dition of coercion, of abuse, and of discrimination.

The PRESIDING OFFICER. Is there further morning business?

Mr. PELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JOHNSTON). Without objection, it is so ordered.

Is there further morning business?

ORDER FOR CONSIDERATION OF SENATE JOINT RESOLUTION 202 TOMORROW, AND UPON ITS DISPOSITION RESUMPTION OF THE UNFINISHED BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, immediately after recognition of the distinguished Senator from Wisconsin (Mr. PROXMIRE), and the consummation of his order to speak, the Senate proceed to the consideration of Calendar No. 817, Senate Joint Resolution 202, that there be a time limitation thereon of 15 minutes to be equally divided and controlled by the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.) and the distingushed Senator from Wisconsin (Mr. PROXMIRE); and that upon disposition of Senate Joint Resolution 202, the Senate resume the consideration of the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene tomorrow at 9 a.m. After the two leaders or their designees have been recognized under the standing order, the distinguished Senator from Wisconsin (Mr. PROXMIRE) will be recognized for not to exceed 15 minutes; after which the Senate will proceed to the consideration of Calendar No. 817, Senate Joint Resolution 202, designating the premises occupied by the Chief of Naval Operations as the official residence of the Vice President. There is a time limitation of 15 minutes on that joint resolution, the time to be equally divided and controlled by the Senator from Virginia (Mr. HARRY F. BYRD, JR.) and the Senator from Wisconsin (Mr. PROXMIRE).

Upon disposition of that joint resolution, the Senate will resume consideration of the unfinished business, S. 1539, a bill to amend and extend certain acts relating to elementary and secondary education programs.

So-called busing amendments will be in order; and under the agreement, all such so-called busing amendments are to be disposed of no later than 1 p.m. tomorrow.

Upon the disposition of busing amendments tomorrow, the substitute by Mr. CURTIS, Mr. MCCLURE, and Mr. BUCKLEY will be called up, and there is a 6-hour limitation thereon. Amendments to the substitute would be in order. Yea-and-nay votes could occur. It is anticipated that the substitute will be disposed of one way or the other on tomorrow before the Senate adjourns. So this could indicate a somewhat lengthy day.

ADJOURNMENT TO 9 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 a.m. tomorrow.

The motion was agreed to; and at 7:11 p.m. the Senate adjourned until tomorrow, Thursday, May 16, 1974, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate on May 15, 1974:

DEPARTMENT OF DEFENSE

J. William Middendorf II, of Connecticut, to be Secretary of the Navy, vice John W. Warner, resigned.

Gen. George S. Brown, U.S. Air Force, for appointment as Chairman of the Joint Chiefs of Staff for a term of 2 years, pursuant to title 10, United States Code, section 142.

Gen. David C. Jones, U.S. Air Force, to be appointed as Chief of Staff, U.S. Air Force, for a period of 4 years, pursuant to title 10, United States Code, section 8034.

EXTENSIONS OF REMARKS

CARNEY DEAN: A TRUE PUBLIC SERVANT

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. STEED. Mr. Speaker, during the recent Easter recess I attended the funeral services for a man who had an almost limitless capacity for selfless work in behalf of the cause of conservation—Carney O. Dean of Chandler, Okla.

He was already at the retirement age when a group of us interested in soil conservation and water development formed the Deep Fork Watershed Association in a meeting at Wellston, Okla., High School in 1957.

Soon he became the secretary of the association and continued devoted to this task until his death at 81 last month. While he received some compensation for his work, it could not begin to repay the many hours he put into it. Carney Dean did all this because he believed in conservation, in upstream flood control, and its multiple use of water.

He was born in Lincoln County, Okla., and spent most of his life there. I once heard a soil authority describe it as the most eroded county in the State. This is no longer true due to the work of Carney Dean and many others like him in the Deep Fork Association in the development of such projects as Bear, Fall, and Coon Creeks, Quapaw Creek and Little Deep Fork.

Carney Dean possessed a refreshing, almost naive, enthusiasm in the cause in which he believed, a quality we too often miss in these days.

I will always remember his last visit to Washington some 4 years ago. He had been here at the end of World War I, passing through on his way home from France. Then he returned more than 50 years later. He came to testify at the Agriculture Appropriations Subcommittee, headed by our colleague Congressman JAMIE WHITTEN, not to ask it for money but to thank it for what it has already done for soil conservation, particularly that of his native State. We do not have many witnesses of that kind.

Long years ago he was looking ahead to the day when $100 million a year would be appropriated for soil conservation. That was then regarded as visionary, but it has since been passed.

In my files I have a 2-foot-thick sheaf of the Deep Fork Newsletter, which he always issued so brightly and informatively.

He was possessed by the vision not only of soil conservation systematically applied through tributaries of main streams, but also of the project to provide water transportation for central Oklahoma by extending the Kerr-McClellan Waterway up the Deep Fork to the vicinity of Oklahoma City.

In his Christmas letter in 1972, Carney Dean wrote:

I do not know how to stop work, and life is so good to me.

This remark was characteristic of a man whom I am proud to have had as a friend.

Milt Phillips, publisher of the Seminole, Okla., Producer, caught much of the spirit of the man in his editorial, which follows:

NAME IT CARNEY DEAN WATERWAY

(By Milt Phillips)

Last week over at Chandler Carney O. Dean passed away. Our own problems here at home prevented our attending his services. Few of you who read this will know Carney Dean. Some of the active leaders of First Christian Church will know him and remember the years of service he provided the Christian Men's Fellowship of The Disciples of Christ. A few of the area here, such as John Marshall and a few others will remember Carney because they were associated with him in Deep Fork Watershed Association. Ruby and Ye Scribe knew Carney from his college days at OU when the three of us worked together in Norman's First Christian Church and the church Christian Endeavor Society. Being in school with Carney over those years, we came to know him fairly well. In later years our paths would cross occasionally, especially when we visited in areas where Carney was in charge of highway appraisals, or where Carney was doing some chore in church effort. But for the past 15 or 20 years we've

worked with Carney often in developing water and soil conservation. When the late Tom Phillips, the late John Ed Davis, the late Chester Gates, Chester Ellis and Ye Scribe were working on the Wewoka Creek flood control project, Carney and some of his associates from around Chandler visited this area often. Because Tom Steed and the Wewoka Creek Water Conservancy District boosters of Wetumka, Holdenville, Wewoka and Seminole developed the state's "Pilot Project" for the upstream flood control project which has become so popular over the years, water conservationists came to visit us from all sections of the state. The newspaper pictorial section of the Holdenville Daily News and the Seminole Daily Producer published to promote the Wewoka Creek (Big and Little Wewoka Creeks) flood control project received nation-wide distribution. In later years Carney Dean and his fellow residents along Deep Fork River from Edmond to Lake Eufaula used much of the same kind of study and information we on Wewoka Creek had used. Carney Dean was a strong leader in that effort.

In later years the Deep Fork was declared by the U.S. Army Engineers to be the only feasible route which could be developed for barge traffic by waterway to Oklahoma City from the Kerr-McClellan Mississippi-to-Tulsa barge canal. Carney Dean was elected Secretary of the Deep Fork Association. He was still serving when he died in Chandler last week. Carney Dean was one of, and at the time seemingly the only one, who was willing to keep working to develop the Deep Fork Barge route. Hundreds of people from Okmulgee on the east to Edmond and Oklahoma City on the west, and from Seminole and Shawnee on the south to Drumright and Cushing on the north, joined the Deep Fork Association and learned to love and respect Carney Dean for his dedication to restoring the thousands of acres of flood-devastated land along the Deep Fork, and for his dedication to developing the waterway through Lake Eufaula to Oklahoma City. They named the Mississippi-Little Rock-Muskogee-Tulsa waterway "The Kerr-McClellan" waterway because of the devotion of those two United States Senators to developing that water transportation route.

This newspaper proposes that if and when the Deep Fork is ever developed into a water transportation route, it be named The Carney Dean Waterway. No one man along all that vast Deep Fork wasteland devoted more time, was more effective or was more dedicated to reclaiming that vast thousands of acres, and to developing an economic-boosting waterway, than our longtime friend Carney O. Dean. Every community along the Deep Fork River owes Carney Dean a vote of thanks and appreciation.

COMMUNITY OWES MUCH TO DR. CROSBY

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. LAGOMARSINO. Mr. Speaker, citizens in the Oxnard Union High School district are fortunate to have Dr. Joseph Crosby as their superintendent of education. Dr. Crosby has announced his retirement after 25 years of dedicated service. The following Oxnard Press-Courier editorial expresses in a meaningful way the feelings of Oxnard residents toward their beloved superintendent:

COMMUNITY OWES MUCH TO DR. CROSBY

It is difficult to imagine an Oxnard Union High School District without Dr. Joseph Crosby at its helm as superintendent, but that is the reality to be faced by district administrators, teachers, parents and students in less than two months.

Crosby has announced his retirement after 25 years' service to the district, 17 of them as an outstanding superintendent. His mixed feelings about leaving are shared by thousands who work and live and study in the district: Sadness at his departure and yet happiness over the challenging new turn he has taken in his career.

Next year, Crosby will be teaching educational administration in Europe under the graduate program of the University of Southern California. We can think of no one better qualified for the job, and his excitement at the prospect of this new challenge is contagious—almost to the point of making those around him forget that USC's gain is OUHSD's loss.

That could never happen, of course, because Crosby has had such an influence, personal and professional, on the district during his years as superintendent.

Crosby's career spans a period in which the district mushroomed from one school to seven, from 2,200 students to 17,000. Yet, he never lost touch with the changing educational society—serving it most effectively, in fact, as he faced its issues squarely and honestly, with an insistence that none lose sight of fundamental educational values.

Within a month after Crosby became superintendent in 1957, an earthquake damaged Oxnard's high school so badly it had to be closed. He improvised classrooms in buses, the school garage and gym to keep the system in operation. With similar innovation he used the same set of plans for construction of several high schools in the district, eliminating architect's costs.

It was part of the pattern for an administration that practiced economies in building and personnel, but not at the expense of the students.

Crosby can be tough, blunt and devastatingly honest. Those attributes, combined with his Irish charm and genuine concern for people, have earned him the respect and devotion of nearly all who know him. His largely unsung services to his community, above and beyond his professional duties, earned him selection in 1964 as Oxnard's Distinguished Citizen.

He remains a distinguished citizen, serving his community in full personal and professional measure despite the pain from a pinched nerve in his neck that hastened his decision to retire at 57. His community owes him much, but—knowing Joe Crosby—we are sure he will humbly relish a simple: "Well done . . . and Godspeed in all future endeavors."

CONGRESSIONAL BUDGET ACT OF 1973

HON. TENNYSON GUYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. GUYER. Mr. Speaker, at this very time, legislation which would give Congress the necessary tools to return our Nation to a sound fiscal policy is being considered by a conference committee. One of the first bills I introduced over a year and a half ago as a freshman Congressman was one very similar to the legislation now in conference.

My constituents are eagerly awaiting this new program of wise and orderly spending which is set forth in the Congressional Budget Act of 1973. The hour is becoming late—the House and Senate have already passed this legislation. Immediate action by the conferees considering the bill is a prime priority, so that this important measure can be signed by the President and enacted into law.

Unless we stamp out the fires of inflation, there is little help or comfort for folks on small pensions and low incomes. Since Congress is the biggest spender in the country, it should set the example by setting its own budget house in order.

Our Federal Government spends cash at a rate of well over one half a million dollars per minute. At that rate, the Government spent more money in the first 10 months of our last fiscal year than they did between 1789 and 1942. In 1900, the Government employed 1 million people; today, there are almost 13 million Government employees.

At this time, Congress lacks a mechanism for systematic budgeting procedures. At no point, do the Appropriation Committees of either House coordinate actions with the taxwriting committees who are responsible for raising the revenue to pay the bills. Astonishingly, enough, the Congress appropriates money in a piecemeal fashion in more than a dozen separate bills without ever first deciding on a budget. It is no wonder that huge Federal deficits of over $100 billion have resulted in the last 6 fiscal years. By some estimates, an average family's share of the Federal budget has risen from $2,000 10 years ago to $4,500 today. Today, our national debt is reaching almost one-half trillion dollars and over 10 percent of the average American family's taxes are used to pay interest on our national debt.

I join with several of my freshmen colleagues in respectfully urging the conferees now reviewing the Congressional Budget Act of 1973 to act expeditiously and give us a bill which will provide the legislative branch of our Government with the necessary tools to establish national priorities, control Federal expenditures, and return our country to fiscal sanity.

ASTOUNDED AT CONTEMPLATED CUTS IN FEDERAL AID TO MEDICAL STUDENTS

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. HICKS. Mr. Speaker, it has recently come to my attention that the administration is contemplating a cut in Federal aid to medical students. An article in the Washington Post on Friday, May 10, quotes Deputy Assistant Secre-

tary of Health, Education and Welfare, Dr. Henry Simmons, as suggesting that a cut in aid to medical students is needed to avoid a future "oversupply of health professionals."

I am frankly astounded that at a time when a program of national health insurance is in the works, at a time when medical service to retired military personnel and their dependents is being cut back because of a shortage of doctors, at a time when, according to the Bureau of the Census, 140 counties around the country are without an active physician in patient care, that the administration can actually focus its policy in this regard on cutting back the supply of health professionals.

Dr. Simmons may be correct that a cutback in Federal aid to medical students would result in a savings to our Treasury. But at what social cost? Almost everyone, it seems, except Dr. Simmons, agrees that we are critically short of doctors when we look at our Nation as a whole.

As an alternative, I suggest that we insist on adequate social payback for this Federal financial assistance in medical education. And this repayment should come in the form of medical service to the medically needy sections of our country.

Now that the draft is no longer in effect, the armed services are crying for qualified medical doctors. The same is true for public health and Indian health facilities. And certainly it is true of those counties that have no doctor at all.

Certainly a young doctor should be willing to serve a period of time in one of these programs in return for Federal aid in meeting the high costs of today's medical schools. It is a much better alternative than not being able to attend school at all—as the administration now suggests.

I am concerned—as we all are—about our national health care system. With this in mind, I would suggest that the administration should reconsider its proposal to cut back on aid to medical students at a time when doctors are so badly needed and will continue to be needed in our society.

CONGRESSMAN ROBERT N. GIAIMO PRESENTS KEYNOTE ADDRESS AT THE FIFTH ANNUAL CONFERENCE OF THE IARF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BRADEMAS. Mr. Speaker, our distinguished colleague from Connecticut, the Honorable ROBERT N. GIAIMO, recently made an excellent keynote presentation before the fifth annual meeting of the International Association of Rehabilitation Facilities held in San Antonia, Tex., May 12–15.

I am sure that Mr. GIAIMO's comments with respect to the "New Federalism" and the vocational rehabilitation program for handicapped persons will be of interest to all my colleagues, and I include his address at this point in the RECORD:

THE NEW FEDERALISM VERSUS OUR RENEWED PARTNERSHIP

(Keynote presentation by Congressman ROBERT N. GIAIMO)

It is with very great pleasure that I present the keynote of your Fifth Annual Conference. I was delighted to accept your invitation to speak to you this morning . . . particularly pleased, for several reasons . . . pleased to lay aside for a while those "expletive deleted" transcripts to get a breath of fresh Texas air . . . and to be able to see again and to renew acquaintances with some old and very fine friends, E. B. Whitten . . . Al Calli . . . Chuck Roberts . . . Nathan Nolan . . . Dale Eazell . . . and Jim Geletka.

Secondly, I would like, however belatedly, to convey my personal thanks and appreciation to you for honoring me with the IARF's 1972 Distinguished Service Award. I, unfortunately, was not able to attend your third annual conference in Chicago but I am greatly honored by your selection. The Award also serves as a daily reminder of the excellence of *your* contributions to Vocational Rehabilitation.

I am delighted to be here this morning because I somehow seem to have adopted you and Vocational Rehabilitation and handicapped men and women who are working so hard and being served so well; I've adopted both your successes and your present difficulties.

It has been my observation that many Members of Congress, particularly those who've been in office for five or six terms, lose touch with the reality of social assistance programs as they enlarge—or diminish—people's lives. Congressional realities are the paper world of legislation and committee reports, and the intellectual exercise and compromise of conferences, and debate on the floor of the House or Senate. Concern exists on an abstract level, but abstract ideas and authorization figures don't live in wheel chairs or wear prosthetic devices or need vocational counseling and training.

I frequently rushed along in that same world of appropriations, deficits, budget justifications, and markup sessions until a close friend, Al Calli, invited me to visit a rehabilitation facility in New Haven.

That first visit to that very real world of struggle and achievement made a profound impression on me—an impression that translated Labor-HEW appropriations figures into responsive and hardworking men and women of all ages, eagerly engaged in rehabilitation training to enable them to function responsibly, independently, and with dignity in a society that, all too often, is designed for the survival and success of only the strongest and heartiest of us.

The Vocational Rehabilitation program is, without question, the most successful and cost-effective assistance program in the federal government, and has been since its inception 54 years ago. It has been a model for all other welfare and assistance programs.

But because of the trend of events of the last 5 years, I have become concerned, as you are, about the future effectiveness of Vocational Rehabilitation programs.

As the New Federalism—the sharing of decisionmaking as well as revenue—filters down through the bureaucracy, the lack of responsiveness and accountability of officials, the danger of emasculation of program become frighteningly real possibilities.

ADMINISTRATION POLICY SINCE 1969

Let me summarize the effects of this administration's policy on Vocational Rehabilitation. The New Federalism began inauspiciously in 1969 when Presidential directives mandating decentralization of program management were sent down to departments and agencies engaged in the administration of social programs.

Bureaucratic progress toward implementation of these directives was typical of the speed of most institutional change, but the seeds of reorganization were sown.

In March of 1973, a memorandum from the Secretary of HEW, Caspar Weinberger, went out to all assistant secretaries and agency heads urging them to delegate all decisionmaking to regional offices. The memo included the frank warning that the rate of progress toward decentralization would mirror their effectiveness as managers. A caution was included in the memorandum. I quote, "We should not impose on those who seek to decentralize the burden of proving its efficacy."

Three weeks later, another memo written by Frank Carlucci, an HEW Under Secretary, was circulated outlining a model for decentralization and containing a number of interesting admonitions: "If a legislative obstacle exists, a complete legal opinion should be provided. Where obstacles can be effectively changed, a plan for such action should be included"—or, in other words, if there are any legal roadblocks, see if the lawyers can find a way around them. Doesn't that have a familiar ring?

The memo went on to describe some exceptions to decentralization—a category of "non-acceptable exceptions" called external considerations. One such external consideration was any resistance to change coming *from special groups or the Congress*—you and me. And in another part of the memo, "We cannot afford to permit decentralization to become a subject of debate or inaction"—or, they're not going to stop us.

At about this time, career employees began to get wind of the reorganization and asked their union to request a written report on reorganization plans. On August 1, (1973), the union received a flat denial that any reorganization was under way, a denial written by the man who was responsible for an approved reorganization plan for a 40 percent cut in the four basic program operating divisions of the Social and Rehabilitation Services—James Dwight, its Administrator.

The Dwight plan also called for staffing changes—changes that would result in a purge of the SRS career staff—to eliminate the need for a direct one-to-one shift of central office personnel to regional offices. "The job is not one of moving people and materials, but one of identifying positions that can be declared excess."

During the last 10 months of 1973, there was a great flurry of systems planning and scientific management underway in SRS. During that time, the Senate killed a request for 725 new positions for SRS. The new positions were described in the HEW budget request as critical to the Department's capacity to *manage* programs more effectively, and to ensure an active role in review and approval of state program *management* so that eligibility procedures and regulations could be improved. 565 of the 725 new positions were to go to regional offices.

Another incident will help to illustrate this zealous desire to overmanage and disrupt. Long after OMB had removed the freeze on promotions, it was continued at SRS and a freeze on hiring was implemented as well. When the freeze was lifted, priorities for a few promotions were given to positions in the regional offices, and the remainder to job

categories in planning, research and evaluation; and information systems and management. In November of last year, it came to light that under Dwight, management consultants were being contracted to help with reorganization, and that they began to develop and write-in jobs for themselves and their friends; in effect, began to pre-select people to fill new management positions.

These staffing policies began to take their effects. Morale began to deteriorate and, in ten months, SRS lost 20 percent of its career staff.

By last September, *some* of the reorganization plans were complete; those that, in effect, inserted a layer of about 200 employees—management analysts, information scientists, systems planners and designers—between the program operating offices and the agency administrator.

The potential for disruption of program became even more obvious as a result of another memo from Carlucci which said that reorganization plans would not necessarily be accepted in full for any one program, or, that reorganization would be piecemeal.

In spite of prohibitions in the 1973 Vocational Rehabilitation Act which forbade HEW to decentralize programs of the RSA without first submitting such plans to Congress, the process of decentralization is still underway.

LEGISLATIVE HISTORY

The "New" Federalism has also been reflected in Presidential actions to impede and delay Congressional initiatives to extend, improve, and expand vocational rehabilitation services.

The level of the Presidential budget request for Fiscal Year 1972 clearly illustrated the Administration's desire to cut back on funding of essential programs in rehabilitation services. Budget requests for basic state grants were reduced from the previous year's appropriations, as well as requests for research and demonstration project funds.

After a series of talks with Mr. Whitten, Al Calli, and others concerning the damage these reductions would do to programs, I thought it was imperative to act. I offered an amendment to the Labor-HEW Appropriations bill for Fiscal Year 72 to increase appropriations by a total of $82.4 million. The increases were for basic state grants, grants under the developmental disabilities programs, and funds for improvement of rehabilitation facilities. My amendment also restored funds for research and development and raised the allotment base for state grants. The amendment was adopted by the House, and the Administration was foiled in its attempts to cripple the program that year. But it was more successful in 1973.

As you know, the President, last year, twice vetoed legislation which would have extended and expanded the scope of vocational rehabilitation programs—legislation which had overwhelming, almost unanimous, bipartisan support in both the House and Senate. The first veto occurred in October 1972 during the final days of the campaign, and generally went unnoticed. The second veto of a similar bill came on March 27, 1973—interestingly enough, just 3 weeks after the issuance of the memorandum from the Secretary of HEW urging redelegation of decision-making authority to regional offices.

Congress' third legislative attempt in 1973 was successful. The compromise Rehabilitation Act of 1973 extended programs for 2 years instead of 3 but did initiate significant *new provisions* for training of the severely handicapped. And again, this year, the administration attempted through "benign neglect" of the Supplemental Appropriations bill in April, to reduce basic rehabilitation services.

In the absence of a Presidential request, the House Appropriations Committee added $20 million to the bill to bring the total appropriations for 1974 to the full authorization. (There had been a prior understanding that if additional amounts were needed, a supplemental appropriation could be requested to bring the appropriation to the full authorization of $650 million. The states also had sufficient funds on hand to match the full Federal allotment.)

In its report, the Committee stated that it "fails to understand the delay in submitting a budget request to carry out the clear intent of the law." And, although no request was made, the Committee approved the additional amount so that the states could proceed with their plans. On April 11, (1974), the day the House passed the bill, the Congress received a message from the President requesting the additional $20 million.

STATUS OF POLICY AND LEGISLATION IN 1974

This picture of the Administration's punching and counter-punching at Congressional initiatives is not a pleasant or inspiring one, I admit. Nor are its in-agency policies that are subverting career staff morale and fragmenting program structure.

Staffing of Central Office operations for the four program areas has been cut in half in the last year under the decentralization movement; staffing in regional offices has doubled. Professional career employees have either been scattered to the 10 regions or have been disposed of altogether.

Computer and management experts have been placed in key positions throughout the program. Staff morale has deteriorated and added fuel to bitter labor-management disputes. The Civil Service merit system is being undermined.

The President's budget for Fiscal Year 1975 again refuses to meet program and handicapped population needs, particularly in the areas of training of professionals, research funding for rehabilitation of the severely disabled, and in funding of basic state grants, although states have unquestionably proven their ability to provide matching funds as stipulated in the 1973 authorization legislation.

In short, the Administration's budget request falls $73 million short of what is required to meet the *minimum* statutory requirements of the 1973 Rehabilitation Act.

The end game of any attempt to decentralize a program is to eliminate the middle man—in this case the state agency—altogether, and to provide funds directly to the handicapped individual. What we may perceive to be the next Administration goal, a logical extension of its decentralization philosophy, is described in the new well-known memorandum, written by William Morrill, Assistant SRS Secretary for Planning and Evaluation—a policy statement that came to light last year in the continuum of the Nixon Administration's apparent opposition to vocational rehabilitation programs.

The Morrill memorandum puts forth the notion that state agency programs should be eliminated and a cash assistance policy be instituted in its place—that federal funds should be provided *directly* to the handicapped through individual grants. This philosophy presupposes that the individual in need of services will know what his needs are, know where to buy them, and will be able to find his way through the maze of welfare and assistance programs, offered by both the government and the private sector, to get them. This is a corruption of the philosophy that the government is best which governs least—in this case, an incredibly simplistic approach to a very complex system of people and program needs and services. And, I can just imagine the mushrooming of profit-making rehabilitation centers, trade schools and correspondence courses that that would very quickly turn such funding into "get rich quick and run" schemes.

The Rehabilitation Services Administration itself is a shambles. It's been submerged beneath a layer of management and efficiency experts who know little of rehabilitation programs.

Regional RSA officials will not report to their counterparts in the Department of HEW but to the Administrator of SRS.

Operating regulations have not *yet* been finalized, and there is no indication as to when they will be completed.

And finally, 2 weeks ago, after a vacancy of a year and a half, the Admnistration appointed a permanent Commissioner of Rehabilitation, Dr. Andrew Adams, formerly of the Veterans' Administration, who admits that he knows very little about rehabilitation programs.

Congress is concerned about the RSA and the life of vocational rehabilitation. Legislation has been introduced by House leaders to extend the Rehabilitation Act for another year and to move the RSA out of the SRS into HEW's Office of Human Development, on the grounds that it is a human resources program designed to develop the capacities of the handicapped, and, therefore, does not belong in SRS which is a collection of welfare programs. The second reason is to protect the agency from complete decimation at the hands of the SRS.

There are risks involved in this proposal; namely, that relocation would contribute to the frustrations of reorganization and that the resituation itself would tend to help accomplish the Administration's apparent goal to decentralize and reorganize the rehabilitation program out of existence.

Evidence of Congressional interest is apparent in the tone of the Labor-HEW Subcommittee's oversight hearings on the program activities of the SRS. These hearings can make an impact, can be an effective beginning to reestablish Congressional authority to insure, in a very real way, that the intent of legislation is met by agencies, and to contain our imperial President. We must begin somewhere.

NEW GOALS, NEW DIRECTIONS

Congress cannot do the job of restoring the vitality of vocational rehabilitation alone. We do not and cannot work in a vacuum. Congress is an institution composed of individual people who develop legislation that will eventually affect individual people who have let their collective, but individual needs be known to us.

The only way to begin to resurrect vocational rehabilitation from the swamp of the New Federalism is to renew our partnership of concern and action, a partnership of you, as individual professional career staff; you, as a professional association; and me . . . the Congress—a tripartite lobby if you will.

Obviously a silent partnership will not work. Communication between us is essential to our success. IARF, as a professional association, and you, as knowledgable professionals in the field, know better than I the rehabilitation program needs; the funds required to implement those programs.

What are your goals? What new directions do you envision taking to reach and rehabilitate greater numbers of the handicapped?

What additional facilities do you want and need? What improvements need to be made in existing facilities?

Where do you want to go with program? Do you want to expand services for the severely handicapped—those with multiple disabilities, the spinal cord injured, the renal diseased? And in what ways?

What needs to be done in the area of

homemaker services—services that will release members of families of the handicapped from the exhaustion of constant care and allow them to work?

Do you want to push for research and development in prosthetic device design? To explore new materials and production techniques to get the costs of devices down to levels that are affordable by the average disabled man or woman?

What about initiatives in the area of enforcement of existing federal architectural barrier laws? How do we begin to solve the transportation problems that play havoc with the integration of disabled but rehabilitated men and women into society?

Where do we go from here, ladies and gentlemen? You must let us, Congress, know your thinking, your priorities. And the time to start is now.

How do you get your ideas to us? Let me make a few suggestions and briefly explain the communications process.

Members of Congress are people with incredible demands on their time and their abilities to influence. Please don't make the assumption that every Member of Congress knows all there is to know about all programs—they don't. Most Members vote an issue on the basis of the recommendations of the authorizing committee, on a report written by 10 to 30 Members who, over years of involvement with a subject, have become specialists.

Members of Congress have to be shown, as I was, the results and effectiveness of legislation in human terms. How many of you have invited Members of Congress to your facilities to see, first hand, what you're doing? Invite them. Set up some news coverage. See what happens.

How do you communicate with Members of Congress? Call them on the telephone. Go to Washington to visit with them personally. If you can't see the Member, talk with staff. Congressional staff will convey your thoughts and concerns to the Member. Write letters only as a last resort.

If you can't get an opportunity to talk to a Member, talk to someone who knows one of us. Talk to your board members. They're influential, and they know a great many people who can be of help in getting the word to us in Washington. Use your Association representatives in Washington, they, too, need to hear from you . . .

The challenge that faces our renewed partnership is to override the Nixon Administration's program-crippling policies, its vetoes, its refusals to request funds, its attempts to reorganize and decentralize Vocational Rehabilitation away from excellence . . . away from accountability . . . and out of existence.

It is time to exercise our Congressional authority, your individual expertise, and the Association's professional obligation to insure that Vocational Rehabilitation services in the future reflect the program excellence of the past.

Thank you very much. It is an honor to be here . . . to have this opportunity to express my appreciation, my interest in you and my concern for Vocational Rehabilitation.

SURVEY: REPUBLICANS AGITATED BY TRANSCRIPTS

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. HUNGATE. Mr. Speaker, not infrequently the earliest way to discover what Congress is doing or going to do is through the daily papers.

A recent Christian Science Monitor article has an interesting view on the Presidential transcripts and their effect on our Nation's citizens and our Government. The article follows:

SURVEY: REPUBLICANS AGITATED BY TRANSCRIPTS

(By Godfrey Sperling Jr.)

WASHINGTON.—The presidential transcripts have stirred up moral indignation from coast to coast, a Monitor survey of Republican leaders discloses.

State chairmen and national committeemen in 23 states—representing every geographical region—say that they and the voters in their states are terribly upset over the tone of the Watergate-related transcripts. They say that hard-core Nixon loyalists are, for the first time, shaken in their confidence in the President.

However, only a few of these leaders were recommending that the President step down. Instead, almost all were urging that the impeachment processes be pushed along as quickly as possible.

Of the transcripts, a Deep South leader says: "It was bad to see that the President considered payment of hush money. And it was terrible that he expressed no moral outrage at what he was hearing. We must proceed with the impeachment process as soon as possible."

Said a Western state chairman: "I thought they [the transcripts] were devastating. I think it is a pretty sorry thing that it was so totally shabby. I agree with the words of Senator [Hugh] Scott [Senate Minority Leader] about how shabby it all was. Around here it is raising the moral indignation of everyone."

GOLDWATER'S VIEW

From the Midwest: "I'm disgusted at the tone of the transcripts. It has raised a lot of doubts here. And it hasn't cleared up anything. This is what Republicans are saying in my state. And they are disgusted over the moral tone—the conniving and the smoke-filled-room atmosphere."

This growing storm, as evidenced in this survey, is a further extension of the unhappiness over the transcripts expressed by leaders of Congress, including Senator Scott, and House Republican leader John J. Rhodes.

Mr. Rhodes has even suggested that the President "consider" resignation.

But Sen. Barry Goldwater is not ready to urge the President to step down. Instead, he says Mr. Nixon will "know" when to quit. He says he thinks Mr. Nixon will resign if he is impeached.

The President continues to say he will stick it out. And his daughter, Julie, along with son-in-law David Eisenhower, say that Mr. Nixon will stay with this fight to the end, even if he only has a senator or two behind him in a final showdown.

RESTLESS FOR FORD

The reluctance of Republican leaders to urge resignation was put in words like these by most of those polled: "There is a constitutional way of dealing with this crisis, and we should follow it."

But most of them were indicating, in one way or another, that they would be relieved if Vice-President Gerald R. Ford could take over the reigns of government.

Said a Midwesterner: "There is no question but what [the transcripts] hurt [Nixon]. I think he's done. And there's no question that it would make my job easier if Nixon weren't in there."

From the Southwest: "My reaction was one of general disappointment and disenchantment. You would expect much better from a man in that position—a better tone. I am against resignation. It is better for history if we can see this thing through the constitutional processes."

SOUTHERNERS SLIP AWAY

In a number of previous post-Watergate surveys of Republican leaders, some of the strongest voices of criticism of the President came from the North and the more highly populated states.

This time the erosion of Republican and conservative support for Mr. Nixon clearly had moved into the more-rural regions of the United States, particularly the South.

