God and not a political grant from government. Freedom is neither license nor anarchy. It is self-control. No more. No less. It must be consistent with the truths expressed in such great moral guides as the Covenants Commandment, the Golden Rule and the Declaration of Independence.

Let peace begin with me

SENATE—Tuesday, January 29, 1974

The Senate met at 11:30 a.m. and was called to order by Hon. SAM NUNN, a Senator from the State of Georgia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Lord God, above all men and nations, release Thy mighty power in us that we may be led to the higher life we never yet have known. Make us new men for new times—gentle but firm, kind and just, loyal and wise. Give us keen minds, stout hearts, sensitive spirits and wills to do

Thy will. Hold us in Thy love and fill us with grace and goodness. Let Thy life so rule our lives that as we work for the Nation we may press forward the work of Thy kingdom. Send us to our tasks equipped by Thy spirit.

Through Jesus Christ our Lord. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,

PRESIDENT PRO TEMPORE,

Washington, D.C., January 29, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. SAM NUNN, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,

President pro tempore.

Mr. NUNN thereupon took the chair as Acting President pro tempore. XXX