AN UNSEEMLY PERFORMANCE

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. MARTIN of Nebraska. Mr. Speaker, last week's action of the Democratic Caucus in sidetracking committee reform legislation was an irresponsible act which showed contempt for the American public. It is not enough that the caucus action threatens to shelve the unanimous report of a bipartisan committee of the House, but the deed was done by a secret vote in a secret meeting.

Fortunately, this irresponsible act has not escaped public attention. A New York Times editorial of May 13 placed the blame exactly where it belongs: on a small minority who are placing personal convenience above the public interest. The Times concludes, correctly, that "It was an unseemly performance."

Mr. Speaker, I ask unanimous consent that the editorial, "Liberals Astray," be reprinted in full. The editorial follows:

LIBERALS ASTRAY

By the time that the LaFollette-Monroney Legislative Reorganization Act passed Congress in 1946, it had been the subject of intense public controversy and of innumerable articles and editorials. For more than a year now, a committee of ten House members drawn equally from both parties has been at work on a reform proposal that—so far as the House of Representatives is concerned—would be as far reaching and as desirable as the LaFollette-Monroney Act. But in a Congress and a nation preoccupied with Watergate, this committee has done its work silently and unnoticed.

On Thursday, reform paid the price for that silence. By a narrow margin, the House Democratic caucus shelved the reorganization plan by sending it to another committee for study. The barons of the House led by Representative Wilbur Mills of Arkansas, chairman of the Ways and Means Committee and the pressure group lobbyists know what was at stake even though the public did not.

It was not essential that the plan be submitted to the Democratic caucus. It could have gone directly to the floor as a privileged motion. But Speaker Albert and Representative Richard Bolling of Missouri, chairman of the committee that drafted the reorganization, believed that as a practical matter the reforms would not last unless they had the support of a majority in each party.

House Republicans meeting in their conference endorsed the reforms. The Democrats did not. Significantly, they did the deed in secret avoiding a rollcall vote. There is no justification for conducting public business in that devious fashion.

Labor unions and liberal Democrats who on most other days are in the vanguard of those calling for progressive change were instrumental in blocking the reforms. Since

the AFL-CIO did not want the Labor and Education Committee split into two committees or the Post Office Committee abolished, it used its political muscle against the plan. Noted liberals such as Representatives Frank Thompson of New Jersey, John Brademas of Indiana, James O'Hara of Michigan, and Phillip Burton of California would have lost cherished subcommittee chairmanships and for that selfish reason opposed the plan. It was an unseemly performance.

In theory, reform is not dead. The study committee to which the plan has been referred could resubmit it with only minor changes at the Democratic caucus in July. In coming weeks, the liberals who joined with their party's old-timers in unorthodox alliance have an opportunity to prove that they can come up with constructive alternatives rather than the self-interested negativism they have evinced thus far.

SBA COMMENDED FOR EFFICIENT PROCESSING OF LOAN APPLICATIONS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. EVINS of Tennessee. Mr. Speaker, in the February 1974 issue of the Bank Loan Officers Report, a publication prepared by the editorial staff of the Bankers Magazine, the Small Business Administration is commended for its efficient processing of participation loans to American small businesses.

Because of the interest of my colleagues and the American people in SBA, I place these comments in the RECORD herewith.

The comments follow:

TAKE ANOTHER LOOK AT SBA LENDING

Almost all banks have, at one time or another, looked into participating in Small Business Administration Loans. And many have become disillusioned with the excessive red tape which was involved . . . and the excessive amount of time needed to process the loan. As a result, many banks simply advise their customers that they had, after careful evaluation, decided that SBA lending was not worth the effort involved.

In the past, those banks might have often been right. However, two out of three banks in the nation are now finding that they can do business with SBA. Reason: SBA has been *improving* its performance, cutting red tape and reducing the time it needs to reach a decision. Thomas S. Kleppe, national SBA administrator now is telling bankers: "We are not in competition with banks. SBA tries to fill that niche which is not bankable without a guarantee. We take risks that banks won't touch, and that's our job."

BLOR has talked with a number of bankers who now do business with SBA. They say that what Mr. Kleppe has stated to bankers, i.e., "We have eliminated about two-thirds of the paper work formerly involved" in processing SBA loans, is correct.

RECOMMENDATIONS

If your bank is one in three that does not make SBA loans based on past track records, we suggest that you and your bank take another reading. You may find SBA loans are now bankable.

POST EMBARGO ENERGY CONSERVATION RESOLUTION

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BROTZMAN. Mr. Speaker, this Nation has recently been through one of the most trying periods in its history. When the oil embargo was imposed, we were made suddenly aware of the importance of sufficient energy supplies to the well being of the U.S. economy. We also became aware that we have been rapidly depleting our nonrenewable petroleum fuels while failing to develop any adequate alternative sources of energy.

We had been operating under the assumption that cheap, abundant energy would always be available, and this contributed to wasteful patterns of consumption and insufficient incentives to develop adequate domestic sources. This left us very vulnerable to any interruption in the flow of imports upon which we had come to rely so heavily.

No one was more delighted than I when the OPEC countries released a statement announcing the end of the embargo. However, my enthusiasm is qualified.

For until we regain energy independence, we will continue to face the threat of another embargo, production cuts, and the caprices of oil diplomacy.

The choice to the American people is quite clear. Either we take the necessary actions to develop our abundant natural resources, or we subject ourselves to the continued threat of economic and political blackmail.

We have seen through Project Independence a national effort begun to achieve energy independence in the 1980's. It presents a two-fold approach to the problem: first, to develop the resources that are in abundant supply in this country, and second, to use what we already have wisely.

Each one of us in the Congress is aware of a number of pieces of legislation in both the House and Senate designed to promote and effectuate the efficient development of energy resources. We will hear a lot about these bills in the future, and I sincerely hope that we act on as many of them as possible before the end of this Congress.

But in order to realize the full impact of this legislation, we must first reshape our energy concerns into new patterns of action that will increase energy efficiency, and eliminate needless energy waste. Until we learn to curtail waste, we will never fully realize energy self-sufficiency.

Our energy conservation goal should be to cut back the growth of American energy consumption from the 4- to 5-percent annual rate of increase over the past 20 years, to approximately 3 percent.

Accordingly, today I am introducing a resolution which calls upon the American people and American industry to diligently continue their conservation efforts.

This resolution congratulates the American people for their energy conservation success during the embargo period. That experience showed what we are capable of doing. Jobs were stressed first, and comfort second. The result was that there was no massive unemployment, schools and hospitals stayed open, there were no huge power failures, and the industrial community kept operating efficiently.

Mr. Speaker, it is the responsibility of Congress to take a major role in developing a permanent conservation ethic in this country. I am convinced that we can do this only with the confidence of the American people that this goal is worth attaining.

We must stress that goal to the public and private sectors alike. We should encourage the theme of conserving energy until people want to do it and believe in doing it—not just that they have to do it. Such measures as reductions in speed limits, lower levels of heating in public buildings and homes, reduced lighting, improved insulation of buildings, and carpooling were the backbone of our conservation effort this past winter.

I strongly believe that this measure warrants immediate consideration of the Congress, and I urge my colleagues to join with me in pushing for early consideration and enactment.

THE DEATH OF ROY DAVID PINKERTON

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. LAGOMARSINO. Mr. Speaker, I am saddened to advise the Members of the death of Mr. Roy David Pinkerton, of Ojai, Calif., on May 5, 1974. Mr. Pinkerton was the founder and editor emeritus of the Ventura County Star-Free Press, and a man whose entire life was dedicated to the field of journalism.

Starting as a $3.50 a week cub reporter with the Tacoma Times, Mr. Pinkerton went on to graduate from the University of Washington school of journalism, worked on papers in Los Angeles and Seattle, then returned as editor of the Tacoma Times at the age of 29, serving in that position from 1915 to 1921. In subsequent years, Mr. Pinkerton became editor of the Scripps-Canfield Seattle Daily, associate editor of the Cleveland Press, and editor of the San Diego Sun.

In 1925 Mr. Pinkerton founded the Star-Free Press along with his wife, Airdrie and Mr. W. H. Porterfield. The venture grew, and in 1928, Mr. Pinkerton was joined by John P. Scripps, the two of them assembling the seven newspapers in California and Washington States

that make up the John P. Scripps chain. Mr. Pinkerton continued to serve as editor of the Star-Free Press until his retirement in 1961, in addition to serving for many years as editorial director of the John P. Scripps newspapers.

A world traveler, Mr. Pinkerton was also an active civic leader. He had served as past president of the Ojai Festivals and was one of the founders of the Ventura Concert Series Association. He was also active in the Ventura Chamber of Commerce and Rotary Club. His professional affiliations included the American Society of Newspaper Editors, Sigma Delta Chi journalism fraternity, Overseas Press Club of America and the Los Angeles Press Club. He was also a member of the Sigma Alpha Epsilon social fraternity.

He leaves two sons, Robert, of British Honduras, and Roy, of Tiburon; a daughter, Airdrie Pinkerton Martin, of Ojai; a brother, Ralph, of Ferndale, Wash.; eight grandchildren and four great-grandchildren. His wife preceded him in death in 1966.

I know the Members join me, Mr. Speaker, in extending our condolences to Mrs. Martin and the other members of the family.

STATEMENT OF REPRESENTATIVE JOEL T. BROYHILL OF VIRGINIA ON A BILL TO AMEND THE FEDERAL ELECTION CAMPAIGN ACT OF 1971 AND TITLE 18, UNITED STATES CODE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, I am today introducing legislation which would amend the Federal Election Campaign Act of 1971 to provide for the reform of the Federal election campaign process. The legislation I propose today establishes a seven-member Federal Election Commission to oversee Federal elections, requires each individual who is a candidate for Federal office—other than the office of Vice President of the United States—to designate to the Commission a political committee to serve as the election committee of such individual, limitations on who can contribute to any candidate for Federal office to include a maximum contribution to each candidate along with a total aggregate of contributions to all candidates, allows an income tax deduction for political contributions up to $100—$200 in the case of a joint return—limitations on expenditures of candidates, identifies the form of contributions, sets forth penalties for violations up to 10 years and/or $100,000 fine and prescribes that the income tax return of the President, Vice President, and each Member of the House and Senate be fully audited by the Internal Revenue Service.

Mr. Speaker, the Federal Election Commission I have proposed would be established as an independent establishment of the executive branch of the Government, composed of seven members appointed by the President by and with the advice and consent of the Senate, and the Comptroller General who shall serve without the right to vote. Commission members, with the exception of the Comptroller General would serve for terms of 7 years with the exception of the original members who would each be appointed to staggered terms of service. Of the seven members, two members shall be chosen from among individuals recommended by the President pro tempore of the Senate, upon the recommendation of the majority leader of the Senate and the minority leader of the Senate, and two shall be chosen from individuals recommended by the Speaker of the House of Representatives upon the recommendation of the majority leader of the House and the minority leader of the House.

Briefly, the commission has the power to require, by special or general orders, any person to submit such reports and answer to questions as the commission may prescribe and such submission shall be made within such reasonable period and under oath or otherwise as the commission may determine, to administer oaths, to require by subpena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties. In any proceeding or investigation the commission may order testimony to be taken by deposition before any person who is designated by the commission and has the power to administer oaths and, in such instances, to compel testimony and the production of evidence. The commission may request that the U.S. Justice Department initiate, prosecute, defend, or appeal any civil action on behalf of the commission for the purpose of enforcing the provisions of this title. Should the U.S. Justice Department fail to take such legal action as the commission requests within 30 days of the time the U.S. Justice Department receives such request, the commission may demand that the U.S. Justice Department make a report giving information as to what action is expected, and if none, the reason therefor. Such report shall be a complete response to the demand of the commission and shall be delivered to the commission and made public information within 90 days of the date on which the original request for legal action was received by the U.S. Justice Department. Further, the commission may request that the U.S. Justice Department present to a grand jury, and prosecute any violation of this act or chapter 29 of title 18, United States Code. Should the U.S. Justice Department fail to take such legal action as the commission requests within 30 days of the time the U.S. Justice Department receives such request, the commission may demand that the U.S. Justice Department make a report giving information as to what action is expected, and if none, the reason therefor. Such report shall be a complete response to the demand of the commission and shall be delivered to the commission and made public information within 90 days of the date on which the original request for legal action was received by the U.S. Justice Department. The commission may delegate any of its functions or powers, other than the power to issue subpenas to any officer or employee of the commission. Any U.S. district court within the jurisdiction of which any inquiry is carried on, may, upon petition by the commission, in case of refusal to obey a subpena or order of the commission, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as a contempt thereof. No person shall be subject to civil liability to any person—other than the commission or the United States—for disclosing information at the request of the commission. Whenever the commission submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit a copy of the estimate or request to the Congress. Whenever the commission submits any legislative recommendations, or testimony, or comments on legislation to the President or the Office of Management and Budget, it shall concurrently transmit a copy thereof to the Congress. No officer or agency of the United States shall have authority to require the commission to submit its legislative recommendations, or testimony, or comments on legislation, to any officer or agency of the United States for approval, comments, or review prior to the submission of such recommendations, testimony, or comments to the Congress.

Addressing political committees, this legislation requires each individual who is a candidate for Federal office—other than the office of Vice President of the United States—to designate to the commission a political committee to serve as the election committee of such individual. No political committee other than the election committee of a candidate may receive contributions to such candidate or make expenditures on behalf of such candidate. Any expenditure in excess of $100 by any such election committee shall be approved in writing by the candidate who designated such committee or by the chairman or treasurer of such committee. Each political party shall designate to the commission not more than one national committee, one Senate campaign committee, one House of Representatives campaign committee, one State committee for each State, and one congressional committee for each congressional district. Political party, as identified by this legislation means any association, committee, or organization which nominates a candidate for election to any Federal office whose name appears on the election ballot as the candidate of such association, committee,

or organization. State committee means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of such political party at the State level, as determined by the commission. Congressional committee means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of such political party at the congressional district level, as determined by the commission. National committee means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of such political party at the national level, as determined by the commission.

This legislation further prescribes that it shall be unlawful for any person, other than an individual or any committee designated under section 314(c) of the Federal Election Campaign Act of 1971, to make any contribution to any one candidate or to any one political committee, with respect to any election which, in the aggregate, exceeds $6,000. No individual may make contributions to any one candidate for Federal office or to any one political committee designated under section 314(c) of the Federal Election Campaign Act of 1971, with respect to any election which, in the aggregate, exceed $1,000. No individual may make contributions to all candidates for Federal office or to all political committees designated under section 314(c) of the Federal Election Campaign Act of 1971, with respect to any election which, in the aggregate, exceed $25,000. No candidate or political committee may accept any contribution from any nonresident alien. Contributions made to or for the benefit of any candidate nominated by a political party for election to the office of Vice President of the United States shall be considered of such party for election to the office of President of the United States.

This legislation further sets forth that no candidate shall make expenditures in excess of 12 cents multiplied by the voting age population of the United States, in the case of a candidate for nomination for election to the office of President of the United States. Twenty-five cents multiplied by the voting age population of the United States, in the case of a candidate in a general election for the office of the President of the United States; 8 cents multiplied by the voting age population of the geographical area in which the election is held, in the case of a candidate for nomination for election to the office of Senator. Sixteen cents multiplied by the voting age population of the geographical area in which the election is held, in the case of a candidate in a general election for the office of Senator. Thirty cents multiplied by the voting age population of the geographical area in which the election is held, in the case of a candidate for nomination for election to the office of Representative, Resident Commissioner, or Delegate, or 50 cents multiplied by the voting age population of the geographical area in which the election is held, in the case of a candidate in a general election or special election for the office of Representative, Resident Commissioner, or Delegate. Expenditures made by or on behalf of any candidate nominated by a political party for election to the office of Vice President of the United States shall be considered to be expenditures made by or on behalf of the candidate of such party for election to the office of President of the United States. The term "voting age population" means the voting age population estimated by the Secretary of Commerce under section 104(a)(5) of the Federal Election Campaign Act of 1971. At the beginning of each calendar year—commencing in 1975—as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Federal Election Commission established by section 312(a) of the Federal Election Campaign Act of 1971, and publish in the Federal Register, the per centum difference between the price index for the 12 months preceding the beginning of such calendar year and the price index for the base period. Each amount determined under subsection (a) shall be increased by such per centum difference. Each amount so increased shall be the amount in effect for such calendar year. The term "price index" means the average over a calendar year of the Consumer Price Index (all items—U.S. city average) published monthly by the Bureau of Labor Statistics. The term "base period" means the calendar year 1973.

In addressing the form of contributions, this legislation proposes that no person may make contributions to or for the benefit of any candidate or political committee which, in the aggregate, exceed $100 in any calendar year, unless any such contribution is made by a written instrument identifying the person making the contribution. Violation of this particular provision is punishable by a fine of not more than $1,000, imprisonment for not more than 1 year, or both.

Deduction for political contributions as contained in section 218(B)(1) of the Internal Revenue Code of 1954—relating to amount of deduction for contributions to candidates for public office—is amended by striking out "$50" and inserting in lieu thereof "$100" and by striking out "$100" and inserting in lieu thereof "$200."

Income tax audits, addressed in this legislation, requires that the Secretary of the Treasury or his delegate shall conduct a complete audit and examination of the income tax returns of any individual who—at the time he files such return—holds the office of President of the United States, Vice President of the United States, Senator, Representative, Resident Commissioner, or Delegate. The audit and examination shall be completed no later than July 15 of the year following the taxable year for which the return involved is filed. The Secretary of the Treasury or his delegate shall report apparent violations of law discovered by any audit and examination conducted under this section to the appropriate law enforcement authorities. Such Secretary or his delegate shall prepare a report with respect to any income discovered by any such audit and examination which is not income from the Federal Government. Such report shall be transmitted to, if the return involved is that of the President or the Vice President, both the Senate and House of Representatives; if the return involved is that of a Member of the Senate, to the Select Committee on Standards and Conduct of the Senate; or if the return involved is that of a Member of the House of Representatives, to the Committee on Standards of Official Conduct of the House of Representatives. The Secretary of the Treasury or his delegate shall prescribe such regulations as may be necessary to carry out this section.

Violation of any provision of title III of the Federal Election Campaign Act of 1971 is a misdemeanor punishable by a fine of not more than $10,000, imprisonment of not more than 1 year, or both. Violation of any provision of this title with knowledge or reason to know that the action committed or omitted is a violation of this title is punishable by a fine of not more than $100,000, imprisonment for not more than 5 years, or both.

Violation of amendments to title 18, United States Code, new sections 614, pertaining to limitations on contributions and 615, addressing limitations on expenditures contained in this legislation is a misdemeanor punishable by a fine of not more than $10,000, imprisonment of not more than 1 year, or both. Violation of any provision of these sections with knowledge or reason to know that the action committed or omitted is a violation of this title is punishable by a fine of not more than $100,000, imprisonment for not more than 5 years, or both.

Mr. Speaker, the legislation I propose today focuses upon limiting contributions, limiting expenditures, limiting political committees and their activities, limiting who can contribute to candidates, a strong Federal Elections Commission, tough penalties for violations and complete income tax audits with full disclosure of outside income for the President, Vice President, all Senators, Representatives, Resident Commissioners, or Delegates. I strongly urge every consideration by my colleagues of this legislative proposal which stands with the many other bills before Congress concerning reform of the Federal election campaign process.

DIFFERENT RATING SYSTEMS FOR NATIONAL FIGURES

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. HUNGATE. Mr. Speaker, since the rating system which many special interest groups have used to "grade" na-

tional figures seems to be misunderstood by many, I was pleased to read recently a clarification of this by a noted student of Congress, Time magazine's congressional correspondent, Neil MacNeil. He notes that since the 1950's many public interest and lobbying groups have studied the voting records of Congressmen and rated them according to the individual group's own private and special interests. The aim of the rating is to guide followers of the groups as they make their decision at the polls.

Included in the list of such influential organizations are the AFL-CIO's Committee on Political Education, COPE; the Americans for Democratic Action, ADA; the National Farmers Union, NFU; the American Farm Bureau Federation, and the Americans for Constitutional Action, ACA. The first three are liberal organizations and the last two conservative organizations. Not surprisingly, their ratings tend to be opposites of each other. For example, one distinguished colleague from New York received an ADA rating of 100 percent and an ACA rating of zero, while another able colleague from California received an ADA rating of zero percent, while another able colleague from California received an ADA rating of zero percent and an ACA rating of 100 percent.

I am sure that many of my colleagues carefully examined the special interest groups' ratings recently published in Congressional Quarterly.

My favorite ratings are those of the Americans for Good Habits—AGH—issued by our distinguished colleague TOM REES of California. AGH tends to prove that beauty is in the eye of the beholder, as all Members from ABDNOR to ZWACH score 100 percent on their chart. This occurs because AGH selects only those bills passing the House unanimously.

ETHICAL STANDARDS OF BRIGHT YOUNG MEN IN THE WHITE HOUSE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. EVINS of Tennessee. Mr. Speaker, a recent editorial published in the Nashville Banner points out that one of the more distressing aspects of Watergate is the revelation of the conduct of many well-educated and supposedly bright young men in the White House.

The editorial, entitled "What Happened to the Elite?" raises questions regarding some social, moral, and educational standards of today and their impact on the behavior of young people employed in the White House surrounding the President.

Because of the interest of my colleagues and the American people in this matter of ethics, morals, and high standards, I place in the RECORD herewith a copy of this editorial:

WHAT HAPPENED TO THE ELITE?

One cannot help but look on with wonder and amazement at one of the most baffling and distressing aspects of Watergate—the clean-cut, well-educated, successful young men not knowing the difference between right and wrong, between lying and telling the truth, between political infighting and lawbreaking.

As one peruses the 1,200 pages of presidential tape transcripts and recalls these men coming one by one before the Senate Watergate Committee, it can't seem possible that these same men would be involved in perjury and burglary.

Each looks like the man of which any family would be proud, every mother boastful, welcomed into any corporation for the climb up the ladder.

Some are graduates in law, some in political science, some in business administration. But the crimes they have confessed or been convicted of range through perjury, burglary, violation of campaign contribution laws and impeding justice deliberately.

Though our society expects every teenager to know that smoking marijuana is illegal and the offender subject to arrest, these college graduates of early middle age—at the highest level of the federal government—broke some of the best known laws of our free society.

What happened? Where did their education fail them then?

Didn't anyone in all their years of education and upbringing give them the simple rules of right and wrong? As these cases may indicate, it's too late in graduate school. The start should have been in kindergarten.

Many parents, however honorable in their own behavior, today bring up their children with no exposure to Sunday School. The exposure instead is to children's literature, now heavily dredged in violence and social realities of divorce, broken homes, drug addiction. And television and movies aren't far behind, if at all.

At this century's beginning, most college students studied moral philosophy, logic—and yes, ethics. Today, many colleges and universities have dropped these courses in favor of "more practical" ones. But the subjects dealing with honesty in life should be part of every person's education and taught in the public schools. They should be required for graduation. But first there would have to be the training of teachers, the selection of textbooks—and probably their writing, too—and the subjects introduced into the curriculum.

The start should be made now.

MEDICARE AS PREVENTIVE MEDICINE

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. McKINNEY. Mr. Speaker, today I introduce legislation, with cosponsors, to amend the Social Security Act to expand medicare coverage for regular physical examinations.

The more I study our present health delivery systems and the proposals pending before Congress, the more I am convinced we are taking the wrong approach to the health needs of our older citizens. The emphasis is on providing care after the person becomes seriously ill.

We must move from crisis medicine to preventive medicine. I am sick and tired of hearing of our older Americans suppressing symptoms, tolerating unbearable pain, watching as the sores spread slowly over their body, because they cannot pay the high cost of medical care. I am sick and tired of hearing of our older Americans who needlessly lose many years of their lives, who endure incredible pain during their last years, who have lost depth and value to their life because of lingering or even fatal illnesses that could have been avoided had they been able to get medical care when they first realized the need.

I view this bill we introduce today as a step in the realization of the goal of preventive medicine. Our medical profession has the knowledge of what can be done on the basis of early findings to prevent the development of overt disease. Let us use that expertise. According to statistics, about 80 percent of our elderly population are fairly healthy. I say, let us keep them that way. And the way to keep them that way is to insure they receive regular physical examinations which may very well mean early diagnosis and treatment.

There is no argument over providing medical care for our aged sick. But let us not be so busy thinking of our sick older citizens and delivering health care to them that we fail to adequately concern ourselves with those in basically good health to insure they remain in that state of health. Our attention will be much more appreciated if we help our elderly avoid illness rather than showering them with attention after they have suffered.

Presently, if an elderly person receives a physical examination, should something be found wrong with him, medicare covers part of the cost of that physical examination. Today, due to soaring medical costs, far too often our older citizens ignore or suppress symptoms of serious illness. They do not see their doctor until they are convinced that indeed something is wrong—and seriously wrong. Hence, I believe medicare already covers a good portion of physical examinations because something is usually wrong by the time our average older American visits his doctor.

I am convinced that in the long run costs would be cheaper both to the patient and to the Government if the medicare covered regular physical examinations. Aside from improving the health of the well individual, a periodic health appraisal could mean early diagnosis and early treatment, entailing far less expense than the hospitalization and long-term nursing home care that may be necessary because the illness was not treated in the early stages.

Our elderly need to be encouraged to immediately seek medical help when symptoms of illness first appear. A reasonable charge for a physical examination is essential so that our older population will know medical care is available and within their means.

The Public Health Service has provided me with an outline of the yearly physical examination that most physicians agree is essential for an elderly person 60 years of age or older and the estimated cost. The total price is indeed staggering—roughly $200. When a person is on a limited income, it is no wonder he *does not partake* in the preventive measure of a yearly physical examination. The cost is prohibitive.

A breakdown of this $200 medical examination shows that a little over $100 covers the medical history and a complete general physical examination which in addition to the usual procedures includes examination of the retina and testing for glaucoma, testing of hearing, testing for cancer and arteriosclerosis, blood pressure determination, palpatation of the abdomen, examination of the circulation of the legs, and examination of the genitalia and rectum. Additional pertinent tests for our elderly such as electrocardiogram, chest X-ray, hemologic and white blood cell count, cervical examination, urinalysis, proctoscopy, and tests for serum glucose, cholesterol, urea and uric acid, increase the cost another $100.

Not many of our elderly can afford such a sum, particularly in these inflationary times. When our elderly determine their monthly budget, a possible medical examination goes by the wayside in order to keep that roof over their head and food in their stomach. It is no wonder that symptoms are suppressed.

This legislation we propose does not mandate a free yearly physical examination. At this point in time, unfortunately, such a proposal is totally unrealistic. Part B of medicare would apply for physical examinations for the present and the Secretary of Health, Education, and Welfare would issue regulations with respect to the scope and cost of the examinations. But this legislation should put a regular physical examination within the means of our elderly population.

DEMOCRATIC CAUCUS PUTS REFORM IN DEEP FREEZE

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. MARTIN of Nebraska. Mr. Speaker, one of the most outrageous aspects of the Democratic caucus' derailment of congressional reform is the deep, dark secrecy in which the deed was done. The Democratic caucus meets in private. The public and the press are barred from attending. The records, if they are kept at all, are not available to the public.

The caucus vote to sidetrack the Committee Reform Amendments of 1974 was taken by secret ballot. What is more, the vote on whether to cast a secret ballot was itself an unrecorded vote. The result is nothing short of ludicrous: This landmark piece of legislation, badly needed to bring the Congress up to date, is killed in a secret caucus by a secret vote on whether to have a secret vote.

Mr. Speaker, it is hardly surprising that the Democrats who instigated this action are ashamed of themselves. But the public's business is at stake here, and we are entitled, at the very least, to know exactly what the caucus has done, and why, and who favored or opposed it. As a beginning, the complete transcripts and voting records of the caucus should be made available so that the Nation can judge the Democrats' stewardship in handling the public's business.

The Select Committee on Committees' reform proposals, embodied in House Resolution 988, are the result of a year and a half of effort on the part of a representative, bipartisan group of Representatives. The report was unanimous. It should be debated in public, not defeated in secret.

SIDNEY R. REDMOND

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. HUNGATE. Mr. Speaker, a distinguished and respected member of the St. Louis community, Sidney R. Redmond, passed away on Thursday, May 2, 1974.

As the following article will indicate, he served in many positions of leadership and community service, and many of us will miss his contributions to public service and his personal friendship:

S. R. REDMOND FUNERAL; LAWYER, SCHOOL OFFICIAL

Services for Sidney R. Redmond, prominent St. Louis lawyer and member of the state Board of Education, who died Thursday, will be at 1 p.m. Monday at Union Memorial Methodist Church, 1141 Belt Avenue.

Mr. Redmond, who was 71 years old, died in St. Luke's Hospital. He resided at 16 Windemere Place.

In 1965 he was named by Gov. Warren E. Hearnes as a member of the state Board of Education and was elected its president in September 1971. In March 1972 Hearnes reappointed him to an eight-year term.

He was active in Republican politics and civil rights for more than 30 years.

In 1940, he was president of the Negro National Bar Association and in the same year he was appointed to direct the western section of the Republican Party's Negro Division.

A year later, Mr. Redmond was appointed special assistant city counselor, a position he held for the following five years.

He resigned to run for the Board of Aldermen from the Eighteenth Ward. He was elected and served two terms until 1955, when he was defeated for re-election.

In 1945, he unsuccessfully ran for election to the Board of Education.

Mr. Redmond was nominated in 1950 as the Republican candidate for Congress from the old Eleventh District, but was defeated in the general election. Six years later, he again sought election from the Third District, but was defeated.

Mr. Redmond, who graduated from the Harvard University Law School, was a former president of the St. Louis Branch of the National Association for the Advancement of Colored People.

He was also a member of the American Judicature Society, the Board of Methodist Foundation of Missouri, the Harvard Club of St. Louis, the Arts and Education Council and was a trustee of the City Art Museum.

He was editor of the National Bar Journal and was a member of the NAACP National Legal Committee.

Surviving are his wife, Gladys, and two sisters, Mrs. Esther R. Austin of Memphis and Mrs. Ruth W. Hall of Washington.

THE ASSOCIATION OF LOCAL TRANSPORT AIRLINES

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. ADAMS. Mr. Speaker, the Association of Local Transport Airlines held its spring quarterly regional meeting in Toronto, Ontario, Canada, hosted by Allegheny Airlines which serves Toronto, on May 8–10, 1974.

One of the highlights of the meeting was the occasion of the signing of a new Canadian-American Bilateral Route Agreement which opened up 20 new routes for U.S. carriers in border crossings.

Another highlight of the impressive ALTA business meeting was an address by the distinguished chairman of the House Subcommittee on Transportation and Aeronautics and our colleague, the Honorable JOHN JARMAN.

Significantly, he addressed his remarks in part to the need for the Federal Energy Administration to provide 100 percent of fuel required to meet current needs and to new routes and new services by the ALTA carrier members serving the United States and, further, urged the Civil Aeronautics Board to press forward in an area of ever-increasing consumer interest, additional air service between medium-hub sized U.S. cities.

Knowing of your great interest in such improved services, I offer for the record a copy of Chairman JARMAN's address in its entirety:

ADDRESS BY HON. JOHN JARMAN

Two years ago in Atlanta I appeared before the Spring Quarterly Meeting of ALTA to discuss with you certain aspects of the regional carrier operations. I specifically discussed the quality of service being provided by the local service carriers and the price the government was paying in subsidy for your services. Based on the record between 1967 and 1971, it appeared to me that the carriers had done well in keeping their part of the bargain, providing a very substantial amount of service to 461 cities, of which 290 receive certificated service only from local service carriers. Over 27 million passengers were carried in 1971 with passenger miles increasing to almost 8 billion.

At the same time I was disturbed that subsidy need had been growing but that the government had failed to meet the need of the industry by rather substantial amounts. As I figured it, the shortfall during the five years, 1967 through 1971, was a staggering $130 million. With a shortfall of this magnitude it was no wonder that there were significant pressures on the members of this

association to curtail severe loss operations, impacting services at our smaller cities rather significantly in some cases.

I also commented in my remarks two years ago that the commuter air carriers and smaller aircraft would have a greater role to play in the future of providing small city service. I asked that you consider affirmative action to fit the commuter carriers into our air transportation system so as to maximize their potential.

I am pleased to say that the government has very significantly improved its side of the bargain to the point where the bargain appears now to be somewhat in balance. I am also pleased that the carriers continue to provide a significant service to the smaller and intermediate size cities of this country. 49% of the airports served by locals serve cities with a population of less than 100,000. 44% of the airports that local service carriers serve enplaned less than 50 passengers per day. At the same time the CAB has moved to make some rather significant improvements in the rates being paid for subsidy-eligible service.

A major improvement in the subsidy situation occurred with the development of a new class rate effective June 1, 1973. This rate order provided some basic improvements, including a new profit sharing provision which improves the incentive for both the carriers and the government. The new rate is intended to bring subsidy paid in line with subsidy need. I commend the CAB for its responsiveness to a situation which could have led to a very serious deterioration of service to smaller cities, had the Board failed to act promptly in improving the subsidy payment situation. I hope that that Board and the carriers will continue along the new path which has been established.

I would like to comment on some of the problems which I believe your industry, the CAB and the Congress must focus on in the future.

First, is fuel. The allocation system which was administered starting last fall has left much to be desired. The Congress intended that public transportation services receive adequate fuel to perform their public service obligations. This intent of Congress was reflected in the Emergency Petroleum Allocation Act of 1973. Public transportation includes all public transportation, not just buses and trains. The FEO has not treated scheduled air carriers the same as ground transport services for reasons which I find difficult to understand. The air transport system of this country has as much right to fuel as the other modes of transport. The attempt to cut back the air transport operation to 1972 levels created severe problems for many of the air carriers and even more important—severe imbalance in service being provided at many of our cities.

I do not subscribe to the proposition that our air transport system has been wasteful and therefore does not require adequate fuels to meet its current needs. I do subscribe to the proposition that the air transport industry and particularly the regional airlines have provided meaningful service. The inefficiency which may exist for most part is that which cannot be avoided due to the peculiar nature of your route structures. I recognize that a city receiving two or three schedules a day is at the minimum level of service for air service no matter what its load factor generation may be. Many of the cities you serve cannot possibly generate load factors approximating 60 or 70% of available seats. I believe therefore that the FEO and the CAB should move at an early date to assure that the scheduled airlines of this country receive a more equitable share of the fuel which is available. The intent of Congress is to provide 100% of fuel required to meet current needs—not 80%, 85% or 95%. It means what you need, not something less.

Having said this I do not mean to suggest that the CAB should be oblivious to our fuel situation in dealing with route matters. We must be judicious in our use of fuel which means that the CAB's current in-depth review of the long-range route structure is most timely. We in the Congress who are close to aviation matters look forward to the release of this study for use in our deliberation.

One area which I hope will be covered by the Board study is the adequacy of service for our larger intermediate cities. I am aware that many medium-hub cities ranging from 200,000–500,000 population have become increasingly active in seeking improved air service. At the same time the CAB has continued its policy of almost total restraint in processing applications for new route authority. As I read the Board's current policy, in the absence of an interchange agreement or a route transfer or route exchange, a city is left to negotiate with its existing air carriers for such services as they may be authorized to provide. In some instances such negotiations can be sufficient. In others they may not be, and sometimes we know they cannot be. I am particularly concerned about services in the short- to medium-haul markets under 750 miles.

It seems to me that Section 401 of the Federal Aviation Act says that the Board will consider applications for new authority and will grant such applications if the public convenience and necessity so require. Section 102 at the same time gives the Board some rather flexible standards in deciding what is in the public interest, including competition to the extent necessary. What does Section 401 mean in today's fuel short environment? What is the bargain between the cities of this country and the Civil Aeronautics Board? In the old days we use to think that if a carrier had a fair chance of making a reasonable profit on a service for which there was a demand, it should be encouraged to seek authorization, invest the capital and provide the service.

If this is to remain a healthy, viable air transport industry it cannot resign itself to a no-growth situation. This would be a severe blow to our country, which continues to grow. It will require more air service, not less. Rail service is no substitute in most areas and while it may be helpful in certain high density corridors, it certainly will not take care of the large majority of our communities. Many major cities do not even have passenger rail service.

In this connection I would like to also urge that the carriers monitor very carefully the results of the ever increasing cost of air service. We must keep air transportation priced within the means of our population. It is a mass transport system today and I worry that we may forget this. In a few weeks family and youth fares will disappear entirely. If we are to keep air travel as an attractive alternative to the private automobile, its price must be a factor in your thinking.

I believe the CAB is to be commended for many important steps to secure the future of this industry, particularly the improvement in subsidy policy for the local service airlines. I commend the Board for its willingness to consider increased use of commuter services for many communities, where this type of service can be implemented. The Allegheny Commuter program continues to set a standard for service with small aircraft which is outstanding. The Board's new flow-through subsidy experiment with Air Midwest is also interesting. At the same time the Board has shown that it is willing to tackle the more difficult problems of suspension or deletion, where such action is warranted.

I urge however that the Board begin to look at the needs of the many cities whose time for service improvement may well be far overdue. I think the regional airlines have an obligation to continue to seek to provide those services which they believe are in the public interest and the cities who would benefit from these services are equally entitled to be heard. Let us not withhold these services because of our fuel situation. Until such time as the Congress changes the legislation, you are entitled to have sufficient fuel to meet the public needs. It's time again to step up and announce your programs to keep our vital air services functioning.

RECHANNELING FISHING FINES AND IMPORT DUTIES

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. STEELE. Mr. Speaker, today I am reintroducing legislation to channel all fines on foreign fishing vessels and all import duties on fishery products into a special fund for research and development of domestic fisheries. This legislation, which is cosponsored by several members of the Subcommittee on Fisheries and Wildlife Conservation and the Environment, is important to the American fishing industry and to the American consumer, for it would insure a strong and expanded Federal effort to broaden our knowledge of fishery resources management and development.

I do not need to remind the House of the rapidly declining state of our American fisheries. The Members of this body are all too painfully aware of the depletion of our fishery stocks which has resulted, for the most part, from callous plundering of our fishery resources by Russian, Japanese, and other foreign fishing fleets. It has become clear that our coastal fisheries—and particularly those of the Georges Bank in the North Atlantic, which have been the traditional fishing ground for over 200 years for boats from my State of Connecticut—are in danger of being raked entirely clean unless something is done to cut down overfishing and rebuild our fishery resources.

Moreover, to make this problem doubly frustrating, we are not only losing a large portion of the catch off U.S. shores to other nations, but as a result we are being forced to import increasingly huge amounts of the fish needed to keep up with the Nation's growing demand for fish protein. Since World War II, the level of U.S. fish imports has jumped from 13.4 percent of consumption to almost 60 percent. And quite often the fish products we import actually come from foreign nets operating within sight of American soil.

One effective response we can take to this foreign challenge—and to the critical international problem of guaranteeing adequate food supplies to feed the Earth's expanding population—is to maximize our understanding of domestic fisheries and our effort to replenish depleted stocks. I believe it is appropriate that the fines foreign vessels pay when they are apprehended in our waters, and the duties they pay on the fish products

they send into the United States, be directed toward this end.

Presently, the proceeds from fines or confiscations of foreign ships caught fishing in U.S. territorial waters go into the General U.S. Treasury. In the first 4 months of this year, the income from these fines has multiplied dramatically. Between 1967 and 1973, the United States collected about $1.25 million from foreign vessels violating fishing prohibitions in American waters. During January and February alone of this year, nearly $400,000 in fines were levied on a Bulgarian trawler seized off New Jersey and a Russian ship caught in Alaskan waters. In addition, Japanese and Rumanian vessels seized in late March may draw similarly large penalties. It is likely that as much as $1 million will be added to the Treasury this year from fines on foreign boats operating illegally within U.S. waters.

Furthermore, customs duties on imported fish and fish products currently exceed $24 million annually. In 1954, Congress earmarked 30 percent of these duties for creation of a fund to promote and develop fishery products and research pertaining to American fisheries. This fund, usually called the Saltonstall-Kennedy or S–K fund, is now operating within the National Oceanic and Atmospheric Administration, with outlays averaging above $7 million each year. However, the remaining 70 percent of import duties are uncommitted and go into the General Treasury.

In my view, this money, which will total over $25 million in 1974, should be used for one purpose only: to aid the American fisherman and consumer by recycling these fines and duties to where they belong—in fisheries research, development, and management. By routing these receipts into the S–K fund, we can insure these domestic fishery programs not only increased Federal support, but also a stable source of research dollars. This is particularly important, since NOAA programs have often fallen victim to the budgetary ax.

Mr. Speaker, domestic fisheries are already badly damaged, and even were an effective international system of catch quotas or an agreement on a new regime for control of the sea's resources reached today, a difficult job of nourishing and rebuilding our fish stocks would still confront us. This legislation can mark an important start on this task. I urge my colleagues to join me in securing quick action on it from the House.

CONSERVATION AWARD WINNER

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. SISK. Mr. Speaker, I will have the privilege of being in attendance tonight at the 20th annual American Motors Conservation Awards dinner. One of 10 nonprofessional conservationists receiving the honor this year is Mr. J. Martin Winton, a stalwart in the development of Ducks, Unlimited, and a vigorous defender of the waterbank program which the Congress saw fit to restore after the President canceled the program last year.

Mr. Winton, a recently retired pharmacist, is being cited for his work in helping preserve waterfowl. For that he is richly deserving. The award he will receive tonight has long been regarded by many conservationist leaders as the most prestigious of all such recognition plans, and focuses public attention on citizen and professional conservationists whose achievements are helping this Nation preserve, yet utilize, its renewable natural resources.

Although the award signifies past excellence, I can assure you all that this excellence will not diminish his role in conservation efforts in either waterfowl preservation or natural resource utilization. He remains active as president of the Grassland Water District in central California where his interests range far and wide.

I now join in saluting Mr. J. Martin Winton, one of three Californians to be cited tonight his work in conservation.

RURAL DEVELOPMENT ACT IS EFFECTIVE

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. ROUSH. Mr. Speaker, I was gratified and honored last week at the invitation to be present at a very special and unique loan closing ceremony in Topeka, Ind., May 10, in the Fourth Congressional District which I represent. The loan to enlarge Rockwood, Inc. at Topeka was made through the rural development program, with a guarantee provided by the Farmers Home Administration.

The occasion was special and unique because this is the first Farmers Home Administration loan of this kind in Indiana. I hope this is the first of many because it will be so important to the community. This loan will enable the Rockwood firm to add farm trailers and other light farm equipment to its trailer manufacturing line, which until now has been concentrated in recreation trailers. The addition of this farm equipment to the company's line will make it possible for Rockwood to add more than 60 people to its work force after a slow winter when the firm had to lay off about 60 employees due to the energy crisis.

I am proud to have been one of those supporting the Rural Development Act of 1972 through which the U.S. Department of Agriculture can provide loan guarantee authority to help arrange private bank financing of rural business. This is an important assistance to rural communities.

The Agriculture Subcommittee of the House Appropriations Committee has just completed hearings on appropriations for 1975 for the Rural Development Act programs, including loan authority and grants for water and sewer facilities, other community facilities, and for rural industrial assistance. The loan in Topeka to Rockwood is an example of this rural industrial assistance and I think the Congress is aware of the manifold benefits to be derived from the rural development program. There are many other communities and industries that stand in need of just the kind of assistance provided last week in Topeka. I cannot think of a better and more fruitful return on the taxpayer's dollar than investments such as these.

SUPPLEMENTAL SECURITY INCOME PROGRAM MUST BE REVISED

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BINGHAM. Mr. Speaker, this is Senior Citizens Month, yet millions of senior citizens who participate in the supplemental security income program have every reason to believe that the Nation is not honoring them but cheating them instead. These elderly poor have seen the Government take away with one hand what it gives with the other, as social security increases are deducted from supplemental security income checks.

More than 20 members of the New York State congressional delegation have introduced legislation to revise and improve supplemental security income, and I hope many more of our colleagues will soon join us in seeking a comprehensive overhaul of this program.

There is growing awareness and resentment of the cruel way in which this program works, as evidenced by the following editorial from WOR–TV in New York:

SENIOR CITIZENS

(By John Murray)

The Federal Supplemental Security Income Program for aged, blind and disabled persons is better known as S.S.I. It began last January, and was intended to be a real improvement over the old public welfare system. However, the Supplemental Security Income Program has severe deficiencies and shortcomings. They are having a detrimental effect on the unfortunate persons it purports to serve.

Public officials at the City, State and federal levels are not addressing themselves to the inequities in the S.S.I. Program.

What is needed is a provision for emergency funds to cover non-receipt of checks, or lost or stolen checks, financial emergencies such as loss of clothing, food or shelter, and provision for advance monies at the time of application.

Food stamps and rent increase exemption eligibility should be guaranteed to all S.S.I. beneficiaries.

S.S.I. beneficiaries, who receive a seven percent cost of living increase, should be entitled to keep their full portion of S.S.I. benefits from New York State. It's a disaster that the millions of beneficiaries across the country had their S.S.I. benefits reduced by

seven percent. Their total monthly income therefore, remains the same.

The month of May is Senior Citizens Month throughout our country. Yet, the catastrophe dealt to our older citizens through the Supplemental Security Income Program is a poor tribute to those older people who helped build our nation. City, State and federal officials should act now to make the S.S.I. Program live up to its promise.

TRIBUTE TO REPRESENTATIVE JULIA BUTLER HANSEN

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. ROONEY of New York. Mr. Speaker, the announcement by my good and longtime friend from Washington State, Mrs. JULIA BUTLER HANSEN, that she will retire at the end of this session of Congress saddens me.

I have had the pleasure of knowing JULIA for all of her 14 years of congressional service and consider it my privilege and honor to have served with her on the House Committee on Appropriations. Her accomplishments and devotion to public service mark her as a singularly effective legislator both in this body and in the Washington State Legislature.

Her devotion to public service and accomplishments were deeply ingrained in JULIA's character long before she came here to the House of Representatives in 1960. Behind her were 23 years of service to both city and State government and all of that service was precedent shattering.

JULIA's accomplishments in the Washington State Legislature, Mr. Speaker, were near legendary. As a member of that body she helped create a governing structure free from political pressures to oversee the Washington State highway system. The result has been one of the finest State systems of roads in the country.

As a Member of Congress, JULIA's interests were many and varied and as the first woman chairman of either a House or Senate Subcommittee on Appropriations she was in a position to follow those interests closely.

As chairman of the Interior Appropriations Subcommittee she became well known for her interests in the environment, hydroelectric power, reclamation of the land, both fishery and forestry resources and particularly the plight of the American Indian. Her concern for the plight of the Indian earned her, along with Senator ERVIN, of North Carolina, the first presentation of the Henry M. Teller Award for outstanding efforts in behalf of legislation affecting the Indian peoples.

Mr. Speaker, we shall all miss JULIA when she leaves. She has been a great credit to this body, to her State, her country, and herself. Mrs. Rooney joins with me in wishing JULIA a long, leisurely and well-deserved retirement.

MEDICREDIT

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. JONES of Tennessee. Mr. Speaker, the concept of national health insurance is far from new, but it now appears that such a program will soon be a reality.

There are many proposals before the Congress which fall under the general heading of national health insurance but which vary greatly in their scope and of course in their costs. Some proposals would provide national health insurance for almost everyone while others would provide considerably less.

I personally feel that our Government should provide help where it is truly needed, but I feel just as strongly that it should not go beyond that point. In my opinion each individual should provide for his own health care if he can afford it.

The medicredit plan, of which I am a cosponsor, would preserve the right of free choice in the health care field for both the patient and physician.

Medicredit guarantees the right of every American to choose the health care environment which he believes best for his family. This environment includes the patient's choice of medical institution, regardless of whether it is a publicly or privately supported facility. Furthermore, the traditional doctor-patient relationship will be preserved for both the patient and the doctor.

If a national health care plan is to succeed in our system it must allow the physician to choose whether or not he wants to participate in a federally subsidized health care program. In all the leading health care proposals now before Congress, with the exception of the medicredit plan, participation is compulsory on the part of both the patient and the physician.

Many Americans fear the establishment of another giant Federal bureaucracy with it is accompanying regulations and redtape. Under the medicredit plan the Federal Government would not take over the health insurance business but would merely assume responsibility for the health care of persons who are either too poor to meet their medical expenses or for those citizens whose present health insurance is inadequate to meet the costs of catastrophic illness.

The medicredit plan allows individuals to assume responsibility for their own health care if they are financially able but insulates them from the colossal results of unforeseen major medical needs. It is every American's right to have adequate and proper health care and I believe this bill provides the best protection for the American people. The medicredit plan does not contain all the answers to our Nation's health care needs but I believe it is a reasonable and responsible step in that direction.

RENT SUPPLEMENTS IN NONMETROPOLITAN AREAS

HON. BOB BERGLAND

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BERGLAND. Mr. Speaker, I would like to comment briefly on one aspect of pending housing legislation. The Housing Subcommittee has recommended approval of what is popularly called a "bobtailed" housing and urban development bill, and while I appreciate their desire to find legislation on which there can be wide agreement, I am very much disappointed in the rural housing provisions in H.R. 14490. It seems to me that it falls short not only of the measure which the other body sent over to us in this respect, but fails to include some substantive provisions which the House Banking Committee itself found noncontroversial 2 years ago.

Among these is a provision to give Farmers Home Administration a rent supplement program. Such a program has been available to urban areas for nearly a decade but—as is so often the case—it has been denied people in rural areas and small towns where the Federal Housing Administration programs are little utilized. The census figures show us that there are nearly 5 million one- and two-person households with very low incomes—less than $4,000—living outside our metropolitan areas. More than half of those households are elderly and at least one out of every five lives in substandard housing.

Given their low incomes only public housing or rent supplements can adequately serve these people. Yet, we know that less than a quarter of our public housing is located in nonmetropolitan areas. The Rural Housing Alliance has recently done a study of the rent supplement program and found that it too is failing to reach people in rural areas and small towns. I shall insert the text of their study, "Rent Supplements in Nonmetropolitan Areas," at the end of my remarks.

They estimate that less than 30 percent of all rent supplement units are located in nonmetropolitan areas and that most of those are in the larger towns. Their conclusion is that as long as Farmers Home Administration lacks its own rent supplement program, nonmetropolitan areas of less than 10,000 population, "which account for at least 35 percent of the Nation's poverty-level families and 40 percent or more of its occupied substandard housing will continue to receive less than 15 percent of all rent supplement assistance."

I urge my colleagues on the full Banking and Currency Committee to give Farmers Home Administration a rent supplement authority and end this pattern of discrimination against rural people.

The material follows:

RENT SUPPLEMENTS IN NONMETROPOLITAN AREAS; ANOTHER HOUSING PROGRAM DENIES EQUITY TO THE PEOPLE OF SMALL TOWNS AND RURAL AREAS

(By George Rucker)

Summary: As of October 1973 there were an estimated 125,400 rent supplement units in housing projects insured by the Federal Housing Administration under Sections 221 (d) (3) and 236 of the National Housing Act. Of these, less than 15 percent appear to be in nonmetropolitan towns and places of less than 10,000 population, although such areas contain at least 35 percent of the nation's poverty-level families and 40 percent or more of its occupied substandard housing.

Nearly a decade ago, in the Housing and Urban Development Act of 1965, Congress expanded the available program resources for low-income housing assistance by authorizing a rent supplement program for the Federal Housing Administration. Under this authority, FHA can contract to make rent supplement payments covering units financed under certain FHA-insured mortgages. The eligible occupants of such units, whose income must generally be in the public housing tenant range, pay 25% of income (which *must* equal at least 30% of the normal rent on the unit) and FHA makes up any difference between that and the full rent.

At the end of Fiscal 1973, the Department of Housing and Urban Development reported that rent supplement funds had been reserved for a cumulative total of 192,500 units, that 167,500 of those units were under contract, and that 118,200 of them were in occupancy. None of these published statistics, however, provide a breakdown between metropoliitan and nonmetropolitan areas. In fact, as far as I can determine, HUD does not publish and evidently does not even tabulate that sort of a breakdown. It does publish a quarterly "Rent Supplement Status Report" *which lists* by state and by program all *projects* for which any rent supplements have been approved and this report does make it possible to determine the metropolitan/nonmetropolitan distribution of those projects.

The most recent such report is that for September 30, 1973. It showed that insurance in force at that time under Sec. 221(d) (3) and carrying market interest rates covered projects with a total of 86,631 units.[1] It also showed that insurance in force under the Below-Market-Interest-Rate Sec. 221(d) (3) and the Sec. 236 interest subsidy programs covered another 155,036 units in projects with at least some rent supplements approved. But the "Status Report" doesn't show the number of units actually receiving supplements—only the number of units in the project. While *market rate* projects can (and usually do) carry supplements on *all* units, those under 221(d) (3) *BMIR* or Sec. 236 are limited in the share of units which can be covered by rent supplements—generally no more than 20%, although sometimes increased to a maximum of 40% of the units in the project.

Based on conversations with HUD staff and my analysis of such national statistics as are available, I concluded that an average of 25–30% of the units in these BMIR and Sec. 236 projects probably received rent supplements.[2] HUD staff also advised that they saw no reason to think that the average would vary significantly between metropolitan and nonmetropolitan areas. Using the lower percentage figure, a total of 125,400 rent supplement units would appear to have been covered by insurance in force as of last September. Of these, 36,900 units or just over 29% are projected as being in nonmetropolitan areas.[3]

The accompanying table breaks these figures down by individual state and totals them by census division and region. Although they are estimates subject to some margin of error, particularly in the case of individual states with small programs, they presumably reflect the pattern of rent supplement coverage.

Over all, the nonmetropolitan share is slightly less than population would dictate and a great deal less than poverty and housing conditions would mandate. (Nonmetro areas account for nearly 46% of the nation's poverty level families and for 54% of its occupied substandard housing.[4]) The disparity is even more striking among the states which were the biggest users of the rent supplement program. Eight states—Texas, Ohio, Florida, California, Tennessee, Washington, New York and Michigan—account for more than half of all rent supplement units. In only one of those states (California) does the nonmetro share of rent supplement units appear to equal the nonmetro share of population (and even there it is less than the nonmetro share of the *poverty* population).

Reflecting smaller program levels but far greater metro-nonmetro disparity were Illinois, New Jersey, Missouri and Utah. In each of these states and in Michigan the share of population residing in nonmetropolitan areas was several times the share of rent supplement units going into such areas. At the other end of the spectrum only in Delaware is the nonmetro share of rent supplement units more than one-and-a-half times as large as its share of population.

Finally, analysis of similar statistics for an earlier date (the end of calendar 1971), shows that nonmetro areas are getting a *declining* share of rent supplement units. At that time the "Status Report" on insurance in force indicated that almost 38% of the units in *market-rate* projects and almost 32% of *all* rent supplement units were in nonmetropolitan areas.[5]

When it is considered that almost 60% of the nonmetro rent supplement units are in towns of 10,000 or more population,[6] though such places account for only a third of the nonmetropolitan population, a further dimension of the imbalance comes into view. The remaining areas depend primarily on Farmers Home Administration for housing assistance to low- and moderate-income people—and Farmers Home Administration has no rent supplement program, though legislation approved by the Senate earlier this year would provide it with one. Until this equalization of program resources becomes a reality, however, the areas of the country which account for at least 35% of the nation's poverty-level families and 40% or more of its occupied substandard housing will continue to receive less than 15% of all rent supplement assistance.

FOOTNOTES

[1] These figures exclude Puerto Rico and the Virgin Islands.

[2] Note that these percentages are not for all units in those programs, but only units in projects receiving at least some rent supplements.

[3] These figures are based on projects under only three programs, but they will account for more than 95% of the rent supplement units under all programs.

[4] Nonmetro areas account for an even larger share (57%) of the substandard housing stock (i.e., all year-round units).

[5] The total number of rent supplement units involved at that point was less than 100,000—about 78% of the number covered by the more recent analysis. The figures indicate, in other words, that only about one-fifth of the rent supplement units put under insurance in the 21 months following December 1971 were located in nonmetro areas.

[6] This is based on an analysis of the projects under the market rate program.

TABLE.—ESTIMATED NUMBER OF RENT SUPPLEMENT UNITS IN HOUSING PROJECTS COVERED BY FHA INSURANCE UNDER SECTIONS 221(d)(3) AND 236, SEPT. 30, 1973, AND SHARE OF SUCH UNITS IN NONMETROPOLITAN AREAS

States, divisions, and regions	Total number of units under rent supplement [1]	Number of rent supplement units in nonmetropolitan areas	Nonmetropolitan share of rent supplement units (percent)	Nonmetropolitan share of population (percent)
Maine	460	240	52	71
New Hampshire	530	330	62	70
Vermont				100
Massachusetts	1,180			3
Rhode Island	1,140	160	14	10
Connecticut	1,300	120	9	11
New England	4,610	850	18	19
New York	4,600	390	8	14
New Jersey	1,450	30	2	12
Pennsylvania	2,060	400	19	21
Mid-Atlantic	8,110	820	10	16
Northeast region	12,720	1,670	13	16
Delaware	190	100	53	30
Maryland	2,310	160	7	16
Virginia	2,730	1,080	40	39
West Virginia	1,120	480	43	69
North Carolina	3,100	1,850	60	63
South Carolina	3,740	2,060	55	61
Georgia	2,880	1,490	52	50
Florida	8,990	1,530	17	31
South Atlantic [2]	26,260	8,750	33	42
Kentucky	2,620	1,630	62	60
Tennessee	6,270	2,100	33	51
Alabama	1,430	350	24	48
Mississippi	3,550	2,720	77	82
East South Central	13,860	6,800	49	58
Arkansas	3,310	1,800	54	69
Louisiana	2,930	1,380	47	45
Oklahoma	1,780	920	52	50
Texas	14,480	2,650	18	26
West South Central	32,500	6,750	30	37
Southern region [3]	62,620	22,300	36	44

Footnote at end of table.

TABLE.—ESTIMATED NUMBER OF RENT SUPPLEMENT UNITS IN HOUSING PROJECTS COVERED BY FHA INSURANCE UNDER SECTIONS 221(d)(3) AND 236, SEPT. 30, 1973, AND SHARE OF SUCH UNITS IN NONMETROPOLITAN AREAS—Continued

States, divisions, and regions	Total number of units under rent supplement [1]	Number of rent supplement units in nonmetropolitan areas	Nonmetropolitan share of rent supplement units (percent)	Nonmetropolitan share of population (percent)
Ohio	13,690	1,980	14	22
Indiana	1,900	390	21	38
Illinois	1,610	40	2	20
Michigan	4,070	300	7	23
Wisconsin	2,730	950	35	42
East North Central	24,000	3,660	15	26
Minnesota	1,850	1,060	57	43
Iowa	1,070	460	43	64
Missouri	960	80	8	36
North Dakota	310	310	100	88
South Dakota	2,010	1,530	76	86
Nebraska	370	140	38	57
Kansas	750	450	60	58
West North Central	7,320	4,030	55	52
North-central region	31,320	7,690	25	33
Montana	830	490	59	76
Idaho	440	380	86	84
Wyoming	340	340	100	100
Colorado	1,360	410	30	28
New Mexico	1,570	1,120	71	69
Arizona	340			26
Utah	140	10	7	22
Nevada	200			19
Mountain	5,220	2,750	53	43
Washington	4,820	1,180	24	34
Oregon	1,760	570	32	39
California	6,450	610	9	7
Alaska	130	130	100	100
Hawaii	350	30	9	18
Pacific	13,510	2,520	19	15
West region	18,730	5,270	28	21
United States total	125,390	36,930	29	31

[1] Estimated on basis of insurance in force Sept. 30, 1973, as reported in "Rent Supplement Status Reports." Assumption is that 25 percent of the units in sec. 236 and sec. 221(d)(3) BMIR projects with rent supplements actually were covered by the supplements.

[2] Includes 1,200 units in District of Columbia.

NATIONAL TRANSPORTATION WEEK

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mrs. SULLIVAN. Mr. Speaker, this is National Transportation Week, and as a Representative in the Congress of the United States of Metropolitan St. Louis, one of the most important transportation centers in the world, I want to salute the men and women of the transportation industries of the St. Louis area and of the State of Missouri for the vital contributions they are making to the economic strength of our Nation.

Since the days of the Louisiana Purchase, St. Louis has been known as the Gateway to the West, a role symbolized by the magnificent stainless steel arch which rises majestically and dramatically on the St. Louis waterfront on the grounds of the Jefferson National Expansion Memorial.

Through St. Louis flows a steady movement of goods of all kinds, East and West, North and South. Here are joined the eastern and western railway systems, the Missouri and Mississippi water traffic, a vast system of pipelines, the cargoes of one of the greatest accumulations of motor carriers in the world, and the commerce to and from one of the busiest airports.

The Traffic Club of St. Louis, Inc., of which Mr. Robert Mahfood of the Bee Line Trucking Co. is president, is conducting a week-long series of observances of National Transportation Week under the chairmanship of Mr. Ralph Percival of Fry-Wagner Moving & Storage. They are to be commended for their efforts in spotlighting the importance of the transportation industries in the life of our city, our State, and the Nation.

ARAB TERRORISM MUST BE STOPPED

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. LENT. Mr Speaker, as I did less than 2 years ago, after the murder of 11 Israeli Olympians at Munich, I rise to condemn an act of terrorism perpetrated by a band of Arab guerrillas.

Last night, a group of Arab terrorists seized a school at a farm settlement in northern Israel, kidnaping more than 80 schoolchildren, and demanding the release of a group of guerrillas now held in Israeli jails. This despicable act has shocked and offended the sensibilities of the entire civilized world.

For several months, our Secretary of State has been working closely with all of the parties involved in the recent Mideast war to try and arrange a peace settlement which will ease tensions in that troubled area of the world. This senseless act of terrorism, which came at a time when the peace negotiations were perhaps at their most delicate stage, seriously jeopardizes the chances for a lasting peace in the Middle East.

Shortly after the Munich tragedy, this body passed a resolution expressing an unbending resolve to cut off from the civilized world all nations which provide refuge or comfort to these sorts of criminals rather than punish them as they should. I believe that sentiment should be reiterated today. There should be no hiding place for these international outlaws. There should be no place to which they can flee after executing such hideous plots. I know of no other way in which such acts of terrorism can be stopped.

Tomorrow, I will be introducing a resolution condemning the activities of the Lebanese terrorists. I hope that many of my colleagues will join me in expressing indignation over their immoral, senseless act.

GEORGE S. BENNETT

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mrs. GRASSO. Mr. Speaker, I would like to bring to the attention of my colleagues a most remarkable gentleman from Southbury, Conn., one of my Sixth District towns.

Mr. George S. Bennett, a retired rural mail carrier, has been an active conservationist for over four decades. At the age of 80, Mr. Bennett has just been awarded an American Motors Conservation Award for his contributions to resource conservation in the State.

While performing his daily rounds on the region's rustic country roads, this devoted civil servant observed how beautiful land and water could be. Dismayed by how often these resources were ignored and abused, he decided to do his part to preserve the environment.

As chairman of the Southbury Rod and Gun Club Conservation Committee for over 30 years and head of the Southbury Conservation Commission, Mr. Bennett has promoted tree planting to retard soil erosion, developed wildlife habitats, and pressed for the purchase of permanent open spaces.

As one committed to improving and preserving the environment for ourselves and our posterity, Mr. Bennett truly deserves the honor awarded him.

Mr. Speaker, it is my hope that this noble person will be an inspiration to all our citizens who must share in the effort to preserve our environment if we are to succeed.

ANTIBUSING AMENDMENTS DEFY CONSTITUTION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. RANGEL. Mr. Speaker, this afternoon the Senate is considering several amendments to the Elementary and Secondary Education Act of 1974. These amendments threaten achievement of the goal set by the Supreme Court 20 years ago in Brown against Board of Education: integration of the public schools. An attack on busing is an attack on this constitutionally mandated goal.

The supporters of these amendments have opted for political expedience over concern for racial justice. It is ironic that a bill designed to further educational opportunity should be riddled by amendments which serve to counteract this Nation's slow but inexorable progress toward equal educational opportunity for all schoolchildren.

I place in the CONGRESSIONAL RECORD an editorial from the May 15, 1974, edition of the Washington Post entitled "Race, Schools and the Senate." I urge my colleagues to read the Post's evaluation of the antibusing amendments:

RACE, SCHOOLS AND THE SENATE

In March of 1972, when Watergate was still a gleam in Gordon Liddy's eye and the Board of Directors (as we now know) had yet to give final approval to his plans, Mr. Nixon unveiled his preposterous "anti-busing" plan. Mr. Ehrlichman, now busy with other matters, did the best a lawyer could do to justify and explain its patent illegalities to the press. And Richard Kleindienst, then Acting Attorney General and nothing if not blunt, happily explained to a committee of Congress that the proposed legislation would authorize the reopening of every school case—North and South—that had been settled since the Supreme Court's original school desegregation decision in 1954.

Since that time we have acquired, for our sins, a much richer context of administration law-breaking and contempt for the commands of the constitution into which to fit this particular exercise in defiance and contempt—from the court-blocked adventures in impoundment of congressionally appropriated funds to the Watergate crimes and improprieties to the sloven procedures for obtaining wiretaps, which has just compelled the Burger Court unanimously to render a decision that will free some 600 persons accused and/or convicted of violating federal criminal statutes. So it is hardly surprising that the administration's proposed monument in the field of desegregation law turned out itself to be a monumental challenge to due process, to the Constitution and to the rule of law. What is surprising and—to put it mildly—distressing, is that two years later the U.S. Senate is considering commemorating the 20th anniversary of the Supreme Court's 1954 decision by passing this proposal. Today the Senate is scheduled to vote on a House-passed variation of the Nixon administration bill which has been introduced by Senator Edward J. Gurney of Florida as an amendment to an extension of the federal school aid act. And the vote, according to most accounts, is likely to be close.

Everybody, as it seems, is against skullduggery and for the rule of law—except when it is either inconvenient or inexpedient to explain. Thus, legislators who in a nonpolitical year would acknowledge themselves horrified by the reckless sweep of this proposal and acutely aware of the cynicism from which it springs, are counted among those who, for "political" reasons are likely to go over the side and vote with Mr. Gurney. We refer to the cynicism underlying the effort because for all the chaos and disruption it could bring to settled school systems North and South, the proposal itself would almost undoubtedly be overturned in many of its key parts by the Court, meanwhile creating new and burdensome problems for numerous of those communities whose burdens it purports to relieve.

Consider the bill's provisions. Its list of mandatory remedies that must be invoked before busing can be ordered could cost tax-ridden communities a fortune in the demolition and construction of schools. It is a rich man's bill, in effect providing that any busing which occurs will spare the affluent suburbs and be contained within geographical limits that are likely to result only in sending poor blacks from their own inferior schools to the inferior schools of neighboring poor white children—to communities where racial hostilities and insecurities are keenest. And, above all, it says to black children—to black people generally in this country—that even where a finding has been made of unconstitutional discrimination against them by the state, there will be no remedy in many cases. It is a tribute of sorts to the monstrosity of this concept, in a nation of laws, that back in 1972 even Mr. Ehrlichman had trouble explaining it when pressed.

In the 20 years that have passed since the Supreme Court rendered its original decision in Brown, and in the 10 years that have passed since the Civil Rights Act of 1964 gave that decision heightened impact and authority, there have been some lower court decisions and administrative interpretations that, to our mind, have skewed and distorted the meaning of the law and imposed senseless burdens on communities around the country, so that both blacks and whites have suffered. There have been, in other words, some bad busing decisions and some unreasonable and unsound bureaucratic regulations rendered. It could hardly be otherwise, given both the complexity of the cases and the familiar resistance to reasonable and desirable change that preceded and, in effect, brought on the compulsory programs to which so many now object. But it has been clear for some time now that the Supreme Court was moving carefully and deliberately to refine its position in consonance with the constitutional command that is the bedrock of *Brown* so as to take account of changed circumstances that underlie so many school cases 20 years later. This is as it should be. The question is whether the Senate will wait. The alternative before it today was admirably summed up by William McCulloch, who was ranking Republican member of the House Judiciary Committee, when the Nixon bill first came up two years ago, accompanied by a proposal for a temporary freeze on busing orders:

It is with the deepest regret that I sit here today to listen to a spokesman for the administration asking the Congress to prostitute the courts by obligating them to suspend the equal protection clause so that Congress may debate the merits of further slowing down and perhaps even rolling back desegregation in public schools—What message are we sending to our black people? Is this any way to govern a country?

THE LATE KARL KING

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. FISHER. Mr. Speaker, news of the passing of Karl C. King of the State of Pennsylvania was received with much sadness. He served three terms in this body before voluntarily retiring. As a legislator he was faithful and devoted to the cause of good government. Above all, he had a way of putting the welfare of the country above petty partisanship, and he became known as a sound thinker whose judgment was dependable and respected.

To the survivors I extend my profound sympathy in their bereavement.

THE DISTRICT OF COLUMBIA AND CONGRESSIONAL STAFFING REFORM

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. FAUNTROY. Mr. Speaker, the insertion into the RECORD on April 24, 1974, by Congressman HAROLD V. FROEHLICH, of Wisconsin, calls attention to the very real problem created by gross disparities in District populations.

The study he ordered from the Congressional Research Service, entitled "Congressional Delegates to the 93d Congress Ranked in Order of Size of the Average Population of the Congressional District in Each State," however, is incomplete as a result of a major oversight of the District of Columbia's 763,000 residents.

The study shows that North Dakota's at-large Representative MARK ANDREWS represents the entire State population of roughly 617,000; which is the largest of all districts included within the 50 States.

By comparison, in the scantily populated sprawling States of Alaska and Wyoming, at-large Representatives DON YOUNG and TENO RONCALIO represent about 302,000 and 332,000 people, respectively. There are the districts with the smallest populations among those in the 50 States.

The District of Columbia's constituency is over 763,000—as much as 450,000 persons greater than some congressional districts. My office employs the full contingent of 16 paid staffers, as do 135 of the House Members. The remainder hire from 13–14 staffers out of the maximum 16 allowed. All Members have the same allotment for staff salaries, and I sincerely believe that this equal staffing can be very unequal and highly unfair to those citizens of the United States who happen to reside in districts which are relatively ill equipped to represent them faithfully.

This overlooked aspect of congressional reform is especially crucial in the case of the District of Columbia. The District is not represented, as are all States, by two Senators. This increases both the responsibility and the actual workload in my office.

Furthermore, my constituents live, for the most part, within simple commuting distance of my office, or can make a local telephone call to register their views and complaints. My staff, office space, and monetary allowances are not sufficient to operate my office as efficiently as one in

which the sheer number of constituents was less or their geographical location more remote.

We ought to be thinking about ways to equalize the representation of people who are mathematically under-represented. It is neither logical nor fair for a Member who represents 763,000 people to be limited to the same staff and staff salary allotment as a Member who represents 302,000.

I would prefer a system similar to that which is used in the Senate where the Members are funded depending on the State's population. In this way a House Member with a larger than normal constituency would be provided with additional funds with which to hire adequate staff and provide for the larger than normal office load.

I hope that other Members will join in this dialog with Congressman FROEHLICH and me.

UNITED NATIONS, UNITED STATES MUST SHARE PORTION OF BLAME FOR MAALOT ATTACK

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. ROSENTHAL. Mr. Speaker, the United Nations Security Council, including the United States, must share a portion of the responsibility for the latest terrorist attack by Arab guerrillas, who held nearly 90 Israeli schoolchildren hostage today at the village of Maalot.

By the end of the day, possibly a dozen or more children were dead and many more were wounded following efforts to free the young hostages.

The terrorist attack may very well have happened anyway, but the guerrillas certainly must have felt encouraged when the Security Council late last month censured Israel for its raid on terrorist bases in Lebanon but purposely ignored the bloody Palestinian massacre of innocent Israeli civilians at Kiryat Shemona, which prompted the Israeli action.

The United Nations, which has done little to hide its strong anti-Israel bias, once again gave aid and comfort to Israel's enemies. But, for the first time, that action last month had the support of the U.S. Government.

The United States failed to get a reference to the Kiryat Shemona attack inserted in the U.N. resolution, but instead of abstaining on final passage or voting "no," the United States gave its approval.

At that time I pointed out:

This must be viewed as the best news the Arab guerrillas have had since they began their campaign of terror and murder.

Well, it is about time to start sending those terrorists and the governments which house, protect, encourage, and arm them some bad news. The United States—and, indeed, all civilized nations—should not tolerate such behavior, nor should it even consider, as the Nixon administration is, giving economic and even military assistance to those countries giving aid and comfort to the murderers of innocent Israeli women and children.

I have joined over 250 of my colleagues, led by the majority leader Mr. O'NEILL and the minority leader Mr. RHODES, in introducing the following bipartisan resolution:

BIPARTISAN RESOLUTION

Whereas Arab terrorists have threatened the lives of 90 Israeli school children; and

Whereas these cruel and heartless acts only exacerbate tensions in the Middle East at a time when very serious efforts are being made to negotiate a lasting peace; and

Whereas such acts of violence are an affront to human decency and standards of civilized conduct between nations; Now, therefore, be it Resolved, That it is hereby declared to be the sense of the House that—

(1) it most strongly condemns this and all acts of terrorism;

(2) the President and the Secretary of State should and are hereby urged and requested to (a) call upon all governments to condemn this inhuman act of violence against innocent victims; and (b) strongly urge the governments who harbor these groups and individuals to take appropriate action to rid their countries of those who subvert the peace through terrorism and senseless violence.

(3) the President should request the American Ambassador to the United Nations to take appropriate action before that body in order to have introduced a Security Council resolution condemning this brutal act of violence.

LEGAL LOTTERIES SHOULD HAVE USE OF MAILS

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. RONCALLO of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include for the benefit of my colleagues a statement which I made to the Claims and Governmental Relations Subcommittee of the House Judiciary Committee in support of H.R. 12443. In introduced this legislation because it is hypocritical to permit legal private and State-run lotteries to exist and then hinder them from carrying out their programs by denying them the use of the mails and broadcast media. State lotteries help keep taxes down; private ones raise funds for charitable purposes. Both of these are lofty objectives which do not deserve the treatment they have received at the Federal level.

I hope that H.R. 12443 will soon be reported to the floor so that every Member can go on record in favor of lower taxes in the several States and lower administrative costs for charitable nonprofit organizations. My statement follows:

STATEMENT OF HON. ANGELO D. RONCALLO

Mr. Chairman, I appreciate this opportunity to make a brief statement in support of H.R. 12443, a bill to amend Title 18 of the United States Code by exempting lotteries from its gambling provisions. Specifically, the bill would permit the mailing of lottery information and related matter, broadcasting or televising of lottery information, and it would allow the transportation and advertising of lottery tickets in interstate commerce, but only when the lottery is legal in the state in which it is conducted.

I have made a slight change in language from versions of this legislation introduced earlier by other members. In both proposed sections 1307(b) and 3005(d)(2), I use the term "tickets or any other materials." The insertion of the word "any" should be taken to indicate that promotional matter is to be included in the exemption as well as lottery paraphernalia.

Legal lotteries run by States appear to have survived a shaky start and to be headed now for adoption in many more parts of the United States. Because they are a painless and voluntary method of generating badly needed funds, lotteries are gaining favor with many hard-pressed taxpayers and legislators.

Current Federal restrictions on lotteries prohibit the interstate transportation of tickets or promotional material and bar the use of radio or television for advertising or promotion. So far, despite the record of integrity and honesty established by the states operating lotteries, efforts initiated by Congressional Delegations to seek relief from these Federal roadblocks have remained stalled.

In order for legal state-sponsored or private lotteries to advertise in newspapers or other publications, the advertisement must be removed from editions which are delivered through the mail. Promotional material, such as posters and descriptive literature, cannot be conveyed through the post office. It is unlawful even for states or organizations to notify winners by letter or to pay them prizes directly by mail.

The eight operating states, as a result of this blockade, must go to great lengths to transport material by truck or bus, at heavy cost in time, money and manpower. They must turn to alternate means of advertising in addition to newspapers and outside of the broadcast media—in subways and buses, etc.

I am inclined to feel that Congress is well-advised to eliminate these prohibitions. Simple justice woud seem to dictate that legal lotteries should be able to enjoy the same entree to the public marketplace as any other legitimate business. It seems inevitable that this must happen. The achievements of the lotteries in spite of the Federal problems make these restrictions even more regrettable.

Ten years ago New Hampshire started the first State-run lottery of modern times, running into a variety of complications and disappointments, but it has managed to survive. Last year the lottery in New Hampshire, the only State with neither a sales tax nor a broad-based personal income tax, returned almost $2 million to the State for education. From December of 1964 to December of 1973, the State has received around $17.6 million.

In 1967, New York launched its version of the lottery, offering bigger and more frequent prizes. New York now averages about $4 million a month from the lottery and its effort, as of the end of 1973, had yielded some $243 million for schools.

In January 1971, New Jersey began its lottery and immediately surpassed both of its predecessors in sales, prizes and popularity. Since it began, until December 1973, the State has received close to $200 million for education.

Pennsylvania, Massachusetts and Connecticut began their lotteries at about the same time in early 1972. All three States got off to a good start, being able to capitalize on the New Jersey method which had been instantly successful. After a year and a half of operation, Pennsylvania had collected over $80 million for property tax assistance for the elderly; Massachusetts had collected over

$36 million for cities and towns; and Connecticut had collected over $25 million for the general fund.

The Michigan lottery started in November 1972, and after six months contributed over $14 million for the general fund. Maryland's lottery which began in May 1973 had $3.5 million in the general fund after only 2 months.

Illinois will be beginning a lotttery in July of this year and according to the Commission on the Review of the National Policy Toward Gambling some 30 States will have legal lotteries within 2 years. Some foresee the day when almost every State will operate a lottery to raise revenues without raising burdensome taxes.

For several years charitable organizations have depended on raffles and bingo as major sources of funds to carry on worthwhile work from which all society benefits. These are both lotteries, and although legal, are subject to the same restrictions as their state-run cousins.

Many churches and hospitals began their building programs with revenues raised from lotteries and bingos. Numerous fraternal organizations all over the country depend upon this source of revenue to sponsor recreational, rehabilitative, and supportive services for the elderly, disadvantaged and the handicapped.

Various groups working toward these goals reflect the best qualities of American life—unselfish people volunteering their time and effort to help others.

Bingos and lotteries are only vehicles and tools by which the self-sacrificing persons, churches, hospitals and community organizations can help others. I do not feel that it should be the policy of the Federal Government to maintain laws which will make it more difficult for them to carry out their charitable works.

Newspapers and the broadcasting industry are placed in an absurd position. Most papers are trying to serve the public by offering information on all subjects of general interest, but if they attempt to do so for lotteries, they are breaking the law. The answer to this dilemma must come at the Federal level.

Mr. Chairman, I urge that H.R. 12443 be promptly reported so that the House will be able to take badly needed action to remedy this obvious anomaly in our laws and allow the States and private charitable organizations to carry out their programs without undue Federal interference. Thank you.

THE LATE HONORABLE CARL DURHAM

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. FISHER. Mr. Speaker, I share with many of my colleagues the sadness occasioned by the death of Carl Durham of the State of North Carolina. He served with much distinction in this body for 20 years and was universally respected by all who knew him. Always faithful and trustworthy, he never faltered in discharging his duties. His influence and leadership were widely recognized and helped to direct the course of many important legislative decisions.

It was my privilege to serve with Carl Durham on the House Armed Services Committee. There he was a faithful attendant and a knowledgeable force in promoting the cause of an adequate national defense. He provided leadership and prudence in the solution of many vexing problems.

To me Carl was a valued friend. Affable and friendly, he was forever attentive and helpful when his advice and judgment were needed. His record was indeed outstanding.

I extend to his survivors my deepest sympathy in their bereavement.

A PECULIAR CONGRESSIONAL DISEASE: PILE-ITUS

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. NELSEN. Mr. Speaker, a peculiar, incurable disease seems to have grabbed control of the Congress. It is hard to find a proper name for it, but I would suggest that it be called pile-itus. Pile-itus is indicated by the continual feverish effort to pile one layer of Government regulators on top of another, presumably to do the work that existing laws should already permit to be done.

Symptomatic of this malady is the ongoing effort to enact a questionable version of a Consumer Protection Agency, a version I have warned could well result in the creation of another OSHA. As Anthony Harrigan noted in an editorial appearing in the Austin, Minn., Daily Herald the other day:

Many citizens are convinced that a $10 million-a-year Consumer Protection Agency would impose its subjective outlook on every administrative procedure and create endless legal action. In short, the agency would be an advocacy force harassing already over-regulated private business.

In my judgment, private enterprise already has its hands full trying to deal with all the rules and regulations being imposed by existing governmental agencies and departments. Piling on another layer of Federal regulators to regulate the regulators might just prove the last straw for thousands of small businesses struggling mightily to keep afloat under the crushing bureaucratic weight.

I include the complete text of the Harrigan editorial at this point in my remarks:

NADER'S PET BILL

Ralph Nader may get his New Year's wish—the enactment of the so-called Consumer Protection Agency bill. Last January he said that this was his No. 1 wish for the New Year. And many officeholders are determined to oblige him. Indeed Sen. Ernest F. Hollings (D-S.C.) writes in a letter to constituents opposing the bill: "I believe it would be a healthy thing to institutionalize Ralph Nader."

Not everyone will agree with Hollings. Many citizens are convinced that a $10 million-a-year Consumer Protection Agency would impose its subjective outlook on every administrative procedure and create endless legal action. In short, the agency would be an advocacy force harassing already over-regulated private business.

Recently, I received a letter from a small manufacturer on the West Coast which reveals the justifiable concerns of business. This businessman, writing to his congressman, said the following:

"Our apprehensions are not at all based on the fact that an agency is being set up to protect the consumer. As a matter of fact, considering the amount of money this company spends on perfecting and insuring the quality of our products, I would be delighted to have more and more people look closely at our products. My apprehension is that the bill includes a provision that would allow this new agency to intervene in, and possibly reverse, the rulings of existing agencies which currently have jurisdiction over business activities.

"As you are no doubt aware, there is already a great deal of correspondence and telephone contact necessary with the various existing government agencies, to establish just how the federal government wishes to conduct our affairs. It is often only after much probing on our part, that we can determine precisely what we are expected to do.

"It is not at all unusual to have contradictory opinions stated by the same agency on successive days, and it is occasionally virtually impossible to get them to commit themselves in writing, so that we can conduct our business in an agreed upon manner. However, this is the existing state of affairs, and we do our best to find out what is required and to comply.

"Now, however, it is proposed that a new agency, acting independently, can challenge agreed upon procedures (agreed upon by our company and a government agency) upon which we may have been acting for a considerable period of time. This is similar to summarily imposing the rules of hockey on a baseball game halfway through the game, and expecting everyone to adapt to the new rules instantaneously, to continue playing, and hopefully to win the game.

"We are extremely anxious to be in compliance with government regulations, but government regulations which can be obviated at any time by a separate agency which had no part in making up the initial rules, sends cold chills up our spines."

This small manufacturer expresses the concern of countless other businessmen who create the products from which the wealth of this nation is derived. It is tragic that Congress worships at Ralph Nader's shrine and pays so little heed to the people who manufacture needed goods and create wealth for America. The Consumer Protection Agency bill (HR 13163) can only hinder the U.S. as a manufacturing nation. (Anthony Harrigan).

INDIANA JAYCEES SPONSOR OLYMPICS FOR EXCEPTIONAL CHILDREN

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. MURTHA. Mr. Speaker, I had the honor and privilege of participating in the Olympics program held at the Indiana University of Pennsylvania on May 11, 1974, for exceptional children in and around the 12th Congressional District.

The program was sponsored by the Joseph P. Kennedy, Jr. Foundation, IUP Chapter of the Council for Exceptional Children, and the Indiana, Pa., Jaycees.

I would like to commend the Indiana Jaycees for all of the efforts put into the organizing of this worthwhile program. Every detail of the athletic program was professionally administered, and the dedication of the men in the Indiana

Jaycees as well as the students from the Indiana University of Pennsylvania was readily apparent.

The enthusiasm of the participants and the dedication of those sponsoring this great event formed a catalyst for one of the most inspiring sports events which I have ever attended.

HANDY DAN'S "OPERATION CONSERVATION"

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. REES. Mr. Speaker, the energy crisis has had a marked effect on every citizen of our State.

One business enterprise headquartered in my State has moved into the forefront of the effort to inform the public of the crisis and help them to overcome it. That company is Handy Dan Home Improvement Centers, Inc. which operates Angel's Do-It-Yourself Centers in northern and southern California, as well as in other parts of the country.

Under the direction of its president, Bernard Marcus, Handy Dan has launched "Operation Conservation" designed to help the consumer fight the battle of reduced energy. This program consists of an all-out educational program through use of the company's advertising media, in-store training sessions, and brochures.

Handy Dan and Angels advertising departments are engaging in a variety of activities to support the company's operation conservation program. Special energy advertising supplements have been spearheaded by Handy Dan people in newspapers circulated in the areas of its stores. In addition to taking energy-oriented ads in these sections, Handy Dan has supplied articles and pictures for the news sections discussing the crisis and giving tips on how to help the country and each other at this time of emergency.

Utilizing the theme, "Conserving Energy Is Everybody's Business," special signing was created for the stores with further tips on conserving energy.

Tips include: "One 100-watt bulb uses 20 percent less energy than two 50-watt bulbs, the average family wastes 15 percent of their electricity by leaving unnecessary lights and appliances on, and fluorescent lighting is 7 times as effective as incandescent."

Every newspaper ad carries a conservation tip. These ads appear in major newspapers in every large city that has a Handy Dan or Angels store.

In addition, printed materials, called "energy savers", are handed out in each store describing ways to conserve with plumbing, lumber and building materials, paints, electrical, automobiles, and so forth.

The company has ordered special measures in each of its stores and offices to conserve energy, such as removing every fourth ceiling light and turning off outdoor advertising pylon lights at 9:30 p.m. instead of leaving them on all night.

An appeal has been made to others in the industry and to other businesses associated with Handy Dan and Angels, as well as neighboring merchants, to follow the lead of this company.

Handy Dan officials have offered to show other businesses how they can cooperate and overcome the energy crisis.

Mr. Marcus has stressed his belief in our ability to solve the energy crisis through such statements to his employees as:

> The American people have been put to the test time and time again and in each instance the strength and stability of our form of government and way of life has proven equal to the task.

I know Congress joins me in paying special tribute to this fine company. Its outstanding public-spirited officers are to be commended for their action which benefits all of us.

DICKEY-LINCOLN: THREE CHANNEL 5 EDITORIALS CONTRIBUTE TO THE DIALOG

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. CLEVELAND. Mr. Speaker, recently, there has been a renewed interest in construction of the Dickey-Lincoln School hydroelectric project, which would consist of two dams on the St. John River near the Maine-Canada border about 460 miles from Boston.

Authorization of $277 million for planning and construction of this project was contained in the Flood Control Act of 1965. An initial study of the Dickey-Lincoln Dam showed, however, that the cost-benefit ratio was only marginally in its favor. Subsequently, therefore, a number of votes took place on the House floor to block the appropriation of funds for further planning and construction of the dam. Because of environmental considerations as well as the economic feasibility factor, I voted in the past to oppose these appropriations for Dickey-Lincoln.

Dickey-Lincoln has of late been the focus of much attention by the media, with proponents of the project stressing that the need for alternatives to use of imported oil, such as hydroelectric power, precludes further opposition.

I do agree that in view of the current energy situation, a fresh and thorough look at Dickey-Lincoln is in order. I do not mean to suggest, however, that we should proceed hastily with funds for construction without first considering the current economic figures, environmental impact, and the important factor of whether the kind of power generated by Dickey-Lincoln will in fact adequately serve the needs of New England in the future. To embark on such an expensive—at least $500 million—and controversial project without first considering such facts would indeed be a misguided approach.

Just recently in the RECORD my friend and colleague, Congressman SILVIO CONTE, inserted a background paper which raises some questions about this project prepared by the Friends of the St. John—May 9, 1974, pages E2915–6. Congressman CONTE has stated he was doing this to help set the record straight. I agree that all factors involved should be thoroughly discussed. Therefore, in an effort to contribute to the dialog, I submit the following three editorials from WCVB–TV in Boston, which represent one point of view:

THE DICKEY-LINCOLN HYDROELECTRIC PROJECT: SHOULD WE BUILD IT?—PART 1

The wild beauty of this river is deceptive, for it is near this spot—in far northern Maine—a place never seen by the vast majority of New Englanders—that some people wish to build the region's first hydroelectric power project.

Its name is Dickey-Lincoln, and it's been embroiled in controversy since Congress first approved the project in 1965. But money to build Dickey-Lincoln was *not* approved. And the issue has boiled up in Washington again this spring.

Thanks to the energy crisis and the high cost of oil, Dickey-Lincoln has a new lease on life. Its supporters argue that the power in this magnificent, free-flowing river, the Saint John, is desperately necessary to New England.

We do not agree. If you'll excuse the pun, Dickey-Lincoln can't "hold water" on economic or environmental grounds. And we hope to prove that to you in our editorials this week.

When completed, Dickey-Lincoln would have cost at least $800 million but will supply only 1 percent or less of New England's electricity—electricity, moreover, that will be sold only to the 8 percent of consumers served by publicly owned electric systems. Ninety-two percent of New Englanders would get nothing out of Dickey-Lincoln.

Further, this project will destroy a superb and irreplaceable wilderness area whose recreational and scenic value far exceeds its worth as an energy source.

Dickey-Lincoln, if built, would be a tragic mistake and one more example of this nation's bungled energy policies. Congress should reject Dickey-Lincoln this year and forever.

We'll be back tomorrow with more on the economic aspects of this project.

THE DICKEY-LINCOLN HYDROELECTRIC PROJECT: SHOULD IT BE BUILT?—PART 2

We're back today near the site in far northern Maine of the proposed Dickey-Lincoln hydroelectric power project. In yesterdays editorial, we said construction of Dickey-Lincoln would be a tragic economic and environmental mistake.

Let's look at the economics of this project, which the Army Corps of Engineers now says will cost close to $800 million, or possibly more.

If Dickey-Lincoln is completed by 1980 it'll produce 1.2 billion kilowatts of electricity per year, an amount equal to only 1 percent of New England's total supply. By 1990, Dickey-Lincoln power will be only ½ percent of total supply.

According to the original Army Corps of Engineers' report, Dickey-Lincoln would produce annual power benefits equal to $44 million. Yet, many of this project's key supporters don't realize that this is not a true figure. New information released by the Corps shows that power benefits will actually be only $4½ million, or only about two-tenths of 1 percent of New England's total electricity bill.

These facts explode the principal argument of Dickey-Lincoln supporters, which is that the project will serve as a yardstick for the cost of electricity in New England and force private utilities to lower their rates. Nonsense. Dickey-Lincoln is too small to be a yard-stick for anything.

Moreover, and here's another misunderstood aspect, Dickey's power will be sold by the government only to publicly owned electric systems. Since private utilities serve 92 percent of New England's electricity consumers, we'd be spending nearly one billion dollars to provide minimal benefits to a fraction of New England residents.

Tomorrow, we'll have more to say about the environmental effects of Dickey-Lincoln.

THE DICKEY-LINCOLN HYDROELECTRIC PROJECT: SHOULD WE BUILD IT?—PART 3

Most of those who support the Dickey-Lincoln hydroelectric power project have never seen the beauty its construction would forever eliminate. We came to the Saint John River in far northern Maine, so that we could better understand what this controversy is all about.

Dickey-Lincoln's six dams and two reservoirs would eliminate 75 miles of this pure and free-flowing river and flood 150 square miles of Maine's deepest woods. The project would also submerge part of the spectacular Allagash River and obliterate 90 miles of the Big Black and Little Black Rivers, as well as 80 miles of other rivers and streams.

Dickey-Lincoln would ruin some of the best hunting, canoeing, camping and trout fishing in the Eastern United States. The acreage needed for the reservoir at Dickey Hamlet alone exceeds the total land required for all new power plants and high-voltage lines in New England between now and 1990.

Nine new nuclear power plants will be completed in New England by the early 1980s, with 14 times as much total power as Dickey-Lincoln can produce. Solar power is also rapidly developing. And the ethic of conservation, if pursued, will completely eliminate any marginal need New England may have for Dickey-Lincoln power.

We don't need this billion dollar white elephant. It would be nothing short of insanity to destroy this priceless natural resource for such a minuscule energy gain.

We say no to Dickey-Lincoln. Please join us in getting that message where it counts—to your Congressman in Washington. And please, do it today.

THE POLITICS OF IMPEACHMENT

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. WALDIE. Mr. Speaker, this month's issue of the American Bar Association Journal contains an excellent article by Albert Broderick entitled "The Politics of Impeachment." In the belief that it will contribute to our understanding of the process of impeachment, I insert it be reprinted in the RECORD.

The article follows:

THE POLITICS OF IMPEACHMENT

(By Albert Broderick)

In a marvelous way the impeachment process may be seen as a microcosm of our entire system of constitutional representative government, and in no way can it be studied as simply a "question of law." The parameters, of course, are set by law. But the working out of decisions—impeach or not, convict or not—are strikingly interdisciplinary, and the input is as much from history, political science, ethics and morals, and perhaps even psychology and statistics as from law. We must free ourselves from the tyranny of legal mystique when we consider impeachment, particularly impeachment of a president.

Until recently it was undisputed that the action of the House of Representatives and the Senate in the impeachment process—the House as accuser and prosecutor and the Senate as trier and judgment pronouncer—is final and unreviewable. However, Raoul Berger in his 1972 book, *Impeachment: The Constitutional Problems*, argues for the existence of judicial review. I agree with the accepted view that there is no official revision of congressional action in the impeachment process in the courts or elsewhere.

On this assumption, one may understand Vice President Ford's statement in 1970, when he was House minority leader, that an "impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history; conviction results from whatever offense or offenses two thirds of the [Senate] considers to be sufficiently serious to require removal of the accused from office." That statement answer the question as to power, but it needs amplification to tell us what the Congress may "rightly" do, or what would be a wise or appropriate exercise of its impeachment power.

That statement also partly answers the question of who decides what is an impeachable offense. It seems to concede the relevance of precedents but finds impeachment precedents unhelpful as guides. It stresses the contemporaneous situation—"at a given moment in history." But there is a vacuum when the further question is asked: What factors are relevant to this "consideration" by the House or Senate? Assuming that the "legal" standards of "impeachable offenses" are met, what political factors, considering "political" in its broad rather than partisan sense, bear on the decisions of individual members, the appropriate committees, or the houses of Congress whether to impeach and to convict when the official in question is the president of the United States? To determine the "political" essence of the question of whether there are reasons for impeachment requires citizen reaction in a unique way.

I believe that the design of the constitutional impeachment process with respect to the president implies citizens input to get in motion, particularly when the offense or offenses charged are to come under the heading of "other high crimes and misdemeanors." Certainly in a day like this, when the relevant data become public property so swiftly through modern communications media, the House of Representatives would be justified in holding back from initiating the impeachment process until there was ample indication of citizen concern. Indeed, this appears to have happened in the current movement regarding the impeachment of President Nixon. The 1973–74 investigation by the House Judiciary Committee, on reference by the Speaker of the House, was triggered by the unprecedented public response to the events of the weekend of October 20–21, 1973, when the president caused the discharge of the Watergate special prosecutor.

The dynamics of the process, as it has developed historically, include the following steps: (1) introduction of a resolution for impeachment and reference to the House Judiciary Committee for recommendation to the whole House; (2) vote by the House to impeach or not; (3) trial by the Senate in the event of impeachment by the House. Not until very late in the Constitutional Convention of 1787 was it finally determined that the Senate should be the court of impeachment. This conclusion was reached in the face of continuing argument by Madison and others that this would subject the president to the possibility of removal by a hostile and partisan legislature, a prediction realized in the impeachment of President Johnson in 1868. Madison pressed for a trial before the Supreme Court.

FOUNDERS OPTED FOR A "POLITICAL TRIAL"

While there was recognition by the founders, both in the convention and later, that the Senate forum subjected a president to the possibility of political reprisal, the choice was deliberately made that the forum be political. The two-thirds vote was adopted to limit the likelihood of a partisan decision. This is not to suggest that the founders intended that a president or any other official should be impeached or convicted for less than "high crimes and misdemeanors." The president should have fair treatment, but no protections are enshrined in the constitutional provisions other than to put senators under special oath. The implementation of fairness was left to the legislative bodies, and in practice they have had good days and bad.

The founders, in short, opted for a "political trial," not for a judicial one. It is clearer that they did so from the misgivings that were stressed en route to their final determination. In this "political" climate elected repersentatives of localities would be acting on the fate of an elected representative of the people. But they are representatives, and as such must be understood as supposedly responsive.

There is no constitutional function assigned to the House Judiciary Committee. It acts solely as an appointed committee of the House to whom has been delegated the constitutional decision of impeachment. But in fact the work of the committee has been critical in impeachments. Rarely has the House rejected its recommendation of whether to impeach or not to impeach. Two political factors of the constitutional impeachment design compete to influence the conduct of its work. On the one hand, fairness to one accused would justify an *in camera* element in some of its preliminary investigation. On the other hand, the fact that public reaction has a place in the determination of whether to impeach means that some opportunity should be given the citizenry to react to the factual data the committee accumulates.

Of course, the feature of citizen input could be achieved by the Judiciary Committee's making public its report before the House votes the impeachment resolution up or down. Since the Archbald impeachment in 1912, the House practice has been for the articles of impeachment, the specific charges against the "respondent," to accompany the committee's resolution to impeach. Before that case the House practice was to adopt the impeachment resolution and then to authorize either the Judiciary Committee or a special committee to prepare the articles of impeachment.

It has been suggested that the role of the House is comparable to that of the grand jury in the criminal process—that it should impeach a charged official if there is "probable cause" to believe that the official has committed an impeachable offense. Although this proposition has been accepted implicitly in some past impeachments, it is a faulty interpretation of the constitutional design. By separating impeachment from the criminal process, the founders specifically removed it from the force of the English criminal precedents. It is true that the vote of impeachment by the House is only the preliminary step and that it will lead to removal only if the Senate so votes after "trial." It is also true that the House proceedings, like those of a grand jury, sometimes have considered evidence on only one side of the case. There is no requirement, and perhaps sometimes no opportunity, for the accused official to present his side in the House proceedings.

In fact, however, there generally have been members of the House friendly to the official under investigation, and they have brought favorable evidence to the attention of the House.

HOUSE DOESN'T ACT AS GRAND JURY

The context in which the impeachment provisions were adopted by the convention suggests that, while the House may certainly impeach if the evidence before it indicates to its satisfaction that treason, bribery, or other high crimes and misdemeanors have been committed, it is treating too lightly its independent legal and political responsibility to say that it may vote impeachment using a one-sided criminal law model of grand jury practice.

The House vote of impeachment connotes the responsible view of that body that evidence before it constitutes the offenses of treason, bribery, or other high crimes and misdemeanors, and if this evidence is not answered to the satisfaction of the Senate, that body may invoke the constitutional consequence of removal from office. This independent responsibility of the House fairly implies both a legal and a political judgment. The legal judgment is that the evidence before it shows an impeachable offense in the constitutional sense. The political judgment is that some "high crime" or "high misdemeanor" is sufficiently serious to justify impeachment.

POLITICAL FACTORS CAN JUSTIFY A VOTE AGAINST

There are legitimate political factors that might justify a vote against impeachment in some cases, even when there is adequate evidence to meet the constitutional standard of impeachable offenses. The overarching design of the founders in fashioning a constitutional provision for impeachment of a president was the national need for removal of a chief executive whose continued presence in office was disadvantageous to the nation. This consideration was sufficient in the convention to withstand arguments that impeachment was not necessary as long as the president did not serve for life (Farrand, II:68). The mere protection of voting him out of office was not enough.

So strongly held was this view of the need for impeachment that the founders were willing to assign the impeachment role to political bodies, despite Madison's continued urging that the Supreme Court should be the court for trial of an impeached president (Farrand, I:232; II:42 551). While a concern for fair treatment and protection of a president against partisan legislative removal was expressed, the only constitutional limitations on the process implementing these concerns were the special oath to be given the Senate members prior to trial and the requirement of a two-thirds vote in the Senate for conviction.

The following are among the political factors that might justify the House to decline to impeach:

1. The availability of a less drastic means to achieve removal. The stage of the presidential term in which the impeachment process matures makes consideration of the shortness of the remaining presidential term important. The consequences of continuing an incumbent in office for a brief time may be balanced against the disruption caused by an impeachment trial. The likelihood of resignation in the absence of impeachment has been considered a possibly relevant factor. There is some danger, however, that giving credit and force to the resignation possibility would set an unhealthy precedent for partisan pressures against the presidency in the future.

2. The consequences of the removal of the president at a particular time. The concept of national need entails consideration of the consequences of the removal of an incumbent president in terms of the quality and public receptivity of his successor and of the effect of removal on the conduct of national affairs, foreign relations, and the implementation of the national will expressed in his election. These factors would be balanced against the incumbent's continued ability to govern in light of present citizen and foreign reaction.

3. Consideration of the constitutional "high crimes" or "high misdemeanors" in light of the positive qualities the incumbent may still effectively exert in the public interest. This factor is somewhat duplicative of aspects of the previous one but perhaps merits independent evaluation, particularly if the constitutional offenses are borderline.

4. Even in the absence of other means to achieve removal, the fact that impeachment of a president was conceived as an emergency measure gives political counsel that it should not be employed in borderline situations. The vigorous debate on the need for an impeachment provision as a "bridle" on the chief executive (to use Professor Berger's word) ended with the adoption of one. But it was not without cautions as to the partisan use to which it might be put. The lessons of the impeachment of Andrew Johnson should not be forgotten, and the use of impeachment in a borderline stuation could do much to destroy the effectiveness of the presidency as a creative agency of popular government.

Without passing on the merits of any of these considerations in the present political context, I submit that all of them are fairly subject to consideration as legitimate political factors. There may be other political considerations tilting toward impeachment that might legitimately bear on a decision—loss of ability to give governmental leadership, loss of credibility among the electorate, loss of capacity to deal with foreign relations from a position of strength.

"INDIGNATION MAY SECURE A CONVICTION"

But other factors might arise from the ethical or moral implications of declining to impeach on the basis of certain evidence: What effects would nonimpeachment have on the future conduct of the presidential office, or derivatively, other offices of government? What impact would nonimpeachment have on professed national ideals? To what extent does nonimpeachment imply approval of the conduct shown by the evidence at hand? What effect on private morals? What likelihood of inciting cynicism among present and future generations? These, too, may be political factors. If they are not, perhaps the evidence in a given case may not be so deviant from current standards in the nation as to warrant invocation of the emergency measure of impeachment of the elected chief executive.

Astute observers of our constitutional processes have stressed the relation of citizen input to decision making in the impeachment process. Bryce in *The American Commonwealth* characterized impeachment: "It is like a hundred-ton gun which needs complex machinery to bring it into position, an enormous charge of powder to fire it, and a large mark to aim at." And Woodrow Wilson in *Congressional Government* noted that the impeachment processes "required something like passion to set them agoing; and nothing short of the grossest offense against the plain law of the land will suffice to give them speed and effectiveness. Indignation so great as to overcome party interest may secure a conviction; nothing else can."

Bryce and Wilson were writing of the actual operation rather than the conscious design of impeachment. But at least some founders—for instance, Luther Martin (Farrand, IV:219)—predicted that impeachment would function sluggishly. It seems reasonable that legislators called to make impeachment decisions should react, at least in borderline cases, only when citizen reaction to impeachment evidence, adequate in a constitutional sense, clearly calls for impeachment of a president. Reluctance by a member of the House to vote for a marginal impeachment on grounds of citizen apathy is not, I believe, "petty politics" but a legitimate fulfillment of his representative role in the impeachment process. Gross violations apart, this is how the process is supposed to work.

The House member called upon to vote impeachment up or down may properly make his judgment based on factors I have suggested, and he legitimately (apart from special knowledge) may take his cue largely from citizen reaction, particularly today when he may assume that the news media have produced a well-informed citizen. There are, however, political factors that all identify as illegitimate: the manipulation of an impeachment proceeding to make an opposing party vulnerable at election time; the refusal to impeach because the opposing party may be weaker with the incumbent in office rather than out; the refusal to impeach in the face of strong evidence because of damage to the political party; the citing of the absence of legal (constitutional) grounds for impeachment, when they are obviously there, to screen a partisan political decision; the manufacture of conscience reasons to screen raw partisan ones.

CITIZENS HAVE THE CENTRAL POLITICAL ROLE . . .

All this underscores the central political role that citizens have in the impeachment of a president and the consequences of their declining to participate. There is a role for education, particularly in avoiding the continuing confusion of the "legal" and the "political," all the time keeping full respect for the legitimate "political" functioning of our governmental system.

If there is no impeachment of a president by the House, there is, of course, no Senate trial. But the confusion of the largely "political" trial in the Senate with a criminal proceeding—an aspect the founders specifically expunged—and the rampant partisan unfairness of the Johnson impeachment have obscured the legitimate political considerations that may be invoked by the Senate, particularly in a borderline case.

The chief justice presides at the proceedings, there are rules for the conduct of the trial adopted at its outset, and each senator takes a special oath of fairness. But after weighing the evidence fairly and determining the facts, the Senate as a court is limited only by the constitutional requirement that the ground of its action be treason, bribery or other high crimes and misdemeanors. The range of these grounds is broad, but no less than the House, the Senate is entitled to consider the same legitimate political factors. These include the degree of citizen urgency that has a bearing on the ability to govern, views with respect to the impact on national moral values, and, I believe, even an estimated citizen reaction at the polls to their performance at the trial. These political factors, of course, cannot justify a conviction if offenses of constitutional proportion have not been committed, but they may make "serious" some offenses that a milder citizen reaction might justify overlooking. For the impeachment mechanism was contrived to satisfy a national need, and when the people do not bespeak that need, their representatives ordinarily are under no obligation to convict.

The citizen's role in voicing his views within the political framework of impeachment of a president is as significant as in exercising his right to vote. Once the constitutional parameters have been met by a body of evidence before either the House in impeachment or the Senate in trial, these political factors reach right into the decision to impeach or not to impeach, to convict or not to convict.

The citizen's role entitles him to as much information about the pending proceedings as reasonable fairness to the beleaguered president will allow. The citizen's responsibility requires him to make his views known to the proper source at the proper time. He may withhold rendering his verdict until subsequent elections. Perhaps members of Congress are entitled to interpret this lack of response as freeing their hand. And they may fairly assess, perhaps at their peril, that their failure to accord with their constituents' political views on the impeachment will bring no election sanction because the citizen is (or then will be) more interested in other issues: jobs, peace, or energy comfort.

It is consistent with the constitutional design that, within the broad constitutional limits, public response or the lack of it ordinarily should be persuasive, if not conclusive, on the House in an impeachment decision. There is a general unawareness of this key role of the public. Members of Congress recognize as a fact of life that in general they must listen to constituents. But in impeachment matters the connotation sometimes comes through that this listening is somehow "dirty politics." It is politics, but not on the seamy side, unless it lapses into raw partisan advantage without regard for the facts.

. . . AND THEY MUST KNOW THIS FACT

Given the existence of a crucial citizen role in the impeachment decision, certain consequences follow irresistibly:

1. There is, first of all, a need that citizens be educated to this very fact—that they have this vital function to perform and that they are responsible for whatever decision is made either as a result of their action or inaction.

2. As much information as fairness permits as to the specific situation at hand should be made available to citizens so that they may exercise their important function knowledgeably. This means information should be made known by the House Judiciary Committee engaged in the investigation and later by the full House when it considers the report. This means information and evidence as to the charges made and the credible evidence in support of and against the charges. The president's response should be expected at this stage and should be fully available. Just as he would not ignore damaging charges in an election campaign, so he should not stand back and withhold his response until a Senate trial.

3. There is need for full opportunity for public debate. Here the responsibility of the communications media extends to offering a generous forum for diverse views, arguments, and the weighing of relevant factors beyond sheer advocacy for one position or the other.

4. The public should give substantial response to their representatives in Congress at each stage of consideration of the impeachment decision. There is no accepted dogma as to what form this response must take. The ordinary means of between-election communication are appropriate—mail, telegrams, visits, responsible group action. It is no coincidence that the reference of the Nixon impeachment resolutions to the House Judiciary Committee followed almost immediately on the response to the orchestrated events of the "Saturday night massacre." The responsible polling organizations have a contribution to make, although careful thought must be given to the formulation and methods used in translating their input into a decision.

5. One question remains: What quantum of public support for impeachment of a president should be taken as adequate? The question should be considered from the national and the congressional district aspect. The Constitution provides that the simple majority of one vote in the electoral college is sufficient to elect a president. But votes are in practice compiled with each state voting as a unit for the candidate who wins the popular vote, regardless of the plurality. A measure of a national consensus adequate for impeachment could more reasonably be keyed to the actual national consensus average in presidential elections. In the last seven presidential elections the successful candidate received the following percentages of the vote: 1972, 61.7; 1968, 43.6; 1964, 61; 1960, 50; 1956, 57.8; 1952, 55.4; 1948, 49.8. The elected president received an average of 54.2 per cent of the vote in these seven elections. If the average is computed on the basis of the last six elections (omitting the close Truman election of 1948), it is 54.9. This same range persists when elections are examined back to 1900 (1900–1972 average: 55.2 per cent).

EXORCISING THE MYTHS ABOUT IMPEACHMENT

Let us lay to rest several enervating myths about impeachment: that an indictable crime is required to constitute an impeachable offense; that citizens cannot read pertinent constitutional language and clear passages from the convention and make their own judgments; that grounds for impeachment are exclusively a legal and not a political question; that the citizen's role in impeachment is to sit back and let "experts" and the members of Congress make the impeachment decision without their intervention; that impeachment is a criminal proceeding in which the House's function is to act as a grand jury and consider impeachment as in the nature of an indictment.

Of all myths, the last is the most difficult, but the most necessary, to smother. So long as it persists against all the constitutional language and history we have seen, emphasis will be put on the secrecy of House proceedings. This flies squarely in the face of the political aspect of impeachment and the need to share data with the citizens so that they may play their proper role. Simple fairness may argue in favor of the Judiciary Committee's proceedings being conducted with circumspection until evidence develops that meets the constitutional minimum. When that point is reached, the legal inquiry is complete. Any screen then should be withdrawn.

No more specific definition of impeachable offenses is needed than history has furnished, but there may still be doubt whether impeachment is politically appropriate. To answer this political question the citizen must be informed, so that he will have a basis for the political judgment he is entitled to make.

SOCIAL ADVISERS IN PLACE OF ECONOMIC ADVISERS

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. MADDEN. Mr. Speaker, today's Chicago Tribune quotes Mayor Gordon Hatcher, of Gary, Ind., as advocating that President Nixon create a Council of Social Advisers to study and recommend programs and legislation to aid the poor and unemployed in urban areas.

The present Council of Economic Advisers has failed to curb or conquer the fabulous inflation and high cost of living. The mayor's recommendation should be followed:

HATCHER PROPOSAL: U.S. COUNCIL URGED FOR URBAN POOR

"The most important new scarcity for the residents of central cities today is not gasoline, and it's not nuclear power, and it's not basic brick, and it's not trashy plastic products," said Mayor Richard Hatcher of Gary yesterday.

"The most important scarcity is a shortage of concern for the lives led by millions of poor and near-poor people in modern, megalopolitan America," the mayor told the American Society of Planning Officials in a conference in the Palmer House.

Social injustice, economic and social discrimination, and lack of concern for the poor still impose a burden on society and can undermine attempts to improve urban America, he said.

Mayor Hatcher asked the Nixon administration to establish a council of social advisers similar to the President's Council of Economic Advisers. It would be, he said, "a cabinet of ombudsmen for poor people, for black families, for Latin families, and for other minority Americans."

The social cabinet would consist of people of independent spirit, said Hatcher. "They would have to be in a position where what they said to the President was not necessarily what the President wanted to hear."

He named Floyd Hyde, former undersecretary of the Department of Housing and Urban Development, as a candidate for the new post.

Using his own city of Gary as an example, Hatcher said it is "a handy case study of original urban sin" in which "sins of omission and commission were committed that have hobbled the development of the city ever since."

Early housing in Gary, he said, was built for the wealthy. He described housing eventually built by United States Steel Corp. for workers as "double dry goods boxes" which became slums.

MINNARD H. JONES (1923-1974)

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. DE LUGO. Mr. Speaker, I wish to memorialize a highly respected Crucian and personal friend who recently passed away. Minnard H. Jones, who moved to the Virgin Islands in 1953, committed his professional and social lives for the benefit of the St. Croix community.

Mr. Jones began his career in 1953 as a teacher of vocational education at St. Croix High School. He eventually advanced to the post of assistant director of vocational education for the Virgin Islands. Many young men can thank Minnard Jones for the guidance and patience he provided during their decisive and turbulent teenage years. The Department of Education can also be thankful for his constructive contributions to the structure of vocational education programs in the Virgin Islands.

But Minnard will be most affectionately remembered as "Jonesey," organizer of the "Gentlemen of Jones." This social group sponsored activities to raise funds for local charities.

Mr. Jones constantly exuded an inspirational, aggressive love for life. For him, everything had to be done to its fullest, whether it was teaching a young student or cavorting with the "Gents." This personal strength was evident to the end of his 4-year illness. He was, as always, quick with a smile, firm with a handshake, and warm from his heart.

I respectfully submit the following comments on Mr. Minnard H. Jones:

[From the St. Croix Avis, Mar. 2, 1974]

FOUNDER "GENTLEMEN OF JONES" PASSES

(By Fred Clarke)

"Man, when I see a fish walking down Fifth Avenue, then I'll learn how to swim. God decides and he gave me legs and not flippers." On Thursday, at the Charles Harwood Memorial Hospital in Christiansted, God decided and Minnard H. Jones, known to two generations of Virgin Islanders as "Jonesey," died.

Well-known as a teacher, a bon-vivant, a businessman, a leader in charitable causes, a helping hand, "Jonesey" succumbed following an illness of almost four years. Until the last two months, he was still the fast man with the grip, the first guy with the smile, the last person to sell the rest of the world short. To "Jonesey" there was nothing but good to be found and "there's so much work to do before I ever buy the farm."

Minnard H. Jones was born on Dec. 11, 1923, in Atlanta, Ga. In high school he became enamored of music and he continued this sideline during his days at Hampton Institute. Later he was to play with some of the outstanding bands of the "big band" era. An accident ended his musical career and "Jonesey" returned to a teaching career.

He came to Christiansted in September 1953 as a teacher at the St. Croix High School. He was in charge of the vocational education department until illness forced his retirement.

In 1953 "Jonesey" also opened a bar on Strand Street in Christiansted and from that bar evolved the "Gentlemen of Jones." Included in its membership were men who were to become leaders of Virgin Islands society. One of the original members was a young attorney who today is Chief Judge Almeric Christian of the V.I. District Court.

The "Gentlemen of Jones" had fun—but all of their fun was aimed at raising funds for charity. There were baseball games, fishing trips, fish frys, get-togethers. And at the head of the table, the person with the brightest smile, the fastest retort, the warmest heart. He once said he founded the "Gentlemen of Jones" out of desperation. "All these guys were coming into the bar and putting everything on the tab. Money wasn't too easy come by in those days. So, one day, I decided to start a club and everybody who had a tab became a member. At least, that way, we could collect a membership fee."

OBITUARY

Minnard H. Jones, former Director of Vocational Education passed away Friday, February 28, 1974, at the Charles Harwood Hospital. His life was beautiful and exemplary. During his long productive years in the Virgin Islands in business and education, he was able to establish one of the best vocational systems in the Caribbean.

He was a member of the American Legion, American Vocational Education Association, and the Virgin Islands Vocational Education Association, and the founder of the Gentlemen of Jones.

He was a lover of beautiful things and was a spark of light in every group that he was a part of.

His early childhood education was received in Atlanta, Georgia. He was a graduate of Atlanta University Laboratory High School and Hampton Institute.

Mr. Jones is survived by his wife, Mrs. Julia Hansen Jones; two daughters, Mrs. Jennifer Jones Stone of Detroit, and Miss Judith Jones, a student at Spelman College; a son, Minnard Jr.; two brothers, Eddie Frank and Robert Henry Jones of Detroit and a host of nieces, a nephew, friends and other relatives.

EDITORIAL ON NIXON

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. MICHEL. Mr. Speaker, there has been a good deal of comment in the Washington media as well as the national media with respect to editorials appearing in some of the larger newspapers around the country calling for the President to resign.

An editorial appearing in the May 10, 1974, edition of the Peoria Journal Star has some specific comment regarding the Chicago Tribune editorial and I insert it in the RECORD at this point:

TRIB THROWS NIXON TO WOLVES

(By C. L. Dancey)

It is not at all surprising that the Chicago Tribune has seized upon the cynicism of the taped conversation of Richard Nixon and company to turn abruptly on the administration and call for his resignation—or whatever.

It is totally understandable coming from an institution that functions as a major power in the Republican party with policies long based on the welfare of that party.

The Trib has operated as a prime influence making policy in the party and working for the party.

If we were a Republican newspaper dedicated to manipulating the party, representing the party, exerting controls on the party and tied to the welfare of the party, we, too, might think the most important thing in the world is to have Richard Nixon simply disappear from the public scene, once and for all.

But we are NOT a Republican newspaper, and our prime concern is NOT the welfare of the Republican party in these elections or any others.

For 20 years, we have pursued a policy sometimes effectively and sometimes mistakenly but always on the premise of taking each issue and each candidate, one by one, on its merits without regard to party.

A review of that record, after the fact, shows a remarkably balanced result—and it shows something else.

We have been extremely fortunate in the "enemies" we have made over those years. Having the right enemies is very important. We have not always been that lucky in our "friends." It is there that a few times we've been too trusting.

That seems to demonstrate which way we lean—that we have preferred to give people the benefit of the doubt; that we have taken after them only with reluctance; and that as a result when we have erred it has been on the side of forbearance and not on the side that suggests a cynical eagerness to cut people down.

Since error is inevitable, we would rather it be that way than the "hatchet man" opposite.

So, we aren't really inclined to change now.

The Trib is right that Richard Nixon is "devious"—and we described him as such a year ago. That such is an impeachable offense, however, is another matter and one we aren't sure this democracy can live with well in future.

That's the problem.

And we don't give a hoot what these circumstances do to the Republican party in Illinois in 1974. We care what such a process does to America in all the years to come.

It makes us cautious.

On the other hand, if we were a Democratic newspaper we would probably agree with the National Chairman of the Democratic party, that shrewd veteran political strategist, Robert Straus, who has warned his party that if Nixon is steamrollered into a resignation he may end up looking like a "martyr" to a sizeable segment of the population, to the ultimate disadvantage of the Democratic party.

But we are not a Democratic newspaper, either.

We don't care what events do to the chances of that party at a given time, either.

The interesting thing is how the Republican powerhouse Chicago Tribune and the Democratic party chieftain both, obviously, see the situation so much alike—that it would be better for the GOP if Nixon resigns. The Trib wants it. Robert Straus fears it.

But for most of us, what happens in this matter is a temporary affair of the immediate period—a sort of skin rash. How we conduct this affair, however, is precedent with long term fundamental effects on the system itself. That is a heart condition.

We must do things right.

Meanwhile, in its eagerness to be out from under, we suspect that the Chicago Tribune is doing what the President and his aides considered doing in one of their recorded "unfeeling", ruthless, and "immoral" discussions.

They talked about throwing John Mitchell or somebody to the wolves in order to save their own skins.

They just talked about it.

The Trib appears to have done it.

THE PRESIDENTIAL CONVERSATIONS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my Washington Report entitled "The Presidential Conversations."

THE PRESIDENTIAL CONVERSATIONS

On May 1, a White House messenger brought to my office a 1,308 page, 5 pound, 8 ounce blue book entitled, "Submission of Recorded Presidential Conversations to the Committee on the Judiciary of the House of Representatives by President Richard Nixon." It is the most extraordinary document ever to come from an American president. These edited transcripts of 33 hours of key presidential conversations on Watergate are massive in content, fascinating in language and comments on public figures, candid beyond any papers ever made public by any president, and explosive in content.

A few of the highlights of the transcripts, as I read them, are these:

There is no evidence that President Nixon knew about the plans of the Watergate burglary before it took place.

The President ruled out clemency for E. Howard Hunt, one of the Watergate conspirators, but discussed on at least a half dozen occasions the payment of hush money to Mr. Hunt without once suggesting that paying him for silence would be wrong.

The President and his chief assistants, H. R. Haldeman and John Ehrlichman, were concerned to keep the facts from the public and the prosecutors.

The President assured his assistants that he would use the FBI and other federal agencies against his political enemies.

At no time did the President suggest that his aides testify fully before the Watergate federal grand jury, or order a complete in-

vestigation, but he did discuss at length how to handle criminal charges of perjury or obstruction of justice, and he approved an improvised national security defense.

Many of the conversations refute the explanations the President has offered the nation in his public statements on Watergate. He has stated that he knew nothing about the Watergate cover-up prior to March 21, 1973. But on September 15, 1972, he congratulated John Dean for his "very skillful putting your fingers on the leaks." He raised the question of clemency on February 28, 1973, and on March 13, 1973, his aides advised him of the cover-up, and he turned down a recommendation to make all the information public. The President has often used the need to protect national security as a bar to investigation, but in the March 21 conversation the President and his aides manufactured the national security defense against investigation. The President has insisted repeatedly on his determination to "get to the bottom of the scandal," but the transcript demonstrates efforts to limit the information given to investigators, to create plausible, not truthful, explanation, and to reduce the number of persons who could be accused of criminality. The President talks of "heading (the investigators) off at the pass." His assertion that he began "intensive new inquiries" after March 21 and personally ordered all of his aides to get all the facts about Watergate, simply is not supported by the transcripts (and has been denied under oath by his top law enforcement officials).

The view of the President in the transcripts is unflattering. He appears profane, isolated, cynical, inarticulate, indecisive, suspicious of his friends as well as of his political enemies, and more concerned with imagery than substance. He says his nominee for the FBI Director, L. Patrick Gray, "isn't very smart." He decrees the use of the FBI to hound his political enemies, advises his senior aides that "perjury is a hard rap to prove," and that they can safely forget facts before a grand jury. He calmly listens to reports that various aides had lied to him, advises his aides that he can get a million dollars for hush money, schemes to set up Attorney-General John Mitchell to take the fall for everybody, and he openly rejects telling the whole truth, saying, "We have passed that point."

A dominant theme in the conversations is how to prevent the truth from getting out. The questions of right or wrong, or what is best for the country, just never seem to get discussed.

The transcripts will not satisfy the demand of the Congress for disclosure. The President simply failed to comply with the subpoena which required the tape recordings, not selective transcripts. Eleven of the subpoenaed tapes were missing and the President has said that he will give no more evidence on the ten remaining counts of impeachment (the transcripts touch on only 1 of 13 counts). No independent party vouched for the transcripts, and it would be a hopelessly burdensome task for the chairman and the ranking minority member of the Judiciary Committee to verify these transcripts, unaided by staff, as the President proposes. Inaudible and unintelligible portions of the tapes are numerous, and most of these omissions are statements by the President at crucial points.

The all-important question is whether the release of the transcripts will help or hurt the President. It is too early to answer that question, although the initial polls show that the people support the Judiciary Committee's demand for the tapes and strongly disapprove of the President's conduct. A number of prominent legal experts said the transcripts support an impeachment charge of obstruction of justice. The critical reaction will be in the Congress which must weigh the question of impeachment. By releasing the transcripts the President has forfeited his personal reputation in a gamble for survival, and my guess is that he has not assured, but jeopardized, his chances of remaining in office.

PLUTONIUM LEAK COULD HAVE BEEN LETHAL

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Ms. ABZUG. Mr. Speaker, in our desperate scramble for new sources of power, we have recently authorized some $3.6 billion for the Atomic Energy Commission. On April 23 I objected to funds for atomic weapons testing and for nuclear fission powerplants, pointing out that the proposed reactors would produce hundreds of thousands of pounds of plutonium.

Scientists estimate that 1 ounce of plutonium, dispersed and inhaled, could kill everyone in the United States. "Plutonium 238 is one of the most toxic materials known, and can cause almost instant death if it is breathed," says today's Washington Post article, which I am inserting in the RECORD.

For today we learn that radioactive plutonium has leaked out of the AEC's weapons factory near Dayton, Ohio. The only thing that saved the residents of Dayton—and probably many thousands more—was that the plutonium leaked into a canal, not into the air.

An AEC spokesman said:

This comes as a complete surprise. We have no idea how the plutonium leaked out of the factory into the mud.

It is just this kind of trifling with all our lives that compels me to speak and vote at every opportunity against funding for nuclear plants and weapons.

The article follows:

AEC ADMITS OHIO LEAK OF PLUTONIUM

(By Thomas O'Toole)

Radioactive plutonium has leaked out of the Atomic Energy Commission's weapons factory in Miamisburg, Ohio, into a canal near the factory gates.

The AEC confirmed the leakage yesterday, but said it did not know how much plutonium had spilled out of the factory or how far the leakage had spread.

The AEC identified the plutonium as an isotope of the man-made metal called plutonium-238, one of the most poisonous materials known.

"Based on preliminary samples, the plutonium presents no health problems because it has been found in the sediments under water," an AEC statement said. "There have been no abnormal levels of radioactivity detected in the air, water or vegetation about the laboratory site."

The AEC said that periodic tests had turned up plutonium in two ponds adjacent to the north end of the Erie Canal and in a part of the Erie Canal itself, a local Ohio waterway not connected with the Erie Canal in New York State. The plutonium was found under the waters of the ponds and the canal when pipes were driven into the mud to take sediment samples.

"We have no idea how the plutonium leaked out of the factory into the mud," an AEC spokesman said yesterday. "This comes as a complete surprise."

The Miamisburg factory of the AEC, known as its Mound Laboratory, is located inside the city limits of Miamisburg (pop. 14,800), which itself is a suburb of Dayton. The metropolitan area of Dayton has a population of 882,000.

Plutonium-238 is one of the most toxic materials known, and can cause almost instant death if it is breathed. One scientist estimated that plutonium-238 in the lungs is about 100,000 times more toxic than cobra venom or potassium cyanide and about 10,000 times more poisonous than nerve gases.

Plutonium must be breathed into the lungs to be toxic, however. The reason is that it emits what radiologists call alpha particles, which have little power to penetrate the skin.

In the lungs, pinhead-sized plutonium dust particles can cause fibrosis of the lungs in weeks. A larger dose can destroy the lungs in a matter of minutes, making it impossible to breathe.

The AEC emphasized that the plutonium discovered outside the Miamisburg factory was found deep in the muds of the Erie Canal, not in the air or soil nearby. This meant, presumably, that the plutonium had leaked out in a liquid effluent and not through a smokestack.

The Miamisburg factory is not now making plutonium for bombs, but is producing it for the nuclear power supplies carried aloft by satellites and spacecraft. The Pioneer 10 spacecraft that flew by Jupiter and many Air Force spy satellites use these types of nuclear power supplies.

The Miamisburg leak is the second time plutonium has been found outside an AEC installation. The first was four years ago, when it was found in the soil as far as seven miles from the AEC's Rocky Flats, Colo., weapons factory.

OUR BLUNDERING OIL DIPLOMACY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. VANIK. Mr. Speaker, in recent weeks, Senator FRANK CHURCH, through his diligent work as chairman of the Subcommittee on Multinational Corporations, has developed the fascinating and intricate story of how the multinational oil companies manipulated U.S. oil policy to conform to their interests. In the April 27, 1974 issue of the Nation, Stephen Nordlinger provides a good synopsis of the major findings of this hearing record. The inescapable conclusion of this sorry story is that the United States can no longer afford to conduct a laissez faire energy policy. What is best for the oil companies is not necessarily best for the Nation.

The amendment I plan to offer to the Oil and Gas Energy Tax Act next week will provide for the elimination of the foreign tax credit for taxes paid on foreign oil and gas production income. One provision of my amendment, however, will allow for these credits, if we negotiate to include them in an international tax agreement with the producing countries. The Nordlinger article underlines the importance of government-to-government negotiations in solving our energy crisis. We cannot afford to place our trust in the oil companies for these delicate negotiations.

Mr. Nordlinger's article follows:

THE "NATIONAL SECURITY" CARTEL: OUR BLUNDERING OIL DIPLOMACY

(By Stephen Nordlinger)

WASHINGTON.—As the Shah of Iran, nattily dressed in a brown plaid suit and camel's hair coat, flew off in early 1971 for his annual vacation at St. Moritz, he spoke triumphantly at the airport of new opportunities being opened by the power of the Arab nations to extract huge concessions from the international oil companies. By threats and an ample amount of wheeling and dealing, he had managed to best the wily old oil negotiators of the West in what now appears to have been a major step toward the first energy crisis in the peacetime history of the United States.

The shortages and the accompanying soaring prices for fuel that plague the American motorist and home owner can be traced in large part to those pivotal negotiations in Teheran more than three years ago. The Arab nations won an additional $10 billion for their oil, but much more important than that, they flexed their muscles and effectively cowed the companies.

Once the Arabs had proved their skill and strength at the bargaining table, they went on to achieve further and further concessions, most notably a share in the equity ownership of the companies. Then, after less than three years, the Arabs this past winter breached a five-year agreement made at Teheran by unilaterally quadrupling prices.

For this debacle, the oil companies must bear a large measure of responsibility. They had failed, in the face of mushrooming world demand, to build a production capacity sufficient to relieve the pressure on them at the negotiations. The defeat must also be attributed to the often ruthless behavior of the companies toward the Arab nations in years past. The Arabs, for the first time really sensing the full value of oil and the power of united action, were prepared to strike back.

But the heaviest blame for what transpired at Teheran must fall on the U.S. Government, which for more than twenty years had encouraged the companies to enter the waiting trap and then out of ignorance and fear undermined their bargaining position at the fateful negotiations. Teheran was the climax of a strategy in which the cause of national security, as defined by the State Department, dictated what masqueraded as a national energy policy.

In the name of national security, the government had espoused a policy that completely coincided with the short-term interests of the oil companies, but cost the American public multibillions in lost tax revenues and higher prices. The government fostered the growth of an international oil cartel that set prices and production levels and apportioned markets. Consequently, the oil companies were ill-prepared when the government failed to support them at the moment when they sought to present a united front to the Arabs—the decision again being made in the cause of national security, rather than according to a serious national energy policy, which in any case did not exist.

The maneuverings of the government and the industry have now been brought to light in days of testimony before the Senate Foreign Relations Subcommittee on Multinational Corporations, headed by Sen. Frank Church. Since early this year, scores of once-classified documents have been made public to buttress the record. The committee's staff, Jerome Levinson, Jack Blum, John Henry and William Lane, spent more than a year compiling the information.

The government's case against the international oil cartel that began developing in 1949, the granting to the companies in 1950 of tax credits that have transferred billions from the U.S. Treasury to the coffers of the Arab nations and, finally, the withdrawal of support at Teheran in 1971 were all decisions taken in the name of national security. Ironically, the nation today appears something less than totally secure in meeting its fuel requirements. Along the way since 1949, the State Department and the Justice Department divided sharply on just where the nation's security interests lay. Even within State there was dissension over policies that eventually left a lasting mark on the world's oil production.

The international oil crisis did not develop suddenly from the imposition of the oil embargo; it stems from actions by the oil companies that were subsequently condoned and even abetted by the government. These companies became a virtual supranational government and exercised powerful control, insofar as oil was concerned over the foreign and domestic policies of the United States and the world. A close relationship developed between government officials, many enlisted straight from the oil business, and the industry itself.

A red boundary line, drawn with a pencil on July 31, 1928, has come to symbolize the power of the Seven Sisters, the seven international oil companies that over the decades have woven a tight fabric of joint, coordinated ventures. This line, which encircles Iraq as well as Saudi Arabia and other nations of the old Ottoman Empire, demarks the area in which four of these companies held sway by agreeing to curtail world crude output and limit competition in refining, marketing, and the securing of concessions.

In the early 1920s, the State Department proclaimed a so-called "open door policy" for oil exploration in the Middle East, so that American companies could secure equal rights with their British rivals in the mammoth reserves of Iraq. The companies insisted on this policy as an indispensable condition for their participation in the Middle East. However, the companies, sensing the advantages of cartel strength and fearing a possible oil glut, soon lost their enthusiasm for "open door" competition. The State Department, bowing to their new desires, abandoned a policy it had so strenuously pursued, and the Red Line Agreement came into being.

Also, in 1928, representatives of the three oil giants, Standard of New Jersey (now Exxon), Royal Dutch Shell and the Anglo-Iranian Oil Co. (now British Petroleum), gathered at an English castle, ostensibly to shoot grouse. From that meeting came a further agreement to restrict competition in the significant oil markets of the world. This agreement, precipitated by a price war in India, completed the chain of major company control from crude supply source through market distribution outlets for at least a decade and even during the dislocation of World War II. After the war, the seven companies continued their arrangements as rich new crude reserves developed in the Persian Gulf area, especially in Saudi Arabia and Kuwait.

According to testimony by David I. Haberman, an attorney in the Justice Department's antitrust division from 1953 to 1972, the companies expanded the number of interlocking, jointly owned production companies to unify control of concessions and crude output, and established a system of long-term mutual supply contracts that allowed exchanges among themselves without risk of competition from new companies.

The Federal Trade Commission in 1952 filed a 378-page report, "The International Petroleum Cartel," and the Justice Department announced a grand jury investigation that won banner headlines. But then the State Department, muttering "national security," moved in to protect the industry, and in effect took over the nation's antitrust policy. The Justice Department, by contrast, felt strongly that the country would be more secure if the cartel were broken up.

In a June 1952 memorandum, now made public by the Church subcommittee, H. G. Morison, an Assistant Attorney General, advised Attorney General McGranery that, in the absence of competition, the Navy had bought oil during World War II at prices which bore no "relationship whatever to the low cost of producing oil" in the Middle East. While the United States was being charged $1.05 a barrel, the Arabian-American Oil Co. (Aramco) was making sales in Saudi Arabia to affiliated American companies and the Japanese at 70c and 84c a barrel. The memorandum said that the $70 million which Standard Oil of California and the Texas Company (now Texaco) charged the Navy for petroleum products was $38.5 million more than they charged other purchasers for equivalent products.

Despite manifold evidence of a cartel, President Truman was persuaded to pull the teeth of the Justice Department's case by reducing it from a criminal to a time-consuming civil action. The suit against Gulf, Exxon and Texaco was settled years later by consent decree; the cases against Mobil and Standard of California were dropped. According to a now declassified message sent by Dean Acheson to Morison at the Justice Department, the State Department feared that the criminal action would arouse a movement in the Middle East to nationalize the companies accused of conspiring, lead to a "decrease of political stability in the region," and discourage American companies from investing there.

Leonard J. Emmerglick, who left the Justice Department in 1954, apparently discouraged after working closely on the oil cartel case, testified that the decision to reduce the case to a civil action was taken by the National Security Council one Friday in the closing days of the Truman administration. That Sunday evening President Truman summoned Mr. Emmerglick to the living quarters of the White House and told him he had taken the potentially momentous action not on the advice of the Cabinet officers who attended the Security Council meeting but solely on the assurance of Gen. Omar Bradley that the national security called for the decision. However, documents now issued by the subcommittee indicate that the State Department determined the action. The consent decrees reached years later apparently had little effect on the activities of the companies.

Soon after scuttling the cartel case, the State Department, under John Foster Dulles, moved quickly to assure the domination by the major companies over the potentially lucrative Iranian crude supply by keeping the competition of independents out of the area. Again national security was cited, this time the threat of Soviet expansion. It was believed that the most reliable way to restore Iranian oil production after the collapse of the Anglo-Iranian Oil Co. following nationalization by Dr. Mohammed Mossadegh was to move in the major foreign and American companies.

A now declassified memorandum by Adrian S. Fisher, then legal adviser at State, said these companies lack "any particular desire" to produce this oil because of adequate supplies elsewhere, but the government's persuasion prevailed. The Justice Department finally went along with the Iranian decision, though its antitrust division strongly maintained that the agreement was totally inconsistent with the civil cartel case it was still pursuing in court. In the end, the State Department's decision killed any chance of making the cartel case stick, according to Senator Church. His subcommittee is seeking further documents which, investigators said, would link the entrance of the major companies into Iran to the termination of the criminal action. It is worth noting that, according to an internal Justice Department memorandum, the independent

oil companies had wanted a 36 percent share of the consortium, but the share was reduced to 5 percent by the State Department. Despite the majors' professed reluctance to enter Iran, it turned out to be a "good investment," a former top official, Howard W. Page, testified.

There was some significant disagreement within the State Department itself over the handling of these crucial matters. The subcommittee has made public a memorandum written at the time by a key oil adviser, Richard Funkhouser, now serving with the Agency for International Development, which stated "that the ability to accommodate to changing situations in the Middle East is best developed under an environment of free competition rather than from efforts to 'hold the line,' which seldom succeed." Every encouragement, he said, should be given to independents to move Iranian oil.

Funkhouser quoted some oil executives and economists as believing that the Anglo-Iranian Oil Co. might never have been nationalized if there had been competitors in Iran. "There is a certain safety in numbers," he wrote, adding that a monopoly is "ideally easy to nationalize." Despite this advice, the government avoided any actions that would cause giant consortiums like Aramco or the one in Iran to relinquish parts of their concessions to competitors, and thus minimize the growing possibility of substantial takeovers by the Arab nations.

Out of this period that brought the collapse of the criminal action against the cartel and the granting of a concession in Iran to the major companies came the secret decision in 1950 to treat the royalties of the Arab nations as taxes, to be credited dollar for dollar against what the companies owed the U.S. Treasury. Once more, the justificatino was national security.

The corrupt regime of the late King Ibn Saud of Saudi Arabia, into whose purse went an enormous share of the oil revenues from Aramco, began demanding much more money in 1949 and 1950. Sharp increases in royalties, if treated merely as business expenses, would have been a severe blow to Aramco's profits. On the advice of the company and with the approval of Dean Acheson, the Saudis in 1950 changed the royalties to a so-called "income tax." The amount paid could then be deducted from U.S. taxes.

As a result of this Treasury Department tax ruling, the four companies that control Aramco—Exxon, Texaco, Standard of California and Mobil—which had paid $50 million in U.S. taxes in 1950, paid $6 million in 1951; and Saudi Arabia, which had received $66 million as royalties in 1950, got $110 million as taxes in 1951. Aramco lost nothing by this even swap and the Treasury Department lost a good deal. From then on, the American Government began losing close to $200 million a year in tax revenues from oil companies operating in the Middle East.

Testifying before the Church subcommittee, George C. McGee, a multimillionaire oilman and at the time of the tax-credit decision the top man on Middle East affairs at the State Department, justified this new policy by what he described as the critical contest in the Middle East "between ourselves and the Soviets." The very corruption and ineptitude of such regimes as that of Ibn Saud made them especially vulnerable to a nationalization movement that would upset the stability of the area, the McGee argument went, and could be prevented only by a constant transfusion of American money.

The National Security Council made the decision in secret; there was no consultation with Congress. On this decision as well, McGee's adviser on petroleum matters, Funkhouser, said in a memorandum that the preferable route to political stability in the Middle East was not through tax favors but by reducing the size of the concessions held by individual companies, a move that would also promote competition. "Since many new American companies are interested in the area and financially strong enough to enter the field, continuation of oil properties in U.S. hands would be almost assured," Funkhouser said. "Middle East states prefer American companies to those of other nationalities."

In recalling the simultaneous decision by the company and the State Department to adopt the principle of the tax credit, McGee said that the solution was reached separately, although "our reasoning based on political grounds coincided with theirs." At that time Aramco was selling its entire production to Europe, but McGee said it was vital to the United States to have Saudi Arabian reserves owned by American companies "for a time of crisis."

The final chapter in the story of the symbiotic relationship of the major oil companies and the American Government began in the late 1950s and early 1960s. An excess production capacity prompted the companies unilaterally to cut the posted price of crude in the Middle East by 20¢ a barrel. This action precipitated the formation of the Arab cartel, the Organization of Petroleum Exporting Countries.

Alarmed by this development, John J. McCloy, former High Commissioner for Germany and then employed by the major oil companies, has disclosed to the Church subcommittee that he met secretly with President Kennedy to alert him to the danger posed by the Arab cartel. Subsequently he spoke to each and every Attorney General to apprise them, he said, of the unfolding situation. The companies sought nothing at the time from the government, because the ample spare production capacity available and the requests of the Arab nations for ever greater production put them in a strong position.

By the 1970s, however, the rapid rise in world demand for energy made the companies vulnerable. George T. Piercy, senior vice president of Exxon, admitted to the subcommittee that the industry had failed to anticipate this surge in demand, thus exposing it to pressure from the Arabs. In Libya, the new revolutionary regime of Col. Muammar el-Quaddafi won major concessions in 1970 from Occidental Petroleum, an independent that relied on Libyan crude.

The potential showdown feared by McCloy ten years earlier, became a reality for the major companies as they approached the negotiations in Teheran in early 1971. McCloy stepped up his calls and visits to Washington. John N. Mitchell, the former Attorney General, said in a deposition for the subcommittee that McCloy, then representing twenty-three oil companies, met or talked to him four times in January 1971, as special agreements were prepared by the government and industry before the Teheran bargaining began.

At that time, two key State and Justice Department officials, James Akins and Dudley Chapman, went to New York and waited outside the door of McCloy's law office while the agreements were drawn up, thus indicating the continuing intimacy between government and industry. According to testimony, the Justice Department secretly consented to the industry-sponsored agreements: one was to allow the major and independent companies to join in a united front to bargain with the Arabs for a new global contract without fear of antitrust prosecution; the other would permit a sharing of oil in the event any company was shut down by Libya.

Although the Justice Department granted the companies the right to bargain as a bloc, the State Department withdrew its support from the companies' desire to bargain with all the oil-producing countries at one time, including those in the Persian Gulf and Libya, so that there would be no leap-frogging price effect, with companies being picked off one by one.

At the request of the companies, John N. Irwin II, then Under Secretary of State, was sent on one day's notice to the Middle East to speak to some of the conservative nations. He had no time to prepare and, as he conceded to the subcommittee, he totally lacked any "real background" in the oil business. Quickly he submitted to threats and astute maneuvering of the Shah of Iran and Arab leaders who convinced Irwin, now Ambassador to France, that the negotiations with the Persian Gulf states and Libya must be separate. Without consulting the industry negotiators in Teheran, Irwin cabled back, according to his testimony, that the separate bargaining was necessary. His recommendation was routinely accepted by the State Department, and the industry, its position undercut, agreed to separate sessions in Teheran and later in Tripoli.

Justifying his recommendation, Irwin, true to the government's explanation for its past oil policy, told the subcommittee that his mission to the Middle East was to protect the national security, in this case against a threatened halt of production. There was no point, he suggested, in antagonizing the Arab nations. The message he brought to the Middle East—that the United States hoped that oil supplies would not be disrupted, that the companies must be cooperative and that the U.S. Government definitely would not become involved in the negotiations—strengthened the hand of the Arab negotiators. The entire Irwin mission, in fact, puzzled the Arabs, who probably expected the United States to take a tough stand. "I don't know what Mr. Irwin's visit was for," said Jamshid Amuzegar, the Iranian Foreign Minister, in an interview during the preliminary negotiations.

With the demand for oil exceeding production capacity, the Arabs were in a strong position at Teheran, yet the companies still held some cards. The Arabs needed oil revenues, on which they depended for 50 to 95 per cent of their incomes, and they relied heavily on the technical skills and other resources of the international companies. But in the wake of the Irwin mission, the companies struck the best deal they could get; it was supposed to last for five years. The agreement was hailed by the State Department as bringing "stability" to the Middle East, but within less than three years, it was torn up by the Arabs. Representatives of the industry, which had played its last trump, were summoned to "negotiation" in Vienna and the emboldened Arab nations unilaterally imposed new demands that sent the posted price of crude oil from $3.01 a barrel last October 1 to $11.65 in January, the present level.

The American consumer is paying handsomely for the vacuum in energy leadership in Washington over the last forty years or more. For almost all of this period, the oil companies filled the gap, virtually dictating policy in their own self-interest. This policy, when it involved international concerns, was rationalized on national security grounds The Irwin mission that culminated the decades of neglect was doomed to fail, since it was impossible to generate an energy policy overnight.

The big oil companies cannot be left any longer to their own devices. Despite the risk of becoming embroiled in international disputes, the government, as the presumed protector of the public interest, must play a forceful role in dealing with the oil producers and the oil-producing countries.

THE LANGUAGE BARRIER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. RANGEL. Mr. Speaker, I would like to share with my colleagues a column which appeared in the New York Post on May 4, 1974. It concerns a problem of which we are all aware. However, it reveals the proportions of this problem to be beyond most people's expectations.

There is a vast population of exclusively Spanish-speaking citizens in our Nation. Throughout American history, newly arrived ethnic groups have been cast into the "melting pot." But now, in New York City alone, this population has grown to 2 million people. We can sympathize with their disorientation. It is beyond our comprehension though, to understand the entire maelstrom of living in a strange and sometimes hostile culture.

The article below offers a rare glance at our system from the perspective of the Spanish-speaking person. It lays bare our need to adjust the criminal justice system. As the structure stands, the slightest problem becomes, for these people, an unbridgeable impasse; a simple call for help can end in tragedy and frustration. One method, suggested below to deal with the situation is to increase the number of Spanish-speaking law enforcement officers and criminal justice officers. I endorse and praise this and all other measures which would ease the injustices inherent in the lives of these newest immigrants.

The article follows:

THE LANGUAGE BARRIER

(By Jose Torres)

Luis Neco is a Puerto Rican who serves as this city's Deputy Police Commissioner in charge of the legal department. Intelligent and dedicated to improving the lot of his countrymen, he works for the benefit of those who suffer for the "crime" of not speaking English.

Neco is bilingual. He knows the handicap which shackles those in this city who are not. We discussed together a few of the many problems created by the lack of communication between Spanish-speaking people and police officers.

And it is shameful and sad. I gathered from Neco's own experiences that there are many young Puerto Ricans in jail right now because they didn't have the right—English—words to explain their predicament.

We both agreed that Puerto Ricans in this country have many problems with the law not only because of language confusion but because of a conflict of cultures.

Here are some examples:

A middle-aged Puerto Rican takes his family for a drive. Inadvertently he makes a wrong turn. A police officer approaches, asks for his license and registration.

"What have I done wrong?" the surprised Puerto Rican asks. The cop assumes the man knows what he did wrong. "Don't be a wise guy," he replies. "Didn't you see that damned 'no left turn' sign right in front of your nose?"

Now if the man were alone, he might ask the police officer to forgive the error and skip the ticket. But he is with his family. Pride and dignity require that the "master of the home" play out that role.

True, deep in our culture there is a profound respect for authority. But nothing surpasses our defense of our honor as "boss of the home," especially if the family is around.

And so, in this instance, the officer has intruded into a sensitive area of this man's culture. His "machismo" has been challenged.

So the Puerto Rican man gets into a heated argument and finally gets out of the car to deal with the cop. What began as a simple traffic violation turns into serious accusations—assault, resisting arrest, etc.

Another example: A cop walks his beat on Av. J in Brooklyn. A woman rushes hysterically toward him. "My child is dying," she yells. "My child is dying." The reaction of the cop is swift and natural. He immediately goes to help.

The same circumstances, but this time in South Bronx, and with a Puerto Rican mother who can't speak English. She yells, "Mi hijo se muere, me hijo se muere." One can assume that the reaction this time will not be the same, but I asked a non-Puerto Rican officer friend of mine.

"First of all," my friend said, "I would, automatically go for my gun because I would suspect that the lady had been attacked or that she's being chased, or that she is crazy." Meanwhile, her child is dying.

And what happens with a Puerto Rican suspect who can't speak a word of English and a police officer who can't speak a word of Spanish?

"A police officer may see a Hispanic who looks suspicious," Neco explained. "The police officer who comes in contact with him might have this suspicion resolved if the Hispanic could speak English and communicate to the officer what he was doing.

"The man is then taken to a police station to determine what recommendation is going to be made in terms of bail or if he will be released on his own recognizance, or whether a desk-appearance ticket may be issued to him. Because there is no communication, one can conjecture that he's not a likely candidate for the desk-appearance ticket." Such a ticket allows the arrested person to leave and appear at a later, stated date.

Whether a person is going to be released on his own recognizance or bailed is determined in large measure by interviewers from the Probation Dept. Lack of communication here makes the arrested Hispanic a less likely candidate for a recommendation of bail or release on his own recognizance.

The problem is that there are not enough Hispanics working in the law enforcement field. A recently launched recruitment campaign for more minority-group members for the police force might help. For only 2.2 per cent of the entire Police Dept. (784 out of 30,808) are of Spanish descent. The total Spanish population here is about 2 million.

Or, as Commissioner Neco put it: "We are at the stage now where all areas of the criminal justice system as well as the bar, the legal profession itself, have to look at the unique problems of the Spanish-speaking citizens of this city and come to grips with seeking to alleviate, if not to solve these problems."

THE COLORADO WINNER OF THE "ABILITY COUNTS" COMPETITION

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. EVANS of Colorado. Mr. Speaker, I recently had the opportunity to meet with Miss Mardona Moreland of Las Animas, Colo., while she was in Washington attending the annual meeting of the President's Committee on Employment of the Handicapped.

For the past 2 years this 17-year-old young woman has spent much of her free time as a volunteer at the Fort Lyons Veterans Administration Hospital near her home working with handicapped veterans. She also has done much volunteer work with other handicapped people in her community.

Miss Moreland is the 1974 winner of the essay competition sponsored by the Colorado Governor's Committee to Promote Opportunities for the Handicapped.

Her winning essay describes a unique experiment she performed to gain a better insight into the many barriers faced by handicapped persons in our society. I insert the text of her essay here and commend it to my colleagues:

BARRIERS TO THE HANDICAPPED: "LET ME WALK WITH MY BROTHERS"

The above topic title is a phrase from my favorite song, *Let There be Peace on Earth*, and I felt that it would be appropriate for my essay because I put myself into the same situations a wheelchair victim might experience during one day.

For the past two years during vacation and spare time, I have served as "Volunteen" at the Fort Lyon VA Hospital spending most of my time in the EEG, EKG, and X-Ray laboratories. Here, I have observed and tried to help patients with varied handicaps. I am also Commander of our local DAVA Junior Girls and part of our volunteer work is with handicapped children. This year as a senior in high school, I am enrolled in CAVOC (Central Arkansas Valley Occupational Center), taking prenursing training and also working part-time at the Bent County Nursing Home. Through CAVOC, I have visited and observed the handicapped youngsters at the ARKVA School for retarded children. In my nursing home duties, I am in close contact with those who are handicapped by strokes, hardening of arteries, arthritis, heart conditions, and impaired movement of limbs. I am learning much from these people and I have shared the victorious feeling they have when they make even a small come-back.

There are many barriers to the handicapped—social, mental, physical, and even architectural. To gain a better insight into such problems, I decided to put myself in a wheelchair for a day. First of all, there is much more to getting around in a wheelchair than just sitting in it and wheeling it. It takes practice and skill, and after a very short time, my arm and shoulder muscles began complaining about the strain put upon them. The attitude of people I met was unexpected. Some of them looked at me with sympathy and understanding, but the majority tried to ignore me and my problems by avoiding eye-contact, thus rejecting me as a person.

I had never before thought of architectural barriers. First I visited our local High School which is built on ground level. There were few problems here. Doors are wide enough to allow entrance and the halls are spacious so there is a minimum of problems during class changes. Rooms are structurally adjustable so it was not hard to maneuver my wheelchair into class groupings. I did find there were no adjustable table surfaces so I had to write in my notebook on my lap; black boards are too high for my use in writing long equations; and the locker shelves could not be reached. After this first experience, I decided that I could function at about 70% efficiency in classrooms. However, Band,

Phys. Ed., some aspects of Home Ec., and extra-curricular activiites were limited by my disability. Confidently, I went on to visit the much older Junior High School. Here I really found myself at a loss. To follow one student's schedule, I had to go from ground floor to second floor for the first class; then down a long, narrow hallway and then downstairs again for the next class. This was the general pattern. Assembly is held in the gym with spectators seated in the balcony—reached only by stairs.

As I traveled through my day, I found other barriers. Suppose I were downtown and suddenly felt ill? There was a public telephone nearby—but I could not use it!! I could not get my wheelchair through the narrow door into the booth, nor could I reach either the coin-box or dial.

Buying groceries isn't difficult for most people. How about a wheelchair bound person? At one store, there were self-opening doors which helped me feel competent. What if there had been revolving doors or even the usual 32" doors separated by an upright divider? I might have gotten through, but I would have had another set of skinned knuckles to show for my effort. Another obstacle I found in stores which I visited was the placement of many articles. I could not reach high enough to "buy" many items; and I could not lean down far enough to pick up others without tumbling headfirst out of the chair. Light switches in many buildings were out of reach; drinking fountains and bathroom fixtures were definitely not designed for a wheelchair inhabitant. I found that automatic elevator doors (usually set to close in 7 seconds) trapped me when I tried to enter in my wheelchair. Our post-office can be reached only through the climbing of stairs; many libraries are designed with impressive stairway entrances; aisles in stores and many other public places are so narrow or so crowded that it is difficult to move through them. What if I wanted to watch a football game? Bleacher or grandstand seats are definitely out.

After a long and tiresome day, I decided to head for home. Here I had more problems. In the parking lot, my car was parked well within the defined parking lines and so was the car next to mine. But, there wasn't enough room allowed between cars for me to wheel myself into position to swing myself into my car. The occupant of the other car noticed my predicament and carefully backed out so that I had extra room. Even then, it took all my strength and effort to get into the car. Then I learned that even though I had a folding wheelchair, many cars are not designed for wheelchairs or victims. Many cars are—or can be—modified to eliminate the use of foot power for clutch, brake, and gas feed, but since this has just been "one day on the job" for me, my car was standard.

After a day like this, I have a much better understanding of the obstacles and frustrations faced by a wheelchair confinee; and I hope that in my chosen work, I will be more thoughtful of disabled persons.

Today, I have "walked with my brother", and it's terribly hard to "walk" in a wheelchair.

ANOTHER "GUERRILLA ACTION" AGAINST ISRAEL

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. WOLFF. Mr. Speaker, another black mark of shame and outrage was written into the history books this morning in the Middle East. Another "guerrilla action," another challenge to all decent human instinct. What words can react strongly enough to the mass slaughter of the schoolchildren of Maalot, Israel? What steps can civilized humanity take to eliminate the terror that these beasts have again wrought?

These events are beyond comprehension. Even to accept the label of "guerrillas" for the perpetrators is to dignify them. They are butchers—the basest form of humanity.

In view of recent history and the condemnation of Israel acceded to by our country in the United Nations, what other course is now open to the United States but for once to take a firm position of moral leadership and outraged indignation?

The children of Maalot were in no sense participants in any declared or undeclared war. They were victims of a depraved band who do a disservice to the Palestinian people. So now those nations who harbor such cutthroats must be put on notice that such acquiescence will no longer be tolerated by the community of nations—they will be brought to account. And to those who would seek to repeat such actions—they must know that retribution from the civilized world will swiftly follow.

LAKE BLUFF HONORS SCOUTMASTER CHARLES MORAN

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. McCLORY. Mr. Speaker, having served some years ago as scoutmaster of Boy Scout Troop 42 in my home town of Lake Bluff, Ill., I have been particularly pleased to learn that Saturday, May 18, 1974, has been officially declared "Charles Moran Day" in honor of Scoutmaster Charles Moran.

Mr. Speaker, for 20 years Charles Moran has been a central figure of troop 42, of the North Shore Area Council, Boy Scouts of America. During these 20 years, the troop has flourished and membership has grown from 50 scouts to approximately 70 scouts today.

Mr. Speaker, Scoutmaster Moran is a lifelong lover of the wilderness. After serving as an Oregon lumberjack, he became a dealer in—and repairman of major electrical appliances. Today Charles Moran is the proprietor of Moran Appliances in Lake Bluff.

Mr. Speaker, in addition to training hundreds of other boys in scouting, Charlie Moran has reared his own two sons, Mike and Terry, in the scouting traditions. During this time, he has exhibited uncommon imagination, fortitude, unique skills and qualities of wholesomeness in his leadership of scouting. He has shared his experiences with the Boy Scouts, age 11 to 14 years, accompanying them on various wilderness trips across the country. With 30 or more boys and 4 or 5 adult assistants, they have visited such places as the Everglades, Fla.; the Appalachian Mountains; Isle Royale, Lake Superior; Padre Island, Tex., and parts of Wyoming. The final wilderness trip planned by Scoutmaster Moran is scheduled to get underway on July 5, 1974, in central Wyoming. When they return, Charles Moran will look at his Trailblazer Award, his Golden Arrow Award, and his other memorabilia—with few regrets.

Mr. Speaker, although he is stepping aside as scoutmaster and will be succeeded by Dr. Joseph D. Schleicher of Lake Bluff, he will remain on the troop committee as executive director of the parents committee. Also, he will continue to operate his electrical business.

Mr. Speaker, Charles Moran has gained the respect and genuine affection of campers and noncampers of all ages and generations, and is known by all to be a thoughtful, kind, generous, and compassionate human being, as well as devoted husband of the charming and totally supportive June Moran. I am proud to salute Charles Moran for his unselfish and invaluable contribution to the development of over 1,400 scouts, who are a source of strength and pride to our Nation, and I wish him much happiness and good health in the years ahead.

RESOLUTION TO END DEPLETION ALLOWANCE

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. GREEN of Pennsylvania. Mr. Speaker, the Democratic Caucus today passed a resolution requiring Democrats on the House Rules Committee to make in order my amendment to the Oil and Gas Energy Tax Act of 1974. I want to thank my colleagues for supporting this resolution and my amendment which will end the oil and gas depletion allowance as of January 1, 1974. The Congress is now one step closer to meaningful tax reform.

In 1974 oil company profits are expected to be approximately $9 billion, more than double 1973's record levels. The Ways and Means Committee bill phases out the percent depletion allowance over 3 years, with no phaseout in 1974, and provides various exemptions and exclusions that would continue for many oil producers until 1979. The bill would impose only a $670 million windfall profits tax in 1974. My amendment will raise an additional $2.6 billion.

Following is the text of the resolution adopted by the Democratic Caucus and my amendment to end the depletion allowance.

RESOLUTION OFFERED BY MR. GREEN OF PENNSLYVANIA

Be it resolved, That the Chairman of the Ways and Means Committee, and the Democratic Members of the House Committee on Rules are hereby instructed by the Democratic Caucus to seek and vote for, respectively, a Modified Closed Rule for consideration of H.R. 14462, the Oil and Gas Energy

Tax Act of 1974, making in order the attached amendment, to be offered by Mr. Green of Pennsylvania, to repeal the percentage depletion allowance for oil and gas as of January 1, 1974.

AMENDMENT BY MR. GREEN OF PENNSYLVANIA

(Intended to be proposed with respect to H.R. 14462.)

SECTION 1. Section 102 is amended by striking its title and substituting therefor the following: "REPEAL OF PERCENTAGE DEPLETION FOR OIL AND GAS PRODUCTION."

SEC. 2. Subparagraph (B) of Section 102 (d) (3) is redesignated as Section 102(d) (3).

SEC. 3. Section 102 is amended by striking out those portions of subsections (a), (b), and (d) not redesignated by Section 2 hereof and by substituting in lieu thereof the following:

"(a) REPEAL OF OIL AND GAS DEPLETION. (1) Section 613(b)(1)(A) of the Internal Revenue Code is amended by striking out the words "oil and gas wells," and by substituting therefor the words "certain gas wells as defined in subsection (e)."

"(2) Section 613(b)(7) is amended by adding the following new subparagraph after subparagraph (B): "(C) oil and gas wells."

"(b) CERTAIN GAS WELLS. The following new subsection is added to Section 613 of the Internal Revenue Code:

"(e) SPECIAL RULE FOR CERTAIN GAS WELLS.—

"(1) The gas wells referred to in Section 613(b)(1)(A) are—

"(A) wells producing regulated natural gas,

"(B) wells producing natural gas sold under a fixed contract, and

"(C) any geothermal deposit which is determined to be a gas well within the meaning of section 613(b)(1)(A).

"(2)(A) The term 'natural gas sold under a fixed contract' means domestic natural gas sold by the producer under a contract, in effect on April 10, 1974, and all times thereafter before such sale, under which the price for such gas cannot be adjusted to reflect to any extent the increase in liabilities of the seller for tax under this section by reason of the repeal of percentage depletion. Price increases subsequent to April 10, 1974 shall be presumed to take increases in tax liabilities into account unless the taxpayer demonstrates the contrary by clear and convincing evidence.

"(B) The term 'natural gas' means any product (other than crude oil) of an oil or gas well if a deduction for depletion is allowable under Section 611 with respect to such product.

"(C) The term 'domestic' refers to petroleum from an oil or gas well located in the United States or in a possession of the United States.

"(D) The term 'crude oil' includes a natural gas liquid recovered from a gas well in lease separators or field facilities.

"(E) The term 'regulated natural gas' means domestic natural gas produced and sold by the producer, prior to January 1, 1976, subject to the jurisdiction of the Federal Power Commission, the price for which has not been adjusted to reflect to any extent the increase in liability of the seller for tax by reason of the repeal of percentage depletion. Price increase subsequent to April 10, 1974 shall be presumed to take increases in tax liabilities into account unless the taxpayer demonstrates the contrary by clear and convincing evidence."

"(d) EFFECTIVE DATES. (1) The amendment made by subsections (a) and (b) shall apply to oil and gas produced on or after January 1, 1974.

(2) The amendment made by subsection (c) shall apply to any taxable year beginning after December 31, 1976."

SEC. 4. Section 201 is amended by changing the title to "FOREIGN OIL AND GAS WELLS," by striking subsection (a), and by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

BRIEF SUMMARY OF THE GREEN AMENDMENT TO H.R. 14462

Sec. 1—Changes the title of Sec. 102 of the bill to reflect the Green Amendment's outright repeal of percentage depletion for oil and gas.

Sec. 2. Preserves existing Committee language referring to a new election to expense intangible drilling costs.

Sec. 3. Replaces the Committee-approved 3 to 5 year phase-out of the oil and gas percentage depletion allowance with language repealing it effective January 1, 1974. Also, this section provides a transitional rule, identical to one provided in the Committee bill, preserving percentage depletion for domestic natural gas sold under a long-term contract, and it provides a very generous transitional rule for natural gas subject to regulation by the Federal Power Commission.

Sec. 4. Deletes as unnecessary the Committee's language dealing separately with percentage depletion for foreign oil and gas.

Following are the supplemental views that I filed to the Ways and Means Committee Report on H.R. 14462 (Report No. 93–1028):

SUPPLEMENTAL VIEWS OF HON. WILLIAM J. GREEN

I. INTRODUTION

The Ways and Means Committee is to be commended for its efforts to draft legislation to tax oil and gas producers' windfall profits resulting from recent shortages and skyrocketing prices. I have supported the Committee's effort in this regard, because the high prices have created, and will continue to create, exorbitant after tax oil company profits more than double last year's record $4.0 billion. In 1974, the estimated after-tax profit will be $9 billion. It is essential to note, at this point, that this $9 billion profit is on the production of oil alone. It does not represent additional, enormous profits in refining, retailing, shipping and more. However, while the Committee took a laudable step in phasing out the percentage depletion allowance for oil and gas, it failed to go far enough. In 1974, the Committee bill would increase the taxes on the $5 billion windfall by only $670 million.

During the Committee deliberations, I offered an amendment to eliminate the percentage depletion allowance for oil and gas, as well as other petroleum oil industry tax subsidies. This amendment would have increased oil industry taxes by $3½ billion. I believe this to be the proper means by which to eliminate windfall profits. It simply does not make sense to subsidize profits through tax advantages and then create new, only marginally effective, taxes to limit those same profits. Rather, the sensible approach would be to simply eliminate the tax subsidy in the first place. Thus, I cannot fully support the Committee bill as presently written, and I intend to offer an amendment to eliminate, effective January 1, 1974, the percent depletion allowance for oil and gas, the most blatant of oil industry tax subsidies. I urge all my colleagues to support my effort to remove this costly, inequitable, and inefficient tax subsidy and thereby effectively tax some of the oil companies' huge windfall profits.

II. ANALYSIS

A. The committee bill raises very little revenue from the enormous profits being earned by oil producers

In 1973, major oil producers were producing and selling oil for $3.50 per barrel. As a result of shortages and market pressures, the present price of oil, subject to price controls, is $5.25 per barrel. Thus, a minimum unexpected windfall of $1.75 per barrel has been realized. These same producers are getting $10.00 per barrel for oil not subject to price controls, for which they received $4.00 per barrel a year ago. That's a windfall of $6.00 per barrel. Thus, the average price has increased from $3.90 per barrel in 1973 to $6.50 per barrel today.

These sudden price increases will result in domestic oil profits more than double last year's record levels. According to the Joint Committee on Internal Revenue Taxation, the increase in after tax profits from 1973 to 1974 will be $5 billion, from $4 billion in 1973 to $9 billion in 1974. It is this profit that the Committee bill purports to tax. Unfortunately, the Committee bill, by failing to immediately eliminate percent depletion and providing many exceptions to its excise tax on profits, taxes this $5 billion profit by only $670 million. In addition to failing to adequately tax 1974 windfalls, the Committee bill taxes future industry profits of some $80 billion by only $13 billion over a six year period. The following chart illustrates projected domestic profits and the relatively small impact of the Committee bill:

CHART I.—ESTIMATED DOMESTIC OIL PRODUCTION REVENUES AND PROFITS UNDER H.R. 14462 (ASSUMPTION IS LONG-RUN PRICE OF OIL IS $9)

[In billions of dollars]

	1973	1974	1975	1976	1977	1978	1979
Before tax profit from oil production	4.7	10.6	11.3	12.0	12.7	13.5	14.8
Tax under present law	.7	1.6	1.7	1.8	1.9	2.0	2.2
Additional windfall tax under bill		.67	.79	.29	.17	.04	0
Additional tax from depletion phaseout with exemptions under bill		0	0.64	1.27	1.91	2.19	3.3
After-tax profit under bill	4.0	8.33	8.17	8.64	8.72	9.27	9.3

By contrast to the Committee proposal, elimination of the costly and inefficient percent depletion allowance would result in a near normal 48 percent tax rate on U.S. oil production. The Committee recognizes the benefits of eliminating this tax subsidy by providing for a phaseout, with certain exceptions, over three years by 1977. However, the Committee phaseout moves too slowly, and provides too many exceptions, to permit any sort of effective taxation on current windfalls. For this reason, I will seek to substitute for those provisions the immediate elimination of the percentage depletion allowance for oil and gas. The following chart illustrates the effect of my amendment on domestic oil profits:

CHART II.—ESTIMATED DOMESTIC OIL PRODUCTION REVENUES AND PROFITS UNDER GREEN PROPOSAL TO REPEAL DEPLETION
(ASSUMPTION IS LONG RUN PRICE OF OIL IS $9)

[In billions of dollars]

	1973	1974	1975	1976	1977	1978	1979
Before tax profit from oil production	4.7	10.6	11.3	12.0	12.7	13.5	14.8
Tax under present law	.7	1.6	1.7	1.8	1.9	2.0	2.2
Additional windfall tax under bill		.67	.79	.29	.17	.04	0
Additional tax under Green proposal to repeal depletion as of January 1974		2.6	2.8	3.2	3.5	3.7	3.8
After-tax profit under Green proposal	4.0	5.73	6.01	6.71	7.13	7.76	8.8

B. Percentage depletion is costly, inefficient and unneeded and should be repealed as a way of limiting windfall profits

Our overly generous treatment of the oil industry has proved to be a highly inefficient method of encouraging increased domestic production. Recently, a Library of Congress study concluded that, rather than stimulating exploration and development, oil tax incentives such as the depletion allowance encourage producers to overdrill in already discovered oil fields. Indeed, since only 10 percent of exploratory wells strike oil, depletion benefits only one-tenth of the exploratory drilling. Thus, oil companies prefer to spend money drilling in existing oil fields and thereby be certain to receive the depletion tax subsidy.

Former energy chief Simon recognized this in a letter to the Senate Interior Committee stating that: "in the short run, changes in percentage depletion should have little effect on the rate of expenditure of discovery efforts . . . in the long run, a change in depletion should have no effect, per se, on the rate of production."

Moreover, many of the benefits from percentage depletion go to non-productive interests. A landowner receiving royalty income receives the benefits of percentage depletion even though he takes no financial risks to expand production of domestic reserves. In fact, 42 percent of depletion benefits are paid either to non-operating interests in domestic production or for foreign production.

The depletion allowance also discourages the production of cheaper and more abundant sources of energy. First of all, depletion benefits for minerals are based on the value of those minerals in the ground and not in their final processed form. Therefore, a $7.00 barrel of crude oil gets the full benefits of the depletion allowance while a $7.00 barrel of oil made from coal will only receive depletion benefits on the value of the original coal. Since coal costs less than oil, the bulk of the $7.00 cost of liquified coal lies in the processing expenses. These do not qualify for depletion.

At present, a company that produces a $7.00 barrel of crude oil gets a tax bonus of about $1.30. A company producing the same $7.00 barrel from coal liquification would receive a bonus from the taxpayers of only ten cents. Of course, someone who develops solar energy at an equivalent price or designs a more efficient gas engine would receive no tax incentive at all!

Considering the foregoing, the committee is correct in concluding that the depletion allowance should be ended, but I would urge that we end it immediately.

C. The committee bill's slow phase-out of the preferred depletion allowance and its exceptions are unjustified

The current price incentives enjoyed by the oil industry more than offset any alleged losses resulting from the elimination of depletion. For example, for a $4.00 barrel of oil, the net benefit of the depletion allowance is less than $1.00. Thus, if the price of that barrel were to increase to $5.00, there would be no net loss due to the repeal of the depletion allowance. Since 1974 prices will average approximately $6.50 a barrel, it is clear that no net loss will result from elimination of depletion. Indeed, repeal, notwithstanding, there will be a $1.50 per barrel price incentive. This is far more incentive than that provided by this costly tax subsidy.

With respect to the Committee bill's exemption of stripper wells from the phase-out (it permits a 15 percent deduction until 1979), it is important to note that even the Department of Treasury, through Assistant Secretary Hickman, has taken the view that, if depletion is to be ended, it should be ended cleanly with no exceptions. As Mr. Hickman pointed out, most stripper wells now in operation profited last year receiving a price of $4.00 per barrel, and are presently "wildly successful," receiving an uncontrolled price of $10.00 per barrel.

Applying the 15 percent depletion exemption to the first 3,000 barrels per day for all producers, as provided by the Committee bill, maintains the depletion allowance for all but 69 of the Nation's 10,000 oil producers, and the 69 largest companies will receive it for their first one million barrels per year. Moreover, there is a danger, as we have been warned by Treasury, that producers will rearrange oil ownership in such a way as to make all production subject to this exemption. Certainly, to do so would be a profitable undertaking for the companies. Thus, the Committee's 3,000 barrel exemption could result in *absolutely no* effective elimination of the percent depletion allowance; rather, it would result in a mere reduction from 22 percent to 15 percent.

D. Windfall profits are not necessary in order to finance investment in the search for more energy

In short, the present profit picture is so good, and present prices so high, that, even with the immediate elimination of the depletion allowance, the industry and outside investors can't afford not to invest in searching for new oil. America's mature capital markets, after evaluating the economic prospects of oil production, effectively respond to the capital requirements of the energy industry. Even before the current fantastic improvement in the domestic oil profits picture, energy companies had little difficulty meeting their financial requirements.

In March 1973, the Senate Interior Committee elicited responses from the F.P.C., the Department of Interior and the Treasury concerning the energy industry's capital needs. All agreed that, historically, the industry had little difficulty due to its heavy reliance on internal financing. Indeed, 71 percent of the required working capital is provided through cash earnings. Of course, current rapid price increases will greatly increase this cash flow and thereby provide new capital.

In addition, rapid increase in return on shareholders' equity will provide additional funds from outside investors. In 1973, return on equity rose 50 percent. Given historic dividend patterns, the 100 percent increase in profits for 1974 should produce a return on equity 75 percent greater than last year's record levels.

The tremendous advantage of expensing intangible drilling costs, a tax subsidy to be left untouched by my amendment, will also bolster cash flow and thereby attract capital. This is true because of the significant role the deduction for intangibles plays in increasing after tax profits. For example, the Committee staff estimated that, at present prices, 1974 after-tax profits will increase 100 percent, to $8 billion, if there is no reinvestment of that increase and, hence, no intangible drilling cost deduction. On the other hand, 1974 after-tax profits will rise by 150 percent, to $10 billion, if all the increased earnings are re-invested.

Based on the foregoing, then, it is clear that present price and profit projections, the resultant increase in cash flow, and the extremely generous write-off for new investment assure an adequate capital picture for the energy industry. This being the case, it is hard to imagine that the elimination of the depletion allowance, and the modest effect that will have on the profit picture, will have a negative effect on the capital investment picture.

E. Eliminating depletion will not increase the price of gasoline

Under previous price conditions, there may have been some danger that gasoline prices would increase as a result of eliminating the depletion allowance. To some extent, the depletion allowance may have subsidized lower gasoline prices in the past. However, under present circumstances, gasoline prices are being set by the price of oil. As long as we are paying $10.00 per barrel for imported oil, uncontrolled domestic oil will sell for a similar price. Removing the percentage depletion allowance won't increase that price, it will merely lower the inordinate profits that result from it.

III. SUMMARY

This bill does not sufficiently tax 1974 windfall profits. I urge all of my colleagues to support my effort to repeal percentage depletion as of January 1, 1974, and thereby correct this weakness in the bill. Such a move would meet the public's demand, voiced in innumerable ways, for a just windfall tax. And it will come as no shock to the oil industry as these companies have been on notice for quite some time, through both Congressional and Presidential statements, that a stiff tax was inevitable.

Moreover, passage of my amendment will force the industry to rely on the market place, instead of the tax code, for its profits. Profits will be made if the Companies do what they are supposed to do—produce and sell more energy. And the additional revenues from my proposal could help fund tax relief programs for consumers hard pressed by high energy prices, programs for energy research and development, programs for mass transit, or programs to meet other urgent public needs.

THE BIGGEST AND BEST: VIRGIN ISLAND CARNIVAL 1974

HON. RON DE LUGO
OF THE VIRGIN ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. DE LUGO. Mr. Speaker, I would like to share with my colleagues an editorial description of the biggest and best spring-time celebration in the Carib-

bean, the annual carnival of St. Thomas, U.S. Virgin Islands.

This carnival combines parades, gaily decorated floats, beautiful costumes, and uninhibited behavior, with traditional modes of celebration to produce a uniquely Virgin Islands affair. It is a week of general merriment, when all personal and social barriers dissolve with the joining of hands and hearts in joyful exuberance and brotherhood. It was also a week without a single unpleasant incident.

Carnival, 1974, was exceptional because of its size and intensity, the high level of community spirit expressed by participants, and the professional work of the organizers. Carnival Committee Chairman Alfred Lockhart deserves special congratulations for his efforts.

But the most vital part of the carnival is the union of human beings in their mutual expressions of joy. It is wonderful to see visitors from all over the Caribbean, the United States, and the world, joining Virgin Islanders to dance, sing, and laugh together. Where else but in the Virgin Islands could so many different individuals spend a week together and produce such a beautiful, incident-free, joyous occasion?

All in all, an extraordinarily enjoyable week that has provided enough memories to last the whole year. I personally invite my colleagues to join us for next year's carnival, so that they can experience the truly free and beautiful hospitality of the Virgin Islands.

The article follows:

[From the Virgin Islands Daily News, Apr. 30, 1974]

CARNIVAL 1974: ONE OF THE BEST EVER

This year's Carnival, it seemed to us, was one of the best in several years, and we particularly noted that it seemed marked by a healthier community spirit, and that all the diverse elements of our society of the period than has been the case in recent years. Both at the Village and at Friday morning's jouvert we noted more visitors and residents of mainland origin partaking of the gaiety and excitement, and the result seemed to enchance the enthusiasm of the true Carnival spirit of joy and merriment.

One of the highlights of the week had to be jouvert, which brought thousands of people and five bands out into the streets at 5 a.m. in an enthusiastic display of spirit. In only its second year here, this institution borrowed from Trinidad seems to have become a fixture and a highly welcome addition to Carnival. For both residents and visitors alike it was a truly memorable experience.

Both the adult and children's parades this year seemed to be possibly the best ever, with costumes and floats reaching new heights of originality and colorfulness, and the numbers involved in the adult parade's floupes and troupes must certainly have made it the largest ever. Only the lateness of that parade's start, a chronic problem, detracted from its enjoyment, and we trust that next year, for the sake of both participants and spectators, a wholehearted and determined effort will be made to get the adults to show that they can start a parade on time, just as the children usually do.

Among those members of the community who specifically merit praise for their contribution to Carnival are the police. They seemed more in presence than we have noticed before, and that was in itself welcome. Equally important, though, their tactical deployment and personal conduct were noticeably of an improved level professionally. Considering the added responsibilities that events such as Carnival put on the police, we were heartened so to see them rise to the occasion in such a commendable manner.

Carnival Committee Chairman Alfred Lockhart specifically deserves personal commendation for his dedicated efforts to make this year's Carnival what it was. In addition to him, the committee members and other officials, there were many who toiled behind the scences, as well as those whom we saw in the parades and other events, who worked very hard to make Carnival 1974 the success that it was. They and the thousands of spectators, whose role is also essential to the creation of that intagible thing that makes the real Carnival atmosphere, deserve the thanks to the entire community.

"THE SPIRIT OF CUMBERLAND"

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BYRON. Mr. Speaker, as many of my colleagues now know, William C. Holbrook of Cumberland has been declared the winner of the longest glider race in the world. Because this personal achievement is so noteworthy I have submitted for the RECORD an article from the Cumberland Times which describes the adventures of Mr. Holbrook and *The Spirit of Cumberland.*

I know you join me in extending congratulations to Mr. Holbrook and his local sponsor, the Kelly-Springfield Company.

The article follows:

HOLBROOK FIRST IN NATIONAL GLIDER RACE

It's official!

William C. Holbrook of Cumberland is the winner of the longest glider race in the world, the third annual Smirnoff sailplane derby.

The route covered 2,900 miles from Los Angeles to Washington's Dulles International Airport where a ceremony was held today by the sponsors of the race for the press and television.

Six of seven gliders in the race made it from Akron to Frederick yesterday and this morning were towed in the air the 30 remaining miles to Dulles International for the program at noon. They flew in the order they finished.

It was announced by race officials that Mr. Holbrook came in first by 45 points over his nearest rival.

To him goes a gold medal, but no cash award as it is an amateur sport. Sponsors will contribute $6,000 to the Soaring Society of America.

At Dulles for the conclusion of the race were officials of Holbrook's local sponsor, the Kelly-Springfield Tire Company, local flying enthusiasts and his crew—his wife, Sophie, and their 19-year-old daughter, Lisa.

The officials included Robert E. Mercer, president; Richard Lowery, executive vice president; and Jerry Hess, public relations. They also met him yesterday at Frederick along with local friends.

Yesterday Holbrook came in second on the 245-mile flight from Akron to Frederick. He made the flight in three hours and 42 minutes, which was ten minutes under the three tying for first—Karl Striedieck, Pittsburgh; Ken Briegleb, El Mirage, Calif., and Hannes Linke, Los Angeles.

One pilot, Dan Pierson of Compton, Calif., was forced to bring his glider down near Pittsburgh due to a rudder failure, but was reported to have made a safe landing.

Holbrook, when interviewed by phone this morning, said he was very excited at having won the race, but he believed his crew, his wife and daughter, were even more excited than he.

Asked what kept him going, he answered. "Well I guess it was the name of my glider, The Spirit of Cumberland."

He pointed out that he flew more miles than any other pilot in the three years the derby has been held.

Poor weather caused Holbrook and the six other pilots to land short in Missouri and also on the St. Louis to Indianapolis when again the weather forced them down.

Subtracting this distance, Holbrook flew a total of 2,714 miles out of a possible 2,900 miles.

He remarked that yesterday's route from Akron to Frederick took him over Bedford Springs Hotel, and he then talked by radio to his friends at the Cumberland Municipal Airport.

This is the second May in a row that Holbrook has set a mark in gliding. Last May he broke the world's record for distance flown in one flight when he made the trip from Lock Haven, Pa., to Hansonville, Va., and return, a distance of 83 miles.

ENDING OIL TAX PRIVILEGES

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BRASCO. Mr. Speaker, among the major highlights of every congressional session are the anguished, angry cries for tax reform voiced by most progressive Members of the House and Senate. As one such Member, I have engaged in what has proven to be an exercise in futility for the entire length of my stay in Congress. Each year the cumulative outcry has been louder and each year it has been futile.

Simultaneously, the people of the Nation have gotten more frustrated, until this year the entire business has been capped by the worst revelations yet: the oil industry's tax evasions, their extraordinary profits, and the energy crunch imposed on the consuming public by their activities.

At last enough Americans have been hurt enough in a personal sense for Congress to feel the pinch. So at last we have some action at the top, mainly in the House tax-writing committee, Ways and Means. It is to the credit of that body that they have acted promptly since the energy crunch, and have produced a true oil tax reform bill.

The legislation taking form in that committee, we are informed, would raise the taxes of American oil companies by more than $16 billion over a 6-year period, which is a good beginning. Under its provisions, the oil depletion allowance would become a thing of the past, perhaps one of the most overdue reforms in tax history. With oil prices going through everybody's roof, there is no reason whatsoever for a further tax in-

centive of this type. Many oil wells in this country have been written off more times than the Lost Battalion.

In addition, the proposed measure is supposed to tax excess oil profits and raise taxes on U.S. companies drilling overseas. Here is perhaps the most vital reform element in the entire bill, because previous tax allowances have made it lucrative for oil companies to concentrate their exploration efforts abroad, insuring that their domestic exploration endeavors would be cut accordingly.

Regrettably, natural gas producers, who in most cases are the major oil companies, would retain their present 22-percent depletion allowance.

According to what is known now, the new proposal would extract $13.3 billion in extra taxes from 1974 to 1979 from the major oil corporations. This would come from their domestic operations, while an additional $2.8 billion in Federal taxes would come from their overseas activities.

For years, whenever any effective tax reform measure affecting big oil made its way through the Congress, the oil industry mounted a massive lobbying effort against it, and usually with enormous success. We can expect a repetition of that endeavor this time, and must prepare for that eventuality.

One element in the equation, however, has changed. The people of this country have finally become aware of what big oil has been perpetrating upon them all this time. They now know that the average citizen pays more tax proportionately than the average oil company does. They know now that the accumulated tax preferences constitute the worst single tax scandal in American history. They now know that the only reason this situation has been allowed to continue and worsen is because Congress has not seen fit to close the gaping loopholes in the tax laws. And the recent energy crunch has brought these lessons home to them in a direct, personal manner.

All the self-serving, tax-deductible advertisements in the major media would not undo the realization in the public mind that this is in fact the true state of affairs. Most of all, the average person now knows that for every penny the oil companies evade in tax, the Internal Revenue Service must collect from the mass body of American taxpayers.

That leaves the initiative squarely up to the Congress. When that bill comes to the floor, there will be an up-or-down vote on whether or not every Member of this body will stand by the oil industry, which can be described as a parasite on the body politic of this country, or for the average taxpayer. To put it in any other terms is to deliberately obfuscate the issue.

When the oil lobbying establishment talks about incentives and foreign taxes, we can respond that their massive, tax-sheltered profits are the best incentive in the world for further exploration. We can also respond that every penny in foreign tax that they pay is written off, dollar for dollar, against their domestic Federal taxes. The facts are at last largely on the public record, and the people of this country have a right to know where the Congress stands on this. If the President then chooses to veto any such congressionally-approved bill, as he did the measure we passed rolling back oil prices, then the people of the Nation will know exactly who has done what to whom.

We have a spectacular opportunity here to act in the public interest. Such a vote would set a precedent for closing still other tax loopholes, which are equally scandalous. This includes the millionaires of the Nation who pay no taxes at all. If true tax reform were enacted by Congress, and there is no reason why this should not be the case, we could effectively and swiftly lower the tax burdens now carried by the vast majority of Americans.

If Congress chooses to refuse such an opportunity, the American people have a right to know who is responsible.

OIL SHALE LEASE FAILURE PRESENTS OPPORTUNITY FOR A FEDERAL OIL CORPORATION

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. VANIK. Mr. Speaker, the Department of the Interior yesterday held a lease sale for the fifth tract of land offered in the Federal prototype oil shale leasing program. This tract, the first to be offered in the State of Wyoming, holds recoverable reserves of at least 168 million barrels of oil according to figures in Interior's final environmental impact statement on the prototype program.

Not a single bid was received for the tract.

No bids were received on this tract despite intense industry interest in the previous four tracts. The first two, in Colorado, brought bids that far exceeded the Department of the Interior's expectations—but still amounted to a return to the public of less than 6 cents per barrel in the first lease, and less than 17 cents per barrel—of estimated, inplace resources—in the second lease.

The third lease, the first in Utah, unexplainably brought almost 31 cents per barrel despite presenting more difficult mining problems than the previous leases. Equally unexplainable, the fourth lease returned to the 17-cent-per-barrel level.

The fact that not one company bid on Tuesday's tract indicates several things.

Since the second Wyoming oil shale tract is of even poorer quality than today's, it probably means that that tract will go unsold as well.

Perhaps most importantly, the lack of a lessee in this fifth prototype lease invalidates what Interior has continually assured us is a "prototype" operation—a program that will test all the most efficient means of commercial oil shale extraction while guaranteeing a "fair" return to the public and environmental rehabilitation of the affected lands.

None of the leaseholders have announced intentions to recover shale oil with any other method than above-ground retorting of the ore. What does this do to the Department of the Interior's claim that the prototype program is a carefully planned program to develop all reasonable recovery methods. Will we ever see large-scale application of the in situ recovery techniques?

Mr. Speaker, the lack of bids on the Wyoming tract makes available an opportunity that we might not have had otherwise; it gives the Federal Government a perfect chance to establish its own oil shale corporation. Such a corporation, perhaps confined specifically to development of these "W–a" tract lands, could put to the test the concept of a Government oil entity, created to foster competition in the industry and provide a "yardstick" for comparisons with private industry prices and costs.

Beginning in 1859 with the first commercial recovery of oil in our country, the oil industry has sought to prevent any direct Government activity in their industry. Government control or regulation or competition would not serve the consumer's best interests, they said. "We must leave the oil business in the hands of 'free enterprise'," they have contended. Yet the industry has accepted hundreds of billions of dollars in tax and quota subsidies from the Federal Government.

We have seen that leaving the oil business to the oil industry has resulted in unprecedented problems: Soaring prices, monopoly control, neglect of the public's interest, and abuse of the consumer are all symptoms of the illness that plagues this most important area of our domestic energy supplies. It is hard to imagine how a poorer job could be done.

This opportunity to create a Government oil corporation should not be passed by. It is an opportunity long awaited by many Members of Congress.

HARVEST OF DEATH

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. WOLFF. Mr. Speaker, the Daily Journal of Elizabeth, N.J., recently printed an editorial entitled "The Harvest of Death—Congress Should Cut Off Aid to Turkey If Poppy Growing Is Resumed." I would like to take this opportunity to applaud the Daily Journal's editorial page director, Theodore Jacqueney, for supporting our most recent congressional efforts that urge the President to immediately begin serious, high-level negotiations with the Turkish Government so that the ban on opium cultivation will not be removed. If these negotiations prove fruitless, the concurrent resolution offered by Representative RANGEL and myself, would direct the President to exercise his power under the Foreign Assistance Act to cut off all aid to Turkey. The Daily Journal's editorial is inserted below:

HARVEST OF DEATH: CONGRESS SHOULD CUT OFF AID TO TURKEY IF POPPY GROWING IS RESUMED

Instead of getting exercised by penny-ante problems like the contents of the junior high school library shelves, people concerned seriously about the plague of drug addiction in these United States should direct their outrage to the impending decision of the Turkish government to renew widespread opium poppy cultivation next fall.

Until the Turks ended poppy growing two years ago—after heavy U.S. pressure and $35 million in "compensation"—80 per cent of the heroin ravaging the streets of America originated in Turkey. Law enforcement agencies have observed that heroin traffic slowed appreciably this year, with the Turkish ban receiving much of the credit. Within Turkey, however, many politicians increasingly urge the ban be overturned. The Turkish foreign minister was quoted recently as saying that farmers for whom opium growing was "a way of life" have "undergone severe poverty" because they can no longer grow as a cash crop the pretty flowers that can be fabricated into deadly drugs.

Well, slavery was another "way of life" that kept white southern farmers fat and contented before the Civil War. Slavery was no less abominable an economic system of exploitation and degradation of human beings than the system opportunistic Turkish politicians seek to impose upon the inhabitants of American urban areas. We must raise our voices against them loud and clear.

Some members of Congress propose cutting off U.S. military and economic aid to Turkey if they lift the poppy ban. The leaders of this move are New York Democrats Charles Rangel and Lester Wolff.

New Jersey's congressmen should join in this effort.

SOCIAL SECURITY TAX

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. DAN DANIEL. Mr. Speaker, last month we met our tax obligations to the United States, and in the Commonwealth of Virginia we have just completed a like duty. According to the Tax Foundation, just a little over a week ago, we stopped working to meet our myriad tax obligations, and started to earn the sums required for our food, shelter, and clothing. Given the rapid escalation of inflation, only the very fortunate among us will find any days this year left over which can be credited to life's comforts or—more importantly—savings for either the proverbial "rainy day" or for our later years.

One of my constituents, Mr. Ray Mabe of Danville, Va., has written me about taxes generally and specifically about the effect the escalation of social security tax is having on young couples in low- and medium-income brackets. I am inserting his letter in the RECORD in order that it may be read by the Members:

DANVILLE, VA.,
March 1974.

Hon. DAN DANIEL,
Congress of the United States,
Washington, D.C.

DEAR MR. DANIEL: I am writing in hope that you will read this letter to the Congress and also in the hope of avoiding another crisis in this country. The crisis to which I refer is that facing the taxpayers.

We all go to work and work hard to make a living, and these days it's tough because of rising inflation and taxes and paying more for everything we get from food to gasoline. And now the House has approved an 11 percent increase to Social Security people, which they will get next month.

How are we going to keep paying these outrageous increases in Social Security?

I believe Social Security is one of the cruelest aspects of our society today. Why? If you place money in the bank, you do so in confidence that it may be withdrawn with interest, but I cannot be guaranteed that I will receive the money that I have contributed to Social Security. I feel that the program should be changed. What is the purpose of both wife and husband paying Social Security if they only get the benefit of one?

My wife and I both work, and we both pay Social Security taxes. Yet when we retire she can only receive what she paid in or what she would get as my dependent. We could both die before retirement, and our children, depending on how old they are, would get nothing. Many of us taxpayers feel this is not fair.

Since Congress is so intent on Social Security legislation, I think it is the only honest way of doing things to see that families that pay double taxes can leave it to their children. We are forced to pay money into something which neither we, nor our children, may receive the benefit from.

If something is not done, there is going to be a rebellion by the taxpayers. Although I may be just one taxpayer, unless I get some relief from Congress in order to pay these ever-increasing payments to Social Security (which may be all for nothing), I shall request my employer to stop deducting Social Security taxes from my pay. I believe that I should have this right, as I must authorize any deductions from my pay.

Maybe the government will put me in jail; but it will have to support my family, and this will be just another headache for the government. It may also make the taxpayers aware of the fact that something must be done.

I work in the grocery business and I have had one 12-cents-an-hour raise in over a year. The people on Social Security have had five increases in the last two years, and I have had to pay the increases due to the freezing of wages in the grocery business.

My employer signed a contract with our union to pay wages as follows: January 16, 1972—$3.455; January 14, 1973—$4.005; and on July 15, 1973—$4.275. They have not had to pay the increases due to the freezing of wages in the grocery business. We are supposed to be making $4.275 per hour now, but I am making only $3.50. Quite a difference, isn't it? Congress allows the business to appeal our wage increases, but we cannot appeal an increase in Social Security. We just have to take another cut in pay and try to make it.

I don't know what the increases are actually, but I have heard a person on Social Security can get $355 a month, and this is tax-free money. Now I make $560 a month, and that is taxable. After taxes and Social Security are taken out I draw $385.32. That's a difference of only $30 net, and I have children to raise.

Gentlemen, I know all of you have heard the old saying, "Go to the well too often, and it will dry up." Well, you and I both have seen this in our lifetimes. With the environmental people stopping our nuclear plants because they are dangerous, stopping coal-burning generators because they are bad for the environment, this has led to using other fuels such as gas and oil, and now we are about out of both.

Well, Members of Congress, this Social Security "well" is just about dry now. I cannot afford to pay any more increases because before too long I won't have any money for myself.

I know these people are having a hard time, but what about me? I am the one footing their bill. It is taking away from me to give to them and you keep my wages frozen. That's killing me, and all the other taxpayers in the nation. Gentlemen, I beg you please, no more increases in Social Security and Welfare. Leave our wages free of controls; otherwise, we won't be able to pay the increases you keep proposing. As I said before, your well has run dry, and a taxpayer revolt could only cause another crisis which surely would hurt our country more than anything else could.

If you legislate to give a cost of living increase in Social Security, why not make the same law apply to our wages by the same amount. I think this is a good idea don't you?

Thanks again, Dan and Congressmen; I wish I could meet all of you someday, but I guess that is just about impossible.

Sincerely yours,

RAY MABE.

CONGRESSMAN ROGER ZION RECEIVES UNIQUE DISTINCTION

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BRAY. Mr. Speaker, I believe the following editorial from a recent edition of the Lawrence County, Ind., Daily Times-Mail, speaks for itself. It is a fitting tribute to our colleague, ROGER ZION; he speaks for his people, and, as the editorial makes clear, the people agree:

UNIQUE DISTINCTION

Eighth District Congressman Roger Zion has received a unique distinction which should endear him to the masses of people who feel that it's high time we get ecologists and environmentalists under control before they throw the country into utter chaos.

Zion was chosen for membership in the Environmental Action's "Dirty Dozen" for his record on voting on national issues the organization considered important. Environmental Action, a political lobby in Washington, said Zion voted wrong on 15 of 16 legislative issues. The organization urges his defeat at the polls this year.

Indiana congressmen scored very well. They captured three positions in the Dirty Dozen list. That's 25 per cent. Indiana has more congressmen on the list than any other state. Other Hoosiers on the list are William Hudnut and Earl Landgrebe, both Republicans. It might be interesting to note that 10 of the 12 men on the list are Republicans and the other two are Southern Democrats.

In our way of thinking, being opposed by Enviromental Action is something akin to being opposed by communists or socialists. It's something of a kiss of death in reverse. The men who had the best records of voting "wrong" are those who demonstrated that they are pro-industry, pro-labor, pro-energy, and who are opposed to shackling business, industry and agriculture with unrealistic regulations which cause great loss of jobs, profits, food and energy in a time of crisis.

Environmental Action said that Zion and Landgrebe have won membership on the Dirty Dozen list three times.

Here are some of the issues on which Environmental Action says Zion voted wrong:

1. He voted against extracting $700 mil-

lion from the highway trust fund for spending on mass transit. The trust fund consists of money paid in federal gasoline and diesel fuel taxes.

2. He voted for an amendment which would have cut a U.S. pledge of money for international environmental research from $40 million to $5 million.

3. He voted against use of public funds to help pay for legal aid for women seeking *abortions.*

4. He voted against shifting authority over nuclear power plants from the Atomic Energy Commission to the states.

5. He voted in favor of use of nuclear power to release natural gas from tight rock formations in the Rocky Mountains.

6. He voted against spending $4.7 million in federal funds for research to find sources of energy as alternatives to atomic energy.

7. He voted against transferring standard-setting authority in handling of farm pesticides from the Department of Agriculture to the Occupational Safety and Health Administration (OSHA).

8. He voted to tone down somewhat the Environmental Protection Agency's authority over so-called hazardous chemicals.

9. He voted against a proposal to forbid construction of the Alaskan oil pipeline across national forests, national refuges or national wilderness land. He also voted against an anti-Alaskan-pipeline amendment, and another amendment which would have compromised the pipeline project. In other words, Zion voted against any further delays in the pipeline project.

10. He voted against using federal funds to subsidize mass transit operating expenses.

11. He voted to reduce from $45 million to $5 million for an ecology-related educational program.

12. He voted in favor of extending from 1975 to 1977 deadline for compliance with the 1970 clean air act as contained in the emergency energy act.

13. He voted in favor of a measure which would have required building designers to promote efficient energy use in homes, commercial and industrial buildings. (Zion was recorded by Environmental Action as voting correctly on this issue.)

14. He voted against an amendment which would have shifted emphasis away from nuclear fuel for electric energy production.

By winning listing on the Dirty Dozen, Rep. Zion demonstrated that in his opinion the nation went much too far, too fast and often without facts in the fields of ecology and environment. We heartily agree.

PREVENTING THE ABANDONMENT OF RAILROAD LINES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. ASHBROOK. Mr. Speaker, I have introduced a bill—House Joint Resolution 1008—to prevent the abandonment of railroad lines. The bill will prohibit the abandonment of railroad lines until June 30, 1976, thus allowing a national transportation policy to be put into effect.

In the absence of a finalized railroad service plan and at a time that the Federal Government is heavily subsidizing railroad transportation, I oppose abandonment of railroad lines serving many millions of Americans. Railroad freight lines are vitally important to hundreds of medium-sized and small-sized communities in our country. In our own 17th Congressional District, existing railroad service plays an important role in agriculture and industry. My bill will put a moratorium on railroad line abandonments until June 30, 1976.

Recently the Secretary of Transportation released a report which called for the elimination of numerous railroad lines in Ohio. I am opposed to this wholesale elimination. The "Evaluation of the Secretary of Transportation's Rail Services Report" which was prepared by the Rail Services Planning Office points out a number of weaknesses in the report of the Secretary of Transportation including a lack of complete data. There are a number of other shortcomings and problems with the Secretary of Transportation's Rail Services Report. I urge the Secretary to revise his findings to make sure that necessary rail service is continued.

My bill preventing the abandonment of railroad lines will allow further public involvement in this matter. Also it will give the Congress a chance to pass on the Department of Transportation's final rail plan without being faced with accomplished rail line abandonments that would be difficult and expensive to reopen. The text of the resolution follows:

H.J. RES. 1008

Whereas the national transportation policy of the United States has as an objective the development and preservation of a national transportation system by rail; and

Whereas the transportation requirements of the United States will double within the next ten or twenty years; and

Whereas the development and preservation of a national transportation system by rail is therefore a matter of the highest priority; and

Whereas the continued development and preservation of a national transportation system by rail is essential to the continued economic viability of communities throughout our Nation; and

Whereas such a system is essential to the continued existence of industries located throughout our Nation; and

Whereas the United States is threatened with wholesale abandonments of railroad lines serving such communities and industries throughout the United States; and

Whereas railroad lines once abandoned cannot be reactivated except at enormous cost; and

Whereas our Nation's future transportation demands may require the reactivation of abandoned rail lines at public expense; and

Whereas there presently exists no considered, uniform natitonal or regional means of dealing adequately with present and future rail transportation needs of the United States and certain railroad carriers which seek to abandon vast portions of their systems because of present financial considerations; and

Whereas such abandonments may well be contrary to our Nation's national transportation policy of development and preservation of a national transportation system by rail: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Interstate Commerce Commision shall not authorize the abandonment of any line of railroad pursuant to the provisions of section 1 (18)–(20) of the Interstate Commerce Act, as amended, prior to June 30, 1976.

FORGIVE THEM

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. SMITH of New York. Mr. Speaker, in a year of energy shortages, inflation, unemployment, Watergate, and many other important issues, little attention has been given to the rising controversy surrounding patent reform. However, more and more interest is being generated in the question and philosophy of patent reform.

For the benefit of my colleagues who wish to start to become knowledgeable about the issue of patent reform, I submit an article by Mr. Arthur R. Whale, president-elect of the American Patent Law Association, entitled "Forgive Them—."

The article follows:

FORGIVE THEM—

(By Arthur R. Whale)

Increasingly in recent years, technology has become an instrument of national policy. The exploration of space, concern for the environment, the energy crisis, the GNP, the balance of trade, the foreign use of U.S. technology by multinational corporations—all involve technology and its utilization, and all have profound political and economic overtones. The patent system, which implements a constitutional provision for promoting the development and utilization of technology, should therefore assume new importance in the world of today. But, incredibly, just when it's needed most, the system is in mortal jeopardy.

The patent philosophy is simply the idea of the "head start." Give a man the chance for the right to prevent others from using his invention for a limited period, and he will more likely devote his time, talents and money to developing new inventions for market; in this way he can reasonably hope to recover costs and earn a profit before others take a ride free on his efforts. Indeed, the protection afforded by patents may be indispensable to the individual inventor and small company in competition with large companies for the marketing of new and better products. And given the incentive of the prospects for patenting, large companies are more inclined to invest in expensive research facilities and programs where the chances for success are relatively low but where the potential profit from a successful venture is relatively high.

But a strange thing is happening. Although only about ½% of all patents are litigated, and the federal district courts invalidate less than half of those, some courts lash out at patent owners, the Patent Office, patent lawyer and the patent system in general with unseemly vengeance. One court recently summed up the prevailing antipatent attitude in these words: ". . . monopolies—even those conferred by patents—are not viewed with favor." Strangest of all, however, is the fact that distrust of patents has been fed from a wellspring of antipatent sentiment in one branch of the same Government that grants the patents.

The matter of greatest present concern is that the Congress will succumb to the active antipatent lobby within the Government. There is legislation pending in both the Senate and the House which in important respects would seriously hamper the patent system in its proper functioning to meet the constitutional objective. The danger is the greater because the bill on which the

Senate is concentrating is a so-called "Administration" bill.

Patent legislation is, of course, highly technical. Our busy congressmen can't be expected, in any great numbers, to study the various bills and evaluate their potential for ill or good. Moreover, from the political standpoint, this "Administration" bill has what could be an unbeatable triad of support. It was written in the Antitrust Division of the Department of Justice, it has the support of Senator Hart (a prominent Democrat ostensibly knowledgeable in patent matters as a member of the Patent, Trademark and Copyright Committee of the Senate), and it has the comforting appeal to Republicans of bearing the official stamp of the Administration. There is a clear and apparent danger that such a bill will pass the Congress.

The Administration bill is S.2504 (H.R. 10975). It embodies the *antitrust philosophy of patents* expressed in the judge's words referred to above. Instead of being fashioned to promote the development and utilization of technology through making patents reasonably available at reasonable costs to inventors, it is designed to assure the subservience of patents to antitrust. It does this by making patents extremely difficult to get, narrow in scope, difficult to enforce, and unmercifully expensive.

This approach precipitates a paradox. It is nowhere written that the patent system must serve the ends of antitrust. Quite the contrary, the Constitution ascribes no special purpose to the "monopoly" of the patent. Indeed, our patent laws were with us a hundred years before the first antitrust laws.

It is no less a paradox that the Administration chose the antitrust approach of the Department of Justice to patent legislation over that favored by the Department of Commerce, in which the Patent Office resides. The Administration did this following the embarrassing confrontations of the Department of Justice and the Department of Commerce at Senate Subcommittee hearings on patent legislation in 1971, decreeing thereafter that a single voice would speak for the Administration on patent matters. However, choosing the Department of Justice as its voice on patent legislation was like putting a vegetarian in charge of the meat market!

The Antitrust Division of the Department of Justice has occupied itself unduly with patent matters in recent years. Through luncheon speeches and published statements it has repeatedly displayed its distrust for patents and expressed its parochial, antitrust-oriented views as to what the laws of patent utilization should be. And recently the Department of Justice launched a major effort on behalf of legislation that would require the compulsory licensing of privately owned patents of Government contractors in the energy field. The Administration, speaking this time through the Department of Commerce, has firmly opposed such legislation as seriously diminishing the incentives needed to attract competent contractors and to stimulate private investment in technological development. It is this same Department of Justice that now would rewrite the substantive law of patents. And it is this same Administration that has made the Justice bill its own.

While professing that S. 2504 would counter the "emerging pattern of influence by large and established corporations," the Department of Justice has written a patent bill that would price patents out of the reach of many deserving applicants. The cost *increase* in the operation of the Patent Office under the Administration bill was estimated by the Department of Commerce to be possibly as high as $31 million annually. This would mean an increase of 43% over the current Patent Office budget. Such increases would almost surely be passed along to applicants for patents. And these increases do not include the enormous increase in attorneys' fees that would follow the added services required by S. 2504.

One might say that S. 2504 is a "lawyer's bill" in the sense that it would generate more fees for more lawyers than any patent legislation ever proposed. But the overwhelming majority of patent lawyers and organizations within the Patent Bar are opposed to S. 2504 in the Senate and H.R. 10975 in the House simply because technically and practically they are bad bills.

There is also pending in the Senate S. 2930, introduced recently by Senator Buckley of New York. Its counterpart in the House is H.R. 11868, introduced last fall by Representative Smith of New York. This proposed legislation is known as the "Patent Law Modernization Bill." It was presented for introduction by the American Patent Law Association and is the result of long and intensive efforts by committees of that Association and of the Patent, Trademark and Copyright Section of the American Bar Association. Their approach was to create a practical and workable continuum from the present law that would bring important changes without losing the direction of the decisional law as to basic premises. Its implementation would logically evolve from today's Patent Office, thereby minimizing the added cost that in the Administration bill would reach debilitating proportions.

In viewing the Bar sponsorship of S. 2930 and H.R. 11868, it is well to remember that the patent profession brings a broad representation of points of view on how to structure an effective patent system. The active Patent Bar includes the "prosecutors" of patents and the defenders of patents, as well as counsel for individual inventors, small companies and large companies. The important point is that *there are no vested interests guiding the Patent Bar in designing its proposals for patent law reform.* The efforts of the Bar are simply the efforts of lawyers knowledgeable in the problems of the patent system and in the practicalities that are essential for their solution.

In the brief period since the introduction of the Patent Law Modernization Bill (S. 2930 and H.R. 11868), support has been expressed by many professional associations, industry groups, companies and individuals concerned with improving the patent system. This bill is seen as progressive without overkill, reasonable in cost and complexity and attentive to the role of the patent incentives in the development and utilization of technology for the problems of today.

Senator Hart predicted last fall, when he introduced a patent bill drafted in the Senate Monopoly Subcommittee, that the subject of patents would not attract the interest of many Congressman. He said: "[I]f we were measuring the 'potential boredom rate' of various topics for conversation on a scale of 1 to 100, patents would probably get a 99." If, indeed, the subject of patents has such a narcotizing effect, we might get a bad patent bill like S. 2504 by default. On the other hand, the importance of the patent system to many of our national issues may create more interest in patents than Senator Hart supposes. And there lies the hope for a closer look at the problems inherent in S. 2504 and H.R. 10975—and at the redeeming features of S. 2930 and H.R. 11868.

THE BIG BROTHER SYNDROME

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. BRASCO. Mr. Speaker, many years ago, George Orwell wrote his now classic "1984," in which every phone is tapped, every person watched, and every action scrutinized. Computers and television screens as well as hordes of police joined helicopters and a swarm of other technological sophisticated devices in controlling the lives of all members of that futuristic society.

While we admired the book as a classic and made it required reading in umpteen schools and universities, most Americans laughed a bit nervously and told themselves that such a reality was, of course, impossible. Regrettably, that has turned out to be mass delusion. "1984" is on schedule, in Orwell's as well as calendar terms, and we shall fall prey to it uness the Nation rises to the challenge laid before us.

Consider some of the evidence we have had laid before us in recent months and years. Credit bureaus are collecting masses of evidence on millions of Americans, usually without their knowledge. Such information is passed on for a price, often emerging as erroneous, marking people for life.

States and other jurisdictions which acquire massive lists of names and addresses sell the lists to professional list houses, which in turn sell the lists to direct-mail operations. Unsolicited mail and telephone sales pitches are so common as to be virtually commonplace in every area of the land.

The Federal Government has been shown to be invading the private lives of millions of Americans, as groups and individuals. We have all been appalled at exposes of the activities of the Federal Bureau of Investigation during the Watergate scandals. Raw files are compiled on millions of people and leaked to those with power. The FBI, as a recent ABC News special showed, maintains a private national computer network, complete with files on "security risks" who conceivably would be forcibly detained in some national crisis.

The intelligence activities of the U.S. Army have become widely known, and we are beginning to understand just what the CIA and NSA have been doing with the secret multibillion-dollar budgets voted them over the years.

Computer networks are springing up around the country, usually in the name of efficiency and good business practice, and they all exchange information of one sort or another. Time sharing on computers can easily become data sharing, for security between computers is even more primitive an art than the ABM.

Mail covers are used by the Federal Government. Dossiers are compiled on enemies, whoever they might be at a given time.

What it all boils down to is that for political, strategic, economic, or just plain contrary reasons, the personal lives of millions of citizens are being invaded without their knowledge. Often such facts are used against them, and they are given no chance to know who is doing what to them and for what reason. Government is actually leading the way, setting a standard that is being widely emulated by industry. The most sophisticated technology available is being brought to bear on this situation, compounding the problem and accelerating the pace of the

syndrome. Its cumulative effect inhibits individuality, creates fear, stifles dissent, and stultifies society.

Of late there has been a significant amount of concern expressed here in the Congress over this state of affairs. Legislation has been introduced by a number of my distinguished colleagues, and I have joined in sponsorship of much of this legislation. Much of it is still pending. Much of it should be passed and brought to the floor of the House for a vote, which many of us who support these measures would appreciate.

Before the end of this Congress we can and should make sure that the following bills and proposals have become law:

Individuals to be apprised of records held by Federal agencies and have certain rights of access.

A Federal privacy board should be created to regulate personnel information practices.

A code providing standards of fair information practices should be created.

Bills governing illegal financial disclosure by financial institutions should be passed.

Practices of distributing, selling, or otherwise making available lists of names and addresses of individuals should be prohibited.

Bills to protect political rights and privacy of individuals and organizations and to define authority of the Armed Forces to collect, distribute, and store information about civilian political activity should be passed.

We must legislate to protect Federal employees against unwarranted Government privacy invasions.

Use and dissemination of criminal arrest and other law enforcement records, especially related to the National Criminal Identification Center programs, should be controlled.

A Select Committee on the Right to Privacy should be created.

We must restrict wiretapping, prevent transfer of personal income tax records, limit mandatory decennial census questions, and prohibit unsolicited phone calls for commercial purposes.

Congress has the will and the votes to pass these. We know the problems and we have but to act.

THE CASE FOR A FEDERAL OIL AND GAS CORPORATION—NO. 33

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. HARRINGTON. Mr. Speaker, when the Arab nations imposed their oil product boycott on the United States as an economic weapon in their October war with Israel, Americans began to realize their outside dependence in energy matters.

There is no longer any question that the United States cannot continue to depend so heavily on the Arab states for its energy needs.

We all realize that increased private research and investment must be encouraged to trigger development of domestic fuel resources and alternative sources of energy.

I believe, however, that we should not allow ourselves to stop there. In those same months when American dependence on outside fuel sources was dramatized, the American people also learned of the influence—indeed the dominance—of the major oil companies in the energy business. Besides realizing that the oil companies accrued outrageously high prices at the expense of American consumers struggling to conserve fuel and minimize the increase in their fuel costs, we have learned of the oil companies' far-reaching influence extending into many aspects of our economic and political system.

There is, however, an alternative to continued major company domination, an alternative which would insure adequate fuel supplies without high prices and the inherent dangers of either public or private monopoly.

The Federal Oil and Gas Corporation, a proposal that has steadily gained supporters and respectability within academic, government and industry circles, would be such a step.

A Federal Oil and Gas Corporation would help decrease American dependence on the Arab nations for fuel, and would provide a needed competitive spur in an already uncompetitive industry.

We cannot allow the opportunity to deal with the energy crisis in general and with American dependency in specific to pass. Energy is a critical resource in an industrial society with a high standard of living.

I would like to bring to the attention of the Congress an article by the Washington Post's Jim Hoagland detailing Kuwait's plans to take over more than half of the part-American owned Kuwait Oil Company. The article underscores our energy dependency and emphasizes the need for American energy independence.

Mr. Hoagland's article follows:

KUWAIT TAKEOVER OF OIL FIRM IS SET

(By Jim Hoagland)

BEIRUT, LEBANON—In a display of Arab oil militancy, Kuwait's Parliament voted today to take over 60 per cent of the American and British owned Kuwait Oil Co., the second-largest producing firm in the Arab world.

The move is certain to increase pressure on other Arab oil producers to go after larger shares of ownership in Western firms and will probably cause yet another rise in wholesale petroleum prices, oil industry experts here said.

The Kuwait action comes as Saudi Arabia, the world's largest exporter of petroleum, has expressed new interest in negotiations for majority control of the Arabian American Oil Co., Aramco which is producing 8.5 million barrels of oil a day.

The Kuwaiti government, which had staked its prestige on the outcome of today's vote, barely won approval for the proposed 60 per cent takeover. The motion passed with the minimum 32 votes in favor, two against and 19 abstentions.

A majority in the 50-man Parliament and 12-man Cabinet was required for approval.

Radical Kuwaiti parliamentarians had pressed for an immediate 100 per cent nationalization and earlier had succeeded in blocking the government's bill. Dissenting deputies issued a statement saying their "battle for control of the oil has not finished but just begun."

The agreement sets Kuwaiti government ownership of the oil company, formerly owned jointly by Gulf Oil Corp. and British Petroleum, at 60 per cent until 1979, when new negotiations presumably will begin.

Petroleum and Finance Minister Abdel Rahman Atiqi emphasized during the debate on the bill that Kuwait had the right to take complete ownership whenever it desired, by terminating the company's concession.

Atiqi also stressed that Kuwait and other oil producers would continue to set their own prices unilaterally and that Kuwait could continue to control the company's production level. Kuwait is currently producing about 2.6 million barrels a day.

In arguing against complete takeover now, Atiqi said Kuwait needed more time to develop local expertise in all phases of the industry. He also pointed out that Kuwait is increasingly making its own direct investment abroad and should not set precedents that other countries might imitate by nationalizing Kuwait interests.

Gulf and British Petroleum agreed to accept $112 million as compensation for the partial takeover.

The accord replaces a 25 percent participation agreement that was signed by Atiqi last year. Under the old agreement, which the government withdrew rather than submit to a restive Parliament for required ratification, Kuwait would not have obtained majority control until 1982. The Kuwait government announced in January its intention to seek 60 per cent ownership.

The participation concept, which Saudi Arabia, Qatar and Abu Dhabi had also accepted was overtaken by Iraq's complete nationalization of most Western oil interests, Iran's negotiated 100 per cent takeover of its Western firms, and Libya's 51 per cent seizure of most American firms.

The extent of the Kuwait price rise that the new agreement will bring remains unclear because of Saudi Arabia's pledge to bring down the prices that oil producers charge to Western companies. The prices have quadrupled since the October war.

Kuwait will have the right to sell 60 per cent of the total production on the open market to the highest bidders, or to return all or part of it to the companies at "buy-back" prices, which are expected to be about 30 per cent higher than the current "posted" prices that the government charges the companies.

The companies will get the remaining 40 per cent at the posted price, which is currently $11.53 per barrel, meaning an actual tax-paid cost of about $7. The companies presumably will set the price they charge purchasers by averaging the two prices, bringing a rise of at least one dollar on a barrel of Kuwaiti crude.

Oil industry sources said a key test of Saudi Arabia's intentions on the price issue, which has stirred sharp conflict in the Organization of Petroleum Exporting Countries, could come later this month if the Saudis go ahead with plans to stage a sale of about half a million barrels a day on the open market.

Last year, the Saudis set their own price on their part of Aramco's output and offered it on a take-it-or-leave-it basis. There is speculation here that the Saudis might bring their direct sale price down to $9 a barrel.

ST. MARY'S CHURCH, NEWINGTON, CONN., 50 YEARS OF COMMUNITY SERVICE

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. COTTER. Mr. Speaker, just recently I received a history of St. Mary's Parish in Newington, Conn.

I read this 125-page history with interest and I would like to take this opportunity to summarize it for my colleagues since it shows the history of a church that has played a significant part in the history of the town of Newington.

Over 50 years ago, on June 6, 1920, the first Catholic Church in Newington was blessed and dedicated. This small church was called St. Mary's Mission. Before this church was established, Catholic residents of Newington had to travel great distances to attend Mass. This new church was placed on land provided by Thomas Garvan and had room for 200 parishioners.

By September 1924, St. Mary's Mission had grown to such a size that it was officially recognized as a Parish and St. Mary's received her first priest, the Reverend Edward H. Shaughnessy.

By the late 1920's it was apparent that the little church at St. Mary's Mission could not handle the increased number of parishioners. It was apparent that there was a need for a more permanent structure. By November 22, 1931, the new church of St. Mary's was dedicated by the Bishop of Hartford. The new church was a Georgian structure which had a seating capacity of 450.

Perhaps one of the most touching stories about St. Mary's Parish was the Daniel Shea Memorial Bell. Daniel Shea was a World War I veteran who was not only blind, but confined to bed in the VA hospital at Newington. Dan Shea used his meager savings in order to buy a bell for the church so that he could hear it ring from his hospital bed. On January 12, 1936, the bell was dedicated and Dan Shea's aged father, Maurice, rang the bell for the first time.

Dan Shea lived for only 8 months to enjoy hearing the sound of his bell, but the ringing of the bell continued each Sunday for many years.

In 1939, Father George Clark was named pastor of St. Mary's and he continued in that capacity until 1956.

During these years the parish continued to grow. Parish organizations such as the choir, guild, men's club, credit union, Knights of Columbus, Catholic Ladies of Columbus, St. Mary's Home and School Association, the Legion of Mary, the parish advisory council, the adult education program, and other groups were formed to meet the needs of the parishioners of St. Mary's Parish. In 1956, Father Joseph Buckley took over the reins of the parish and by September 1958, the new St. Mary's Junior High School was opened and on November 2, 1958, the school was officially dedicated and the first class graduated in June of 1960.

Today, St. Mary's Junior High School has the distinction of being the first Catholic junior high school to have an all lay faculty.

Throughout the years, the parishioners of St. Mary's have given of themselves to keep St. Mary's a viable parish. During the 1950's and 1960's the new school, new convent, new rectory, and the new church were built.

It is perhaps the new church, however, which symbolizes the vitality of this parish. I have gone to this church on a number of occasions and I am always impressed with its physical beauty and the spirituality of its parishioners.

The year 1974 is the golden anniversary of St. Mary's Parish. As I read the parish history, I could not help but be inspired by the dedication and love of the clergy and the parishioners who have made this parish such an inspiration.

I hope that this brief sketch of the history of St. Mary's will give my colleagues an understanding of the accomplishments of this parish. At a time of transition and turmoil, events such as the golden jubilee of St. Mary's takes on special significance.

For the benefit of my colleagues I am enclosing an article which appeared in the Hartford Times last Sunday. I know you will join with me in hoping that the next 50 years are as full of accomplishment as the first 50 years of St. Mary's Parish.

The article follows:

BELL'S RING WILL STIR OLD MEMORIES

(By Jim Coulter)

NEWINGTON.—When the bell at St. Mary's church rings this afternoon to call the parishioners to the High Mass climaxing the year-long Golden Jubilee Celebration, a special parish legacy, intermittently interrupted for a period of time, will be reinstituted.

The ceremonies this afternoon at 4:30 p.m. will include the rededication of the parish bell—originally donated to the church by a blind amputee war veteran who could tell when the Sunday masses would begin by the tolling sounds of the bell.

The bell, which has been in storage, will be officially rededicated in a new tower built on the same spot where the original St. Mary's Church was first dedicated in 1920.

The donor was a World War II disabled veteran named Dan Shea, who was confined to the Administration Hospital.

He became acquainted with the parish in 1933 through the Rev. James P. Timmins, hospital chaplain and St. Mary's administrator who used to give him Holy Communion.

Since intense physical pain and severe transportation problems prevented Shea from attending mass except at special holidays such as Christmas and Easter, he decided to save his meager government checks to purchase a bell for St. Mary's to let him know when the masses would begin on Sundays.

"Dan conceived the idea of giving a bell to St. Mary's church, which he knew to be his neighbor, though he had never seen it. A bell would ring out the summons to mass, and if he knew when Mass was going on, he could 'attend' in his own way from his bed," wrote Mrs. Marjorie Albert who recently authored a Jubilee book of the history of the parish.

"On Sunday evening, January 12, 1936, more than two thousand people attempted to enter St. Mary's Church for the blessing of the bell. Hundreds had to be turned away nearly half an hour before the ceremonies began at 7:30 p.m.," Mrs. Albert wrote. "Two monsignori and several priests were present in the sanctuary while the lay audience included officers of the Newington Veterans Administration Hospital, town and city officials, representatives of veterans organizations, and visitors from Mr. Shea's home town of Holyoke, Mass. Occupying the front seat and accompanied by Major Bannigan was Maurice Shea, 72-year-old father of the disabled veteran," she wrote.

Silently waiting across the road in the Hospital for the bell to toll was Dan Shea, whose gift made the occasion possible.

"Every Sunday after that, Dan's bell was rung five minutes before each Mass, to summon parishioners to church, and to let Dan know mass was about to begin," Mrs. Albert wrote.

"Although this tradition was carried on for years, Dan lived only eight months to enjoy it," she continued. He died Sept. 15, 1936, and was buried in his hometown of Holyoke.

The bell was later housed in a tower built onto the newly-constructed church during the World War II years, but was deactivated when the present church was constructed in 1967. It has been stored away since that time, but will be rededicated at the 50th Anniversary celebration of the parish this afternoon.

Other stories of the founding and growth of St. Mary's are also told in the Golden Jubilee book authored by Mrs. Albert.

St. Mary's which was the first Catholic church ever built in Newington, was originally dedicated in 1921. Since no priests were assigned, the town was regarded as a mission and was administered by St. Bridgid's parish in Elmwood.

The church was built on property owned by a local paper mill owner, Thomas P. Garvan, who also financed the construction. Prior to that, local Catholics had to spend Sunday morning traveling to and from the church in Elmwood, and "without breakfast if you wanted to receive Holy Communion," Mrs. Albert wrote.

As the congregation grew over the years, the original church was replaced by a bigger structure, and a rectory and school were eventually added. As other Catholic churches were built in town, parish lines were formed. The latest St. Mary's church was completed in 1967, and stands to the rear of the original structure, built to the side of what is now Willard Avenue.

At present, some 1,800 families are listed as parishioners of the church.

A year-long series of events have taken place to commemorate the 50th anniversary Golden Jubilee of Newington's oldest Catholic church.

In conjunction with the anniversary, a History Committee headed by Mrs. Albert compiled the book. "The most difficult part of the task was the research," she commented.

Longtime parishioners were looked up and interviewed at first, but conflicting stories were often told to the committee. Numerous old photographs lent by parishioners often settled the differences of opinion, but the best source of information turned out to be the research department of the Catholic Transcript, a weekly newspaper.

The committee began its task last June. "A chapter which was already written frequently had to be redone as new information was received while the printing deadline fast approached," she said.

Mrs. Albert said the book was written because no parish history was recorded before, and because she wanted "to pay adequate tribute to the past and present priests and administrators."

FATHER MIKE MARKS 25TH ANNIVERSARY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1974

Mr. GAYDOS. Mr. Speaker, the parishioners of the Ascension of Our Lord Church and the residents of the city of Clairton, Pa., recently honored a man who has achieved an outstanding reputation as a spiritual and community leader in western Pennsylvania.

I was privileged to attend the event and witnessed the esteem and respect accorded the Reverend Monsignor Michael Hrebin by the members of his church, the citizens of his community, and his family and friends. The occasion was the observance of Monsignor Hrebin's 25th anniversary of his ordination into the priesthood.

Father Mike, as he is affectionately known to many, is truly a unique individual. His interests are many, his energy boundless, and his endeavors too numerous to list. He is a man of genuine warmth and friendliness, who can easily instill faith and trust in those filled with doubt and suspicion. He is, to those who know him, an inspiration.

A native Pennsylvanian, Monsignor Hrebin was raised in Forest City, Pa., where his father was a cantor at St. John's Church. Father Mike was a member of the church choir and an altar boy. With this background, in addition to the influence of seven other cantors in his family, it is not surprising that he became well accomplished in the principles of ecclesiastical chants at an early age. At the age of 16, he became a cantor himself at St. John's Church in Lyndora, where he also organized a choir. Two years later he entered St. Procopius Seminary in Illinois, where he directed the Byzantine Choir and served as assistant organist in the Latin Rite liturgical services.

He was ordained on May 8, 1949, at St. Mary's Church in Whiting, Ind., and his first appointment was as assistant pastor at the Holy Ghost Church in Cleveland, Ohio. A year later, he was assigned to St. Michael's Church in Gary, Ind., and in 1952 returned to western Pennsylvania as pastor of the Holy Spirit Church in Pittsburgh. On November 1, 1959, Father Mike came to Clairton, where in May 1970, he was elevated to monsignor by Pope Paul VI.

As the pastor of Ascension Church, Monsignor Hrebin launched a major renovation and building program that has made the church's social hall the center for parish, diocesan, and community activities. He has cultivated and strengthened many spiritual programs within the parish and in areas of ecumenical affairs, Monsignor Hrebin was a founder of the annual Clairton Mayor's Prayer Breakfast and a member of the city's human relations commission.

His interest in music has never waned. As a priest, Father Hrebin organized and directed the 200-voice Midwest Byzantine Catholic Chorus and also has directed the 500-voice Western Pennsylvania Byzantine Catholic Chorus. He also arranged the music for the first English Mass celebrated by the Most Reverend Bishop Fulton Sheen in 1955 at Mount St. Macrina.

Mr. Speaker, on behalf of my colleagues in the Congress of the United States, I take this opportunity to extend our formal congratulations to Monsignor Hrebin on the 25th anniversary of his ordination. As a personal friend of this remarkable man, I join the members of Ascension Church, the citizens of Clairton, and his family in wishing that God grant Father Mike many more years in His service.

HOUSE OF REPRESENTATIVES—*Thursday, May 16, 1974*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Therefore, my beloved brethren, be ye steadfast, unmoveable, always abounding in the work of the Lord; forasmuch as ye know that your labor is not in vain in the Lord.—I Corinthians 15: 58.

Almighty God who has made and preserved us as a nation and whose creative spirit ever summons us to new frontiers of thought and action we pause in Thy presence as we turn another page in the chapter of our lives together as Members of Congress. Under the guidance of Thy Spirit we would greet the sunrise of another day.

May these hours be rich in the revelation of Thy presence and resplendent with the realization of Thy power to sustain us as we face the demanding duties of these disturbing days. Make our hearts centers of good will and move in our minds with wisdom as we seek to solve the problems that confront our Nation.

Give to us an increasing desire to minister to the needs of our people and to keep our Nation safe for democracy and secure with liberty and justice for all.

In the spirit of Christ we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Marks, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 7, 1974:

H.R. 11793. An act to reorganize and consolidate certain functions of the Federal Government in a new Federal Energy Administration in order to promote more efficient management of such functions.

On May 10, 1974:

H.R. 8101. An act to authorize certain Federal agencies to detail personnel and to loan equipment to the Bureau of Sport Fisheries and Wildlife, Department of the Interior; and

H.R. 9492. An act to amend the Wild and Scenic Rivers Act by designating the Chattooga River, N.C., S.C., and Ga., as a component of the National Wild and Scenic Rivers System, and for other purposes.

On May 14, 1974:

H.R. 9293. An act to amend certain laws affecting the Coast Guard.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 12412. An act to amend the Foreign Assistance Act of 1961 to authorize an appropriation to provide disaster relief, rehabilitation, and reconstruction assistance to Pakistan, Nicaragua, and the Sahelian nations of Africa; and

H.R. 12799. An act to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, and for other purposes.

PERMISSION FOR SPEAKER TO DECLARE A RECESS ON TUESDAY, MAY 21, 1974

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that it be in order for the Speaker to declare a recess on Tuesday, May 21, 1974, subject to the call of the Chair, for the purpose of receiving in this Chamber former Members of the House of Representatives.

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

There was no objection.

SCHEDULE FOR CONSIDERATION OF APPROPRIATION BILLS

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

Mr. MAHON. Mr. Speaker, on recent occasions the majority leader has made reference to the heavy floor schedule the House will have in June in considering the appropriation bills. For the benefit of Members and others, I wish to state the tentative schedule for considering the appropriation bills.

Thus far this session the House has cleared the following appropriation measures:

Urgent supplemental for veterans;

Second supplemental for fiscal year 1974;

Legislative appropriation bill for 1975; and